Agenda for Change

Procedure for Re-grading of Posts

HRP018
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1. **Why we need this Procedure**

   In order to implement Agenda for Change, the Trust, in partnership with staff side has used the NHS Job Evaluation Scheme as a means of determining pay bands for posts. The evaluation process is concerned with the demands of a job, such as the experience and the responsibility required to carry out the job. It is not concerned with the total volume of work or the ability of the post holder.

   The Agenda for Change agreement requires fairness and equality in line with equal pay legislation. The NHS Job Evaluation Scheme will continue to be used for determining the banding of posts and consequently staff pay rates. This will apply to all new posts and posts which have significantly changed since they were last evaluated.

   Hence all applications for regrading must be considered by the Agenda for Change Review Panel in conjunction with a statement from the Head of Department. Any recommendation to upgrade a post will be made by, or on behalf of, the Director of Human Resources to the relevant Manager but the decision rests with the relevant Director as whether or not to accept the recommendation, in order to ensure that the post meets both the requirements of the service, and is within the budget. If an upgrading is effected, the relevant Director will be responsible for any associated financial implications. It is accepted that there may be occasions where postholders undertake duties outside the remit of their job description. In these circumstances, and for those posts where the regrading application is declined, it is the responsibility of the line manager to establish which tasks the job holder should not be undertaking.

2. **What the Procedure is trying to do**

   The aim of this procedure is to describe the process for reviewing and regrading posts when a member of staff who considers that the duties and responsibilities of their post have significantly changed since appointment and that the post is no longer correctly banded.

   In all posts, the post holder may be required to undertake additional duties as may reasonably be required of them, commensurate with the band and/or hours of work. Significant changes to a post may be defined when a post was initially evaluated and required a base level of theoretical knowledge or equivalent level of experience and over a period of time the responsibilities within the post develop and require an intermediate level of theoretical knowledge or equivalent level of experience.

3. **Which stakeholders have been involved in the creation of this Procedure?**

   - Human Resources
   - Staff Side
4. **Any required definitions/explanations?**

A4C – Agenda for Change

Clustering – local job matching, in which posts are matched against internal job matches to ensure consistency within the Trust i.e. a staff nurse post would be clustered with existing staff nurse matches.

5. **Key duties**

5.1. **Management Responsibilities**

Every manager has responsibility to:-

- Be aware of the existence of the procedure and the circumstances where it might apply.
- To seek advice from HR when they think the procedure needs to be invoked.

5.2. **Role of Human Resources**

The HR Department has a responsibility to ensure that the procedure is followed fairly and consistently. Its duties will include:-

- Advising managers on the application of the procedure.
- Ensuring the effective implementation of the procedure.

5.3. **Role of Staff**

Job descriptions are not an exhaustive list of duties and responsibilities and post holders may be required to undertake other duties as may reasonably be required, commensurate with the grade and/or hours of work at the initial place of work or at any other of the Trust’s establishments. However, staff have a duty to ensure any discrepancies within job descriptions are raised with managers, to ensure that job descriptions remain up to date.

6. **Process**

6.1. **New Jobs**

**Stage 1**

1. New or amended job descriptions are submitted to the relevant HR Business Partner for sense checking.

2. The HR Business Partner submits posts to the HR Co-Ordinator to arrange a matching process. These posts will be input into a live spreadsheet for Vacancy Control Panel reporting.

   a. If there is an existing job within the Trust, the HR Co-Ordinator arranges local matching (“clustering”), where posts are matched against other local matches in order to avoid local grading anomalies.
b. If the post is new to the organisation, part of an Organisational Change project, or a regrade, they will be sent to an A4C panel for either clustering or external matching (using national benchmarks to avoid jobs getting out of line with similar jobs elsewhere.)

Stage 2

1. All posts require the approval of Vacancy Control Panel before confirmation to manager.
2. The submitting manager will be informed of the outcome of the matching process.
3. The decision can be appealed against once by submitting additional information (see section 7).

6.2. Regrading Applications
(Flowchart – Appendix A)

Stage 1
Any member of staff who considers that the demands of a job, such as the experience and the responsibility required to carry out the job, have changed significantly since their appointment and that they are no longer correctly banded, can request a grading review. All requests must be made using the Application for Regrading Review Form (See Section 1). It is the line manager’s responsibility to provide the individual member of staff with a copy of the appropriate procedure and application form.

The member of staff must complete Section 1 of the application form making specific reference to the elements of the job that have changed and the factors that contribute towards a higher pay band. The completed application form, together with the current job description and an up-to-date agreed job description; person specification and any other relevant information, must be forwarded to the line manager or head of department for consideration.

Stage 2
On receipt of the Application for Regrading Review, the manager should complete and sign Section 2 of the application form, making sure that it includes a specific statement as to whether the application for a higher banding is justified together with relevant reasons. This, together with a copy of the organisational structure showing clearly the position of the post held, must be submitted to the appropriate Director. The Director is responsible for ensuring that all the necessary paperwork has been included and that Section 2 is countersigned before forwarding to the Human Resources Department for consideration.

Stage 3
Once the completed application form has been received by the Human Resources Department, it will be passed to the Agenda for Change Job Evaluation Panel for consideration. It should be noted that the Panel meets approximately once a month.
The Panel is responsible for reviewing the banding in conjunction with the information provided and within the context of the Trust’s grading structures. Where appropriate, the Panel may make arrangements for a full job analysis to be carried out prior to making any formal recommendation.

On completion of the Regrading Review, the outcome will be confirmed to the relevant Director, who will decide whether or not to process the regrade. Any decision to upgrade a post will be made on the basis that it is backdated to the date of Director sign off.

The Human Resources Department will ensure that Section 3 of the Application form is completed, and that the paperwork is archived with existing A4C paperwork.

6.3. Panel Composition
In line with Agenda for Change, the Trust will ensure that all panel members have been fully trained in Agenda for Change Job Evaluation, and that all panels have at least one management and one staff side member present. Any obvious sources of bias will be eliminated eg panel members working in the same area or involved in consultation processes.

7. Appeals Procedure
In the event that the request for upgrading is not supported, the member of staff can appeal against the decision to an appeals sub-committee. This will consist of a second A4C panel, using different evaluators to the original decision. Any appeal should be made to the Director of Human Resources within 5 working days of receipt of grading review outcome.

8. Consistency
The Job Evaluation handbook states that Trusts should have a mechanism to ensure consistency in job matching. The Trust will therefore ensure random consistency checking as follows :-

- Consistency checking will take place on a quarterly basis.
- 1 post from each panel held within the last quarter will be chosen at random for review.
- These posts will be submitted to the next scheduled job evaluation panel for review. As panel members cannot review their own matches, an additional panel will be arranged if there are any conflicts of interest.
- The panel will be responsible for checking that:-
  - The post matches the profile originally matched against.
  - The post is in line with the organisational chart provided.
  - The banding is in line with other similar, local posts.
9. **Training requirements associated with this Procedure**

9.1. **Mandatory Training**

All Panel Members must be NHS Job Evaluation trained. Further information about this training can be obtained from the HR Department.

9.2. **Specific Training not covered by Mandatory Training**

Not applicable to this document.

10. **How this Procedure will be monitored for compliance and effectiveness**

The table below outlines the Trust’s monitoring arrangements for this document. The Trust reserves the right to commission additional work or change the monitoring arrangements to meet organisational needs.

<table>
<thead>
<tr>
<th>Aspect of compliance or effectiveness being monitored</th>
<th>Method of monitoring</th>
<th>Individual responsible for the monitoring</th>
<th>Monitoring frequency</th>
<th>Group or committee who receive the findings or report</th>
<th>Group or committee or individual responsible for completing any actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duties</td>
<td>To be addressed by the monitoring activities below.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>** Ensuring posts are banded at the correct level **</td>
<td>Review by the A4C lead within the HR team, and through A4C trained panels</td>
<td>A4C lead within HR</td>
<td>After every match</td>
<td>Vacancy Control Panel</td>
<td>HR Director</td>
</tr>
</tbody>
</table>

Where a lack of compliance is found, the identified group, committee or individual will identify required actions, allocate responsible leads, target completion dates and ensure an assurance report is represented showing how any gaps have been addressed.

11. **Equality considerations**

The Trust has a duty under the Equality Act and the Public Sector Equality Duty to assess the impact of Policy changes for different groups within the community. In particular, the Trust is required to assess the impact (both positive and negative) for a number of ‘protected characteristics’ including:-

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Race;
• Religion or belief;
• Sexual orientation;
• Pregnancy and maternity; and
• Other excluded groups and/or those with multiple and social deprivation (for example carers, transient communities, ex-offenders, asylum seekers, sex-workers and homeless people).

The author has considered the impact on these groups of the adoption of this Policy

12. Reference Guide
NHS Job evaluation handbook – latest version available online at www.nhsemployers.org

13. Document control details

<table>
<thead>
<tr>
<th>Version No.</th>
<th>Date Ratified/ Amended</th>
<th>Date of Implementation</th>
<th>Next Review Date</th>
<th>Reason for Change (eg. full rewrite, amendment to reflect new legislation, updated flowchart, minor amendments, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>01/05/2018</td>
<td>02/05/2018</td>
<td>01/05/2021</td>
<td>Full rewrite to formalise existing arrangements.</td>
</tr>
</tbody>
</table>
APPLICATION FOR REGRADING

Section 1 and the Regrading Review Form must be completed by the member of staff requesting a Regrading Review and submitted to the manager or head of department for processing.

Name of applicant: ____________________________________________
Job Title: ____________________________________________
Current Pay Band: ____________________________________________
Ward/Department: ____________________________________________
Location: ____________________________________________
Contact Details: ____________________________________________

Please provide a copy of your current Job Description, and your amended Job Description.

Does your amended Job Description accurately describe your main duties and responsibilities?*

Yes ☐ No ☐

* Please tick relevant box

The Regrading Review Form must be completed and submitted with this application form. Under each factor the reason and/or evidence for a higher level within that factor must be provided and the completed form submitted with this application form.

Employee Signature: _______________ Date of application: ____________
## REGRADING REVIEW FORM

<table>
<thead>
<tr>
<th>FACTOR</th>
<th>Reason / Evidence for new banding (Additional job information)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Communication and Relationship Skills</td>
<td></td>
</tr>
<tr>
<td>2. Knowledge, Training and Experience</td>
<td></td>
</tr>
<tr>
<td>3. Analytical and Judgemental Skills</td>
<td></td>
</tr>
<tr>
<td>4. Planning and Organisational Skills</td>
<td></td>
</tr>
<tr>
<td>5. Physical Skills</td>
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<tr>
<td>6. Responsibility for Patient/Client Care</td>
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<tr>
<td>7. Responsibility for Policy/Service Development</td>
<td></td>
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<tr>
<td>8. Responsibility for Financial and Physical Resources</td>
<td></td>
</tr>
<tr>
<td>9. Responsibility for Human Resources</td>
<td></td>
</tr>
<tr>
<td>10. Responsibility for Information Resources</td>
<td></td>
</tr>
<tr>
<td>FACTOR</td>
<td>Reason / Evidence for new banding (Additional job information)</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>----------------------------------------------------------------</td>
</tr>
<tr>
<td>11. Responsibility for Research and Development</td>
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<tr>
<td>12. Freedom to Act</td>
<td></td>
</tr>
<tr>
<td>13. Physical Effort</td>
<td></td>
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<tr>
<td>14. Mental Effort</td>
<td></td>
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<tr>
<td>15. Emotional Effort</td>
<td></td>
</tr>
<tr>
<td>16. Working Conditions</td>
<td></td>
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</tbody>
</table>
SECTION 2

SUPPORTING STATEMENT

Section 2 must be completed by the manager or head of department and submitted together with Section 1 to the appropriate Director. The Director must ensure that all the relevant information has been included and that the form is countersigned prior to forwarding to Human Resources for action. This includes seeking budget approval.

Name of applicant: ________________________________________________

Date of Receipt of Application: ______________________________________

Supporting Statement in relation to application received:

At what level do you think the applicant’s post should be banded and why?

Does the amended Job Description that has been provided accurately describe the main duties and responsibilities associated with this role? *

Yes ☐  No ☐

* Please tick relevant box

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If not, please provide additional details on a separate sheet of paper and submit with this application form.

Name of Manager: ____________________________________________________________

(Responsible for supporting statement)

Job Title: __________________________________________________________________

Ward/Department: ____________________________________________________________

Location: __________________________________________________________________

Contact Details: ______________________________________________________________

Signature: _______________ Date: ________________

Name of Director: _____________________________________________________________

Signature: _______________ Date: ________________
SECTION 3

REGRADING REVIEW OUTCOME

Section 3 must be completed by the HR Department and retained with a copy of the Regrading Review Outcome – recommendation must be sent to the relevant Director for action.

Name of applicant: __________________________________________

Job Title: ________________________________________

Ward/Department: ______________________________________

Date Application Received by HR: ___________________________

Date Reviewed: _________________________________________

Names of Panel Members

Staff Side Representative

Staff Side Representative

Management Side Representative

Management Side Representative

Recommendation: __________________________________________

________________________________________________________________________

________________________________________________________________________

Name of HR Representative: __________________________________________

(Responsible for directing the Regrading Review Panel)

Signature: _____________________________ Date: ________________
Appendix 2

Flowchart of the Application for Regrading and Appeals Procedure

Applicant completes Section 1 – Application for Regrading Form.
Applicant sends completed application form and regrading review form together with their previous JD and an up-to-date agreed job description, and any other relevant supporting information to the line manager or head of department for consideration.

On receipt of the Application for Regrading Form, the manager must complete and sign Section 2 of the application. This includes making a specific statement on whether the application for a higher band is justified.
The manager must sign Section 2 of the form before forwarding the application form together with a copy of the organisational structure to the relevant Director.

The Director is responsible for ensuring that all the necessary paperwork has been included and that Section 2 is countersigned before forwarding the application form together with a copy of the organisational structure to the relevant Director.

HR will ensure the new job description is reviewed in conjunction with the information provided, and within the context of the Trusts’ grading structures. This will involve the new job description going through an A4C panel.
A recommendation will be made on completion of the Regrading Review, on behalf of the Director of Human Resources to the relevant Director.

The relevant Director will decide whether or not the recommendation should be implemented and is responsible for notifying the individual concerned.

In the event that the request for upgrading is not supported, the member of staff can appeal against the decision to an appeals sub-committee of the Trust Board. Any appeal should be lodged in writing, with the Director of Human Resources within 5 working days of receiving the review outcome, in line with the Trust grievance policy.

HR will ensure the new job description is reviewed in conjunction with the information provided, and within the context of the Trusts’ grading structures. This will involve the new job description going through an A4C panel.
A recommendation will be made on completion of the Regrading Review, on behalf of the Director of Human Resources to the relevant Director.