

## **Implementation of the pay award 2024**

### **The protected CPD 'non-pay' element**

#### **Background**

The collective agreement for the years 2022/24 included a series of 'non-pay' elements which received all union agreement in August 2023.

The specific wording, setting the limits of each non-pay element, was arrived at through detailed negotiation. The wording was jointly agreed by unions, employers and Welsh Government (the tripartite partnership).

The WPF Business Committee issued a final milestone report in March 2024 which provides full details of agreed delivery against each non-pay element. It explains where non-pay elements are part of a wider delivery process and where they are being delivered under the auspices of the WPF Business Committee.

The Welsh Health Circular (2024 – 017) was agreed in partnership and provides a three part control framework for delivery and reporting of the relevant non-pay elements. The reports from Health Boards required under this WHC are considered by the WPF Business Committee.

#### **The protected CPD element**

For ease of reference the actual wording of the collective agreement is reproduced here in black text with the agreed actions given in red text.

1. CPD is included as a priority in the National Workforce Implementation Plan is led by HEIW. This will include;
  - incorporate the output of the staff welfare project (note this refers to CPD output),
  - identify key benefits in staff retention, working at top of licence, utilising whole workforce and delivering prudent health care,
  - have the long term goal for all staff protected time as parity with medics but set specific steps to achieving that which are realistic and achievable. Included in part 3 of the non-pay WHC.
2. Alongside this, the WPF Business Committee will jointly;
  - immediately reaffirm the current expectations of employers to enable regular CPD time to support the maintenance of professional registration, The relevant requirements of the Nursing Staff Levels Act (2016) Statutory Guidance (paras 38 and 40) and the Duty of Quality Statutory Guidance 2023 and Quality Standards 2023 (paras 6.5 and 12.15) included in part 1 of the non-pay WHC.

- develop an all-Wales approach which guarantees protected time for staff CPD [See below](#).  
(with the aim, over time, of extending this guarantee to all NHS staff learning and development). [Included in part 3 of the non-pay WHC](#).

## **All-Wales approach**

The three partners remain committed to develop an all-Wales approach which guarantees protected time for staff CPD and we jointly agreed that further information was required to inform this.

On behalf of the three partners, Welsh Government requested that Health Education & Improvement Wales (HEIW) conduct a feasibility study according to a jointly agreed scoping document and with tripartite oversight. This detailed study was delivered on time in September 2024 and presented to the WPF Business Committee October meeting.

The health unions and NHS employers each provided their collective written responses to the HEIW feasibility study by 15<sup>th</sup> November.

The collective unions response is very clear protecting CPD time remains a significant priority for union members.

Employers indicated that an all-Wales approach based on the content of CPD set out by the regulatory bodies and aligned to the level already introduced for paramedics could be supported, subject to a small number of conditions including but not limited to – the inclusion of statutory and mandatory training, the NHS Wales Planning Framework being amended to include this as a requirement and for an appropriate lead in time to support this being factored into workforce and related plans. To reduce the risk that too much of the CPD time was taken up with Statutory and mandatory training employers suggested a review of the content and process for adding to this training would be helpful.

A special meeting of the WPF Business Committee, to consider the feasibility study and the collective responses, was held on 26<sup>th</sup> November in order to seek a consensus approach. The next steps were developed at the meeting and circulated to the partners for amendment during November - January.

The next steps action log and a draft wording for a potential all-Wales agreement were presented to a meeting of the WPF Business Committee Terms & Conditions (T&Cs) meeting on 19<sup>th</sup> February. This reflected work carried out in social partnership through the WPF Co-ordinating Group.

The T&Cs members agreed to clarify the status of the next steps as draft for consultation and to undertake a consultation with WPF Business Committee members on protected CPD time.

The T&Cs members further agreed that the WPF Co-ordinating Group should circulate for consultation this background note, the next steps action log (page 4 below) and the draft potential wording for an all-Wales CPD approach (pages 5-6 below)

The T&Cs members agreed that social partners are requested to fully consider this note in their relevant constituent groups and to provide initial views via their WPF Business Committee members by mid-March.

A small group was established to review the responses and further develop the approach. The result is this document which will be considered for amendment/agreement at the 29<sup>th</sup> April full WPF Business Committee.

As both employers and unions wished to receive the output from the statutory & mandatory training review before final agreement to the all-Wales approach, the following future timescale for this work is;

- Welsh Government commission review - March 2025
- Review completed and proposals published for consideration – May 2025
- WPF Business Committee T&Cs meeting considers review output – June 2025
- All-Wales approach/agreement issued - September 2025
- Organisations work with LPFs to develop implementation plans - January 2026
- Implementation - April 2026
- Biennial LPF reviews of implementation and feed back to WPF – every six months from October 2026

## Protecting CPD time for registrants– next steps

Action	Responsible persons	Completion/key date
1. An all-Wales approach should be developed based on the 52 hour per year standard already introduced for paramedics as a starting point. This may include statutory and mandatory training (subject to the output of the review in 2 and 3 below).	WPF BC joint chairs	Draft (pages 5-6 below) to consider at April BC
2. There should be an all-Wales approach on the content, length and frequency of refresher modules required for statutory and mandatory training. There will need to be a process to consider whether any proposed new mandatory training proposals would be justified.	Consultants currently undertaking the review with output expected in May	Update at April BC
3. Welsh Government will undertake a review of statutory and mandatory training requirements with an emphasis on rationalising the mandatory training requirements in order to allow greater time availability for professional development opportunities.	Consultants currently undertaking the review with output expected in May	Update at April BC
4. The WPF Business Committee will discuss the development of an all-Wales approach in the light of the Welsh Government review and agree a wording in partnership. The all-Wales approach will clarify any planning framework or contractual issues outstanding and how implementation will be monitored.	Co-ordinating group	Draft (pages 5-6 below) to consider at April BC
5. The next Local Partnership Forum reports required under the WHC, which are due at the end of January, will provide details of the local action plans to deliver the HEIW strategic approach to staff development. These should be considered at the WPF Business Committee and inform / be incorporated in a requirement for LPFs to develop delivery plans around the local implementation of an all-Wales CPD approach.	Co-ordinating group	Input for April BC as part of the draft all Wales approach timescale set out below pages 5-6

## ***Draft potential wording for consultation***

### **Protected time for staff Continuing Professional Development**

1. The social partners (Welsh Government, NHS Employers and the health unions) jointly agree an all-Wales approach which guarantees protected time for staff Continuing Professional Development (CPD).
2. The policy ambition informing this approach is articulated in both the National Workforce Implementation Plan and A Healthier Wales along with the HEIW/SCW Workforce Strategy. It was agreed in principle through the non-pay collective agreement 2022-4 and subsequently developed in detail through social partnership.
3. The partners agree that guaranteed protected time for staff CPD supports our wider ambition including improved staff morale/wellbeing and sustainability in recruitment & retention as well as benefits for patient care and service delivery.
4. The partners agree that health employers should implement an all-Wales approach consistent with the Continuous Professional Development (CPD) Strategy for NHS Wales and based on the content of CPD set out by the regulatory bodies and ensuring a minimum of 52 hours per year of protected time is provided for registrants to support maintenance of professional registration and career development.
5. The all-Wales approach is not intended to undermine existing local arrangements but to ensure a consistent standard is in place throughout Wales.
6. There will be variations between individuals and between groups in terms of how CPD is accessed/obtained. Therefore detailed arrangements (that adhere to the all-Wales approach) for supporting CPD should be agreed at local level. Local flexibility exists to support time for CPD as required and agreed subject to paragraph 12 below.
7. There is a requirement for the Local Partnership Forum (LPF) to jointly agree and monitor the delivery of the approach locally. This should be developed in the context of the requirements of the non-pay Welsh Health Circular part 3 and the development of the relevant HEIW strategy.
8. Welsh Government has commissioned a review of statutory and mandatory training requirements with an emphasis on rationalising the mandatory training requirements in order to allow greater time availability for professional development opportunities.

9. The review will inform all-Wales guidance on the content, length and frequency of refresher modules required for statutory and mandatory training and an agreed process to consider whether any proposed new mandatory training proposals would be justified.
10. The review (and local implementation of the all-Wales approach) will also inform consideration at the Wales Partnership Forum Business Committee as to whether there should be a mandated percentage of the guaranteed protected time which is not taken up with statutory and mandatory training.
11. Subject to the above, there is a requirement that arrangements must be agreed in social partnership locally to ensure that too much of the guaranteed protected time is not taken up with statutory and mandatory training.
12. The operation of this all-Wales approach on guaranteed protected time for CPD for registrants will be reviewed as part of the Welsh Partnership Forum ongoing workplan, and with relevant peer group chairs, and local delivery will be covered by the agreed escalation framework.