

Proposals on changes to the Agenda for Change agreement

Introduction

1. This document sets out the proposed changes to the NHS Terms and Conditions of Service Handbook. This is a joint set of proposals on changes to the NHS Terms and Conditions of Service Handbook in England only which covers staff on *Agenda for Change* contracts.
2. Subject to the agreement to consult on these proposals by staff side at the NHS Staff Council meeting on the 9 November 2012, and the subsequent respective trade union processes endorsing this agreement, the new arrangements will come into effect from 1 April 2013.
3. There are no proposals by the Scottish Government, Welsh Government, and the DHSSPS Northern Ireland for these changes to take effect for staff covered by these administrations.

Background

4. Employers and trades unions recognise the benefits of maintaining a national handbook of terms and conditions that are modern and responsive to the needs of both local employers and their staff.
5. Employers and trades unions understand the unprecedented challenges faced by the NHS. We will work together in partnership to ensure that the NHS terms and conditions of service handbook is kept under review to ensure that it remains supportive of quality patient care and maximises job security for staff.

6. The proposed changes will contribute to ensuring the national NHS terms and conditions of service handbook will remain sustainable for the future, fit for purpose, fair to staff and continue to be used by NHS organisations.

The proposed changes

Incremental pay progression

7. To introduce a clause stating that progression through all pay points (“gateways”), in all pay bands, will be conditional upon individuals demonstrating that they have the requisite knowledge and skills/competencies for their role and that they have demonstrated the required standards of performance and delivery, as determined locally in line with a new Annex A4 addition to the handbook setting out previously discussed national principles on pay progression (NHS Staff Council paper JM(SC) 20/2011).
8. For the most senior staff in pay bands 8C, 8D and 9, pay progression into the last 2 points in a band will become annually earned and once awarded will be dependent upon meeting the appropriate local level of performance in a given year as to whether these points are retained. Annually earned pay will not be subject to pay protection. However, those already on an annually earned point at the time of implementation will not lose that point in future years but will have to earn any subsequent progression as per the agreement.

Flexibility on senior posts

9. It is proposed to extend the flexibility to apply alternative pay arrangements to posts with a job evaluation score over 720, to posts with a job evaluation score over 630 points. Equal pay principles



should still apply to all posts affected.

Accelerated pay progression for new entrants to Pay Band 5

10. It is proposed to remove accelerated pay progression as currently set out in 1.8 of the handbook with effect from 1 April 2013. Preceptorship is a key stage in a newly qualified entrant's career into the NHS and we recognise the important role that it plays in supporting the career development of professional staff.

Management of sickness absence

11. Employers and trades unions remain committed to working together at national and local level to support more effective management of sickness absences which is both fair to individuals and takes account of service delivery requirements. The NHS Staff Council parties endorse the new "Guidelines on Prevention and Management of Sickness Absence" which has been developed in partnership. All employers should be taking proactive measures to support health and wellbeing at work and to reduce sickness absence.
12. It is proposed that pay during sickness absence will be paid at basic salary level (that is the appropriate pay point in the relevant pay circular) inclusive of any high cost area supplement. It will not include any other allowances or payments linked to working patterns or additional work commitments, e.g. unsocial hours payments.
13. No changes will be made to the current calculation of pay during sickness absence for:-
 - The lowest paid staff on spine points 1 – 8 of *Agenda for Change* pay structure

- Those absent due to a work related injury or disease in the actual discharge of their duties (Section 14.6, NHS terms and conditions of service handbook). This is subject to the Injury Benefit discussions and any changes that may occur to 14.6 of the handbook.

Guidance on workforce re-profiling

14. Guidance setting out the principles to be followed, in relation to undertaking workforce re-profiling, will be included as a new Annex A5 (NHS Staff Council paper JM(SC) 20/2011) in the NHS terms and conditions of service handbook for England. It is proposed that this will include:-
 - The importance of local engagement with trades unions and staff at an early stage;
 - the need to follow the processes set out in the NHS Job Evaluation Handbook;
 - Where staff face redeployment into a lower grade post due to organisational restructuring, local organisational change policies should protect staff.

Ongoing review of Agenda for Change

15. The NHS Staff Council has a responsibility to ensure that terms and conditions continue to be responsive to the needs of the service. The aim will be to have timely discussions that lead to the maintenance of a sustainable national pay and conditions agreement that is used across the NHS.

Amendments to the NHS terms and conditions of service handbook

16. To enact these proposals, we will agree amendments to the NHS Terms and Conditions of Service Handbook as set out above. We will retain one handbook with clarity around which sections apply to England, Scotland, Wales or Northern Ireland. The changes in this document do not apply in Scotland, Wales, or Northern Ireland.

November 2012