

## SALISBURY NHS FOUNDATION TRUST

### Control of Banding Policy

#### 1. Quick Reference Guide

1.1 This policy provides a framework to help support the control of banding of posts at Salisbury NHS Foundation Trust. The policy, which seeks to promote overall consistency, provides clarity as to current roles and responsibilities and details the Trust’s approval process when a banding review is requested. The policy also details the appeals process that should be followed when dissatisfaction with the banding process, or a banding outcome, is raised.

#### 2. Introduction

2.1 This policy sets out a clear and consistent framework for the control of banding of posts at Salisbury NHS Foundation Trust.

2.2 This policy has been developed to help deliver equal pay for work of equal value and should be used when existing posts are reviewed or new posts are created

2.3 This policy will help ensure that service needs are balanced with the fair and consistent treatment of Trust employees and that all activities in relation to this matter are conducted in compliance with the Trust’s Standing Financial Instructions.

2.4 All employees of the Trust should have an up to date and agreed job description that describes the role and tasks required of them when carrying out their job

2.5 Bands should only increase where jobs are expanded and responsibilities changed to the extent that a new banding becomes justified. Such developments must be considered in terms of the budgetary position of the department/division with any increase in costs justified by the benefits that the expended job role (or new role) will bring to the Trust.

2.6 The ‘Control of Banding Approval Form’ (see Appendix A) must be completed for every case and approval must be sought from the Workforce Control Panel (WCP). **Please note: it would be unusual for the WCP to progress a banding request unless it links to a role or service development that requires a change in staffing, for example, a change to a nursing band because of a planned reduction in medical staffing.**

**Please also note that the WCP will only consider approval of forms that have appropriate endorsement from members of the relevant Divisional Management Team (DMT). Please see section 8 – Duties and Responsibilities for further details.**

#### Version Details

Version No.	Updated by	Updated on	Description of changes
6	Head of People Operations	April 2021	Revision of process and inclusion of role of the People Operations team. Full grammatical/structural review.
8	Senior Business Partner Employee Relations	October 2022	Revisions made to Section 8.2 to reflect the changes in the Divisional structures

## Eligibility

This policy applies to all staff employed on Agenda for Change terms and conditions of service.

### 3. Scope

3.1 This policy applies to all Trust Agenda for Change employees. The policy does not apply to non-Agenda for Change employees such as doctors and executive directors who are covered by different terms and conditions of service.

### 4. Purpose

4.1 The policy aims to:

- Ensure banding reviews are both planned and linked to service need.
- Provide a method by which managers can develop jobs in a fair and consistent manner.
- Acknowledge Staff Terms and Conditions at any point in time.
- Work in partnership with Staff Side organisations so as to ensure equal pay for work of equal value for Agenda for Change employees. This will be in line with national job evaluation guidance.

### 5. Statements

5.1 Changes in band should only be considered when:

- There is a planned development of a post to meet specific business needs as indicated in a service plan or as a result of unplanned, but perceived, need as justified/agreed by the appropriate Divisional Management Team.
- There is a reduction in the banding of a post due to changes in business practice or skill mix (please refer to the Trust's 'Managing Implications of Organisational Change' policy).
- Where incremental change and/or an increase in responsibility of a role has occurred over a period of time

#### **Note;**

*If a negative re-banding decision is reached in relation to incremental change/increased responsibility then it would be expected for the employee's job role to be reset to its original level (i.e. as defined in the original job description). Support in relation to such a matter would be provided by a People Business Partner.*

### 6. Establishment Control

6.1 The responsibility for the Trust's establishment control process sits with budget holders who report their financial position to the DMT's and executive directors on a monthly basis.

6.2 Establishments are set annually as a result of the service plan and contracting processes and regular skill mix reviews, and it is therefore the responsibility of managers to deliver such services within the budgetary restrictions set for that year.

6.3 Divisional Directors of Operations and executive directors do have the freedom to alter staffing numbers and skill mix within their establishments. However, any such adjustment would need to be agreed in line with the following principles:

- The resultant establishment would remain within the set budget
- Existing OD and People policies and Staff Terms and Conditions would be adhered to.
- Any changes would be in justified in terms of improved service delivery associated with the Trust's vision of 'an outstanding experience every time'

6.4 People Business Partners and the Trust Job Evaluation Lead are available to provide guidance at any stage of the above process.

6.5 Discussion with the Division Finance Business Partner must also be undertaken to ensure that the financial implications of any banding review is fully considered and understood.

6.6 Further information related to the above can be found in the Trust's Standing Financial Instructions.

## **7. Career Development**

7.1 On occasion staff may wish, at their own request to operate at a level beyond their current banding. This may be for the purpose of personal development, to acquire new skills or to enhance their future career opportunities. Such development should be encouraged with the member of staff accepting that personal benefit rather than financial reward would be gained from the undertaking of such additional duties/activities.

Any such arrangement should be formally documented, and time limited as appropriate.

## **8. Duties and Responsibilities**

### **8.1 Workforce Control Panel**

This WCP will review all submitted 'Control of Banding Approval Forms' that have appropriate Divisional sign-off and agree those to be forwarded to the People Operations team for consideration.

Outcome of such review whether accepted or rejected, will be communicated to the submitting Divisional Manager by the Recruitment Team.

### **8.2 The Divisional Management Team**

The decision to 'support' a proposal to develop a job description lies with the appropriate Divisional Management Team. The reasoning behind such a decision must be documented on the 'Control of Banding Approval Form' which **must** provide a clear rationale as to how such a development would benefit service delivery. The form must also detail the alternatives that have been considered and clarify the source of funding to support the proposal.

**All proposals must be approved by a People Business Partner, the Divisional Finance Business Partner and the Divisional Director of Operations/Head of Nursing, Clinical Director or for Corporate Areas Director or nominated representative prior to submission to the WCP.**

**Any revised job descriptions for jobs that are not unique to a single Division must be agreed by the Operational Management Board before they are submitted for matching, as revised outcomes may have implications for more than one area of the Trust..**

Examples of such jobs might include "Clinic Receptionist", "Medical Secretary", "Ward Clerk" etc. Please note this list is not exhaustive and further advice should be sought from the People Operations Team.

### **8.3 People Business Partners**

The People Business Partners **must** be consulted in relation to all control of banding proposals in order to ensure that a full range of workforce options are considered. Their involvement in this process including the outcome of any scoped alternatives **must** be documented on the 'Control of Banding Approval Form'. They are also required to agree the proposal before submission to the WCP.

The People Business Partner will also ensure consistency of process and hence fairness to any individual/s involved.

#### 8.4 People Operations Team

The People Operations team will manage the process of matching or evaluating job descriptions in partnership with the Staff Side Job Evaluation Lead. This process ensures that results are appropriately checked for consistency, and that relevant managers are informed of all outcome decisions. The People Operations team are also available to provide advice and guidance throughout this process.

#### 8.5 Heads of Service/Departmental Managers/Corporate Managers

Managers are responsible for delivering services, wherever possible, within their staffing budget and as such must endeavour to provide high quality services at the most affordable cost to the Trust. Regular skill mix review is imperative to this process and must be carried out to align service objectives with employee competence.

Managers are also responsible for ensuring that Staff Side representatives are involved in any workforce re-profiling and that job descriptions are maintained on an ongoing basis to clearly detail the requirements of a role.

### 9 Process and Approval Form

- 9.1 Job Descriptions submitted for banding advice must be completed using the standard Trust template. This is available in the 'Recruitment toolkit' on the Trust Intranet [Recruitment tool kit](#) . Managers should work with the People Business Partner to develop such job descriptions.
- 9.2 All control of banding proposals for WCP consideration must be supported by a 'Control of Banding Approval Form' and a revised job description. These documents should be submitted to [sft.recruitment@nhs.net](mailto:sft.recruitment@nhs.net)
- 9.3 As part of the proposal, information should be provided on any market research undertaken on similar job roles and/or where information is available to support the level of banding. This should be submitted for review by the WCP and matching panel.
- 9.4 Such proposals will be considered by the WCP with those accepted being made available to the People Operations team for evaluation. Forms that are not approved by the WCP will be returned to the Recruitment Team with an explanation as to the reason for the rejection.
- 9.5 All rejected proposals, including their revised job description, will then be forwarded to the People Operations team and the Staff-Side job evaluation lead for further review. Should this subsequent review agree with the original WCP decision, this will be communicated to the submitting manager detailing reasons for the rejection.
- 9.6 However, if it is felt there is sufficient evidence to warrant review, the People Operations team and Staff-Side job evaluation lead would be expected to articulate their reasoning to the WCP. In such instances the proposal would be resubmitted to the next available WCP for further consideration. If the WCP decision is still not to agree a review at this stage then this will be communicated to the submitting manager detailing reasons for the rejection.
- 9.7 Once approved by the WCP, the People Operations team, in partnership with the Staff-Side job evaluation lead, will consider the proposal in accordance with current Agenda for Change Job Evaluation Guidance. **Any forms submitted to the People Operations team without WCP approval will be returned to the sender without review.**
- 9.8 New job descriptions for vacant positions will only be matched where there are clear and distinct differences from jobs already in existence in the Trust. Advice in relation to such matters can be sought from a People Business Partner/People Advisor ahead of the formal job matching.

- 9.9 In the case of an occupied position, if the postholder(s) and their manager both agree that the job has changed sufficiently to warrant a review of banding then a 'Control of Banding Approval Form' should be submitted to the DMT. Appropriate approval at this level would then see the form forwarded to the WCP for a final approval decision as discussed above.
- 9.10 Where an individual is being formally redeployed into a new role, the job description will always be matched at the request of the individual and/or their manager.
- 9.11 The Trust is committed to review approved job banding proposals as per the below:
- If the post can be **matched** to a national profile – within one month of receipt of request
  - If the post requires **evaluation i.e. can't be matched to a national profile** - within two months of receipt of request

The People Operations team will be responsible for notifying the submitting manager if a post requires evaluation and sending out the appropriate paperwork.

- 9.12 The People Operations team will also be responsible for articulating the outcome of any banding review to all relevant parties.
- 9.13 Where a change of banding is approved, the alteration would usually apply from the date the employee commenced working to the revised job description.
- 9.14 ESR Manager Self-Service actions detailing a change of band will not be authorised by Salaries and Wages unless an appropriate banding review has been undertaken.

## **10 The Appeal Process**

- 10.1 In line with processes detailed in the NHS job evaluation handbook, all appeals relating to a banding review must be raised with the People Operations team within 3 months of the date of the e-mail informing the submitting manager of the banding decision.
- 10.2 The descriptions below clarify the appeal process for the following scenarios;

### **a) Review of Banding Outcome**

This is where the post holder agrees that the information submitted was correct for the post but feels that some aspects of the job have not been assessed appropriately by the People Operations team / Staff-Side job evaluation lead.

In such instances the post holder, within three months of notification of the banding outcome, must request in writing to see all of the paperwork submitted to the People Operations team and the subsequent job matching evaluation report that provides narrative about the banding outcome.

This paperwork should be sent to the post holder with a covering letter giving details of the review process. The post holder then has three months from the date of this letter to submit additional evidence to further support their banding case. Importantly all additional evidence must be agreed by the line manager and submitted to the relevant divisional manager for approval. In the event of long term absence (e.g. sickness or maternity leave) the post holder may apply for an extension to this deadline.

The outcome of this re-matching is final and the post holder has no right of appeal beyond this second review.

If the line manager or divisional manager does not agree to support the additional evidence provided by the post holder, they will be eligible to raise a grievance in line with the Trust's Grievance policy. In such instances advice must be sought from the People Business Partner.

## **b) Process Review**

Where the post holder does not agree that the correct matching process was followed (due to the submission of incorrect information), they should approach their line manager to outline their concerns and agree upon the correct information that should be submitted for re-matching.

Examples of the above may include;

- The submission of an 'out of date' job description.
- Failure to complete or submit an additional information form
- A missing person specification form

In such cases the correct information may be submitted for re-matching so long as this occurs within three months of notification of the banding outcome.

### **Request for Review of Re-matched Outcome**

Following notification of the outcome of the process re-matching, the post holder has an opportunity to request a review of the banding outcome paperwork as per section a above. Again this must happen within three months of the re-matching outcome.

- **Important Note to Consider**

Where someone is in post, it is the postholder(s) who has the right of appeal. Where the post is vacant, the line manager can appeal a decision.

## **10.3 Raising of a Grievance**

The post holder has the right to submit a grievance in any of the below circumstances;

- If the line manager does not agree to amend a job description to reflect a current job role to the satisfaction of the employee.
- If the WCP refuses to submit a changed job description for review to the People Operations team and Staff-Side job evaluation lead.
- If the line manager or relevant divisional manager does not agree to support an appeal following the submission of additional evidence from the employee.

## **11. Monitoring Compliance with and the Effectiveness of this Policy**

11.1 The People Operations Team will also monitor and analyse data associated with the control of banding process so as to inform future workforce practices. If required relevant reports will be made available to requesting Trust committee.


## **12. References**

Agenda for Change Job Evaluation  
Agenda for Change National Profiles  
Trust Standing Financial Instructions

## **13. Equality Impact Assessment for Policies**

Salisbury NHS Foundation Trust aims to design and implement services and policies that meet the diverse needs of its services, population and workforce, ensuring that none are placed at a disadvantage over others

This document has been assessed against the Trust's Equality Impact Assessment Tool which was presented to the ratifying committee

<b>Appendices</b>		
A	Banding Request Approval Form for Non-Medical Staff	 appendix-a-approval-request-form-control- <a href="https://mg.salisbury.nhs.uk/media/3552/appendix-a-approval-request-form-control-of-banding-policy-may-2021-1.doc">https://mg.salisbury.nhs.uk/media/3552/appendix-a-approval-request-form-control-of-banding-policy-may-2021-1.doc</a>

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