

PAY PROGRESSION POLICY

		POLICY	
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	x		
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1.0 INTRODUCTION

Sherwood Forest Hospitals NHS Foundation Trust embeds National Terms and Conditions of Agenda for Change which outlines the process for pay progression. This policy aims to reinforce and supplement the implementation of Agenda for Change terms and conditions and provides appropriate guidance.

2.0 POLICY STATEMENT

Pay progression should not be seen as an automatic right by staff but rather is something to be earned and is a reward that is dependent on satisfactory performance, conduct and demonstration of meeting all training requirements essential to their role.

The Trust has a duty to provide high quality services to our patients, and strives to be a high performing organisation that continuously improves quality, safety and the patient experience. It is a key part of Sherwood Forest Hospitals to achieve its goals through maximising the contribution of each member of staff.

This policy sets out the basis upon which an individual's performance drives pay progression. It is expected that employees who can demonstrate the required level of performance and behaviours and who have met their objectives and are compliant as regards their statutory and mandatory training will progress annually through their salary band.

The policy applies to all employees employed under Agenda for Change Terms and Conditions of Employment.

In accordance with the Trust's commitment to equality and diversity, this policy must be applied fairly and consistently to all Agenda for Change (AfC) employees.

The policy seeks to underpin the importance of providing individual support and feedback on an employee's performance and progress via informal and formal processes such as the appraisal system which incorporates personal development plans.

SFHT will ascertain a fair and consistent approach to applying the Pay Progression Policy and will give due consideration to employee's individual and organisational circumstances when considering a request for pay progression.

3.0 DEFINITIONS/ ABBREVIATIONS

The Trust	Means Sherwood Forest Hospitals NHS Foundation Trust
Employees	All employees of the Trust including those managed by a third party organisation on behalf of the Trust

Agenda for Change

National Terms and Conditions of employees as identified in their contract of employment
 Terms and Conditions
 National Terms and Conditions of employees as of service identified in their contract of employment

4.0 ROLES AND RESPONSIBILITIES

Employees

- To actively participate in the annual appraisal process and jointly agree and work towards their objectives.
- To make their line manager aware of any organisational constraints that are preventing them from achieving their objectives.
- To demonstrate that they have reached a satisfactory level of performance and achievement of objectives in line with the Appraisal Policy within the previous 12 months.
- Ensure that all statutory, mandatory training and professional registration relevant to the individual's post is up to date and recorded as compliant.
- To make their line manager aware of their progression date and request an appraisal within the preceding three months of this date.

Role of Line Manager

- To ensure they are aware of employees they line manage progression dates by requesting this information from the People Information Team and arranging an annual appraisal at least three months prior to this date,
- To complete appraisal paperwork and update ESR as appropriate.
- To discuss with the employee any deferment of pay and the rationale for deferment.
- To conduct an objective review of the individual's work based on feedback, examples and previous informal discussions.
- To ascertain that unsatisfactory performance is managed effectively in line with the Trusts Capability Policy and that appropriate support is provided to address the concerns.
- To ascertain the employee is given the opportunity to undertake statutory and mandatory training.
- To demonstrate they have supported the employee to achieve the criteria for progression.
- To make the employee aware of the right of review.

Role of People Directorate

- To advise Line Managers and Employees on the application of this Policy.
- Managers will be provided with reports from the HR department on a monthly basis giving the names of their staff and their progression date.

Role of People Development Department

- To make Line Managers aware of their teams statutory and mandatory training compliance.

Role of Trade Union/Staff Representatives

- To offer support and advice to employees as required.

Role of Payroll

- To ascertain that pay progression requests are processed in the specified timescale to initiate pay progression.

5.0 APPROVAL

This policy is approved by the Joint Staff Partnership Forum.

6.0 DOCUMENT REQUIREMENTS

As of 1st April 2013 pay progression was deemed to be no longer an automatic right and instead requires employees to meet a set of agreed required standards in order to progress to the next step in their salary pay band. Employees who have reached the top of the pay point in bands 1 to 7, 8A and 8B are still required to participate in an annual appraisal. If an employee has a negative appraisal or fail to meet the specified criteria this may result in the Capability or Disciplinary policy being invoked.

6.1 PROCEDURE FOR PAY PROGRESSION

6.1.1 Making a request for pay progression

It is the line manager's responsibility, in conjunction with the employee, to initiate the appraisal process at least three months prior to their progression date. This timescale is to ensure that the line manager has the opportunity to review with the employee against the criteria within the appraisal and personal development plan. Once complete and objectives agreed the line manager will notify HR indicating the completed date of the appraisal and whether the pay progression should be approved or withheld. HR will inform payroll who will action the pay progression. For example, for a progression date of 16th December the employee would require an appraisal within the timeframe of September to November.

It is the line manager's responsibility, in conjunction with the employee to ensure the appraisal takes place in the specified timescale. Progression dates can be found on the employees pay slip.

For practicality it is recommended that employee appraisals are aligned to coincide with individual progression dates and that the appraisal documentation and HR spread sheet to confirm pay progression are completed during the appraisal process.

The national standards to qualify for pay step progression are;

1. The appraisal process has been completed within the last 12 months and outcomes are in line with the Trust's standards.
2. There is no formal capability process in place.
3. There is no formal disciplinary sanction live on the staff member's record.
4. Statutory and/or mandatory training has been completed.
5. For line managers only –appraisals have been completed for all staff as required.

If the employee has failed to meet the pay progression criteria as a consequence of organisational constraints, beyond their control, (e.g. cancellation of mandatory training and capacity and flow pressures and demands) they must evidence this at the appraisal meeting. The line manager will consider this when making a decision about pay progression.

6.1.2 Pay step progression that falls within a prolonged period of agreed or recognised leave

For employees whose progression date falls within a period of long term sickness, maternity, paternity, adoption leave ,the line manager would consider the 12 month period prior to the commencement of the current episode of leave to make a decision on pay progression. In these circumstances it will be the line manager's responsibility to implement the pay progression process.

For those on a career break, refer to the career break guidance.

6.2 APPROVING THE REQUEST FOR PAY PROGRESSION

Pay progression will be conditional upon individuals demonstrating that they have achieved their objectives as part of their appraisal; the line manager will review the employee's performance using the appraisal documentation as included in the Appraisal Policy.

If the employee has not actively participated in an appraisal, has failed to meet the agreed objectives or is not compliant with the statutory, mandatory training and professional registrations applicable to their role pay progression would not be approved.

If the employee has met the criteria for pay progression their pay progression would be approved.

When approving pay progression the line manager must update ESR, which who will action the pay progression.

6.3 DECLINING THE REQUEST FOR PAY PROGRESSION

6.3.1 Deferment of pay progression

At an appraisal meeting, any employee remaining non-compliant in any of the areas identified will not receive their pay progression.

Pay progression will subsequently be applied from the date of completion and it will not be backdated for the period of non-compliance. Employees will thereafter retain their original pay progression date. For example, if an employee's progression date is 4 October, pay progression will not take effect until the employee meets all the criteria as outlined in national standards for pay step progression.

The decision to defer pay progression must have been discussed with the employee at their appraisal meeting prior to any deferment being instigated. The line manager will update ESR, confirming that pay progression has been deferred.

Any individual for whom a pay progression has been deferred must be offered the appropriate support in order that they have the fairest opportunity to meet the performance requirements in future.

6.4 PAY PROGRESSION FOR BAND'S 8C, 8D and 9 ONLY

6.4.2 The principles and standards for pay progression and then re-earnable pay for staff in bands 8c, 8d and 9 are the same as the principles and standards for all other staff; Pay progression for the penultimate and final pay points in pay bands 8c, 8d and 9 will be dependent upon the achievement of locally determined levels of performance. Staff will progress through the last two pay points in these pay bands only when they are assessed as having met the required level of performance.

6.4.4 Pay progression for this level of performance will be non-recurring and reviewed on an annual basis; when an individual who holds an annually earned pay point has not met the required level of performance and delivery for a given year, they will have one annually earned pay point withdrawn.

6.4.5 The last two pay points in pay bands 8C, 8D and 9 (the annually earned points) will not be subject to pay protection.

6.4.6 Once employees have reached the top of their band, the expectation is that all staff will meet the required standards and will re-earn the relevant element of pay annually. The first point at which the re-earnable element becomes relevant is 12 months after employees have passed through their pay step point to reach the top of the band.

6.4.7 In the year after an employee has reached the top of bands 8c, 8 or 9, 5 per cent or 10 per cent of basic salary will become re-earnable

6.4.8 Staff on the top two points of these bands on 31 March 2013 have reserved rights to the relevant point. This reserved right will be retained on a marked time basis. At the end of the financial year, 5 per cent of pay will become annually earned and then, when annual increases to the top of the band add a further 5 per cent, annually earned pay will apply to 10 per cent of basic pay.

6.4.9 In the year after an employee has reached the top of bands 8c, 8d or 9, 5 per cent or 10 % of basic pay will become re-earnable. Where standards are not met salary may be reduced by 10% from the pay step date.

The employees will be able to restore their salary to the top of the band at the end of the following year by meeting the required standards. Staff on the top two points of these bands on 31 March 2013 have reserved rights to the relevant pay point. This reserved right will be retained on a time limited basis - further information can be found in Annex 23 of the Agenda for Change handbook.

In this case employees on pay bands 8C 8D and 9 have the right for appeal.

6.5 THE RIGHT OF APPEAL

Where an employee has not obtained their relevant pay progression and they consider the decision to defer progression is unfair or that they have a justifiable reason / mitigating circumstances for not attaining the required standards, they can request a review by submitting an email by way of appeal to their Senior Manager i.e. the Line Manager's Manager within 28 days of the appraisal meeting or deferment of pay. Those staff without email access should complete the Appeal Request Form against Deferment of Pay Progression Appendix 1.

The employee will need to clearly state their grounds for appeal which will fall into one of the categories below:

- Extenuating circumstances for not meeting the required standards e.g. (Operational / Organisational issues) that the employee does not agree with the outcome (and will provide further information to support this view)

When requesting a review the employee must set out the grounds for their request in the email to the senior manager. The review must take place within 28 days of the review being lodged. Deferment of Pay Progression Review Process and Senior Managers Guidance is available on the intranet.

It will be up to the senior manager reviewing the deferment to make the final decision, based on the evidence and mitigating circumstances provided by both the employee and the line manager, whether or not pay progression is approved and the date this is payable from. If necessary the Senior Manager may arrange a meeting with the employee and their line manager to clarify any issues. This meeting **must** be held within the 28 day review timescale to make a decision. The employee is entitled to representation at the meeting by an accredited representative of a recognised trade union or a work colleague not acting in a professional capacity. The decision must be communicated to Pay Services and Workforce Information.

In cases of extenuating circumstances the 10% pay deduction can be reviewed and renegotiated at 5%

The employee must be informed of the outcome of their review by email (or the Review Request form if no email access) within 7 calendar days of the date of the decision. This is the final decision and the end of the formal procedure.

In circumstances where the employee has requested an appraisal and the line manager has failed to arrange this in a timely manner in accordance with the timescales outlined the employee may refer to the Grievance Policy.

6.5 EXEMPTIONS

Where an employee has been temporarily redeployed into a different role due to an industrial injury, it is expected that the employee will still receive their pay step progression as it would not be possible to appraise them against their substantive post and job description.

6.5.1 On Secondment

Employees who are on short term (less than six months) secondment or acting into another post (i.e. is a temporary role not their substantive role) should be appraised based on their substantive role.

Employees who are on long term (more than six months) secondment or acting into another post (i.e. a role not their substantive role) should be appraised based on their seconded/acting up role.

7.0 MONITORING COMPLIANCE AND EFFECTIVENESS

Minimum Requirement to be Monitored	Responsible Individual	Process for Monitoring e.g. Audit	Frequency of Monitoring	Responsible Individual or Committee/ Group for Review of Results
Pay Progression	JSPF	Audit	Annually	JSPF

8.0 TRAINING AND IMPLEMENTATION

All managers must ensure that they already have the appropriate knowledge and skills and/or have attended suitable training to correctly apply this policy and procedure.

9.0 IMPACT ASSESSMENTS

- This document has been subject to an Equality Impact Assessment, see completed form at Appendix B
- This document has been subject to an Environmental Impact Assessment see completed form at Appendix C.

10.0 EVIDENCE BASE (Relevant Legislation/ National Guidance) AND RELATED SFHFT DOCUMENTS

Evidence Base:

- Agenda for Change Terms and Conditions

Related SFHFT Documents:

- Appraisal Policy
- Mandatory Training Policy

11.0 APPENDICES

- Review Request Form against Deferment of Pay Progression Appendix A
- Equality Impact Assessment Form Appendix B
- Environmental Impact Assessment Appendix C

Appendix A

Review Request Form against Deferment of Pay Progression

Employees who consider the decision to defer pay progression is unfair and who have justifiable reasons for non-completion of mandatory training or an up to date appraisal can request a review by submitting this form to their Senior Manager i.e. Line Manager's Manager within 28 days of the appraisal meeting or deferment of pay.

The Senior Manager will review the individual circumstances to make a decision within 28 days of receipt of the form. If necessary the Senior Manager may arrange a meeting to clarify any issues with the employee and their line manager. This meeting must be held within the 28 day timescale to make a decision. The employee is entitled to representation at the meeting by an accredited representative of a recognised trade union or a work colleague not acting in a professional capacity. HR presence is not required at the meeting; advice can be sought to inform managerial decision-making. The senior manager will decide whether or not to uphold the deferment of pay progression. The decision is confirmed in writing on this form and is the end of the formal process i.e. there is no right of appeal or further grievance process available.

Section 1 – Employee to complete and pass to their Line Manager		
Employees name and job title		Assignment Number or National Insurance no.
Name of employees Line Manager		
Date Appraisal completed		
Pay progression date		
Mandatory training % compliance at date pay progression was due		State non-compliant modules:
Briefly describe the reasons why you feel the deferment is unfair attaching any supporting evidence (<i>use additional sheet if required</i>)	(Continue on separate sheet if necessary)	
Signature		Date
Note to employee – Please pass this review form to your line manager to complete, then forward it to their senior manager. (<i>It is advisable to retain a copy for your records</i>).		
Section 2 - Line Manager to complete and return to employee to submit to Senior Manager		

<p>Line Manager to detail reasons for deferment of pay progression (eg non-compliance with mandatory training, subject to formal capability and /or disciplinary sanction).</p> <p>Include a copy of the employee's mandatory training compliance plan if this is the reason for deferment and any other supporting evidence.</p>	<p>(Continue on separate sheet if necessary)</p>
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Review against deferment of pay progression by Senior Manager: If the decision is to uphold the employee's case then any loss of earnings will be paid and backdated to the original progression. If the decision is to not to uphold the case, the original decision will remain and the employee will not pay progress until completion of the required criteria i.e. completion of mandatory training, an up to date appraisal, expiration of a disciplinary sanction, or completion of formal capability procedure. The Senior Manager's decision is final and it is the end of the process; there is no right of appeal. (See Senior Managers guidance)

Section 3 – Senior Manager to complete	
Name of Senior Line Manager undertaking the review	
Date review request form received	
Date of review meeting (if necessary)	
Date invite letter sent to employee and line manager to attend review meeting	
Representatives name / support person at meeting	
<u>Decision to be confirmed to employee within 28 days of receipt of review request (tick applicable)</u>	
<input type="checkbox"/>	<p>I am pleased to confirm your review request is upheld and your pay progression will be back dated to the original progression date of _____</p>
<input type="checkbox"/>	<p>I am unable to uphold your review request for the following reasons:</p>
<input type="checkbox"/>	<p>Having been subject to Formal Capability or a Disciplinary sanction I confirm pay progression is to be valid from _____(insert date)</p>
<p>Signature: _____ Title: _____</p>	
<p>Date: _____</p>	
<p>Section 4 - Please ensure a copy of this completed form is sent to the employee, HR Workforce Information Officer and a copy placed on the employee's personal file.</p>	

APPENDIX B - EQUALITY IMPACT ASSESSMENT FORM (EQIA)

Name of service/policy/procedure being reviewed: Pay Progression Policy			
New or existing service/policy/procedure:			
Date of Assessment: 15 January 2024			
For the service/policy/procedure and its implementation answer the questions a – c below against each characteristic (if relevant consider breaking the policy or implementation down into areas)			
Protected Characteristic	a) Using data and supporting information, what issues, needs or barriers could the protected characteristic groups' experience? For example, are there any known health inequality or access issues to consider?	b) What is already in place in the policy or its implementation to address any inequalities or barriers to access including under representation at clinics, screening?	c) Please state any barriers that still need to be addressed and any proposed actions to eliminate inequality
The area of policy or its implementation being assessed:			
Race and Ethnicity	None	N/A	None
Gender	None	N/A	None
Age	None	N/A	None
Religion	None	N/A	None
Disability	None	N/A	None
Sexuality	None	N/A	None
Pregnancy and Maternity	None	N/A	None
Gender Reassignment	None	N/A	None
Marriage and Civil Partnership	None	N/A	None
Socio-Economic Factors	None	N/A	None

(i.e. living in a poorer neighbourhood / social deprivation)			
What consultation with protected characteristic groups including patient groups have you carried out? <ul style="list-style-type: none"> JSPF Sub group 			
What data or information did you use in support of this EqlA? <ul style="list-style-type: none"> Previous EqlA 			
As far as you are aware are there any Human Rights issues be taken into account such as arising from surveys, questionnaires, comments, concerns, complaints or compliments? <ul style="list-style-type: none"> None identified 			
Level of impact From the information provided above and following EQIA guidance document Guidance on how to complete an EIA (click here), please indicate the perceived level of impact: Low Level of Impact .			
Name of Responsible Person undertaking this assessment :J Read			
Signature: J Read			
Date: 15 January 2024			