

Document Control

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Pay Performance Framework Policy			
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1.2	15 th Nov 2016	Final	Minor Amendment to header
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Consulted with the following stakeholders: (list all)

- Head of Learning & Development
- Equality & Diversity Lead
- Staff Side

Approval and Review Process

- Assistant Director of Personnel and Development
- Human Resources Operations Team
- Staff Side
- Strategic Workforce Development Committee

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1. Introduction

- 1.1. The changes in national Agenda for Change terms and conditions of service, specifically Annex W, were introduced in April 2013. The aim of the Trust is to embed and reinforce a values and performance based culture supporting the delivery of high quality patient care, by ensuring all staff have meaningfully participated and completed their annual appraisal and mandatory training. Scope & Purpose
- 1.2. The policy applies to all Trust staff on Agenda for Change Terms and Conditions of Service. This excludes staff on Medical and Dental and Very Senior Managers (VSM) terms of service.
- 1.3. Linking pay progression to appraisal and mandatory training one way of supporting the promotion of the culture the Trust wishes to embed. In the light of the Francis and Keogh reports, the Trust believes that patient care can best be supported through a culture where staff are trained and competent to deliver safe patient care.
- 1.4. Agenda for Change pay bands have between two and nine progression points providing staff with the opportunity of achieving an annual pay increase
- 1.5. This policy will not apply to staff who are at the top of their respective pay band, however it is still expected that they will have meaningfully participated and completed their annual appraisal and mandatory training.
- 1.6. The aims of this policy are as follows:-
 - To implement and maintain a system for pay progression;
 - To ensure that a fair and consistent approach is operated throughout the organisation when reviewing pay progression

2. Definitions

Appraisal

- 2.1. Appraisal is defined as a formal review of performance by a line manager, nominated deputy or a senior colleague within that speciality. Appraisal will take place at least annually for all staff. Other terms with the same meaning include Individual Performance Review (IPR) or Development and Review (D&R).

Pay Progression/Pay Progression Points

- 2.2.** Previously known as incremental pay progression / incremental points which were annually earned until staff reached the top point of their respective pay band. Pay progression will now be based on staff having meaningfully participated and completed their annual appraisal and mandatory training and is not an automatic entitlement. Staff at the top point of their respective pay band are not entitled to pay progression under this Policy, however may still receive nationally negotiated inflationary awards.

Deferment

- 2.3.** Pay progression may be deferred from the pay progression date (previously known as incremental date) for a period of 12 months. After the 12 months deferment the individual will become eligible again for pay progression, subject to have meaningfully participated and completed their annual appraisal and mandatory training.

Statutory and Mandatory training

- 2.4.** Mandatory training is essential training required for each role and a training matrix is available via BOB or STAR, or in Appendix 5, detailing what this training is for each role. Statutory training is often referred to and is included under the definition of mandatory training.

3. Responsibilities & Roles

- 3.1.** The Chief Executive has overall responsibility for ensuring that the pay performance framework policy is complied with.
- 3.2.** The Director of Workforce and Organisational Development is responsible to the Trust Board for the operation of this policy.
- 3.3.** The Assistant Directors of Human Resources will ensure that managers are supported in the implementation of this policy.
- 3.4.** The Assistant Director of Workforce Development is responsible for ensuring there is access and capacity to deliver mandatory training to all staff as required by their role.
- 3.5.** Directors and Senior Managers are responsible for ensuring the implementation of the policy within their services.
- 3.6.** Line managers are responsible for ensuring that their staff have annual appraisals in a timely manner and ensure staff are released to undertake mandatory training. .
- 3.7.** Individual members of staff have a responsibility to undertake their mandatory training as specified by the Trust; to actively engage in the appraisal process, to attend work in order to deliver their objectives.

4. Criteria for Pay Progression

4.1. **Phase one** of this policy will be implemented on 1 May 2014.

- In order for pay progression to occur at the pay progression date, the following criteria have to be met
- Mandatory training – Staff are expected to undertake mandatory training that is essential to their role and have completed 100% of mandatory training prior to their pay progression date
- Appraisal – Staff are expected to have meaningfully participated and completed their annual appraisal

4.2. At the appraisal if the member of staff has not met the progression criteria, the decision may be made by the line manager to defer pay progression for a period of 12 months from the individuals pay progression date.

5. Process

5.1. Under Agenda for Change staff who have not reached the top of their pay band have a pay progression date. Appraisals will need to be completed 8-12 weeks prior to the staff member's pay progression date to ensure appropriate notification is given to payroll to defer pay progression.

5.2. For the first year of the implementation of this Policy there will be a period of transition during which appraisal dates will be aligned to take place prior to staffs pay progression dates. This will therefore involve appraisal dates for some staff having to be moved to ensure they are at least 8 weeks before their pay progression date.

5.3. Details of individuals pay progression dates are included on the appraisal report sent to all managers.

6. Mandatory Training Criteria

6.1. All employees are required to attend mandatory training that is essential for their role and to provide safe patient care.

6.2. A list of mandatory training that is required for each role is provided via the organisations training matrix available via BOB or STAR and Managers will also make their staff aware of this through local induction and appraisal. They will also make them aware of how the training can be accessed and of what they should do if they have problems in accessing the training.

6.3. Staff who have completed 100% of their mandatory training at the time of their appraisal will pass this criteria.

- 6.4. Where staff fail to complete 100% of their mandatory training, within the required period, then, unless there are exceptional mitigating circumstances (e.g. they had been absent from the workplace for a significant period of time), the manager will defer the individual's pay progression for a period of 12 months. After the 12 months the individual will become eligible again for pay progression subject to having meaningfully participated and completed their annual appraisal and mandatory training.
- 6.5. Pay progression will not be withheld if there is evidence (provided by the staff member) that they were not able to attend due to their manager's decision not to release them or where training has not been available.
- 6.6. The onus is on the staff member to take responsibility for completion of their mandatory training and ensuring any cancellation of mandatory training or appraisal is evidenced.
- 6.7. The manager is responsible to facilitate and support staff to attend training, comply with the monthly training reports and ensuring any cancellation of mandatory training or appraisal is evidenced.
- 6.8. For staff in the transition period between 1st May – 31st July 2014 there will be a grace period during which, if the employee can evidence that they have booked their training, this will be sufficient for achievement of the training criteria.

7. Appraisals

- 7.1. All employees are required to have meaningfully participated and completed their annual with agreement of a personal development plan and agreed set of objectives.
- 7.2. Staff who have an annual appraisal will pass this criteria.
- 7.3. Managers and staff must take responsibility for ensuring an annual appraisal takes place and in the event of cancellation of the appraisal both parties will be required to evidence that every attempt was made to reschedule the appraisal. In the event the manager fails to hold an appraisal and is unable to provide evidence to show attempts to arrange an appraisal meeting the member of staff will not have their pay progression withheld.
- 7.4. If the first attempt at undertaking the appraisal this does not occur, it is expected that the manager will rearrange another date in a timely manner. If the individual chooses not to attend two appraisals they will be written to advising that they will not get their pay progression.

- 7.5.** Staff must have participated in an annual appraisal prior to their pay progression date and failure to do this, unless there are exceptional mitigating circumstances, (e.g. they had been absent from the workplace for a significant period of time), will result in the manager deferring the individual's pay progression for a period of 12 months. After the 12 months the individual will become eligible again for pay progression subject to having meaningfully participated and completed their annual appraisal and mandatory training.

8. Extenuating Circumstances

Maternity / Adoption Leave

- 8.1.** Where a period of Maternity or Adoption Leave coincides with the pay progression date the manager should seek advice from their HR manager as to the management of this under the pay performance policy.
- 8.2.** If a member of staff has meaningfully participated and completed their annual appraisal and any mandatory training due, prior to going on a period of Maternity or Adoption Leave they will receive their pay progression point .
- 8.3.** In the event they have chosen not to meaningfully participate in their annual appraisal or chosen not to undertake mandatory training prior to going on a period of Maternity Leave or Adoption Leave the manager will write to the member of staff notifying them of this, including the reasons, and that they are withholding the pay progression point. Staff on Maternity/Adoption leave will not be discriminated against.

Paternity Leave / Parental Leave / Carers Leave

- 8.4.** As the period of these types of leave is relatively short, managers are encouraged to ascertain whether a pay progression date may occur during the absence and plan ahead to undertake the appraisal before the leave of absence occurs.
- 8.5.** If this is not possible it will be expected that should the member of staff have meaningfully participated and completed their annual appraisal and mandatory training the pay progression point will be awarded and the appraisal will be completed on the staff members return to work.
- 8.6.** In the event they have chosen not to member of staff has not meaningfully participated and completed their annual appraisal or chosen not to undertake mandatory training. the manager will write to the member of staff notifying them of this, including the reasons, and that they are withholding the pay progression point until the employee returns to work.

Long Term Sickness

- 8.7.** Where a period of Long Term Sickness coincides with the pay progression date the manager should seek advice from their HR manager as to the management of this under the pay performance policy.
- 8.8.** If a member of staff has meaningfully participated and completed their annual appraisal and mandatory training prior to going on a period of Long Term Sickness they will receive their pay progression.
- 8.9.** In the event they had not meaningfully participated and completed their annual appraisal and mandatory training prior to going on a period of Long Term Sickness the manager will write to the member of staff notifying them of this, including the reasons, and that they are withholding the pay progression point.
- 8.10.** Members of staff on any other type of absence, agreed with Trust will not be discriminated against (e.g. study leave, career break etc.).

9. Deferral of Pay Progressions

- 9.1.** Where staff cannot demonstrate achievement of the Training and Appraisal criteria at the time of their appraisal, the manager will review the circumstances and make a decision as to whether or not to award the pay progression point.
- 9.2.** If pay progression is deferred, then after 12 months the staff member will become eligible again for pay progression, subject to having meaningfully participated and completed their annual appraisal and mandatory training.
- 9.3.** Supervisors/Managers who are Band 4 or below will be required to refer any decision for deferring an individual's pay progression to their Line Manager.

10. Right of Appeal

- 10.1.** A staff member has the right to appeal against the decision to defer their pay progression.
- 10.2.** Employees may choose to raise an appeal on the following grounds under this policy:
- 10.3.** not completed 100% of mandatory training
- 10.4.** Not had an appraisal within 12 months (note this then mirrors the appeal form)
- 10.5.** Employees wishing to appeal based on any of the grounds set out in 10.2 should complete the Performance Framework Appeal Form (see Appendix 1) and submit this to the Assistant Director of HR for Acute or Community.

- 10.6. The Appeal panel will meet on a monthly basis in order to hear appeals under 10.2 of this Policy. Dates will be published in advance so that staff members (and trade union representatives / workplace colleagues) can ensure they are available to attend. Employees will be allocated a 1 hour time slot during which their appeal and the management response will be presented.
- 10.7. The purpose of the Appeal panel is to consider whether the deferment of pay progression was fair and reasonable taking into account of the circumstances, and whether or not the criterion was met.
- 10.8. In exceptional circumstances the Trust reserves the right at appeal to defer the decision until relevant information is provided to ensure all information is considered.
- 10.9. The employee has the right to be represented or accompanied at the appeal by either a Trade Union Representative or work place colleague.
- 10.10. The appeal hearing will consist of one Senior Manager and a member of the HR Team.
- 10.11. Please refer to Appendix 2 for the formal order of proceedings for the Appeal Hearing.
- 10.12. The Appeal Hearing will be the final appeal stage and there will be no further Trust policy or procedure the staff may use to appeal further.
- 10.13. In the event the appeal is upheld the appeal panel will make arrangements for the staff members pay progression point to be awarded and backdated.
- 10.14. Staff will be notified of the outcome of their appeal in writing within 7 calendar days.

11. Monitoring

- 11.1. Quarterly reports will be presented to Workforce and Organisational Development Committee and Partnership Forum.

12. Training Requirements

- 12.1. Appraisal training will be mandatory for all staff, however this criteria will not count under the term mandatory training until 1 May 2015.
- 12.2. Management guidelines and toolkit are available on BOB.

13. Equality Impact Assessment

Table 1: Equality impact Assessment

Group	Positive Impact	Negative Impact	No Impact	Comment
Age			X	
Disability			X	
Gender			X	
Gender Reassignment			X	
Human Rights (rights to privacy, dignity, liberty and non-degrading treatment)			X	
Marriage and civil partnership			X	
Pregnancy			X	
Maternity and Breastfeeding			X	
Race (ethnic origin)			X	
Religion (or belief)			X	
Sexual Orientation			X	

14. Consultation, Approval and Ratification Process

Consultation Process

14.1. There was consultation with managers and staffside on this policy including:

- The Pay Performance Framework Group
- Partnership Forum
- The Executive Team

Policy Approval Process

14.2. Initial approval of the policy will be sought from the Partnership Forum.

Ratification Process

14.3. Initial ratification of the policy will be sought from the Workforce & Organisational Development Committee.

15. Review and Revision Arrangements including Document Control

Process for Reviewing the Policy

- 15.1. The policy will be reviewed after 12 months. The author will be sent a reminder by the Corporate Affairs Manager four months before the due review date. The author will be responsible for ensuring the policy is reviewed in a timely manner.

Process for Revising the Policy

- 15.2. In order to ensure the policy is up-to-date, the author may be required to make a number of revisions, e.g. committee changes or amendments to individuals' responsibilities. Where the revisions are minor and does not change the overall policy, the author will present the revised version to the Partnership Forum via the Policy Group for approval.
- 15.3. Significant revisions will require final approval by the Partnership Forum and ratification by the Workforce & Organisational Development Committee.
- 15.4. All revisions will be recorded by the author in the document control report.

Document Control

- 15.5. The author will comply with the Trust's agreed version control process, as described in the organisation-wide Guidance for Document Control.

16. Dissemination of the Policy

Dissemination of the Policy

- 16.1. After approval by the Executive Directors Group the author will provide a copy of the procedure to the Corporate Affairs Manager to have it placed on the Trust's intranet. The procedure will be referenced on the home page in the Policy Update News as a latest news release.
- 16.2. Information will also be included in the weekly Chief Executive's Bulletin, which is circulated electronically to all staff.
- 16.3. An email will be sent to senior management to make them aware of the procedure and they will be responsible for cascading the information to their staff.

Implementation of the Policy

- 16.4. Line managers are responsible for ensuring this policy is implemented across their area of work.
- 16.5. The Human Resources Department will provide support for the implementation of this policy.

17. Document Control including Archiving Arrangements

Library of Procedural Documents

- 17.1. The author is responsible for recording, storing and controlling this policy.
- 17.2. Once the final version has been approved, the author will provide a copy of the current policy to the Corporate Governance Manager so that it can be placed on the Trust's Intranet site (BOB). Any future revised copies will be provided to ensure the most up-to-date version is available on the Trust's Intranet site (BOB).

Archiving Arrangements

- 17.3. All versions of this policy will be archived in electronic format within the Human Resources Department policy archive. Archiving will take place by the Personal Assistant to the Director of Personnel and Development once the final version of the policy has been issued.
- 17.4. Revisions to the final document will be recorded on the Document Control Report. Revised versions will be added to the policy archive held by the Human Resources Team.

Process for Retrieving Archived Policy

- 17.5. To obtain a copy of the archived policy, contact should be made with the Human Resources Team.

18. Monitoring Compliance with and the Effectiveness of the Policy

Process for Monitoring Compliance and Effectiveness

- 18.1. Monitoring compliance with this policy will be the responsibility of Managers and Directors, in relation to the staff they line manage.
- 18.2. It is also their responsibility to ensure absence of their staff is monitored using the monthly Electronic Staff Record (ESR) Reports and that any shortfalls are addressed with the Employees on a one to one basis. The Human Resources Department will provide advice and support for on-going issues and any difficulties experienced by the Line Managers of the employees.
- 18.3. The Human Resources Department will monitor the overall compliance with the policy by undertaking an audit every year to ensure the procedures laid down in the policy have been followed. Any incidents of non-compliance will be fed back to the individual Line Managers to ensure the correct procedures are used in all cases.
- 18.4. Where non-compliance is identified, support and advice will be provided by the Human Resources Team to improve practice.

19. References

- Agenda for Change: NHS Terms and Conditions of Employment Handbook

20. Associated Documentation

- Appraisal Policy
- Risk Management Training Policy