NHS Wales
Review of Agenda for Change Band 1
Guidance for NHS Health Boards and Trusts

Background

This guidance has been produced in partnership by the Welsh Partnership Forum, for those who are responsible for the transition arrangements and review of the roles and responsibilities of Band 1 posts.

1. Process

a) Organisations should identify management and staff side leads to oversee and project manage the process.

b) It will be necessary to identify all Band 1 roles within the Health Board or Trust. The job descriptions for these posts should be reviewed, and expanded to meet the Job Evaluation criteria for a Band 2 role, in conjunction with Job Evaluation Leads.

c) The job descriptions need to reflect local service needs, and fit within the overall organisational arrangements. Consideration should be given to existing Band 2 roles within the local service, or within other NHS Wales organisations via the sharing of Job Descriptions process, where posts are confirmed by the Wales Job Evaluation Monitoring group for wider NHS Wales use.

d) In reviewing and preparing the revised job descriptions, it is important that there is appropriate communication and engagement with affected staff members regarding the overall process and timelines for the review and the arrangements for this should be identified and agreed locally.

e) Once the revised job descriptions have been created, these should be considered by a local Agenda for Change job matching panel to confirm that they match a Band 2 profile. If the matching panel does not consider that a job description accurately reflects a Band 2 profile, then it should be returned to consider if any further amendments to the role can be made. It is important to note that the Agenda for Change Job Evaluation process is integral to this process. The aim should be to ensure that there is maximum flexibility in the deployment of staff to increase efficiency as well as developing individual skills.

f) To support the Job Evaluation process a selection of job descriptions for Band 2 roles have been confirmed for wider sharing, by the Wales Job Evaluation monitoring group. These have been distributed to Wales Job Evaluation Leads and loaded locally on CAJE.

2. Arrangements for Transfer

a) Once the revised job descriptions have been agreed and evaluated then individual discussions with the Band 1 members of staff will need to take place. The individual discussions will need to seek the agreement of the member of staff as to what they
would wish to do, depending on their particular circumstances, and it will be important that there is a formal record kept of the decision. The agreement forms are attached at Appendix A and can be adapted locally.

b) There are 2 potential outcomes arising from the individual discussions, which are as follows:

(i) **Expanded role has been evaluated as Band 2 and the member of staff wishes to move to a Band 2 role**

Where the expanded role has been evaluated as Band 2, agreement will need to be sought from the member of staff that they wish to transfer to the Band 2 role and accept the new job description associated with this role.

Where the member of staff confirms that they would wish to transfer to the Band 2 role, but it is considered that they do not have all of the relevant skills and competences to adequately undertake the extended role, then a training/development programme, should be put in place to enable them to transfer to the Band 2 role. The member of staff needs to accept the development requirements and sign up to the agreed development programme.

(ii) **Expanded role has been evaluated as Band 2 but member of staff wants to remain at Band 1**

Although a role may have been evaluated at Band 2, the member of staff may opt to remain at Band 1 carrying out their previous duties and responsibilities. This will be discussed fully with the member of staff but should they conclude that, based on their personal circumstances, they wish to stay on Band 1, this decision will be recorded in writing. There will be no change to the member of staff's pay Band, terms and conditions or duties and responsibilities.

On an annual basis, as part of the personal development planning and review meeting, the manager should discuss with the staff member what their career plans are and whether they wish to remain in a Band 1 post.

For any member of staff who changes their mind and wishes to transition later, this is possible until the 31 March 2021. However, for these staff the Band 2 pay and unsocial hours' arrangements will apply and they will not be entitled to any pay protection. Their incremental date will be the date of their transfer and, if they were paid on weekly pay, this may change to monthly pay arrangements.

c) All individual discussions with Band 1 staff should be completed by the end of June 2019.

3. **Payment Arrangements**

a) All Band 1 staff, irrespective of whether they transition to Band 2, will receive a 1.1% Non-consolidated lump sum payment (£194 pro rata) if they were in post on both 31 March 2019 and 1 April 2019.

b) Band 1 staff transitioning to Band 2 will move to point 1 Band 2 of the Agenda for Change pay scales on 1 April 2019, and will have a pay step (incremental) date of 1 April 2019.
c) The Framework agreement on the reform of NHS pay structure for Agenda for Change sets out that a principle of ‘no detriment’ that will apply to the individual(s) concerned thorough any of the transition to the new pay structure. This means that staff should not be financially disadvantaged due to the transition to Band 2.

d) The NHS Terms and Conditions of Service Handbook sets out the rates for unsocial hours’ calculations i.e. the pay for working nights or on Saturdays/Sundays. As the unsocial hours percentage rates are higher for Band 1 than Band 2, when staff decide to transfer to Band 2 it is important that their overall pay does not drop below the Band 1 rates. Section 2 also contains details of how unsocial hours’ rates change, for all pay bands, over the three years of the pay deal.

e) On transition to Band 2, the basic salary will remain the same, but to ensure staff in receipt of unsocial hours enhancements do not suffer a detriment, Payroll will ensure, during the two years of the transition/pay implementation, that the staff concerned will continue to receive any unsocial hours’ payments based on the Band 1 unsocial hours rates for 2019/20 and 2020/21. This ‘protected’ element of pay will be based on the employee’s contracted hours and working pattern between 1 January 2019 and 31 March 2019 (the ‘reference period’), i.e. this will be based on the unsocial hours worked during the reference period calculated on the basis of the 2019/20 and 2020/21 Band 1 unsocial hours’ rates.

f) Additional hours paid over and above contracted hours will not be offset against the ‘protected’ element of pay.

4. WPF Monitoring

WPF will need to be appraised on the progress on transfers within Health Boards/Trusts. A Request for information in respect of the progress on transfer will be sent to each organisation’s Band 1 partnership leads at the end of June in order to report back to WPF on progress.

5. Disputes

The WPF do not anticipate any disputes arising from this process. However, should such a situation arise this should be referred to the local leads who should seek to resolve this locally in partnership. If there is a failure to resolve the dispute locally it should be referred to Debra Lomasney on Debra.Lomasney@wales.nhs.uk for consideration by the WPF Business Committee.

6. Questions and Answers

Over the course of implementation there will be dialogue with the Band 1 Review leads over any arising issues. To assist as matters progress, NHS Wales Employers will issue questions and answers to deal with any issues of concern.
NHS Health Board/Trust

Review of Agenda for Change Band 1 - Agreement Form

Name: .................................................................................................................................

Current Role: ........................................................................................................................

Staff Number: ......................................................................................................................

Band 2 Role acceptance

The member of staff wishes to accept the extended Band 2 role Yes/No

In accepting the Band 2 role, does the member of staff require any development to enable them to fulfil the Band 2 role? Yes/No

If no development is required the member of staff should sign the declaration (A) below:

I confirm that I accept the additional duties and responsibilities associated with my role and will move to Band 2 from 1 April 2019.

Signed: ...............................................................................................................................

Date: .................................................................................................................................

Development Required

If development is required, please provide details of the development programme below. The member of staff should sign the declaration (B) to accept the training programme as agreed:

[Declaration B]

[Signature]

[Date]
I confirm that I agree to undertake the development programme outlined above to develop me into the extended Band 2 role.

Signed: ....................................................................................................................................

Date: ....................................................................................................................................

Completion of Development Programme

I confirm that the development programme has been completed satisfactorily and that the member of staff is now able to perform the Band 2 role.

Signed (Line Manager): ...........................................................................................................

Name: ....................................................................................................................................

Date of Completion of Development: ........................................................................................

Band 2 Role Rejection

The member of staff should sign the declaration below and indicate their reasons for this decision:

I confirm that I have been given the opportunity to move to an extended Band 2 role but have opted to remain at Band 1

Signed: ....................................................................................................................................

Date: ....................................................................................................................................

A copy of this form should be given to the member of staff and a copy retained in their personal file.

Employers/Employee Copy (Delete as appropriate).