

STARTING SALARY AND RECKONABLE SERVICE POLICY

February 2019

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HR Policy:	HR Starting Salary and Reckonable Service Policy
Date Issued:	February 2019
Date to be reviewed:	4 years or if statutory changes are required

Policy Title:	Starting Salary and Reckonable Service Policy	
Supersedes: (Please List)	Starting Salaries Policies and Reckonable Service Policy v2.2 and all previous versions.	
Description of Amendment(s):	<p>January 2022</p> <p>Section 15 – Reckonable service</p> <ul style="list-style-type: none"> • Enhancements to the terms of employment for 2 groups of staff: <ul style="list-style-type: none"> ○ An employee entering the ICB with service from a “listed recognised organisation ○ an employee who TUPE transfers out of NHS employment to a non NHS employer and then returns to NHS employment • An example as to how continuous service is retained. <p>August 2022 – section 15 updated again to reflect NHS service requirements.</p>	
This policy will impact on:	All ICB employees	
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Author:	HR	
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	All Staff	

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1. INTRODUCTION

- 1.1 NHS Humber and North Yorkshire Integrated Care Board (the ICB) is committed to recognising individual abilities and will ensure that it creates an environment where employees can thrive and develop and where everyone feels valued and respected.
- 1.2 The Starting Salary and Reckonable Service Policy has been introduced to ensure a consistent approach is adopted, by recruiting managers, when establishing the starting salary and reckonable service for appointments to or within the ICB.
- 1.3 The 2018 framework agreement on the reform of Agenda for Change (AfC) introduced provisions to move to a new pay system which included a new 3 year deal covering 2018/19, 2019/20, and 2020/21. This deal incorporated increased starting salaries across all pay bands, a minimum rate of pay in the NHS to be set at £17,460 from 1 April 2018 – ahead of the Living Wage Foundation Living Wage and provisions to upskill Band 1 jobs to Band 2 roles during the 3 years of the deal.
- 1.4 This policy is intended to ensure fairness and equity within this process and is based on the [NHS Terms and Conditions of Service Handbook](#) and should be read in conjunction with Appendix 23 of these terms and conditions and the ICB's Pay Progression Policy.
- 1.5 Reckonable service should be identified by recruiting managers at the same time as starting salaries (see [Section 15](#))
- 1.6 The ICB is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the ICBs Data Protection and Confidentiality and related policies and procedures.

2. ENGAGEMENT

- 2.1 This policy has been developed by the HR Team in partnership with employees, managers and trade unions and approved at the Social Partnership Forum.

3. IMPACT ANALYSIS

3.1 Equality

- i. In applying this policy, the ICB will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

In developing this policy, an Equality Impact Analysis has been undertaken and the results are attached at [Appendix 3](#). Initial screening has revealed that the policy appears to have an adverse effect on people who share protected characteristics and further mitigating factors are included in the EIA and EIA action plan.

- ii. The application of this policy will be monitored to ensure fair application and a consistent approach, as follows:
- Annual audit of pay to review all decisions to appoint staff above the minimum of the scale to ensure consistency and to monitor impact and assess whether any further action is required in any protected group.
 - These records will be cross referenced with ESR Recruitment and Equality and Diversity monitoring to ensure a consistent approach across the organisation.
 - Any deviation from this policy and procedure must be investigated on a case by case basis to ensure that the principles of fair pay both within equal pay legislation and within the National agreement on Terms and Conditions are followed.

3.2 Bribery Act 2010

The ICB has a responsibility to ensure that all staff are made aware of their duties and responsibilities arising from The Bribery Act 2010.

The Bribery Act 2010 makes it a criminal offence to bribe or be bribed by another person by offering or requesting a financial or other advantage as a reward or incentive to perform a relevant function or activity improperly performed. The penalties for any breaches of the Act are potentially severe. There is no upper limit on the level of fines that can be imposed and an individual convicted of an offence can face a prison sentence of up to 10 years.

For further information see <http://www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf>.

If you require assistance in determining the implications of the Bribery Act please contact the Local Counter Fraud Specialist on telephone number 07717 356707 or email at nikki.cooper1@nhs.net.

Due consideration has been given to the Bribery Act 2010 in the review of this policy document. Consistent application and monitoring of this policy will mitigate bribery in relation to starting salaries.

4. SCOPE

- 4.1 This policy will apply to all new appointments, transfers or promotions to, or within the ICB for those employed on Agenda for Change Terms and Conditions of Service.

The starting salaries for employees employed on other terms and conditions of service, i.e. clinical or VSM contracts will be determined in accordance with the relevant terms and conditions and approval process.

- 4.2 This policy should be read in conjunction with the Recruitment and Selection Policy, the Recruitment and Retention Premium Policy and other relevant recruitment policies.

5. POLICY PURPOSE & AIMS

The aim of this policy is to give guidance to recruiting managers to ensure there is a consistent approach in determining a starting salary and reckonable service.

6. DEFINITIONS

- 6.1 **Unsocial Hours** – hours worked any time on Saturdays, Sundays, Public Holidays and any week day after 8pm or before 6am.
- 6.2 **Overtime** – authorised extra time worked in a week above standard hours (37.5 hours)
- 6.3 **Recruitment and Retention Premia** – an additional payment made to an individual or specific group of posts where market pressures would otherwise prevent the employer from being able to recruit staff to and retain staff in sufficient numbers for the post (s) concerned at the normal salary for a job of that weight.
- 6.4 **Reckonable Service** – is any previous employment in the NHS or listed recognised organisations (see [Section 15](#))

7. ROLES/RESPONSIBILITIES/DUTIES

7.1 Lead

The Senior Leadership Team is responsible for:

- Ensuring the fair and equitable application of this policy
- Providing advice in relation to the application of this policy

7.2 Employees

New appointees are expected to provide all relevant information/evidence of previous service and salary details to establish the correct starting salary and reckonable service.

7.3 Line Manager

Recruiting managers are responsible for ensuring that all offers made comply with this policy.

7.4 Human Resources

The Human Resources Team will provide advice and support on all aspects of this policy to ensure application and support.

8. IMPLEMENTATION

This policy will be published on the ICB website and all staff will be made aware of its publication through communications and team meetings.

9. TRAINING & AWARENESS

A copy of the policy will be available on the ICB website. Guidance and support will be provided to all Line Managers, by the HR Team, in the implementation and application of this policy upon request. Training needs will be identified via the appraisal process and training needs analysis.

10. MONITORING AND EFFECTIVENESS

- 10.1 Records (of [Appendix 1](#) and [2](#)) will be kept in all cases where non NHS service is taken into account in determining a starting salary and recognising reckonable service. These records will be cross referenced with ESR Equality and Diversity monitoring to ensure a consistent approach across the organisation and where it is identified that the application of the policy is not consistent, appropriate action will be taken.
- 10.2 The implementation of this policy will be audited at appropriate intervals and reported to the ICBs Senior Leadership Team.

11. POLICY REVIEW

The policy and procedure will be reviewed after 4 years in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

12. REFERENCES

- National Minimum Wage Act 1998
- Equality Act 2010
- Agenda for Change Terms and Conditions
- Annual Leave Policy
- Recruitment Policy
- Pay Progression Policy

13. ASSOCIATED DOCUMENTATION

Appendix 1 – Determination of Starting Salary
Appendix 2 – Determination of Previous Service
Appendix 3 – Equality Impact Assessment

14. PROCEDURE - STARTING SALARY

This procedure applies to individuals joining or re-joining the NHS as well as transferring from one NHS organisation to another. The procedure aims to set out clear and fair principles for determining the starting point at which new starters commence on the Agenda for Change Pay Band associated with their role.

14.1 GENERAL PRINCIPLES

- i. The general principle is that new starters should start on the bottom of the scale and thereafter progress through pay band 'gateways' in accordance with Agenda for Change.
- ii. Any deviation from this must be investigated on a case by case basis to ensure that the principles of fair pay both within equal pay legislation and within the National agreement on Terms and Conditions are followed. Each case should be discussed with a HR representative to ensure consistency across the organisation.
- iii. Where there is a break in service, depending on the length of the 'gap', this service may be counted in full, in part or not at all towards pay step credit.
- iv. Where a recruiting manager believes there is sound business reason for appointing to a higher pay step point, they must provide clear, documented reasons for giving pay step credit and seek approval at Director level ([Appendix 1](#)) prior to the start date. Requests will not be considered after the start date.
- v. Recruiting managers should ensure that the new starter is aware of the whole remuneration package, including pension scheme, other benefits, hours of work and generous annual leave allowance as particularly for non-NHS appointees, these factors will often make NHS employment more attractive to candidates. Verbal offers of employment should not commit to a starting salary above the bottom of the scale.
- vi. Any additional payments such as unsocial hours, overtime or recruitment and retention premia should NOT be taken into account in the determining of a starting salary.

14.2 APPOINTMENT OF NEW STAFF JOINING THE NHS FOR THE FIRST TIME OR RE-JOINING THE NHS

- i. Offers will normally be made at the minimum of the relevant pay band for those who have had no or less than 12 months' aggregated previous relevant experience of the role to which they are recruited.
- ii. Current salary should NOT be used as a way of determining starting salary, but may be a factor in deciding to take the level of any relevant previous experience into account.
- iii. **Directly relevant** experience, at the same level of responsibility as, or higher than the new post, may be taken into account in determining starting salary. Only whole years of experience should be credited when the knowledge, skills and experience are directly transferable. Experience at a higher level may not be directly relevant. Where experience is not like for like, e.g. a registered nurse working in a nursing home, it may be appropriate to consider the experience and assess what element is directly relevant to the post appointed to.

- iv. Documentary evidence must be provided for any periods of employment that count towards a higher than the minimum starting salary.
- v. In all cases where a new member of staff is appointed on a starting salary above the minimum point of the pay band the recruiting manager must be able to justify the basis for pay step credit and must first obtain approval from the relevant Director. No employee will be put on the payroll above the minimum of the scale unless a signed [Appendix 1](#) form is attached to the starter documentation.
- vi. Managers must also ensure that new starters are not placed on a point on the band that would put them in a better position than existing staff with the same or similar experience or those who have gained similar experience within the NHS.
- vii. New staff appointed from outside the NHS will have an pay step date of the anniversary of their NHS appointment.

14.3 NEW STAFF TRANSFERRING FROM WITHIN THE NHS (INCLUDING THE ICB)

i. Staff Moving to the Same Pay Band

Staff who transfer to a post on the same pay band will remain on the same salary point with the same pay step date.

ii. Staff Moving to a Higher Pay Band

- a. **Permanent Movement to Higher Pay Band** - Employees appointed to a higher pay band will start on the minimum of the pay band. If this point is lower or equal to their current salary, they will receive a pay increase to the first point on the band which would deliver an increase to pay. The anniversary date of any promotion becomes the employee's pay step date, except for professional roles covered by [Annex 20](#) of the NHS Terms and Conditions of Service who will retain their original pay step date.
- b. **Temporary Movement into a Higher Pay Band** - Employees appointed to a higher band on a temporary basis should start 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. Refer to other relevant policies for further information.

Where temporary movement into a higher pay band results in only one extra pay point the pay step date remains the same. Where temporary movement results in more than one extra pay point the pay step date for the period of the temporary movement becomes the date the movement began.

iii. Staff Moving to a Lower Pay Band

- a. **Same area of work** – There are various reasons why a member of staff may wish to voluntarily take a lower graded post but in the same field of work. In such cases, employees appointed to a lower pay band will remain on their current spine point. If this point does not fall within the new pay band, they will start on the

maximum spine point of the new pay band. Individuals will retain their existing pay step date.

- b. **Staff Moving to a Different Area of Work** - Sometimes individuals decide to move to a new post within a different area of work of their own volition e.g. a clinical person applying for an office based role. In these cases the starting salary will normally be the minimum of the relevant pay band and may involve a decrease in salary for an individual. The starting salary may take into consideration the knowledge and skills required for the post (see Sections [14.2 iii](#)) and [14.2 v](#)). However, it would not be the case that they would automatically be entitled to keep their existing salary. This also applies in cases where the member of staff is moving to the same band in a different area of work.

Where an individual re-trains in a different area of work for wider service or operational reasons i.e. not of their own volition, with the explicit agreement of the ICB their existing level of pay should be protected in line with the ICB's protection arrangements.

- iv. **Staff Moving to a Lower Pay Band and later Moving Back to Original Band** - In some occasions staff may voluntarily move to a lower band and later they may return to the higher band. In these situations the new salary should be calculated by using the same rationale as out lined in [Section 14.3 ii](#)).

14.4 APPOINTMENT OF STAFF TO THE NHS 'BANK'

- i. Offers will normally be made at the minimum of the relevant pay band for those who join the NHS 'Bank', unless an individual has been employed previously in the same role (permanent/temporary/fixed term) within the NHS, in which case they will be appointed on their most recent pay point. This will not apply if an individual has returned following an absence period of over 12 months in which case the recruiting manager will appoint them to a point which reflects their knowledge and previous experience, as in [Section 14.2](#)
- ii. All staff will have an pay step date of the anniversary of their appointment to the Bank

15. RECKONABLE SERVICE

- 15.1 Reckonable Service is any previous employment in the NHS or listed recognised organisations (refer to [Section 12](#) of the NHS Terms and Conditions of Service Handbook).
- 15.2 Reckonable Service applies to individuals returning to the NHS, transferring within the NHS or joining the NHS with service from one of the recognised organisations listed below.

15.3 NHS Employment

For the purposes of NHS reckonable service, the following organisations shall be regarded as NHS employment:

England:*NHS England**NHS Integrated Care Boards**NHS Trusts including Foundation Trusts**Special Health Authorities**The Health and Social Care Information Centre**National Institute for Health and Clinical Excellence**Health Education England (HEE)***Northern Ireland:***Health Boards**Trusts**Special Agencies**Public Health Agency**Business Services Organisation**Patient and Client Council***Scotland:***Health Boards**Special Health Boards***Wales:***NHS Trusts**Local Health Boards*

and any predecessor or successor of the above organisations.

15.4 Additional Recognised Organisations for the purposes of Annual Leave

In addition to service with the NHS, for the purposes of annual leave, the ICB includes service with the following organisations;

- GP Practice or NHS Dentist working exclusively on NHS Work
- County Council / City Council / Social Services.
- NHS agencies e.g. The Department of Health
- Social Enterprise delivering NHS services e.g. CHCP, NAViGO

15.5 For service with the above additional recognised organisations to count towards annual leave, **previous service needs to be comparable and in highly relevant roles.** For these purposes, a highly relevant role is defined as a role which is within the same area of work to which they have been recruited to, e.g. children's services, finance, health or social care. Guidance from a HR Representative should be sought to confirm whether a role is deemed to be highly relevant.

15.6 Additional Recognised Organisations for the purposes of redundancy, sickness and Maternity/Adoption pay

In addition to service with the NHS, for the purposes of reckonable service in relation to redundancy, sickness and maternity/adoption pay, the ICB includes service with organisations which are

- i. NHS related **and**
- ii. in a comparable and highly relevant role **and**
- iii. delivering an NHS service

Examples of NHS related employers are those listed in section 15.4 and a highly relevant role is that which is defined in section 15.5.

- 15.7 An NHS service can be described as a role which contributes to the wider Integrated Care System and partnership. I.e., a role where there is some form of arrangement or contract to deliver something on behalf of the ICS.
- 15.8 For example, a HR Manager working within the local authority providing a HR service to local authority staff would not be classed as an NHS service however CHCP staff providing NHS services to NHS patients would. Guidance from a HR Representative should be sought to confirm whether a role is delivering an NHS service.
- 15.9 Where service is considered for additional recognised organisations, each role the employee held in that organisation will be considered on its own merit and the reckonable service that is accepted may not reflect the employee's start date with that organisation if all roles do not meet the above criteria's.
- 15.10 Any reckonable service must be recorded using the 'Determination of Previous Service' form ([Appendix 2](#)) This form should be completed by the new employee and signed by the manager and a HR representative to confirm that they have seen evidence of all reckonable service, and then sent to payroll with the new employee's starter documents, a copy placed on their personal file.
- 15.11 In all cases, employees will need to provide documentary evidence of any employment they wish to be considered as reckonable service, e.g. an offer letter or contract of employment, payslips, P60 or a letter from the employing organisation. For the additional recognised organisations, evidence will need to be provided which confirms the employee was working in a role which was delivering an NHS service, this may be in the form of a job description, invoice or a service contract however this list is not exhaustive.
- 15.12 The onus on providing evidence of previous service and ensuring service dates are correct sits with the employee and should be discussed between the employee and line manager during the pre-employment stage or the induction process. All applications should be made within 3 months of starting a new role.
- 5.14 Where an employee moves to a new role within the ICB where they now have previous directly relevant experience the above principles can be applied.
- 15.13 Where evidence of previous service is provided, any increased entitlements will be backdated to the start of financial year in which it is approved.

16.0 Calculating Reckonable Service

- 16.1 The rules for determining entitlement for redundancy, maternity, sick pay and annual leave are different, so this guidance is designed to set out the rules for calculating reckonable service under the different circumstances which may arise. The rules will be applied to the qualifying service described in section 15.
- **Annual Leave** –all previous period(s) of qualifying service may be aggregated and count as reckonable service towards the employee's entitlement to annual leave, regardless of any breaks in employment. The previous experience within an additional recognised organisation must be in a comparable and highly relevant role.
 - **Sick Leave** – previous period(s) of -qualifying service will be counted towards entitlement to sick leave/pay where there has been a break in service of twelve months

or less.

- **Maternity Leave** – employees can have a break in service of three months or less and not affect their entitlement to maternity leave. Employees must have twelve months continuous NHS service at the beginning of the eleventh week before the expected week of childbirth in order to be eligible for Occupational Maternity Pay.
- **Redundancy** –to be eligible for a contractual redundancy payment there must not have been a break in NHS service of more than a week (7-days, measured Sunday to Saturday) between any periods of employment.

The following is an example as to how continuous service is retained:

Week 1: commencing Sunday 29th November Employed by NHS

Monday 30th November – Sunday 6th December **not** employed by NHS

Week 2: commencing Sunday 6th December

Monday 7th December re-employed by NHS

Staff who have previously worked for a recognised listed organisation will be required to have two years' continuous NHS service before being eligible for a redundancy payment. At this stage their continuous service with a recognised organisation will be added when calculating the contractual redundancy payment.

- **Pay Step Date** – for newly appointed (including those with a break in service) or promoted staff the pay step date will be the date they take up their post. All other staff retain their current pay step date.

All other terms and conditions of service - For these purposes, the ICB will include employment with a break in service of up to a maximum of 3 months at any one time, unless otherwise stated.

16.2 For the purposes of calculating entitlements, the following *do not count* as a break in employment:

- Maternity Leave
- Paternity Leave
- Annual Leave
- Parental Leave
- Adoption Leave
- Sick Leave
- Carer / Compassionate Leave
- Career/Employment Break.

16.3 All contractual entitlements will accrue as normal during all of the above periods of absence, **except** during the Career/Employment Break. An employee returning from an Employment Break will receive the same entitlements they had accrued before they started their Employment Break. Pay progression will continue as normal during Maternity / Adoption Leave, Birth Leave, Sick Leave, Annual Leave, Carer / Compassionate Leave and Parental Leave, but not during an Employment Break. An employee returning from an Employment Break, or other special leave, will resume their pay progression from the point at which they started their leave.

16.4 Any service with the NHS Bank is counted as reckonable service when the employee

has worked for a minimum of 12 months and has worked at least 488 hours. For all entitlements, the above definition equates to one year's service and only full years may be counted.

16.5 For additional guidance or support, please contact a HR Representative.

17.0 TUPE TRANSFER

17.1 Staff who have previously worked for the NHS may have been TUPE transferred into a non NHS organisation. The ICB have agreed to recognise service as continuous and reckonable providing:

1. The individual TUPE transferred to the non NHS organisation (and therefore had no choice over the move)
2. The individual remains in the role in which they transferred to the non NHS organisation on. If individuals move into a different role within the TUPE transferred organisation as a result of Suitable Alternative Employment (SAE) which has been imposed on them, the ICB may also recognise this service. If an individual has voluntarily chosen to change jobs within the TUPE transferred organisation then this will not be recognised.
3. The TUPE transfer was within a three year period of joining the ICB (with no breaks).

APPENDIX 1 - DETERMINATION OF STARTING SALARY

Name of Candidate		Job Title	
AfC Pay Band		Spine Point	
Proposed Starting Salary		Date of Appointment	
<p>Reason for starting point above the minimum of the pay band. Include consideration of impact on colleagues / team / department.</p>			
Empty space for text input			

Previous Experience:				
Start Date	End Date	Organisation	Job Title	Previous Salary/Grade

New staff appointed from outside the NHS will normally commence on the minimum point of a pay band. Directly relevant experience at the same level of responsibility as the new post may be taken into account in determining a starting salary. Only whole years of experience should be credited when the knowledge, skills and experience are directly transferrable.

Please Note, current salaries *will not* be used as a way of determining starting salary, but *may be a factor* in deciding to take relevant previous experience into account. Managers must ensure that new starters are not placed on a point on the band that would put them in a better position than existing staff or those who have gained similar experience within the NHS.

Any queries should be referred to a HR Representative to ensure consistency across the organisation.

Proposed By (Line Manager)

Agreed By (HR Manager)

Approved By (Director)

Name _____

Name _____

Name _____

Signature _____

Signature _____

Signature _____

Date

Date

Date

APPENDIX 2 - DETERMINATION OF PREVIOUS SERVICE

In all cases, appointees will need to provide documentary evidence of any employment they wish to be considered as reckonable service, e.g. an offer letter or contract of employment, payslips, P60 or a letter from the employing organisation.

Employee's will receive the minimum entitlements until they provide the relevant documentary evidence at which point their contract of employment will be updated and any increased annual leave entitlements will be backdated to the start of the current annual leave year.

The Starting Salaries and Reckonable Service Policy identifies those organisations which are recognised for the calculation of previous service. Please note that any breaks in service may mean that previous employment is not included for the purposes of certain entitlements.

Please give details of relevant previous service below, each individual role held within an organisation should be detailed separately.

Start Date	End Date	Job Title	Salary	Band & Point	Organisation	Providing an NHS Service? Y/N	Evidence
			£	Band: Point:			
			£	Band: Point:			
			£	Band: Point:			
			£	Band: Point:			

I wish to have my entitlements determined under the method outlined above.

Employee's Signature:

Print Name:

Date:

Manager's Signature:

Print Name:

Date:

HR Managr's Signature:

Print Name:

Date:

APPENDIX 3

HR / Corporate Policy Equality Impact Analysis:	
Policy / Project / Function:	Starting Salary and Reckonable Service Policy v2.2
Date of Analysis:	2 January 2019
Completed by: (Name and Department)	eMBED Health Consortium HR Team.
What are the aims and intended effects of this policy, project or function?	To ensure a consistent approach is adopted, by recruiting managers, when establishing the starting salary for appointments to or within the ICB. AfC requires “that all NHS employers should have fair and non-discriminatory systems for recruiting, developing and promoting people.” (Para 31.1)
Are there any significant changes to previous policy likely to have an impact on staff / other stakeholder groups?	No
Please list any other policies that are related to or referred to as part of this analysis	<ul style="list-style-type: none"> • Agenda for Change Terms and Conditions • Annual Leave Policy • Recruitment and Selection Policy • Recruitment Retention Premium Policy
Who will the policy, project or function affect?	<ul style="list-style-type: none"> • All Employees of the ICB • Members of the Public (during the recruitment process)
What engagement / consultation has been done, or is planned for this policy and the equality impact assessment?	Consultation has taken place both locally and nationally with Trade Unions and staff
Promoting Inclusivity and Equality Objectives. How does the project, service or function contribute towards our aims of eliminating	The Starting Salaries Policy has been developed to ensure a consistent approach is adopted by recruiting managers when establishing the starting salary for appointments to or within the ICB. AfC requires “that all NHS employers should have fair

<p>discrimination and promoting equality and diversity within our organisation?</p> <p>How does the policy promote our equality objectives:</p> <ol style="list-style-type: none"> 1. To be an employer with a well-supported workforce and Board that represents our population 2. To work, alongside partners, to tackle health inequalities with the aim of better health outcomes for all 3. To demonstrate leadership on equality and inclusion through collaboration 4. To ensure that our governance and decision making pays due regard to equalities 5. To ensure that all our diverse communities are able to have their voices heard and their views are taken into account in our decision making 	<p>and non-discriminatory systems for recruiting, developing and promoting people.” (Para 31.1)</p>
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Equality Data	
<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Recruitment data, e.g. applications compared to the population profile, application success rates 2: Complaints by groups who share / represent protected characteristics 4: Grievances or decisions upheld and dismissed by protected characteristic group 5: Insight gained through engagement 	<p>Yes <input checked="" type="checkbox"/> <i>ESR Workforce Profile Data</i></p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document). If you answered No, what information will you use to assess impact?</p> <p>Please note that due to the small number of staff employed by the ICB, data with returns small enough to identify individuals cannot be published. However, the data should still be analysed as part of the EIA process, and where it is possible to identify trends or issues, these should be recorded in the EIA.</p>

Employee Equality Data

General	Total number of employees in the ICB is 100
Age	8.0% of staff are under 30 73.0% of staff aged 30 - 55 19.0% of staff are over 55
Gender	68.0% of staff employed are female 32.0% of staff employed are male
Race / Nationality	89.0% of staff employed in the ICB declared themselves as White British 9.0% of staff are not stated/undefined. 1.0% of staff declared themselves as White Other 1.0% of staff declared themselves as Asian
Disability	68.0% of staff employed have declared themselves as having no disability 29.0% of staff did not declare /undefined 3.0% of staff have declared a disability
Sexual Orientation	63.0% of staff described themselves as heterosexual 35.0% of staff did not wish to respond /undefined 2.0% of staff described themselves as gay/lesbian/bisexual
Gender Reassignment	No information available
Religion / Belief	45.0% of staff declared themselves as Christian. 41.0% were undefined or did not wish to declare 11.0 % of staff declared themselves as Atheist 1.0% of staff declared themselves as Islamic 2.0% of staff declared other religions or beliefs
Pregnancy and Maternity	No information available
Marriage and civil partnership	61.0% of employees are married. 22.0% of employees are single 7.0% of employees are divorced or legally separated 6.0% of employees were undefined or did not wish to declare 2.0% of employees are widowed. 2.0% of employees are in a civil partnership

Assessing Impact

Is this policy (or the implementation of this policy) likely to have a particular impact on any of the protected characteristic groups?
(Based on analysis of the data / insights gathered through engagement, or your knowledge of the substance of this policy)

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> ¹ exists (see footnote below – seek further advice in this case)
<p>It is anticipated that these guidelines will have a positive impact as they support policy writers to complete meaningful EIAs, by providing this template and a range of potential issues to consider across the protected characteristics below. There may of course be other issues relevant to your policy, not listed below, and some of the issues listed below may not be relevant to your policy.</p>				
Gender			✓	<p>Potential Negative Impact-female employees. AfC provides for incremental progression through salary bands which is maintained on transfers within the NHS. Appointees from outside the NHS can similarly benefit from their relevant years of service being taken into account in determining appointment salaries. This policy therefore potentially favours employees who have fewer employment breaks as they will have more years of service but this is a long-standing and agreed practice for recognising relevant experience, knowledge and skills and is subject to review of performance.</p> <p>Breaks in employment can lead to women having less service due to caring responsibilities, Carers UK support that women have greater caring responsibilities in Carers UK (nd) <i>10 Facts About Women and Caring in the UK on International Women's Day</i>. This is potentially a negative impact. However this is mitigated by a range of other employment policies that allow flexibility in hours of work and leave arrangements to reduce the need for employment breaks and allow staff to continue to progress through the pay bands. In addition robust recruitment processes will ensure that capability to perform a role rather than length of time in the role support a good appointment.</p>

¹ The action is proportionate to the legitimate aims of the organisation (please seek further advice)

Age		✓	✓	Potential Positive Impact - older employees. Potential Negative Impact –younger employees. AfC provides for incremental progression through salary bands which is maintained on transfers within the NHS. Appointees from outside the NHS can similarly benefit from their number of years of directly relevant experience being taken into account in determining appointment salaries. This policy therefore potentially favours older employees as they will have more years of service but this is a long-standing and agreed practice for recognising relevant experience, knowledge and skills and is subject to review of performance. Age is not taken into account when the decision to shortlist and/or interview is taken, as this information is not available to the recruiter at that stage. Once appointed a younger employee may be on a lower point on the pay scale, having less years of service/experience than an older employee doing the same role. However, increment payments are made consistently to all employees and progression through incremental pay points are conditional on individuals demonstrating they meet performance requirements. During recruitment, AfC requires that “Emphasis should be placed on quality, rather than length of experience, and consideration should be given to experience gained outside paid employment” (Para 31.7) i.e. quality of experience not the age of the applicant.
Race / ethnicity / nationality	✓			The policy is in line with agenda for change terms and conditions and application of the policy is fair and consistent regardless of race and therefore does not have a negative impact on this protected characteristic.
Disability	✓			The policy is in line with agenda for change terms and conditions and application of the policy is fair and consistent regardless of race and therefore does not have a negative impact on this protected characteristic.
Religion or Belief	✓			The policy is in line with agenda for change terms and conditions and application of the policy is fair and consistent regardless of race and therefore does not have a negative impact on this protected characteristic.
Sexual Orientation	✓			The policy is in line with agenda for change terms and conditions and application of the policy is fair and consistent regardless of race and therefore does not have a negative impact on this protected characteristic.
Pregnancy and Maternity	✓			A period of maternity leave counts towards reckonable service and therefore does not have an adverse impact on this protected characteristic. Application of the policy is fair and consistent.

Transgender / Gender reassignment	✓			The policy is in line with agenda for change terms and conditions and application of the policy is fair and consistent and therefore does not have a negative impact on this protected characteristic.
Marriage or civil partnership	✓			The policy is in line with agenda for change terms and conditions and application of the policy is fair and consistent and therefore does not have a negative impact on this protected characteristic.

Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse impact or strengthen the promotion of equality?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
The application of this policy should be regularly monitored to ensure a consistent approach	1. Annual audit of pay to review all decisions to appoint staff above the minimum of the scale to ensure consistency and to monitor impact and assess whether any further action is required in any protected group including those risk identified under age and gender.	Head of HR		
	2. These records will be cross referenced with ESR Recruitment and Equality and Diversity monitoring to ensure a consistent approach across the organisation			
	3. Any deviation from this policy and procedure must be investigated on a case by case basis to ensure that the principles of fair pay both within equal pay legislation and within the National agreement on Terms and Conditions are followed.			
	4. Recruitment decisions should be routinely monitored and reviewed to ensure a fair, transparent and competency based approach has been demonstrated.			

Sign-off

All policy EIAs must be signed off by Mike Napier, Associate Director of Corporate Affairs

I agree with this assessment / action plan

If *disagree*, state action/s required, reasons and details of who is to carry them out with timescales:



Signed:

Date: 18.06.19