

STARTING SALARIES PROCEDURE

Department / Service:	Human Resources	
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Accountable Director:	Tina Ricketts	Director of People and Culture
Approved by:	Joint Negotiating and Consultative Committee	
Designation:	Director of Human Resources	
Date of Approval:	29 th May 2015	
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	This is the most current document and should be used until a revised version is in place	
Target Organisation(s)	Worcestershire Acute Hospitals NHS Trust	
Target Departments	All Wards and Departments	
Target staff categories	All staff under Agenda for Change terms and conditions only	

Purpose of this document:

This document is intended to give guidance to recruiting managers making appointments from within or outside the NHS. The aim is that there is a consistent approach across the Trust to making an offer of a salary on appointment to a prospective employee of the Trust.

Key amendments to this Document:

Date	Amendment	By:
May 13	Amended procedure	Julia cross
April 15	Assistant Director of HR to Approve Pro forma Updated	Clare Waterman
August 2017	Document extended for 12 months as per TMC paper approved on 22 nd July 2015	TMC
June 2018	Document extended for 3 months as per TLG recommendation	TLG
June 2019	Document extended for 12 months whilst review process takes place	Rachel Morris/Tina Ricketts

Starting Salaries Procedure

June
2020

Document extended for 6 months during COVID-19 period

Contents page:

1. Introduction
2. Scope of the Policy
3. Responsibility and Duties
4. Equality requirements
5. Policy detail
6. Financial risk assessment
7. Consultation
8. Approval process
9. Implementation arrangements
10. Dissemination process
11. Training and awareness
12. Monitoring and compliance
13. Development of the Policy
14. Appendices

Appendix 1	Pro forma
Appendix 2	Equality impact assessment for Trust-wide Policies
Appendix 3	Plan for dissemination of key Document
Appendix 4	Financial risk assessment
Appendix 5	Organisational Overview of Risks

1. Introduction

This document is intended to give guidance to appointing managers to ensure a consistent approach is applied when making an offer of a salary on appointment in line with Agenda for Change terms and conditions of service (Afc).

Salary is a fundamental part of the employment contract. The AfC handbook at section 1 provides a clear position on how determining salary on appointment and promotion.

This Policy is a locally negotiated agreement between management and staff side through the JNCC and as such is binding upon all managers.

Every post will attract a one of 9 pay bands each with an incremental scale. This band will have been applied either through a job matching/ job evaluation process **and managers have no authority to change this Band once it has been allocated unless the post has been through a review process.**

Any changes to the allocated pay bands will be subject to a process of assessment of job description and person specification and any change to a pay band will need to be supported by an Approval to Recruit (ATR) form, which will have been approved by the appropriate Head of HR and processed in the normal way.

2. Scope of the Policy

This Policy applies to all employees of Worcestershire Acute Hospitals NHS Trust who are on Agenda for Change Terms and Conditions of service and will be applied in a confidential, fair and consistent manner by all parties.

3. Responsibility and Duties

3.1 Executive Directors

The lead Executive Director for this Policy is the Director of Human Resources and Organisational Development.

In addition, all Executive Directors will be responsible for ensuring that:

- All employees are informed of the Recruitment Policy and Procedures
- The policy is implemented and operated effectively
- Managerial action is fair and equitable and is monitored effectively

3.2 Managers

Managers should carry out recruitment following the Recruitment Procedures as outlined in the Trust's Recruitment and Selection Policy and Procedure.

All managers are responsible for ensuring that:

- Employees required to undertake any aspect of the recruitment process are informed of the Recruitment Policy and Procedures and attend Recruitment & Selection Training and update sessions
- **Selection panels** for any post **have at least two members** with an Appointing Manager who has received Recruitment & Selection Training.
- All pre–employment checks detailed in the Recruitment Procedures are completed before an unconditional offer of employment can be made.
- All new staff complete the Trust’s corporate and departmental induction. Only in exceptional circumstances will new staff commence prior to attending corporate induction.
- An applicant who declares that they have a disability and who meets all the essential criteria for the post is guaranteed an interview.
- All jobs, unless specifically excluded, are open to applicants who wish to job share.
- Prior consideration for vacancies will be given to any member of staff who is displaced subject to them meeting the essential job criteria.
- Ensure Posts are advertised with the correct pay band for the post.
- Arrangements for a pay band to be allocated must be made before the ATR form is completed. The HR team should be consulted about this process.
- Allocate a salary on commencement in line with this procedure and in cases of doubt contact the HR team prior to any decision on salary.
- Apply the criteria in this Policy to determine the Starting Salaries, and put the “correct” salary in the offer letter as well as on the commencement form. Where a salary has been increased to reflect relevant experience in line with this agreement this must be indicated on the commencement form and (for those with relevant experience outside the NHS) a supporting **Pro forma** completed to indicate the reasons for the salary offer SEE APPENDIX 1.

Where the appointment is made to the same pay band as the individual’s current pay band, the **same salary point should be offered**.

Where the individual is appointed from another Trust the Staff Transfer Form (called an IAT – inter – authority transfer) will be requested and, as above, **the individual will commence on the minimum of the scale**. If the transfer form confirms a salary above the minimum then this can be paid to the new employee.

3.3 Human Resources

The Human Resources Department is a source of advice and guidance on the interpretation and application of the Recruitment and Selection Policy and Procedure.

They should also be consulted if there are any plans to offer a salary above the minimum to an applicant from outside the NHS.

3.3.1 The ESR/Workforce Team will:

- Initiate the Inter Authority transfer form to confirm the starting salary identified on the commencement form where there is evidence of previous NHS service on the commencement form and add the confirmed date to workforce information system.
- Advise managers of previous service by forwarding on copy of the Staff Transfer Form if managers request a copy.
- Advise managers and HR if there appears to be inconsistent application of this policy/procedure. The respective HR Manager will then discuss any discrepancies with the relevant manager and agree an appropriate way forward.
- Input for payment any salaries stated on the commencement forms that are above the minimum provided that the stated salary is supported by the appropriate pro forma (appendix 1) and the previous service has been assessed by the relevant HR Manager by reference to the application form.
- All offers above the minimum which are not supported by an inter-authority transfer form must be approved by the HR team.
- Raise any issues of concern with the appropriate HR Manager

3.3.2 The Human Resources department will:

- Ensure up to date information on salaries and other relevant terms and conditions is available on the Trust intranet for managers and staff.
- Respond to requests from Managers for guidance on individual starting salaries
- Ensure that the application of discretion regarding salaries on appointment is appropriate in all instances
- Assist managers in the application of this Policy ensuring that there is a consistent approach across the Trust

4. Equality requirements

An Equality Impact Assessment has been undertaken in accordance with Trust policy and attached at appendix 1.

5. Policy Detail

Contractual Position

Once a commitment is given by a manager to an employee/prospective employee, be it verbal or in writing, the basis of the contract of employment has been formed. It is therefore essential that the information given is accurate and in line with Agenda for Change Terms and Conditions and this Policy.

It is also essential that any salary specified as part of a formal offer **is subject to verification of previous service where this is applicable and this must be stated**

clearly in all commencement documentation, including the offer letter. Until details of previous salary/relevant experience outside the NHS has been obtained the individual will start on the minimum of the pay band. Once the necessary details have been confirmed by the recruiting manager, any adjustments to pay will be made and backdated to the start date.

Verification of previous service will be subject to a Staff Transfer Form from the previous NHS employer being completed.

Policy Principles

1. Transfers Within the NHS

1.1 Transfers in the NHS on the same pay band

For NHS staff transferring from one NHS employer to another on the same band will transfer on the salary point which they are currently receiving and retain their incremental date. The salary on appointment will be verified via the staff transfer (IAT) process outlined above.

1.2 Transfers in the NHS to a higher pay band (promotion)

For NHS staff appointed to the Trust in a post on a higher pay band, Paragraph 6.33 'Pay on Promotion' of the Terms and Conditions of Service Handbook' will apply as follows:

“Pay on promotion should be set either at the minimum of the new pay band or, if this would result in no pay increase, the first pay point in the band which would deliver an increase in pay.”

The incremental date will remain the same if the promotion results in only one additional pay point but should the promotion result in more than one additional pay point increase the incremental date becomes the date of appointment to the higher band. Paragraph 6.32 of the Terms and Conditions of Service Handbook applies.

1.3 Transfers in the NHS to a lower pay band

For NHS staff appointed on a lower pay band will transfer on the point which is commensurate with the experience relevant to the appointment in the lower band.

In no circumstances should the individual be appointed to a higher point on the pay band than they previously earned on the lower pay band. Pay protection does not apply where the transfer to a lower banded post is not as a result of organisational change.

In no circumstances should the appointment be made to a point higher than previously earned in the higher pay band.

1.4 Appointments after a break in service

Any extended leave for example maternity, adoption should not be considered a break in service.

For breaks of more than 3 months between NHS employers for example a member of staff re-joining the NHS for any reason should be treated as if they are joining the NHS in line with section 2 below. In deciding whether to give incremental credit for previous NHS service, consideration should be given as to whether the person has

kept their continuous professional development up to date and have maintained their competencies. The reasons and supporting evidence should be fully documented.

For breaks of less than 3 months staff will resume their employment at their previous salary but their incremental date will be deferred by the length of the break.

2. First appointments in the NHS

2.1 New entrants to the NHS

New applicants to the NHS should start on the bottom point of the pay band, with an incremental date 12 months from the date of commencement of employment although pay progression up the incremental scale will be subject to the annual personal review process.

Managers may take into account relevant experience outside the NHS at the same level of experience as the new post when determining starting salary. Only whole years of experience can be credited and the experience must be considered relevant to the post.

The reasons and supporting evidence for giving incremental credit should be fully documented and clearly shown on the pro forma at Appendix 1. Evidence may, for instance, be taken from the application form, references and job descriptions. Managers must be able to justify their decision, including the impact on others already in post. In fairness to existing staff or staff who may be internally promoted, care must be taken that incremental credit in recognition of relevant experience only recognise completed years of experience at the level of the pay band in question and not below it.

Any period of relevant experience should be considered against the content of the job description and person specification and confirmed through interview, certificates and references obtained as part of the recruitment process or, if this is not possible, through evidence provided by the appointee (e.g. payslips, contract, job description).

The pro – forma at appendix 2 should be completed in support of the commencement form. This must be approved **before the salary offer** is made.

For issues regarding market forces where there are difficulties in recruiting staff then a Recruitment and Retention Premia may be applied for (see Recruitment and Retention Policy).

Managers must make all candidates aware of the following total reward factors which should make NHS employment more attractive than equivalent outside employment:

- Any additional allowances attached to the post, for example unsocial hours payments or recruitment and retention premium if applicable.
- The final salary occupational Pension Scheme that is available to all NHS workers and into which the NHS pays 14% of the employee's salary. The benefits of this scheme are considerably greater than those generally available in private industry.
- The generous annual leave and sick leave entitlement available to staff that are often more generous than outside the NHS.

- Newly appointed staff from outside the NHS will have access an incremental date on the anniversary of their appointment, subject the personal development review process.

Managers may offer new entrants a salary above the minimum of the appropriate pay band to recognise previous and relevant experience up to a maximum of 3 whole years equating to 3 pay points. If relevant NHS and/or Non NHS experience exceeds three years discretion, express authorisation is required the recruiting manager **MUST** provide a written rationale to the Assistant Director of HR for consideration who will have the final decision.

3. Trainees

The NHS has a wide range of people described as trainees working and studying within its services. The starting salary for those trainees will be determined in accordance with the Agenda for Change Terms and Conditions Handbook paragraph 46.41 and as set out in Annex U.

4. Other Salary Issues on Appointment

4.1 Additional Qualifications

Gaining qualifications is not a reason for automatic incremental progression. If the qualification is needed for the post this will have been identified as part of job evaluation.

4.2 Temporary Upgrade into a Higher Pay Band – Previously Known as ‘Acting Up’

Accelerated increments on a pay band or ad hoc allowances may **not** be given for acting up. If a member of staff is acting up into a different role which attracts a higher pay band, then they should be paid the ‘full rate’ for the job via a temporary upgrade. The increase would be calculated as a promotional increase.

Individuals may be moved into a higher pay band (acting up) where necessary to fill a post on a temporary basis when a vacancy is unfilled but being advertised, or the post is being held open for someone who is due to return e.g. from long-term sick leave, or from extended training.

Temporary movement into a new pay band **should not normally last more than six months or less than one month** except in instances where a longer period may be known at the outset. Examples might be maternity leave cover, a career break or long term sick leave.

Additional increments on the same pay band may **not** be given for temporary or permanent additional responsibilities. The additional duties must be assessed by the job evaluation system and may not result in a higher Band. If they do not the salary remains the same.

6. Financial risk assessment

The financial risk assessment associated with sickness absence management is attached as Appendix 6. There are no direct financial risks associated with this Policy.

7. Consultation

This policy has been developed by a sub – group of the Joint Negotiating and Consultative Committee.

8. Approval process

This policy has been approved by the Joint Negotiating and Consultative Committee

9. Implementation arrangements

The policy will be implemented immediately upon approval

10. Dissemination process

The policy will be placed in the Trust’s HR Document library on the Intranet and will be publicised through Chief Executive’s briefing, the monthly HR News update, policy update briefings for managers and notified to the Trust Board by the Corporate and Organisational Assurance Committee

11. Training and awareness

Awareness of this Policy will be raised throughout the Trust. It will be included in all Induction training and will also form an integral part of all Management Development training.

Specific training and awareness sessions will be provided as part of the implementation of the Policy to enable all managers and staff-side representatives to understand what is expected of them.

12. Monitoring and compliance

Monitoring Requirements	a) the application of the policy via commencement forms b) effectiveness of the policy
Monitoring Method	Monthly monitoring and reporting of Reports communicated to Directorates for Information and action as appropriate.
Monitoring Prepared by	Workforce and HR Managers & HR Officers
Monitoring Presented to	Divisional Management meetings, JNCC and Directorates
Frequency of Reporting	Monthly

13. Development of the Policy

This policy will be reviewed in 2 years or earlier in the light of any legislative changes, developments in good employment practice and to ensure its continuing relevance and effectiveness

References:

Code:

Agenda for Change terms and conditions of service handbook	
Trust’s Recruitment and Selection Policy and Procedure	
Employment Rights Act 1996	

Employment Act 2002	
Equality Act 2010	
Protection of Freedoms Act 2012	
WAHT Equality and Diversity Policy	

APPENDIX 1

Worcestershire Acute Hospitals NHS Trust Starting Salary Pro-forma

Starting Salaries – Evidence for Accelerated Incremental Point	
(Please ensure that you have read the Starting Salary Policy before you complete this form and attach a copy of this form to the New Starter Form)	
Employee Details	
Name of Employee:	
Department:	
Position	
Name of Line Manager:	
Pay point: (point on scale)	
Salary:	
Supporting Information	
<p>Please provide details below of the experience that has been taken into consideration to justify offering above the minimum paypoint. Please list the candidate's previous jobs including: the dates in the role, job title, organisation, previous pay and key transferable skills. E.g. October 2010-November 2013, Staff Nurse, BMI The Droitwich Spa Hospital, £25,600, senior nurse in surgery with experience of caring for surgical patients, mentoring students.</p>	
<p>Please attach any relevant documentation e.g. payslips, application forms, CV etc.</p>	
Approval	
<p>I have checked the information as stated above and confirm that the position on the pay band is appropriate based on the relevant experience set out above and is consistent with the position on the pay spine of staff in this team/department.</p>	
Name of Line Manager:	
Signature of Line Manager:	
Date:	
Name of Budget Manger:	
Signature of Budget Manager:	
Date:	
Director of Human Resources	
<p>Please note that any requests over the third paypoint on the payscale will require approval from the Director of Human Resources and Organisational Development.</p>	
Signed:	
Date:	

Appendix 2

Equality Impact Assessment Tool

To be completed by the key document author and attached to key document when submitted to the appropriate committee for consideration and approval.

		Yes/No	Comments
1.	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	• Race	No	
	• Ethnic origins (including gypsies & travellers)	No	
	• Nationality	No	
	• Gender	No	
	• Culture	No	
	• Religion or belief	No	
	• Sexual orientation including lesbian, gay & bisexual people	No	
	• Age	No	
	• Disability - learning disabilities, physical disability, sensory impairment & mental health problems	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	N/A	
4.	Is the impact of the policy/guidance likely to be negative?	N/A	
5.	If so can the impact be avoided?	-	
6.	What alternatives are there to achieving the policy/guidance without the impact?	N/A	
7.	Can we reduce the impact by taking different action?	N/A	

If you have identified a potential discriminatory impact of this key document or require advice, please refer it to Head of Human Resources, together with any suggestions as to the action required to avoid/reduce this impact.

Appendix 3

Plan for Dissemination of Key Documents

To be completed by the key document author and attached to any document which guides practice when submitted to the appropriate committee for consideration and approval.

Title of document:	Starting Salaries Procedure		
Date finalised:	May 2103	Dissemination lead: Print name and contact details	Julia Cross
Previous document already being used?	Yes (Please delete as appropriate)		
If yes, in what format and where?	Trust Policy document held on intranet under HR Document Library		
Proposed action to retrieve out-of-date copies of the document:	Delete existing policy and replace with revised policy		
To be disseminated to:	How will it be disseminated, who will do it and when?	Paper or Electronic	Comments
All staff	Trust Weekly Update	electronic	
All staff	Publication on HR Document library	electronic	
Managers	through Trust email	electronic	
Trust board	Through JNCC	electronic	
Managers	Management Development Workshops	Electronic	Supporting documentation

Dissemination Record - to be used once document is approved.

Date put on register / library of procedural documents		Date due to be reviewed	
Disseminated to: (either directly or via meetings, etc)	Format (i.e. paper or electronic)	Date Disseminated	No. of Copies Sent

Starting Salaries Procedure

Appendix 4

Financial Risk Assessment

To be completed by the key document author and attached to key document when submitted to the appropriate committee for consideration and approval.

	Title of document:	Yes/No
1.	Does the implementation of this document require any additional Capital resources	No
2.	Does the implementation of this document require additional revenue	No
3.	Does the implementation of this document require additional manpower	No
4.	Does the implementation of this document release any manpower costs through a change in practice	No
5.	Are there additional staff training costs associated with implementing this document which cannot be delivered through current training programmes or allocated training times for staff	No

If the response to any of the above is yes, please complete a business case and which is signed by your Finance Manager and Directorate Manager for consideration before progressing to the relevant committee for approval

Appendix 5

Organisational Overview of Risks

Risk Area	Summary of risk	Mitigation	Action Required
Recruitment	Inappropriate salary offered	<ul style="list-style-type: none"> • Clear policy for making offers of employment on the minimum of the payscale • Review of salaries on commencement forms via ESR team and HR Manager alerted • Early detection of issues to the HR manager for action 	<ul style="list-style-type: none"> • In place • In place • In place
	Legal claims for pay parity	Centralised management of all claims	<ul style="list-style-type: none"> • In place
	Employee relations difficulties	<ul style="list-style-type: none"> • All employees entitled to representation • Regular discussion with representatives on cases and policy 	<ul style="list-style-type: none"> • In place • In place
Patient Care	Lost productivity due to non appointment	<ul style="list-style-type: none"> • ESR calculation on costs and time lost 	<ul style="list-style-type: none"> • In place and reported to managers
	Gaps in services created by non appointments	<ul style="list-style-type: none"> • NHSP usage /Agency/Over time costs 	<ul style="list-style-type: none"> • Reviewed by managers. Temporary workers employed where necessary/available
	Poor standards of care	<ul style="list-style-type: none"> • As above 	<ul style="list-style-type: none"> • As above
Financial	In appropriate salary costs	<ul style="list-style-type: none"> • Salary or employee absent and costs of any cover 	<ul style="list-style-type: none"> • Identified in budgets