



## **Starting Salary and Pay Progression Policy**

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## 1 Introduction

- 1.1. In April 2018 the NHS Staff Council agreed a new pay framework on the reform of Agenda for Change (AfC) pay. Part of this pay framework was introduced in July 2018 back dated to April 2018, and the remainder has been implemented in April 2019.
- 1.2. The framework will help ensure that all colleagues have the appropriate knowledge and skills they need to carry out their roles so that they make the greatest contribution to patient care. It simplifies the pay structure and speeds up progression to the top of most pay bands. As a result of this framework the requirements on starting pay for colleagues new to the NHS and pay on promotion are strengthened.
- 1.3. This policy provides the NHS pay framework requirements under which the Trust and managers are required to work in determining the correct level of pay, which does not unnecessarily inflate the Trust pay bill, but rewards colleagues with the correct level of pay in a fair, transparent and consistent manner, with the aim of increasing retention and reducing the risk of equal pay claims.
- 1.4. This policy also introduces the framework and approach to the pay progression process which applies from April 2019.

## 2 Scope

- 2.1. This policy applies to permanent, and fixed term colleagues employed under Agenda for Change (AfC) Terms and Conditions.

## 3 Definitions

<b>IAT</b>	Inter Authority Transfer
<b>Formal Disciplinary Sanction</b>	The period for which a formal warning issued under the Disciplinary Policy and Procedure is valid.
<b>Formal Capability Action</b>	Formal warning issued under the Capability Policy
<b>Pay progression</b>	Movement of a colleague's salary through the Agenda for Change payscale
<b>Pay step</b>	Date at which the colleague is eligible to move to the new point on the payscale (previously referred to as Increments)

<b>Pay Step Date</b>	Is the anniversary of the date the individual commenced in their current band.
<b>Pay step submission</b>	The criteria that managers confirm progression standards have been met.
<b>Promotion</b>	Recruited to a higher banded role.
<b>RRP</b>	Recruitment and Retention Premia.
<b>HCAS</b>	High Cost Area Allowance.

## 4 Principles

- 4.1. The NHS Terms & Conditions of Service Handbook sets out full details for the pay and conditions for colleagues within the remit of the NHS Pay Review Body (NHSPRB).
- 4.2. To ensure that colleagues are paid fairly and consistently for the work they undertake.
- 4.3. Pay progression will no longer be an automatic right of colleagues but rather is something to be earned and is a reward that is dependent on satisfactory performance, conduct and demonstration of meeting all statutory and mandatory training requirements relevant to their role.
- 4.4. Pay step progression may occur at any time during the year, dependant on start date in role and may be different to the appraisal date.
- 4.5. The Trust has the right to determine whether to award a short-term or long-term premium to any post unless explicit guidance and/or instruction is received relating to specific posts from the Pay Review Bodies or Pay Negotiating Council.

## 5 Roles and Responsibilities

### 5.1. Colleagues

- 5.1.1. Provide evidence of their experience on request.
- 5.1.2. Produce a copy of the final payslips from their previous employer on request.
- 5.1.3. Remind their manager when their appraisal is due.

- 5.1.4. Actively participate in the annual Appraisal process and jointly agree and work towards their objectives.
- 5.1.5. Make their Line Manager aware of any organisational constraints that are preventing them from achieving their objectives and agree a solution.
- 5.1.6. Have and maintain a satisfactory level of conduct.
- 5.1.7. Demonstrate they have reached a satisfactory level of performance in the preceding 12 months.
- 5.1.8. Ensure appraisals for colleagues they manage are completed.
- 5.1.9. Identify any training needs required to meet the job role.
- 5.1.10. Ensure that all statutory and mandatory training relevant to their post is up to date and recorded as compliant, attending all training as booked except for in extenuating circumstances.
- 5.1.11. Make their Line Manager aware of any organisational constraints preventing them from being compliant in statutory and mandatory training.

## **5.2. Line Manager**

- 5.2.1. Make fair, reasonable, equitable and sustainable decisions in relation to the pay of colleagues.
- 5.2.2. Take into account highly relevant experience which can be verified when determining the pay of new colleagues.
- 5.2.3. Consider all relevant factors before seeking decisions on Recruitment and Retention payments.
- 5.2.4. Ensure that all factors, both non pay incentives and pay, are taken into account when making decisions on pay.
- 5.2.5. Ensure that there is no bias in their decision to defer a pay step.
- 5.2.6. Read notifications received from HR/ESR about pay step dates.
- 5.2.7. Ensure that HR/ESR is updated before the 4<sup>th</sup> of the month in which any pay step is due.

- 5.2.8. Undertake annual Appraisals for all members of their team in accordance with the Trust's Appraisal processes.
- 5.2.9. Discuss pay progression with the colleague prior to any deferment of pay and the rationale for deferment.
- 5.2.10. Ensure performance that falls below the accepted levels is managed effectively in line with the Trust's Capability Policy and appropriate support is provided to address the concerns.
- 5.2.11. Ensure the colleague is encouraged and given the opportunity to undertake statutory and mandatory training within work time or given appropriate time back in lieu.
- 5.2.12. Demonstrate they have encouraged and supported the colleague to achieve the criteria for pay progression.
- 5.2.13. Make the colleague aware of the right of review where necessary.
- 5.2.14. Record the Pay Progression Review Meeting on ESR Manager Self Service/Pay Step Submission Form at least one month prior to the pay step date to confirm pay progression has been agreed or declined.
- 5.2.15. Undertake appraisals for colleagues who will be absent for a long period prior to the leaving date, if at all possible.

### **5.3. Human Resources**

- 5.3.1. Ensure that the Trust meets its requirements in relation to fair and equitable pay, questioning any decisions which do not appear to be sustainable and could put the Trust at risk.
- 5.3.2. Provide information to NHSI, NHS Employers and the DH if rates of pay are outside of those set within the pay framework.
- 5.3.3. Review all starting salary pay above minimum or RRP requests.
- 5.3.4. Monitor and retain a record of the reasons for any decisions made on pay to ensure that there is sustainable evidence to justify the decisions made.
- 5.3.5. Issue pay step reminders to managers.
- 5.3.6. Maintain a database of all recruitment and retention premia being paid within the Trust and will initiate a review of all premia on an annual basis.

#### **5.4. Executive Directors**

- 5.4.1. Ensure that a cost-effective approach to pay is applied consistently across the Trust.
- 5.4.2. Decide on whether Recruitment and Retention Allowances are appropriate to be paid.
- 5.4.3. Decide on whether a pay point higher than that allowed for under the normal AfC terms can be paid.
- 5.4.4. Make recommendations to the Trust Remuneration Committee where necessary.
- 5.4.5. Ensure approval is gained from the HR Service Centre and Executive Director of HR & OD.

#### **6 Starting Salaries Pay for colleagues new to the NHS or those returning to the NHS with a break in service of more than 12 months**

- 6.1. For starting pay purposes, the Trust has discretion to consider any period or periods of employment served with employers outside the NHS, where these are judged to be 'equivalent relevant experience' to the post to which they have been appointed. In the interests of equity, pay step credit will not be given for reasons other than years of experience.
- 6.2. It is important that when discussing salary levels the wider NHS terms and benefits are promoted and taken into account, for example:
  - Sick pay arrangements
  - Enhanced annual leave
  - Life insurance (death in service benefits) provided by membership of the NHS pension scheme
  - Additional contributions the Trust pays into the NHS pension scheme for each colleague.
  - Any additional allowances attached to the post e.g. working outside Normal Hours, On call, Existing Recruitment and Retention Premia.
- 6.3. The 2018/21 pay deal has also seen increases to the minimum of each pay band and removes the overlap between pay bands, therefore the Trust expects that new appointees, with no previous NHS experience, will start at the bottom of the pay band for their post, unless they have



experience which is considered highly relevant to the role they will be undertaking.

- 6.4. Although an applicant may wish to be paid at a higher rate of pay than the norm, it is the relevant experience they have (defined as completed years paid employment in a non-NHS role of equivalent level and responsibility, using equivalent knowledge and skills, in a similar profession where skills are transferable). If substantiated this determines the point of band on which an individual may be placed and not their current salary.
- 6.5. Recruiting Managers should be mindful that the salary would not cause problems of relativity with existing colleagues, including provisions within the Equality Act 2010 which makes it unlawful for employers to discriminate between sexes in terms of their pay and conditions where they are doing the same or similar work, work rated as equal, or work of equal value.
- 6.6. In addition, colleagues who are returning to the NHS on the same pay band must not be placed on a pay point greater than they would have reached had they remained in the NHS.
- 6.7. If some of the core transferrable skills were to be missing i.e. management role where the appointee had no previous line management experience, they would not be able to be placed on any point above the point a colleague already within the NHS would be placed on following promotion (from April 2019 this will be the bottom of the band).
- 6.8. Service in a bank role, agency or private provider will not count towards continuous service. However, the skills obtained in these roles may be highly relevant to the role to which they are being appointed, and as such those highly relevant skills could count towards the point of scale to which they are appointed.
- 6.9. Before any offer of employment is made above the minimum of the pay band, the following must be considered:
- 6.10. If it is difficult to recruit the candidate on the minimum point of the pay scale, due to labour market conditions, consideration should be given to whether it is appropriate to make an application to award a Recruitment and Retention Premium (RRP) rather than offering higher starting pay. It is very important that higher starting pay not used as a tool to overcome difficulties in the labour market.

- 6.11. Giving credit without good reason is contrary to the principles of fair pay within Agenda for Change and the NHS Terms and Conditions of Service Handbook. In order to ensure consistency of these criteria, managers must complete the Recruit Above Minimum Form (Appendix 1) and obtain approval from the relevant Director, Human Resources (HR) Business Partner and Finance Business Partner before making any offer to the candidate.
- 6.12. In all cases, an application to support a colleague starting above the minimum point on the pay band must be submitted before the colleague commences employment within the Trust. Applications received later than this will not be considered.
- 6.13. No colleague will be placed on the payroll at a level above the minimum of the scale without the relevant approvals. Where this has not happened the level of pay that has been offered will not be honoured.
- 6.14. A copy of the previous employer's payslip or / Letter from the previous employer confirming salary and previous job description will be required. Until received the colleague will be placed at the bottom point of the band.

## **7 Pay for colleagues transferring from alternative NHS employment or returning to the NHS with a break in service of less than 12 months**

### **7.1. Appointment onto Same Pay Band**

- 7.1.1. For colleagues already working in the NHS all-be-it in a different Trust, the years of experience working in the pay band will determine the point of scale at which the colleague is placed. This is usually the same as the point of scale they are being paid on at the point of transfer. Until the salary is verified by either a copy of the payslip or IAT (see below for explanation) they are placed on the bottom point of scale.
- 7.1.2. Colleagues who have no break in service or a break in service of less than 12 months, and who are returning to the same pay band, will enter the pay band at the same point upon which they were paid when they left. Under NHS Terms and Conditions of Service, colleagues are not entitled to a pay increase where the job title may change but the pay band does not (hierarchical promotion) i.e. promotion within a band. This is because both jobs have been evaluated to be on the same pay band and the different

responsibilities of the jobs are rewarded equally under the job evaluation scheme.

- 7.1.3. Initially colleagues will be paid on the minimum of the band until confirmation of their previous salary and previous job description have been received. However, as it can take some time to confirm past employment the new colleague can provide their latest payslip from their previous NHS employer to confirm their previous pay scale and point. The final offer letter from the Recruitment Department will include a statement that makes it clear that the offer is subject to confirmation by the Inter Authority Transfer process.
- 7.1.4. The exception to this would be if someone chooses to change profession, i.e. paramedic to administrator at their own request.
- 7.1.5. Individuals will retain their existing pay step date.

## **8 Appointment onto Lower Pay Band**

- 8.1. Colleagues appointed to a post in a lower pay band will enter the band at the point they would have reached if all their full years of NHS service in equivalent or higher pay bands had been worked in the lower band. This may involve a decrease in salary for an individual.
- 8.2. The pay step date will be the date of appointment to the lower band.
- 8.3. Where an individual is appointed to a lower banded role as a result of organisational change, as a suitable alternative position, their existing level of pay will be protected in line with the Trust's Pay Protection Policy and Organisational Change Policy.
- 8.4. On some occasions colleagues may voluntarily move to a lower band and later they may return to the higher band. In these situations, the new salary should be calculated by using the same rationale as out lined in Section 9.1.

## **9 Existing Trust Colleagues - Appointment onto a Higher Pay Band**

- 9.1. Colleagues already working within the Trust who are promoted will be placed on the bottom point of the band, unless they have previous years of experience in the higher band, for which full years of experience will be taken into account in confirming the pay point.

- 9.2. From April 2019 all colleagues who are promoted will have their grade step date changed to the anniversary of the date they were promoted.
- 9.3. Where a post is re-banded as a result of a changed job evaluation outcome, the new pay step date will become the anniversary of the agreed date on which the new job description is deemed to take effect.

## **10 Temporary Acting up or Secondments**

- 10.1. Under Agenda for Change and in line with the Trust's Acting up and Secondment Policy no payment can be given for colleagues acting up or temporarily moving to another post, if their existing post is in the same band as the one into which they are acting up or temporarily moving into.
- 10.2. Where there is a temporary move to a different post, colleagues will remain on their existing pay progression arrangements and retain their current pay step date. No pay progression will take place in the higher band. Upon returning to their substantive band, colleagues return to the point they would have reached in the band had they remained in their substantive role.
- 10.3. Where Acting Up or a Secondment becomes a permanent substantive change the pay step date will remain as, or become, the date on which upgrading began, with pay step progression for years in band being awarded.

## **11 Salary Protection and Additional Allowances**

- 11.1. Where an individual changes post through promotion or voluntary transfer, any protected payments, for example following an organisational change, will be lost. This should be made clear to colleagues when they inquire about a post.

## **12 Unsocial Hours**

- 12.1. As part of the national collective agreement on the 2018 pay deal, a provision has been added to the Agenda for Change handbook to open Section 2 (maintaining round the clock services) unsocial hours payment (USH) arrangements to all ambulance staff.
- 12.2. From 1 September 2018, all new colleagues will automatically start on section 2. Existing colleagues that change role into a new substantive post will also have Section 2 USH applied. This will not apply to individuals in training, through the Trust, whose course commenced prior to 1st September 2018. (See Unsocial Hours and Changes in Job Role FAQs).

- 12.3. Any new entrants or existing colleagues who voluntarily move to section 2 will not have unsocial hours enhancements paid as part of their occupational sickness absence pay unless they earn £18,160 or less.
- 12.4. Unsocial hours payment will be payable during sickness absence for those absent from work due to injuries, diseases or other health conditions contracted in the discharge of their duties of employment, and who are not in receipt of injury allowance. (See Unsocial Hours and Changes in Job Role FAQ's)
- 12.5. Individuals may estimate their pay under both systems [using our comparison tool](#).

### **13 Recruitment and Retention Premiums (RRP)**

- 13.1. Where the Trust is finding it difficult to recruit or retain colleagues in a particular post, applying Recruitment and Retention premiums may be appropriate to consider.
- 13.2. RRP is an amount in addition to the pay of a post(s), where market pressures would otherwise prevent the Trust from being able to recruit and/or retain appropriately qualified/experienced colleagues for the post(s) concerned at the evaluated pay band.
- 13.3. RRP can be applied either:
- Locally by the Trust to posts, or
  - Awarded nationally to particular groups of roles by the Pay Review Body and/or the Pay Negotiating Council. Where such posts are already subject to local arrangements, these will need to be reviewed at this time. Full details of posts that attract a national RRP are contained within the Agenda for Change Terms and Conditions of Service Handbook.
- 13.4. RRP will be considered when the following measures have been put in place:
- Trust evaluated Job Description.
  - Posts have been advertised in local, regional, national and/or professional media.
  - Consistent data showing high patterns of turnover, supported by exit interview data indicating a direct link to dissatisfaction with pay levels
  - Consultation with neighbouring employers before implementing. The case of need may be required to be discussed with our NHS

colleagues outside of the Trust to ensure that a consistent approach is carried out as laid down in the AfC National agreement.

- Before consideration is given to payment of RRP to ensure retention of colleagues, management will ensure non-pay benefits are sufficiently developed i.e. Flexible working, training, recruitment initiatives

13.5. If the recruitment problem can be addressed most effectively only through payment of a RRP, it will be decided if the issue is likely to be resolved in the foreseeable future (in which case any premium should be short term) or whether it is likely to continue indefinitely (in which case any premium should be long term). Management will be required to submit a RRP Request, Appendix 2

Long term	Short term
May be applied where there are deep-rooted market conditions (or it is impossible to recruit to the post at the basic rate of pay).	
Will be awarded on a long-term basis.	May be awarded on a one-off basis or for a fixed term period.
Will have their values regularly reviewed.	Will be regularly reviewed.
May be withdrawn, or have the value adjusted, subject to a notice period of six months.	May be withdrawn, or have the value adjusted, subject to a notice period of six months.
May be awarded to new colleagues at a different value to that which applies to existing colleagues.	
Will be pensionable, and will count for the purposes of overtime, unsocial hours payments and any other payments linked to basic pay, including sickness payments.	Will not be pensionable, or count for purposes of overtime, unsocial hours payments or any other payments linked to basic pay, including sickness payments.
Any RRP for a given post shall not normally exceed 30% of basic salary.	Any RRP for a given post shall not normally exceed 30% of basic salary.

- 13.4. Both long-term and short-term recruitment and retention premia will be expressed as cash sums and will be separately identifiable from basic pay, any high cost area supplement, and any other component of pay.
- 13.6. In exceptional circumstances the timeframe for both long term and short term premia may be either reduced or extended following review annually or sooner in response to:
- How far the recruitment and retention premia has allowed the Trust to reduce its vacancy rates and turnover.
  - The likely impact on vacancies of removing or reducing a recruitment and retention premium.
  - Any changes in labor market circumstances.
  - Whether the post has been re-banded under the Trust's job evaluation scheme.
  - Whether the pay progression system has impacted the need for RRP.
- 13.7. RRP will apply to posts rather than to colleagues. When an colleague moves to a different post that does not attract RRP any previous RRP will cease and pay protection will not apply.
- 13.8. Upon promotion to another role, if the minimum of the new pay band does not deliver an increase in salary, then the first pay point which would deliver an increase in pay will be used (by reference to the total value of the salary plus RRP in their previous role within the Trust).
- 13.9. RRP Approval**
- 13.9.1. To ensure consistency in the application of payment of RRP, managers wishing to apply for RRP for post/s within their department will, in conjunction with their HR Business Partner and Finance Business Partner submit their application using the RRP Request Form, Appendix 2 to the relevant Director (or delegated Deputy). They should then forward it to the Director of HR & OD (or delegated Deputy).
- 13.9.2. Where approved, the completed RRP Request form should then be forwarded to either HR Terms and Conditions (for existing posts) or to the HR Recruitment service (for RRP to be applied at the recruitment stage).
- 13.9.3. The Trust's decision on RRP applications is final and applications should not be submitted more than once in a twelve month period for the same post.

### **13.10. RRP Review**

13.10.1. RRP will be reviewed at least annually or sooner in response to service need or labour market trends. This may involve consideration of the level of any annual pay awards applied by the Trust. In order to allow for RRP to be included in the annual business plans and budget setting, RRP payments should be reviewed in tandem with this for premia payable from the following April.

13.10.2. RRP reviews/extensions will consider:

- Whether the RRP has reduced vacancy rates and turnover.
- Whether current rates reflect need.
- The likely impact on the service of increasing, reducing or removing RRP altogether for a particular post considering financial constraints.
- Any changes in the labour market circumstances within the profession.
- Whether other developments designed to address workforce shortfalls have been considered.

13.10.3. Appendix 3 provides a template on which RRP review information should be captured.

13.10.4. The review will determine whether a given premium should be either:

- Withdrawn – with appropriate notice.
- Increased or reduced.
- Move from short term to long term or vice versa.
- Inflation rate upgrade added.

13.10.5. The HR Business Partnering Team will prompt local managers to submit RRP's for review prior to 1<sup>st</sup> April each year.

13.10.6. If at the first or second annual review of a short term RRP, it is decided that the labour market conditions are expected to take longer than previously expected to disappear or resolve, then consideration should be given as to whether this premia should be converted to a long term RRP. If a short term RRP is still being applied after three years, it must automatically convert to a long-term RRP. Any additional enhancements will be applied in line with the long term premia from the date it is converted. There will be no back pay applied.



- 13.10.7 The relevant Business Partner will be responsible for notifying managers of the outcomes of RRP applications and RRP reviews. Records will be held centrally within HR for monitoring purposes.

## **14 High Cost Area Supplement (HCAS)**

- 14.1. HCAS is paid as an addition to basic pay to Trust colleagues who are contractually based in a high cost area payment zone, as detailed in Annex 8 of the NHS Terms and Conditions of Service Handbook.
- 14.2. The level of high cost area payments are set out in Annex 9 of the NHS Terms and Conditions of Service Handbook and reviewed annually, based on the recommendations of the NHS Pay Review Body (NHSPRB). The supplements will be expressed as a proportion of basic pay (including the value of any long-term recruitment and retention premium), but subject to a minimum and maximum level of extra pay.
- 14.3. High cost area supplements will be pensionable. They will not count as basic pay for the purposes of calculating the rate of overtime payments, unsocial hours payments, on-call availability payments or any other payment, excluding sick pay.

## **15 Pension**

- 15.1. The Trust is legally required to enrol eligible colleagues into a workplace pension scheme and to make contributions towards it. Employers in the NHS are required under the NHS Pension Scheme regulations to automatically enrol all eligible colleagues into the NHS Pension Scheme from the first day of their employment. Colleagues that are not eligible to join the NHS Pension Scheme must be enrolled into an alternative qualifying pension scheme. The Trust has engaged with NEST (National Employment Savings Trust) to be its provider of an alternative qualifying pension scheme for colleagues.

## **16 Part 2 - Pay Progression**

- 16.1. The 2018 framework agreement on the reform of Agenda for Change introduced provisions to move to a new pay system, where within each pay band there are a number of pay steps to allow pay progression in post.

- 16.2. Effective from 1<sup>st</sup> April 2019 AfC identifies that an individual's pay progression is dependent upon their ability to demonstrate that they have achieved and/or maintained the required standards, during the review period. All colleagues commencing NHS employment or promoted on or after 1 April 2019 will be subject to these provisions in line with their respective pay band journey.
- 16.3. Pay step rises will allow faster progression to the top of the pay band, provide meaningful pay increases, encourage colleagues to take responsibility for showing that they meet the defined standards by undertaking all mandatory training and undertaking their appraisal in a timely manner. In addition, managers must ensure that all of the colleagues, for whom they have responsibility, have completed their mandatory training and appraisals.
- 16.4. The pay spine for colleagues covered by the NHSPRB (NHS Pay Review Body) is divided into nine pay bands. Within each pay band there are a number of pay steps to allow pay progression in post.
- 16.5. Pay step submissions for all colleagues will only take place after two, three or five years depending on pay band. For pay bands 2 to 7, 8a and 8b this will apply to all the pay steps in each pay band. For pay bands 8c, 8d and 9 there is a re-earnable process that will apply in the year after an colleague has reached the top of their pay band where 5 per cent or 10 per cent of basic salary will become re-earnable (See Section 18).

## **17 Transitional Arrangements for colleagues in post prior to 1 April 2019**

- 17.1. During the three year transition period ending 31 March 2021 current Trust pay progression procedures will continue to apply. For the purpose of pay progression this includes colleagues who:
- Were in post prior to April 2019 and have not been promoted
  - Commenced work in the Trust post April 2019, but who were working in the same band as at the 1<sup>st</sup> April 2019 in a different Trust and continued to do so until they started work within this Trust
  - Are temporarily acting up/ seconded into a higher band.
  - Have transferred to a band 2 from the band 1 pay band as a result of the pay framework.
- 17.2. Existing colleagues in post as at the 1 April 2019 who remain on their current band will move onto this system in April 2021, by which time the majority will be at the top point of their band. They will still be required to meet the conditions in Section 19.

## **18 Colleagues on Band 8c, 8d and 9**

- 18.1. Once they have reached the top of their band, the expectation is that all colleagues in bands 8c, 8d, and 9, will meet the required standards and will re-earn the relevant element of pay annually. The first point at which the re-earnable element becomes relevant is 12 months after colleagues have passed through their pay step point to reach the top of the band.
- 18.2. In the year after an colleague has reached the top of bands 8c, 8d or 9, 5 per cent or 10 per cent of basic salary will become re-earnable. Where the standards in Section 19 are met, salary is retained at the top of the band. If standards are not met salary may be reduced by 5 per cent or 10 per cent from the pay step date. The colleague will be able to restore their salary to the top of the band at the end of the following year by meeting the required standards.

## **19 National Pay Progression Standards**

- 19.1. Pay step progression will be dependent on the following:
- The appraisal process has been completed in the preceding 12 months prior to the grade step date and the outcomes in line with the Trust's standards.
  - Statutory and/or mandatory training has been completed.
  - There is no formal live disciplinary sanction live on the colleague's record
  - No formal capability has been issued where action is ongoing.
  - **For line managers only** – Appraisals have been completed for all their direct reports, as required.

## **20 Exceptions covered within the Pay Framework**

### **20.1. Reasons outside of an Individual's Control**

20.1.1 Colleagues who could not complete their appraisal or mandatory training on time for reasons outside of their control should not be disadvantaged, provided that the colleague satisfies all other requirements and a new appraisal or training course has been booked. For example:

- An appraisal is cancelled by the manager due to organisational issues.
- Cancellation of training course.
- Bereavement of an immediate family member.
- (this list is not exhaustive)

## **20.2 Extended Leave and Long-term Absence**

20.2.1. Colleagues on long term sick leave, shared parental leave, adoption leave or maternity leave at the point their pay step date is reached, will receive a pay step rise on their pay step date provided the criteria below are met (and where no other exemptions apply).

- They are up-to-date with their mandatory training.
- They have had an appraisal which met organisational standards at the point they began their absence.
- They did not have any live formal disciplinary sanctions on their record.
- They did not have a live formal capability in place with on-going action.

20.2.2. If it is known that an colleague will be taking an extended period of leave it is good practice to undertake an appraisal prior to the commencement of a career break or other extended leave. Where this does not occur, the manager must complete the pay progression review form in their absence.

## **20.3. Employment (Career Breaks)**

20.3.1. During an employment break, colleagues will not progress up the pay band for the period identified as the break. On return from this type of break, colleagues will be placed on the same pay point and band they were on before the break. Their pay step journey will be delayed by the equivalent length of the employment break.

## **20.4. Secondments and Long Term Acting Up**

20.4.1. If an colleague is seconded or acting up to a higher banded post, on their return to their substantive post the time spent on secondment/acting up will count toward the pay step date. For example:

- An colleague is on the entry point of band four with a pay step date of April 2022. In June 2021 they are seconded to a band 5 role for 12 months. On their return from secondment in June 22 they will have passed their pay step date and as long as they return to their substantive band and meet the minimum requirements, their pay will be placed on the next point of the band 4 scale.

20.4.2. If a colleague is seconded and remains in their current band, they would go through their pay step at their pay step review date as long as they meet the minimum requirements listed in Section 19.

## 20.5. **Suspensions**

20.5.1. As a suspension from work with pay is a neutral act, any colleague who is suspended from work with pay at the point of the pay step date, will receive a pay step rise without delay as long as they were up to date with the requirements listed in section 19 immediately prior to the suspension. At the point it is known the pay step rise should be awarded the manager must complete a pay progression review form.

## 21 **Pay Step Rise Deferment (Delay)**

21.1 In all cases where a deferment of a pay step rise is appropriate or being considered, the manager must meet the individual prior to making the final decision to understand if there are any mitigating factors. In all cases where a colleague is not going to meet the requirements to achieve a grade step this should not be a surprise. The manager must explain their decision and confirm in writing within seven calendar days of the meeting.

### 21.2. **Deferment Reasons:**

- A live disciplinary sanction on file at the grade step point - their pay step pay rise would be delayed until the disciplinary sanction has expired.
- A formal capability warning has been issued and action is on-going - the pay step rise would be implemented from the date improvement targets are met.
- They have not participated in an appraisal in the preceding 12 months – the pay step rise would not be implemented until a satisfactory appraisal is completed.
- They have not undertaken the mandatory training required for the post - the pay step rise would not be implemented until the mandatory training is completed.

- 21.3. In a case where standards have not been met as above, and there are no mitigating factors sufficient to justify this, it is expected that individual's pay step will be delayed.
- 21.4. As soon as the colleague meets the requirement for the pay step they should be informed and the manager must complete a Pay Step Submission form, giving the date at which the standards have been met (the effective date). This will not be backdated to the original pay step date.
- 21.5. If a colleague has a pay step deferred for any reason, any next pay step date will not be affected, provided the colleague meets the criteria for an award.

## **22 Pay Step Submission Process**

- 22.1. It is the joint responsibility of the manager and the colleague to ensure pay progression discussions take place in the specified timescales. Managers will receive monthly notifications detailing the pay step dates of all colleagues directly reporting to them which are due in the next 90 days. These will be issued by HR/ESR.
- 22.2. Although colleagues will not be routinely informed of their pay step date, individuals will receive a notification from HR/ESR four months, and again at one month before their pay step review date. Colleagues can find their pay step date on their pay slip.
- 22.3. A pay progression review form must be completed to initiate the pay step payment. If the manager does not complete the Pay Step Submission form the colleague will not progress to the next pay step point.
- 22.4. Where a pay step submission form is completed after the pay step date or payroll cut-off date, the pay increase will only take effect from the next available pay run. There will be an opportunity to backdate pay progression.

## **23 Right of Review**

- 23.1. Where a decision is taken to defer pay progression, individuals have a right to request a review of this decision. The review must be requested in writing to their line manager within 7 calendar days of the notification of the original decision.
- 23.2. It is not sufficient just to disagree with the decision made. The colleague must clearly set out grounds upon which they are requesting the review. Review requests can only be made where:

- There is new evidence that was not previously available.
- There was a failure to follow procedure.
- There has been non-completion of mandatory training or appraisal which is outside of the colleagues' control.
- Formal disciplinary sanctions were not live at the pay step date.
- Formal capability action was not in progress at the pay step date.
- The delay in reaching performance levels was due to a long term absence, and the pay step date has not been adjusted to reflect the time available to meet capability levels.

- 23.3. The review will be undertaken by a Senior Manager and a Human Resources Representative (the Review Panel).
- 23.4. The colleague has the right to be accompanied to the review by a work colleague or Union Partner. The colleague's line manager will also be in attendance to provide their rationale for the decision taken.
- 23.5. The Review Panel will decide on the basis of the evidence provided by both the colleague and the line manager whether pay progression is approved or remains deferred.
- 23.6. Where a Review Panel considers that pay progression has been inappropriately deferred the pay progression will be reinstated from the increment/pay step date and retrospective payments made from that date. The colleague will be informed of the outcome of their review in writing within 7 calendar days of the date of the meeting. This is the final decision and there will be no further course of redress under this or any other Trust policy.

## **24 Monitoring Compliance**

- 24.1. The HR Working Group is responsible for monitoring compliance with this policy.
- 24.2. Data on pay step and re-earnable pay outcomes must be collected, audited, published and monitored locally in partnership with trade unions, including by protected characteristics and contract status and in line with Staff Council guidance.
- 24.3. Where monitoring indicates a cause for concern, the accountability for investigation and taking action on any evidence of disadvantage or discrimination will be the relevant Director. Support for investigation and implementing actions will be providing by the HRBP/ER team.

- 24.4. The Trust will comply with requests for the collection and submission of data necessary to support national monitoring of the pay progression system by and on behalf of the Staff Council.

## **25 Audit and Review (evaluating effectiveness)**

- 25.1. All policies have their effectiveness audited by the responsible Management Group at regular intervals, and initially six months after a new policy is approved and disseminated.
- 25.2. Effectiveness will be reviewed using the tools set out in the Trust's Policy and Procedure for the Development and Management of Trust Policies and Procedures (also known as the Policy on Policies).
- 25.3. This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from colleagues indicates that the policy is not working effectively.
- 25.4. All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

## **27 References**

- Agenda for Change Terms and Conditions



## **28 Financial Checkpoint**

This document has been confirmed by Finance to have financial implications and the relevant Trust processes have been followed to ensure adequate funds are available.

## 29

**Appendix A: Recruit Above Minimum Pay Point Request**

This form should be completed in partnership with your Recruitment Advisor/ HR Advisor, as appropriate.

You must attach the documentary evidence to support and justify your application. Requests will not be considered if the appropriate documentation is omitted.

<b>Applicant Name</b>		<b>Job Title</b>	
<b>Vacancy ID/ Position Number</b>		<b>Pay Band</b>	
<b>Department</b>		<b>Directorate</b>	

The above appointee is a new starter to the NHS with Equivalent Relevant Experience

<b>Name of previous employer</b>		<b>Title of post held</b>	
<b>Duration post was held</b>		<b>Previous salary</b>	

The above appointee is re-joining the NHS with Equivalent Relevant Experience

<b>Name of last NHS employer</b>		<b>Date of leaving</b>	
<b>Title of post held</b>		<b>Duration post was held</b>	
<b>Previous pay band</b>		<b>Previous incremental point</b>	

**Pay Above Minimum Pay Point Request**

<b>Proposed Pay Point</b>		<b>Proposed Salary</b>	
<b>Previous Salary Confirmation</b>	Letter / Payslip / IAT	<b>Evidence</b>	Job Description & Person Specification
<b>Please detail below the impact that awarding these increments will have on current colleague undertaking the same/ similar role eg. will colleague be leapfrogged?</b>			
<b>Justification to Support Pay Above Minimum Pay Point</b>			

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## Authorisation

<b>HR Business Partner</b>			
I *authorise / do not authorise the attached application			
The reasons for not authorising this application are:			
Name		Date	
Signature			
<b>HR Service Centre Manager (or delegated deputy)</b>			
I *authorise / do not authorise the attached application			
The reasons for not authorising this application are:			
Name		Date	
Signature			
<b>Finance Business Partner</b>			
I *authorise / do not authorise the attached application			
The reasons for not authorising this application are:			
Name		Date	
Signature			
<b>Commissioning Director</b>			
I *authorise / do not authorise the attached application			
The reasons for not authorising this application are:			
Name		Date	
Signature			

Return completed form to [Recruitment@secamb.nhs.uk](mailto:Recruitment@secamb.nhs.uk)

## Appendix B: Recruitment and Retention Premia Request

<b>Directorate</b>		<b>Department</b>	
<b>Manager Supporting Application: (name &amp; position)</b>		<b>Job Title</b>	
<b>Headcount</b>		<b>Pay Band</b>	
<b>Is the application for problems with</b>	<b>Recruitment</b>	<b>Retention</b>	<b>Both</b>
<b>Proposed Duration of Protection</b> (long-term pensionable or short-term non pensionable premium): Consideration of whether the labour market conditions are expected to be short term or are more deep-rooted and expected to continue for the foreseeable future. Short term R&R premia may be awarded on a one-off basis (i.e. an attraction payment) or for a fixed term.			
<b>Are you applying for:</b>	<b>Short term                      Long term</b> <b>Length of time.....</b>		
<b>Proposed effective date:</b>			
<b>Proposed RRP amount:</b> Expressed as cash sums or percentage; The combined value of any nationally awarded and any locally awarded recruitment and retention premium for a given post shall not normally exceed 30 per cent of basic salary.			
<b>Amount:</b>			
<b>Description of R&amp;R issue:</b>			
• Evidence of sustained vacancies i.e. % available workforce over last 3-6 month period.			
• Any evidence that staff turnover is driven by remunerations i.e. exit interviews, substantiated colleague feedback.			
• Evidence of shortages in specific services.			
• Risks to services and the people we care for.			
• Impact on delivery of workforce plans and business continuity			
<b>Details:</b>			
<b>Non-Pay actions taken, to include:</b> Consideration of training opportunities, flexible working, working environment.			

<b>Benchmarking data:</b> Recruitment – comparative employment packages Retention - local turnover rates should be compared with national rates
<b>Feedback:</b> From consultation with neighbouring/ similar employers, Union Partners and other key stakeholders:
<b>Costing, to include:</b> <ul style="list-style-type: none"><li>• Full details of employer costs, (including for long term R&amp;R premia potential pension and other payments linked to basic pay)</li><li>• Description of how the R&amp;R premia will be funded</li><li>• Potential temporary staffing savings</li></ul>

<b>RRP Authorisation</b>							
<b>HR Business Partner</b>							
I *authorise / do not authorise the attached application							
The reasons for not authorising this application are:							
<b>Name</b>					<b>Date</b>		
<b>Signature</b>							
<b>Finance Business Partner</b>							
I *authorise / do not authorise the attached application							
The reasons for not authorising this application are:							
<b>Name</b>					<b>Date</b>		
<b>Signature</b>							
<b>Commissioning Director (or delegated Deputy)</b>							
I *authorise / do not authorise the attached application							
The reasons for not authorising this application are:							
<b>Name</b>					<b>Date</b>		
<b>Signature</b>							
<b>Director of HR &amp; OD (or delegated Deputy)</b>							
<b>Outcome</b>	<b>Accept / Reject</b>						
<b>Confirm % and value</b>		<b>Confirm Long Term or Short Term</b>		<b>Effective Date</b>		<b>First Review Date</b>	
The reasons for not authorising this application are:							
<b>Name</b>					<b>Date</b>		
<b>Signature</b>							

Return completed form to either:

1. [termsandconditions@secamb.nhs.uk](mailto:termsandconditions@secamb.nhs.uk) RRP for colleagues in post.
2. [Recruitment@secamb.nhs.uk](mailto:Recruitment@secamb.nhs.uk) RRP to be applied at recruitment stage.



<b>RRP Authorisation</b>							
<b>HR Business Partner</b>							
I *authorise / do not authorise the attached application							
The reasons for not authorising this application are:							
Name					Date		
Signature							
<b>Finance Business Partner</b>							
I *authorise / do not authorise the attached application							
The reasons for not authorising this application are:							
Name					Date		
Signature							
<b>Commissioning Director (or delegated Deputy)</b>							
I *authorise / do not authorise the attached application							
The reasons for not authorising this application are:							
Name					Date		
Signature							
<b>Director of HR &amp; OD (or delegated Deputy)</b>							
Outcome	Accept / Reject						
Confirm % and value		Confirm Long Term or Short Term		Effective Date		First Review Date	
The reasons for not authorising this application are:							
Name					Date		
Signature							

Return completed form to either:

1. [termsandconditions@secamb.nhs.uk](mailto:termsandconditions@secamb.nhs.uk) RRP for colleagues in post.
2. [Recruitment@secamb.nhs.uk](mailto:Recruitment@secamb.nhs.uk) RRP to be applied at recruitment stage.