

THE NHS STAFF COUNCIL

WORKING IN PARTNERSHIP

Secretariat
NHS Employers
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23 February 2007

HR Director

Review of unsocial hours payments

We are writing to ask for the comments of your organisation on draft provisions that the Staff Council has been developing in partnership for a harmonised system of unsocial hours payments which is consistent with the principle of equal pay for work of equal value. A copy of the draft provisions is attached.

It would be helpful to have replies to the questions attached to this letter by Friday 20 April.

We have been working to the remit set out in Annex M of the Agenda for Change Agreement. This required us to develop draft provisions for a harmonised system of payments which was affordable within the funding allocated to the NHS. Additionally it should create the incentives necessary for the provision of a high standard of service to patients. We also needed to avoid, so far as was possible, given these other objectives, the need for pay protection.

Our starting point was the interim regime set out in Section 2 of the Handbook. This preserves the existing Whitley and local payment systems until a new system is agreed for implementation. Designing practicable arrangements for the transition of the non-medical workforce from this complex situation to harmonised arrangements has been challenging and the work has taken longer than expected. We are currently examining the possibility of implementation in October 2007, the earliest date we believe will be practicable.

We have used actual NHS payroll information to construct a computerised database to model the new payments to staff and estimate costs. In addition we have obtained further information about rotas to enable us to examine specific issues. The draft provisions attached are estimated to come within our financial envelope and to keep the overall proportion of staff on pay protection under one percent. They include draft arrangements for a staged transfer to the new levels of percentage enhancements for staff whose level of

unsocial hours payments will go up. There are similar arrangements for those staff who would otherwise need pay protection as a result of their transfer to the new system.

We had initially planned to pilot these draft provisions in operational situations in the NHS based on the need to test the impact of the new payment system on staff and managers. However, the current idea to preserve existing levels of payments in the first year of the new system and to phase in the changes over the following two years means that there would be little to be learned from a limited period of live testing.

Nevertheless, we think it is vital that the arrangements which are eventually put in place should take account of the views of NHS managers and local staff sides – and in particular that there should be a chance for organisations in partnership to point out to us any practical consequences of the draft provisions that we may not have foreseen. The questions we would most like you to address are attached. You should, however, feel free to comment more widely if you wish.

We will consider your views and any comments you send in finalising the provisions.

We look forward to hearing from you. Thank you in advance for your help.

Authorised by

Nigel Turner
Chair, Employer Representatives
Executive of the NHS Staff
Council

Authorised by

Mike Jackson
Chair, Staff Side
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Annex

1. What would be the operational impacts for your organisation if you move to this new system?
2. What would be the impacts on the earnings of staff working in unsocial hours in the standard 37.5 hour week?
3. Do these draft provisions provide the incentives necessary to ensure twenty four hour cover seven days a week, where this is needed?
4. In your organisation would there be any issues linked to equality if this system of payments were implemented?
5. Would this system be appropriate to all Agenda for Change staff working in unsocial hours in the standard working week? If not please say which group(s) you believe it would not be appropriate for and why?
6. What administrative changes would you need to make to accommodate the proposed system?
7. What is your view on the idea of extending the transitional arrangements to staff above band 3.