

Pay Progression

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1 Introduction

This procedure describes the approach to be followed concerning pay progression.

The approach described in this procedure is consistent with the terms laid down in Annex 23 of the NHS Agenda for Change terms and conditions of service handbook 'Pay progression'.

1.1 Why we need this Procedure

To ensure that staff can demonstrate the right skills, expertise, attitude and behaviour to undertake their role successfully and at the same time ensure that service users are treated in a safe, secure and healthy environment.

As part of this commitment the Trust has set out minimum standards, consistent with and referenced within the Knowledge and Skills Framework (KSF), that every employee is expected to achieve. These are:

- To complete the 7 core statutory and mandatory training programmes in accordance with the Mandatory Training Procedure, which are:
 - Equality and Diversity, including bullying and harassment
 - Fire Safety
 - Health and Safety, including spinal awareness and trips, slips and falls
 - Information Governance
 - Safeguarding Adults Level 1
 - Infection Control including hand hygiene and inoculation incidents
 - Safeguarding Children Level 1
- To participate in annual appraisal in accordance with the Appraisal Procedure (Staff Development Policy);
- To maintain a level of competence that is in line with the job role, trust values, behaviours, staff compact and relevant codes of conduct.

1.2 Purpose

The purpose of this Procedure is to:

- Outline the principles of pay progression.
- Overview the Trust's procedure relation to pay progression.
- Outline the procedure for management of employees not demonstrating the required level of performance and delivery as described in Annex 23 of the NHS Agenda for Change terms and conditions of service handbook.

1.3 Objectives

The objective of this procedure is to:

- Ensure all Trust staff understand the principles of pay progression.
- Ensure all Trust staff understand the Trust's procedure in relation to pay progression.
- Ensure all Trust staff understand procedures for management of employees not demonstrating the required level of performance and delivery as described in Annex 23 of the NHS Agenda for Change terms and conditions of service handbook.

2 Scope

2.1 Who this Procedure applies to

This procedure applies to all Trust staff employed under Agenda for Change terms and conditions of service.

2.2 Roles and responsibilities

Role	Responsibility
Employees	<ul style="list-style-type: none"> • To demonstrate that they satisfy the criteria laid down in section 4.
Employee's Direct Line Managers	<ul style="list-style-type: none"> • Defined as those line managers who are directly managing or supervising employees and who are required to manage their performance including ensuring the completion of their mandatory training, appraisal and induction. • In addition to ensuring that they satisfy the criteria laid down in section 4 in respect of themselves Employee's Direct Line Managers will also need to demonstrate that they have met with, encouraged and supported employees to meet the agreed set criteria in a timely way and during their working hours. • Any failure concerning the matters above will be taken into consideration when the Employee's Direct Line Manager is appraised. • Failure to comply with these requirements may result in action being taken under the Trust's Disciplinary Procedure.

3 Pay Progression Criteria and the KSF

- There is a normal expectation of pay progression and no quotas will apply.
- All staff must have an equal opportunity to demonstrate the required standard of knowledge and skills to progress through the pay gateways and pay points and the KSF describes the core dimensions that apply to all posts.
- All employees must be able to demonstrate that they possess the necessary knowledge and skills required by their post.
- Where an employee is unable to demonstrate the required standard of knowledge and skills this will be regarded as not demonstrating the required level of performance and delivery as described in Annex 23 of the NHS Agenda for Change terms and conditions of service handbook.
- Where a significant weakness in performance is identified and appropriate notice and support has been provided, pay progression will be deferred until possession of the necessary skills and competencies can be demonstrated.
- Three examples of factors which will be taken into consideration when determining whether an individual has not demonstrated the required level of performance and delivery as described in Annex 23 of the NHS Agenda for Change terms and conditions of service handbook are:
 - A failure to successfully complete the 7 core mandatory training programmes within the time periods described in **Appendix 1** of the [Staff Development Policy](#).
 - A failure to complete a satisfactory appraisal within the last 12 months
 - Being in receipt of an active formal capability warning.
- These examples are not exhaustive and other factors may be taken into account.

4 Principles

- There is a normal expectation of progression and no national or local quotas or targets will apply. All employees will be given an equal opportunity to satisfy the criteria laid down in section 4.
- The Trust and staff representatives, acting in partnership, will monitor data concerning pay progression rates to ensure that there is no discrimination or bias in relation to race, disability, gender, gender identity/reassignment, sexual orientation, religion or belief, age, pregnancy and maternity and marriage and civil partnership status.

5 Process

The Workforce Information and Assurance team will take responsibility for initiating the notification process and work with the Employee's Direct Line Manager as follows:

Step	Action	When	Who by
1	<ul style="list-style-type: none"> Inform the Employee's Direct Line Manager and the employee about the employee's mandatory training and appraisal level of compliance. The notification will clearly set out the consequences of non-compliance that a determination of significant weakness in performance may be made as a result and, if so, pay progression may be deferred until core mandatory training and appraisal compliance is attained and evidenced. 	Four months before an employee's incremental date	Workforce Information and Assurance team
2	<ul style="list-style-type: none"> Develop an action plan to achieve compliance within the timescale. 	Where evidence of compliance is not available	Employee and Employee's Direct Line Manager
3	<ul style="list-style-type: none"> A reminder will be sent to Employee's Direct Line Manager and the Employee stating that the employee's record is showing as non-compliant. The Employee will be advised that if they continue to demonstrate significant weakness in performance through their non-compliance then pay progression will be deferred unless there are extenuating circumstances present. 	Two months before the Employee's incremental date	Workforce Information and Assurance team
4	<ul style="list-style-type: none"> Carry out an audit of core mandatory training and appraisal records to determine those employees' records showing as non-compliant, and those that are now compliant. Inform the Payroll Department to advise of those employees showing as non-compliant and for their increment to be deferred. Inform the Payroll Department to advise of those employees now showing as compliant, requesting for their increment to be paid from the date they became compliant. The payment will not be back dated to the original incremental date. 	Monthly	Workforce Information and Assurance team



Where pay progression is deferred, the employee's incremental date, for that year only, will change to the date upon which the set criteria is attained and will revert back to its original incremental date the following year.

Where pay progression is deferred, the employee will not be entitled to progress up the pay band for that given year.

6 Extenuating Circumstances

There may be exceptional circumstances where an employee is prevented from participating in their Statutory and Mandatory training and/or Appraisal. Examples include:

Planned long term leave	<ul style="list-style-type: none"> i.e. maternity, paternity, secondment, career break, adoption. If the planned leave coincides with the increment date, pay progression shall not be deferred. On return to work a support plan must be put in place and compliance achieved within 3 months from the date the employee returned to work. This 3 month time period can be extended in exceptional circumstances.
Long term absence	<ul style="list-style-type: none"> Where an employee is on long term absence and this is the sole reason for not achieving compliance; the employee should not be penalised. On return to work a support plan must be put in place and compliance achieved within 3 months from the date the employee returned to work. This 3 month time period can be extended in exceptional circumstances.



Any extenuating circumstances must be recorded on the standard pro-forma found in **Appendix 1**.

7 Appeal Process

- If an employee disagrees with the decision to defer pay progression, the employee has the right to invoke the Trust's Grievance Procedure at Stage 2 – The Grievance Appeal – this policy and procedure is available on 'In-touch'.

8 Definitions

Term	Definition
Direct Line Manager	<ul style="list-style-type: none"> Defined as those line managers who are directly managing or supervising employees and who are required to manage their performance including ensuring the completion of their mandatory training, appraisal and induction.

9 Related Documents

- [Staff Development Policy](#)
- [Grievance Procedure](#)

10 Document control

Date of approval:	07 November 2017	
Next review date:	31 March 2024	
This document replaces:	HR/0040/v2	
Lead:	Name	Title
	Callum Smith	Acting HR Manager
Members of working party:	Name	Title
This document has been agreed and accepted by: (Director)	Name	Title
	David Levy	Director of HR & OD
This document was approved by:	Name of committee/group	Date
	Policy Working Group	29 September 2017
This document was approved by:	Name of committee/group	Date
	JCC	07 November 2017
An equality analysis was completed on this document on:	29.9.17	

Change record

Version	Date	Amendment details	Status
3	29 Sep 2017	Updated to new format – no change to content	Published
3	Oct 2020	Review date extended	Published
3	29 Mar 2021	Review date extended till 01 Nov 2021	Published
3	Oct 2021	Review date extended till 31 March 2021	Published
3	May 2023	Review date extended till 31 July 2023	Published
3	Aug 2023	Review date extended till 31 March 2024	Published

11 Appendices

11.1 Appendix 1 – Pay progression non-compliance confirmation form

To be completed by the employee's Direct Line Manager

I am writing to confirm that:

..... satisfies the criteria set out in the Pay Progression Procedure before their pay progression date and I want to confirm that there are extenuating circumstances which leads me, as their line manager to agree that the employee should still progress through their increment.

The extenuating circumstances are: *(examples are set out in the policy Section 7 – Extenuating Circumstances and include – planned long term leave e.g. paternity, maternity etc. and/or long term absence)*

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.....

It has been agreed with the employee that they will attain compliance by

I confirm the following:

(please tick)

- that I have discussed the above action with the employee on and they are fully aware of the implications.
- We have jointly agreed a support plan that will be achieved in 3 months

Name: _____ Signature: _____

Position: _____ Date: _____

11.2 Appendix 2 – Equality Analysis Screening Form

Please note; The Equality Analysis Policy and Equality Analysis Guidance can be found on InTouch on the policies page

Name of Service area, Directorate/Department i.e. substance misuse, corporate, finance etc.	HR and OD			
Name of responsible person and job title	David Levy, Director of HR and OD			
Name of working party, to include any other individuals, agencies or groups involved in this analysis	Callum Smith			
Policy (document/service) name	Equality Analysis Guidance			
Is the area being assessed a...	Policy/Strategy	<input type="checkbox"/>	Service/Business plan	<input type="checkbox"/>
	Procedure/Guidance	<input type="checkbox"/>	X	Code of practice
	Other – Please state			
Geographical area covered	Trust wide			
Aims and objectives	<ul style="list-style-type: none"> To ensure all Trust staff understand the principles of pay progression. To ensure that Trust staff can demonstrate the right skills, expertise, attitude and behaviour to undertake their role successfully and at the same time ensure that service users are treated in a safe, secure and healthy environment. To ensure an equitable approach to all Trust staff when considering pay progression. 			
Start date of Equality Analysis Screening (This is the date you are asked to write or review the document/service etc.)	1/9/17			
End date of Equality Analysis Screening (This is when you have completed the equality analysis and it is ready to go to EMT to be	29/9/17			

approved)

You must contact the EDHR team if you identify a negative impact. Please ring Sarah Jay or Julie Barfoot on 0191 3336267/3046

1. Who does the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan benefit?

All Trust staff employed under Agenda for Change terms and conditions of service.

2. Will the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan impact negatively on any of the protected characteristic groups below?

Race (including Gypsy and Traveller)	No	Disability (includes physical, learning, mental health, sensory and medical disabilities)	No	Gender (Men, women and gender neutral etc.)	No
Gender reassignment (Transgender and gender identity)	No	Sexual Orientation (Lesbian, Gay, Bisexual and Heterosexual etc.)	No	Age (includes, young people, older people – people of all ages)	No
Religion or Belief (includes faith groups, atheism and philosophical belief's)	No	Pregnancy and Maternity (includes pregnancy, women who are breastfeeding and women on maternity leave)	No	Marriage and Civil Partnership (includes opposite and same sex couples who are married or civil partners)	No

No – Please describe any positive impacts/s

The Pay Progression Procedure should ensure an equitable approach to all Trust staff when considering pay progression.

<p>3. Have you considered other sources of information such as; legislation, codes of practice, best practice, nice guidelines, CQC reports or feedback etc.? If 'No', why not?</p>	<p>Yes</p>			
<p>Sources of Information may include:</p> <ul style="list-style-type: none"> • Feedback from equality bodies, Care Quality Commission, Equality and Human Rights Commission, etc. • Investigation findings • Trust Strategic Direction • Data collection/analysis • National Guidance/Reports 	<ul style="list-style-type: none"> • Staff grievances • Media • Community Consultation/Consultation Groups • Internal Consultation • Research • Other (Please state below) 			
<p>4. Have you engaged or consulted with service users, carers, staff and other stakeholders including people from the following protected groups?: Race, Disability, Gender, Gender reassignment (Trans), Sexual Orientation (LGB), Religion or Belief, Age, Pregnancy and Maternity or Marriage and Civil Partnership</p>				
<p>Yes – Please describe the engagement and involvement that has taken place</p>				
<p>Workforce Development (HR), Workforce Information and Assurance (HR), Policy Sub Group, JCC.</p>				

5. As part of this equality analysis have any training needs/service needs been identified?

No

A training need has been identified for;

Trust staff	No	Service users	No	Contractors or other outside agencies	No
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Make sure that you have checked the information and that you are comfortable that additional evidence can provided if you are required to do so

The completed EA has been signed off by you the Policy owner/manager: Beverley Vardon-Odonkor	Date: 29/9/17
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Your reporting (line) manager: David Levy	Date: 29/9/17
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If you need further advice or information on equality analysis, the EDHR team host surgeries to support you in this process, to book on and find out more please call: 0191 3336267/3046