
RE-BANDING OF POST POLICY & PROCEDURE **(AGENDA FOR CHANGE T & C's)**

Author:	Head of HR - Workforce
Responsible Lead Executive Director:	Director of Human Resources
Endorsing Body:	Human Resources Forum
Governance or Assurance Committee	Staff Governance Committee
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CONSULTATION AND DISTRIBUTION RECORD

Contributing Author / Authors	<ul style="list-style-type: none"> Alison Young, Workforce Solutions Manager Job Evaluation Quality Control Group
Consultation Process / Stakeholders:	<ul style="list-style-type: none"> Ruth Hibbert – Head of HR Policy & Governance Liz Airns – GMB Jim Hughes - RCN Margo Cranmer – Unison Cathy McGinty – Unison Donna Patrick - HR Business partner Annette Shorts – Lead OH Nurse Advisor Shirley Anne O’Connor – Senior Nurse Sylvia Stewart - Unite Maggs Thomson – Head of Health NL H&SCP
Distribution:	<ul style="list-style-type: none"> FirstPort and NHS Lanarkshire’s public website

CHANGE RECORD

Date	Author	Change	Version No.
11/9/2013	A Young	Revised Policy	2
29/6/2016	A Young	Review date revised and stakeholders updated	3
20/3/2019	A Young	Revised Policy	4
20/3/2019	A Young	General Data Protection Regulations statement added into section 3 and updated name of Data Protection Act	4
October `19	A Young	Review date & distribution list updated	4
6 February 2023	A Young	Review date and distribution list updated	5

1. INTRODUCTION

NHS Lanarkshire is committed to providing a Job Evaluation Scheme which is fair and non-discriminatory. This policy is designed to clarify the rights and responsibilities of management and staff with the support of accredited trade unions/professional organisations.

2. AIM, PURPOSE AND OUTCOMES

This policy summarises the arrangements for Re-banding of Posts in Lanarkshire which are subject to Agenda for Change Terms and Conditions of service. It describes how these arrangements will operate in practice and sets out the principles within which local procedures are determined. This policy will:

- Provide a framework for the review of job roles within NHS Lanarkshire.
- Provide guidance on the process for both post holders and managers.

3. SCOPE

3.1 **Who is the Policy intended to Benefit or Affect?**

The procedure summarised below applies to posts which are subject to Agenda for Change Terms and Conditions of service.

The policy applies to all directly employed staff of NHS Lanarkshire irrespective of age, sex, disability, ethnicity/race, marital or civil partnership status, sexual orientation, religion or belief, pregnancy or maternity or gender reassignment.

NHS Lanarkshire takes care to ensure your personal information is only accessible to authorised people. Our staff have a legal and contractual duty to keep personal health information secure, and confidential. In order to find out more about current data protection legislation and how we process your information, please visit the Data Protection Notice on our website at www.nhslanarkshire.scot.nhs.uk or ask a member of staff for a copy of our Data Protection Notice.

3.2 **Who are the Stakeholders**

NHS Lanarkshire has consulted with the stakeholders listed in section (i) to produce this policy, setting out good practice.

4. PRINCIPAL CONTENT

4.1 Re-banding Process

It is possible that the situation may arise where the existing postholder and/or manager believe that the duties of a post have changed significantly since the post was originally banded. In these circumstances the postholder (supported by an Accredited Staff Side Representative if appropriate) and their manager must agree the significant changes to the job description and the date these changes occurred using the “Re-banding of Post Proforma” (**Appendix A**).

This proforma must be agreed and signed by both the postholder and appropriate NHS General Manager/Corporate Head of Service and NHS Professional Lead (if applicable) e.g Director of Nursing / Director of AHPs. If agreement cannot be reached at this stage regarding the changes to the job description or the date these changes took place the “Resolution of Disputes & Grievances (Employee Dissatisfaction) Policy” may be used. In these circumstances the manager must provide written reasons. Posts will not be considered for re-banding unless the changes have been agreed by:

- Postholder(s)
- NHS General Manager/Corporate Head of Service
- NHS Professional Lead (if applicable), e.g. Director of Nursing / Director of AHPs

Once the proforma has been completed, agreed and signed by the appropriate individuals the following documentation should be submitted to the workforce team:

- Completed signed copy of Re-banding of Post Proforma – (**Appendix A**)
- Completed electronic word version of Re-banding of Post Proforma – (**Appendix A**)
- Copy of the job description that the re-banding is being submitted against

A partnership matching panel consisting of two trained managers and two trained staff side representatives will then consider the significant changes and either:

- (a) Confirm the same evaluation outcome
- (b) Confirm an evaluation outcome to a different national profile and / or band
- (c) Or, exceptionally, refer the job for a full job analysis questionnaire (JAQ) evaluation

The post will then be presented to the Quality Control Group for consistency checking. The Quality Control Group can either approve the outcome or refer back to either the original panel or to a different panel to seek clarification.

Once the post is approved the manager will then be notified of the outcome and provided with a copy of the matched job report to disseminate to the postholder(s).

Where the postholder or manager is dissatisfied with the decision of the matching panel a further review may be requested using the “Re-banding of Post Review Proforma” (**Appendix B**) and a different matching panel will consider the request. The additional evidence must be agreed and signed by the postholder and appropriate NHS General Manager/Corporate Head of Service and NHS Professional Lead (if applicable).

4.1.1 Effective Date

The date from which any re-banding is effective should be the date on which the significant change(s) to the role took place.

Please note that a re-banding application will not be accepted by the workforce team unless the effective date is agreed by all parties prior to submission.

4.2 Re-banding Review Process

Individuals and managers have the right to seek a review of the re-banding outcome providing they notify their intention within **10 working days** of receipt of the evaluation outcome and produce written additional evidence on the Re-banding of Posts Review Proforma – (**Appendix B**) and submit this within a further **20 working days** (unless exceptional circumstances prevent this).

It is recommended that employees or groups of employees seek advice from their accredited staff side representative (if applicable) before lodging a review request.

4.2.1 Stages Review Procedure

Stage 1 – Notification

Employee(s) should notify their NHS General Manager/Head of Corporate Service and the workforce team of their intention to seek a review within **10 working days** of receiving their re-banding of post outcome.

Employee must provide details in writing of additional evidence to support their review request using the ‘Re-banding of Post Review Proforma’ (**Appendix B**).

The Re-banding of Post Review Proforma must be agreed and signed by the post holder(s) and the NHS General Manager/Head of Corporate Service and NHS Professional Lead (if applicable) and submitted to the workforce team within a further **20 working days** after notifying their intent of review.

Stage 2 - Exploratory meeting (optional)

This exploratory stage if requested will take the form of a discussion between the employee or group of employees and their NHS General Manager/Head of Corporate Service (or nominated deputy) and a staff side representative (if applicable)

The purpose of this discussion is to:

- clarify the evaluation outcome
- ensure a shared understanding of how the evaluation process works
- to assist in reaching consensus on the evidence presented
- identify in the light of the above whether or not a reasonable case may exist
- provide guidance on the steps the employee or group of employees has to take

It should be emphasised that any review request must be based on the job as it was at the agreed date of the re-banding of post request.

The re-banding of post review proforma must be agreed and signed by the:

- Postholder(s)
- NHS General Manager/Corporate Head of Service
- NHS Professional Lead (if applicable) e.g Director of Nursing / Director of AHPs.

and submitted to the workforce team within **10 working days** of the meeting.

Stage 3 - Formal Stage

The review will be carried out by referring the request to a further Job Evaluation panel.

A maximum of 1 panel member from the original panel may be involved in this review panel; however this would be in exceptional circumstances. The review panel will operate in the same way as the first as per the National Job Evaluation Handbook / Local Mechanism.

The employee(s) NHS General Manager/Head of Corporate Service and NHS Professional Lead (if applicable) is responsible for verifying that the formal review evidence was an essential requirement for the post as at the agreed date.

The review panel can:

- (a) Confirm the same evaluation outcome
- (b) Confirm an evaluation outcome to a different national profile and / or band
- (c) Or, exceptionally, refer the job for a full job analysis questionnaire (JAQ)

evaluation

The employee or group of employees has no right of appeal beyond the review panel if their complaint is about the outcome. **The decision of the 2nd panel is final.**

4.2.3 Notification

Only when the reviewed post has gone through the Quality Control Group (QCG) will individuals / managers be made aware of the outcome in writing.

4.2.4 Withdrawal from the Re-banding Review Process

An individual/group/manager has the right to withdraw from the review process at any time prior to being informed of the band outcome. Where an individual/group/manager are informed that the outcome of their review is to proceed to a local evaluation, they can withdraw at this stage. An email should be sent to the Workforce Team confirming that the group/individual/manager wish to withdraw from the formal review process.

4.3 GRIEVANCE

In the event that the employee or group of employees or manager can demonstrate that any part of the Job Evaluation process was misapplied, they may pursue a grievance about the process, but not against the job evaluation outcome or pay banding decision. This grievance would be by use of the existing NHS Lanarkshire's "The Resolution of Disputes and Grievances (Employee Dissatisfaction)" Policy

This would apply when:

- Post holder / Manager feel the process has not been followed correctly.
- Failure to reach agreement on the submission of evidence.

5. ROLES AND RESPONSIBILITIES

Employees

Individuals who believe their post has significantly developed and changed should contact their manager to advise they are going to request a Re-banding of their Post.

If applicable, individuals should seek support from an accredited trade union representative.

Individuals should ensure that their submission is an accurate reflection of the significant changes to their role at the agreed date.

Managers

Managers have a responsibility to support individuals in their request.

Managers should ensure that the submission is an accurate reflection of the significant changes that have occurred to the role and they state the reasons when and why the changes took place.

Staff Side

Staff side have a responsibility to support individuals with their request.

6. RESOURCE IMPLICATIONS

Financial

If a Re-banding of Post Application is successful in gaining a higher pay band, financial resources are sought from departmental budgets.

Staff

NHS Lanarkshire employees who are Agenda for Change trained matchers are required to populate the matching panels as and when required, subject to exigencies of the service.

Education / Training

NHS Lanarkshire is required to ensure that adequate numbers of employees are trained as job matchers.

7. COMMUNICATION PLAN

This policy will be available on the NHS Lanarkshire public website.

8. QUALITY IMPROVEMENT – Monitoring and Review

AUDIT

In order to ensure the maintenance of standards and consistency evaluation practices will be subject to audit by both Internal and External Audit.

9. EQUALITY AND DIVERSITY IMPACT ASSESSMENT

This policy meets NHS Lanarkshire's EQIA



(tick box)

10. SUMMARY OF POLICY / FAQ's

This policy summarises the arrangements for Re-banding of Posts in Lanarkshire which are subject to Agenda for Change Terms and Conditions of service. It describes how these arrangements will operate in practice and sets out the principles within which local procedures are determined.

Q.1) What are the types of scenarios that may mean I can request a re-banding?

- If you feel your post has significantly developed and changed

Q.2) Do I have to submit a re-banding and re-banding review on a specific form?

- Your re-banding request should be submitted on the Re-banding of Posts Proforma (**Appendix A**)
- Your re-banding review should be submitted of the Re-banding of Posts Review Proforma (**Appendix B**)

Q.3) How long have I got to submit my intent for a re-banding of posts review?

- This requires to be submitted within 10 working days of receiving your re-banding of posts outcome.

Q.4) How long have I got to submit my completed and agreed re-banding of posts review proforma?

- This requires to be submitted within 20 working days of notifying the workforce team of you intent to request a review.

Q.5) I am still unhappy with my outcome after being through the review process?

- There is no right to have a further review of the matching/evaluation outcome if the complaint is about the outcome.
- If a member of staff can demonstrate that any part of the process has been misapplied then they may pursue a local grievance about the process. They may not use this process against the matching or pay banding decision.

11. REFERENCES

Scottish Executive (2004) 'NHS Job Evaluation Handbook', Department of Health

12. APPENDICIES

Appendix A	Re-banding of Post Proforma
Appendix B	Re-banding of Post Review Proforma

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APPENDIX A

Checklist for Re-Banding of Post Policy and Procedure

All of the information listed below is required to process the Re-Banding application, if this information is not received, the documentation will be returned and the completed documentation will need to be submitted again. The workforce team will not retain any of the incomplete documentation.

	Tick (✓)
Employee(s) pay number(s) included	<input type="checkbox"/>
Effective date has been agreed	<input type="checkbox"/>
Signature of Post Holder(s)	<input type="checkbox"/>
Signature of NHS General Manager / NHS Corporate Head of Service	<input type="checkbox"/>
Signature of NHS Profession Lead (if applicable)	<input type="checkbox"/>
Electronic Word Version of Appendix A	<input type="checkbox"/>
Original Job Description supplied	<input type="checkbox"/>
Has there been Staff side representation?	Yes / No (provide details below for Job Advisor)
Current Band of Post Holder supplied	

Job Advisor Contact Details	
Management	
Name:	Telephone Number:
Title:	Base:
Staff Side (If applicable)	
Name:	Telephone Number:
Title:	Base:
Union:	

APPENDIX A

RE-BANDING OF POST PROFORMA

1. JOB DESCRIPTION	
Job Title:	
Department(s):	
CAJE ID: (To be completed by the Workforce Team)	
Job Holder(s) Submitting a Re-banding of Post	Pay Number
Effective Agreed Date that post significantly changed: ___/___/___ (Note: See section 4.1.1 for guidance)	

Reasons for changes to existing job description
The NHS general manager/corporate head of service should explain here why and when the significant changes described in the rest of this document took place.

Please only complete the section(s) where there are significant changes to your current job description.

2. JOB PURPOSE

3. ORGANISATIONAL POSITION

4. SCOPE AND RANGE

5. MAIN DUTIES/RESPONSIBILITIES

6. EQUIPMENT & MACHINERY

7. SYSTEMS

8. DECISIONS & JUDGEMENTS

9. COMMUNICATIONS & RELATIONSHIPS

10. DEMANDS OF THE JOB (physical, mental, emotional)

11. MOST CHALLENGING/DIFFICULT PARTS OF THE JOB

12. KNOWLEDGE, TRAINING AND/OR EXPERIENCE REQUIRED TO DO THE JOB

Job Description Re-banding of Post Agreement

Job Holder's Signature: _____

Print Name: _____

Date:...../...../.....

NHS General Manager/Corporate Head of Service Signature: _____

Print Name: _____

Date:...../...../.....

NHS Professional Lead Signature: _____

(e.g Director of Nursing / Director of AHPs)

Print Name: _____

Date:...../...../.....

Please return the completed agreed and signed form to the Workforce Team, Human Resources Department, Law House, Airdrie Road, Carluke, ML8 5EP. A copy should be retained by the post holder and the NHS General Manager/Head of Corporate Service. An electronic copy should be sent to

Alison.Young3@lanarkshire.scot.nhs.uk

NB: Please remember to attach your current job description before submitting this to the Workforce Team at Law House.

Please note that incomplete proforma's will not be retained by the Workforce Team.

APPENDIX B

RE-BANDING OF POST REVIEW PROFORMA

Please only complete the information you want to be considered under review by using the appropriate factors indicate your reason for this review request:

Full Name(s) (Please Print):	
Job Title:	
Staff Pay Number(s):	
Base:	
Name of Line Manager (Please Print):	

Provide details in writing of the reason for the Review Request:

Factor	Relevant job information
1. Communications and Relationship Skills	
2. Knowledge, Training & Experience	
3. Analytical & Judgemental Skills	
4. Planning & Organisational Skills	

<p>5. Physical Skills</p>	
<p>6. Responsibility for Patient Care</p>	
<p>7. Responsibility for Policy/Service Development</p>	
<p>8. Responsibility for Financial & Physical Resources</p>	
<p>9. Responsibility for Human Resources</p>	
<p>10. Responsibility for Information Resources</p>	
<p>11. Responsibility for Research & Development</p>	
<p>12. Freedom to Act</p>	

13. Physical Effort	
14. Mental Effort	
15. Emotional Effort	
16. Working Conditions	

Please complete the box below:

Post Holder(s) Signature:	
Post Holder(s) Name (Please Print):	
Date:	
NHS General Manager/Head of Corporate Service Signature:	
General Manager/Head of Corporate Service Name (Please Print):	
Date:	
NHS Professional Lead Signature: e.g Director of Nursing / Director of AHPs	
Professional Lead Name (Please Print):	
Date:	

Please return the completed agreed and signed form to the Workforce Team, Human Resources Department, Law House, Airdrie Road, Carluke, ML8 5EP. A copy should be retained by the post holder and the General Manager/Head of Corporate Service. An electronic copy should be sent to Alison.Young3@lanarkshire.scot.nhs.uk