

**Framework for Managing Re-banding Requests for Existing Substantive Band 2
Nursing/Midwifery Clinical Support Workers, NHS Lanarkshire**

1. Introduction

1.1 The purpose of the framework is to describe the partnership arrangement, aligned to the NHS Lanarkshire Re-banding of posts procedure, to enable management and staff side to review re-banding requests for Band 2 Clinical Support Workers.

1.2 The framework reflects the current Re-banding process and aims to assist staff and service management in describing, confirming and agreeing changes to duties and responsibilities with reference to the Agenda for Change Job Evaluation Scheme.

1.3 The process for reviewing the bands for CSWs follows on from the completion of a number of re-banding reviews submitted in the summer of 2021.

1.4 This process applies to all existing substantive Band 2 Nursing/Midwifery CSW staff who did not participate in the re-banding process referred to in 1.3.

1.5 Until the exercise is completed, individual applications from staff within the scope of this exercise for re-banding will not be accepted.

1.6 Staff who do not wish to be part of this process have the option to remain as a band 2. In these circumstances their manager may need to adjust their responsibilities to ensure it complies with the revised job profile.

1.7 This framework has been agreed in partnership and staff have the right to seek Trade Union support at any time throughout this process.

2. Notification of Re-banding Requests

2.1 Employees who believe their role has changed significantly should notify their Team Leader or Senior Charge Nurse/Midwife (SCN/M) and describe the changes to their role including any additional duties/responsibilities undertaken outlined in Appendix 1. Employees should complete the proforma in Appendix 1 and send to their Team Leader/SCN(M).

2.2 Team Leaders/SCN(Ms) should acknowledge the receipt of the re-banding claim in writing and confirm the date this was received.

2.3 Team Leaders/SCN(M)s should discuss the re-banding claim with the employee(s) and ensure this accurately reflects the current duties of the post holder (Appendix 1) and send to Senior Nurse/Midwife for the area.

2.4 Via the Senior Nurse/Midwife, completed forms should be sent to the Associate Director of Nursing/Chief Nurse and the Site Director (Acute)/Locality General Manager (South H&SCP) /Integrated Health and Social Care Manager (North H&SCP) for the service.

2.5 Completed forms should then be sent to the Nurse Director/Divisional Nurse Director for agreement and approval.

3. Process for Staff and Senior Charge Nurses

3.1 Team Leaders/Senior Charge Nurses/Midwives will be required to agree the CSW Re-banding Request Authorisation Form (Appendix 1). This template requires Team Leader/Senior Charge Nurses/Midwives to confirm the job title, and to confirm the tasks and activities carried out by the Clinical Support Worker. The Team Leader/Senior Charge Nurse/Midwife will also be asked to provide details of any other duties related to patient care and to describe the supervision arrangements in place when the individual is carrying out their duties.

3.2 In summary the Agenda for Change job profile descriptors for Clinical Support Worker roles are as follows:

Band 2.

1. Undertakes personal care duties for patients in hospital or similar settings
2. Reports patient condition to registered staff

Band 3.

1. Undertakes a range of delegated clinical care duties in hospital, community or other settings
2. Records patient observations and changes to patient clinical conditions
3. Carries out limited clinical care duties

4. Line Management Authorisation

4.1 NHS Lanarkshire has a responsibility to ensure that staff are recognised in banding terms under the Agenda for Change pay and job evaluation scheme for duties that they perform in support of service delivery.

4.2 Team Leaders/Senior Charge Nurses/Midwives will be required to review the documentation and agree the content of the re-banding request. The Associate Director of Nursing/Chief Nurse and Site Director/Locality General Manager (South) or Health and Social Care Manager (North) should authorise re-banding requests within their area to provide oversight on job roles within their area of responsibility. The Site Director or appropriate Health and Social Care Manager for North/South as outlined above should forward the Re-banding requests to the Director of Nursing for final approval who will then email to the Job Evaluation Team with the original job description the –re-banding is being requested again.

4.3 A meeting with the staff member, their representative (i.e. trade union or professional body representative or colleague) and Human Resources representative would only be necessary where there are any questions which require clarity by either party. The measure for “sign off” will be based on the tasks that staff have been asked to perform as part of their agreed duties and responsibilities they have and any decision not to recognise these tasks will be explored during the meeting.

5. Failure to Agree Re-banding Request

5.1 In the event that there is a failure to agree the re-banding documentation, the case will be referred to a Senior Human Resources representative to review the case and to support the Senior Nurse / Midwife and Clinical Support Worker in reaching a shared understanding and agreement on the duties and responsibilities for the role.

Local partnership representatives should be involved in seeking resolution. In the event that there is a disagreement between the Senior Nurse / Midwife and the employee with the duties and responsibilities recorded, the re-banding request should be escalated to the Associate Director of Nursing/Chief Nurse who will work with local partnership representatives to seek resolution.

6. Processing of Re-banding Requests

6.1 All posts that require to be submitted for job matching as described in Section 2 and 3 above will be sent to the Job Evaluation Team to be recorded, coded and logged on Turas JE to enable job matching to take place.

6.2 The job matching panel will include 2 staff side representatives and 2 management representatives. All panel members will be trained Job Evaluators.

6.3 The panel outcomes will then be subject to a consistency checking process which will consider the outcomes and be comprised of a different set of management and staff side Job Evaluators in line with the Agenda for Change Job Evaluation Scheme

6.3.1 Where the duties, tasks and activities carried out are consistent with similar claims made under the Re-banding of Posts Policy for the successful Band 2 Clinical Support Workers, these can be batched and the same outcome applied i.e. an increase to Band 3.

6.3.2 Where the band increases from Band 2 to Band 3 this should be notified to payroll using eESS, by managers. The effective date will be the 1st October 2021 as agreed Nationally.

6.3.3 Where there is agreement locally that the re-banding claim cannot be batched with similar claims, these will be required to follow the normal Re-banding of Posts Policy.

7. Outcomes

7.1 Via Site Directors/General Managers Line management will be notified of the outcome at least 10 days after the consistency checking process. Staff will be notified by their Line Manager of the outcome in writing.

7.2 Where the outcome is successful, the effective date of change to the Agenda for Change pay band will be from the 1st October 2021 as agreed Nationally.

7.3 In applying the change to pay, Clinical Support Workers will experience no detriment with regard to unsocial hours. In applying the change to pay, as there should be no change to the working pattern of Clinical Support Workers from this process, then paragraph 1.10 of the Agenda for Change Terms & Conditions of Service Handbook will apply:

- If on promotion, the working pattern remains substantially the same, staff will move to the first incremental point producing an increase when basic pay and the percentage enhancement for unsocial hours are combined.
- This will be done by taking the average level of unsocial hours paid in the three-month period prior to the effective date.
- If any employee still suffers detriment because of the change, NHS Scotland's Organisational Change Policy and arrangements will apply to ensure no detriment.

7.4 In applying the change to pay, staff that are in receipt of marked time protection; protection will continue until it is no longer required.

7.5 For any staff that are in receipt of organisational change protection; they will be placed on a pay point that takes into account their protected earnings to ensure no detriment. If the protected earnings exceed the top of the new pay scale, they will move to the top and the balance of protected earnings will be paid on a mark time basis.

7.6 Following the band outcome, the postholder may wish to request a review of the outcome. The postholder will discuss the request for a review with their line manager and the line manager requires to support the employees request for a review in terms of agreeing the content of the review submission is a true, fair and accurate reflection of the job demands. No new information contrary to the submitted job description will be accepted as part of the review submission. All review documentation requires to be submitted to the Workforce Solutions Manager for submission within the 3 months of the notified Matching outcome.

7.7 The Review Panel should comprise of a minimum of four trained and experienced job matchers; two from management and two from staff side. A Review Panel will consider whether there is a case for a review. If no, then the review will not be progressed and the panel will document their rationale. If yes, then the panel will assess the submission. The Panel require to consider whether the change would affect the band outcome and advise as appropriate. There will be no right of appeal and no right to submit a grievance based on the outcome.

7.8 Where Clinical Support Workers are successful in their re-banding request, the Clinical Support Worker will be provided with a new job description which they will be required to sign and return to their line manager. This will be retained in their personal file. The job description will include the revised duties and responsibilities commensurate with the confirmed Agenda for Change pay band.

Agreed 28 April 2022

FLOW CHART OF PROCESS



