

# **Regrading Policy**

**July 2022 – October 2023**

<b>CONTROL RECORD</b>			
<b>Reference Number</b> HR-018	<b>Version</b> 1.2	<b>Status</b> Final	<b>Author</b> Head of Human Resources and Organisational Development
			<b>Sponsor</b> Director of Nursing
			<b>Team</b> Human Resources and Organisational Development
<b>Title</b>	Regrading Policy		
<b>Amendments</b>	Review Date amended to October 2023		
<b>Purpose</b>	This policy outlines an independent and objective grading review process		
<b>Superseded Documents</b>	Regrading Policy v1.1		
<b>Audience</b>	All staff in Nottingham and Nottinghamshire Integrated Care Board		
<b>Consulted with</b>	Integrated Care Board Senior Leadership Team and Staff Engagement Group		
<b>Equality Impact Assessment</b>	Completed – See Appendix C		
<b>Approving Body</b>	ICB Board	<b>Date approved</b>	1 July 2022
<b>Date of Issue</b>	July 2022		
<b>Review Date</b>	October 2023		
<p><b>This is a controlled document and whilst this policy may be printed, the electronic version available on the ICB’s document management system is the only true copy. As a controlled document, this document should not be saved onto local or network drives.</b></p>			

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## 1. Introduction

- 1.1 This policy applies to the NHS Nottingham and Nottinghamshire Integrated Care Board, hereafter referred to as 'the ICB'.
- 1.2 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 ICB's Confidentiality & Data Protection Policy and related policies and procedures located on the website.

## 2. Purpose

- 2.1 The purpose of this policy ensures that the ICB has a mechanism to formally review the grade of an employee where there are significant changes to the employee's duties and responsibilities.
- 2.2 The development of this policy:
- Ensures employees are treated fairly and equitably
  - Provides a mechanism for line managers or employees to request a grading review
  - Ensures an independent and objective grading review process

## 3. Scope

- 3.1 This policy applies to those members of staff that are directly employed by the ICB and for whom the ICB has legal responsibility.

## 4. Roles and Responsibilities

<b>Roles</b>	<b>Responsibilities</b>
<b>Corporate Compliance Manager</b>	Has delegated responsibility for: <ul style="list-style-type: none"><li>• Maintaining an overview of the corporate ratification and governance process associated with the policy.</li></ul>
<b>Head of HR &amp; OD</b>	Has delegated responsibility for: <ul style="list-style-type: none"><li>• Leading the development, implementation, and review of the policy.</li><li>• Undertaking grading reviews ensuring Staff Side participation.</li><li>• Communication of grading review outcomes to the relevant line manager and employee.</li><li>• Providing an appeal facility.</li></ul>

Roles	Responsibilities
<b>Appointing Officers</b>	Have delegated responsibility for: <ul style="list-style-type: none"> <li>• Ensuring they understand and adhere to their obligations in relation to this policy.</li> <li>• Ensuring employee’s job descriptions accurately reflect the duties and responsibilities to be undertaken.</li> <li>• Ensuring employees are supported to submit a grading review application where approved to do so.</li> <li>• Providing information to a grading review panel if required.</li> </ul>
<b>All Staff</b>	Have delegated responsibility for: <ul style="list-style-type: none"> <li>• Ensuring they are familiar with the policy and procedure.</li> <li>• Ensuring their job description is up to date and is a true representation of duties and responsibilities.</li> </ul>

## 5. Reviewing the Job Description

- 5.1 Where significant changes occur the job description of an employee should be reviewed by both the employee themselves and their line manager. The review should ensure that the job description is up to date and remains relevant to business need.
- 5.2 Where amendments are required to be made to the job description these should be agreed by both the line manager and the employee. In most cases changes to a job description will not impact on the banding/grading of the employee.
- 5.3 Where amendments to a job description are deemed sufficient to request a grading review the procedure outlined in the following paragraphs should be followed. A grading review request can be made by the manager, an individual or a group of individuals who undertake the same role within the ICB.

## 6. General Principles

- 6.1 The grading review procedure will follow a number of key principles as follows:
- For a grading review request to be considered the employee or group of employees must be able to demonstrate that their role has changed, resulting in increased responsibilities and in their opinion warrants a higher pay banding.
  - An employee or group of employees, who share a job description, should

discuss a potential grading review with their line manager in the first instance to ensure the line manager is supportive of the grading review request.

- By supporting the grading review application, the line manager is confirming that the employee is undertaking additional and/or different work, which is not reflected in the substantive job description, that the work is relevant to business need and that it warrants a formal review.
- Should the line manager not support the grading review application this should be confirmed to the employee and the rationale communicated. It is recommended that this communication is in writing. Should the employee wish to challenge this decision the Grievance Procedure should be followed. The grievance would only question the supporting of the application and not determine the outcome of the grading review itself. If the grievance outcome is that the application should be supported, the application will then be processed in accordance with the following procedure.
- To ensure that any future service developments and/or changes are reflected the grading review application form must be countersigned by the relevant SLT member to indicate support and approval of the application.
- Only one application per post for a grading review may be made in a 12-month period.

## **7. Grading Review Process**

- 7.1. Once the grading review application has been given approval to go ahead the employee should complete the grading review application form in full (see **Appendix A**). The form should be signed by the employee, the line manager and the relevant SLT member and submitted to the HR Team along with a copy of the updated job description clearly showing the amended changes via tracked changes.
- 7.2. Human Resources will submit the new job description to the grading review panel for consideration.
- 7.3. The grading review panel will utilise the national Agenda for Change Job Evaluation system that has been designed to determine the job weight of a post. The job weight score determines the pay band of the post. Where possible posts will be matched to national job profiles.

7.4. The outcome of the grading review and the supporting documentation will be quality assured and once formally agreed the outcome will be communicated to the employee and the line manager via email.

## **8. Right of Appeal**

- 8.1. Following the outcome of a grading review the employee has the right of appeal against the decision taken. The employee should confirm in writing to Human Resources the reason for the appeal and the factor areas and scores they are dissatisfied with by completing **Appendix B**. The appeal must be submitted within 10 working days of the grading review outcome being confirmed to the employee.
- 8.2. A grading review appeal panel will be scheduled. Only one representative from the original panel may sit on the appeal panel. The appeal panel will be chaired by the relevant Chief of Service or Chief Executive. The appeal panel Chair will ensure that full consideration is given to all the evidence submitted but will not be involved in the actual grading of the post. This will be undertaken by the other panel members.
- 8.3. The line manager will be in attendance at the appeal panel and the employee will only be called if there are any additional questions the appeal panel wish to put to the employee directly.
- 8.4. The appeal panel will normally only focus on the areas the employee has appealed against. However, if the information provided at the appeal panel should contradict any areas on the original evaluation report, the appeal panel will also consider these areas and, where necessary make recommendations on these areas.
- 8.5. The panel reviewing the job will either:
- Confirm the original outcome; or
  - Match the post to a different National Profile, in the same pay band, a higher band or a lower band.
- 8.6. There is no further right of appeal against the outcome of the appeal panel. The only option available should the employee remain dissatisfied is to lodge a grievance in accordance with the Grievance Policy.
- 8.7. Any grievance must be lodged within 10 working days of receipt of the letter confirming the outcome of the review process and should be submitted to the Chief Executive.
- 8.8. The grievance will only consider if the process followed has been appropriate not the outcome of the grading review.

## **9. Equality and Diversity Statement**

- 9.1 Nottingham and Nottinghamshire ICB pays due regard to the requirements of the Public Sector Equality Duty (PSED) of the Equality Act 2010 in policy development and implementation as a commissioner and provider of services as well as an employer.
- 9.2 The ICB is committed to ensuring that the way we provide services to the public and the experiences of our staff does not discriminate against any individuals or groups on the basis of their age, disability, gender identity (trans, non-binary), marriage or civil partnership status, pregnancy or maternity, race, religion or belief, gender or sexual orientation.
- 9.3 We are committed to ensuring that our activities also consider the disadvantages that some people in our diverse population experience when accessing health services. Such disadvantaged groups include people experiencing economic and social deprivation, carers, refugees and asylum seekers, people who are homeless, workers in stigmatised occupations, people who are geographically isolated, gypsies, roma and travellers.
- 9.4 As an employer, we are committed to promoting equality of opportunity in recruitment, training and career progression and to valuing and increasing diversity within our workforce.
- 9.5 To help ensure that these commitments are embedded in our day-to-day working practices, an Equality Impact Assessment has been completed for, and is attached to, this policy.

## **10. Communication, Monitoring and Review**

- 10.1 The Regrading Policy will be highlighted to new employees at staff induction and is stored on the ICB's HR/OD Intranet pages and by the ICB's HR&OD Team.
- 10.2 This Policy will be reviewed periodically every three years (or earlier if changes in the law or any other circumstances require it) and will be approved by the Remuneration Committee.
- 10.3 Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the HR Lead.

## **11. Staff Training**

- 11.1 All staff will be offered relevant training commensurate with their duties and responsibilities. Staff requiring support should speak to their line manager in the first instance. Support may also be obtained through their HR Department.
- 11.2 Grading review panel members will be fully trained in Agenda for Change Job Evaluation.
- 11.3 Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the HR Team via email at [nnicb-nn.hr@nhs.net](mailto:nnicb-nn.hr@nhs.net).

## **12. Interaction with other ICB Policies**

- 12.1 This policy should be read in conjunction with the following ICB policies:
- Confidentiality & Data Protection Policy.
  - Grievance Policy.

## **13. References**

- 13.1 The following legislation and guidance has been taken into consideration in the development of this procedural document:
- Equality Act 2010.
  - Agenda for Change Job Evaluation Scheme.

## Appendix A:

### GRADING REVIEW APPLICATION FORM

<b>Employee(s) Name(s) and Payroll Number(s)</b> (Please use additional sheets if required)	
<b>Job Title:</b>	
<b>Date of Request:</b>	
<b>Date Request applicable from:</b>	
<b>I confirm I have submitted the amended job description and that the changes made are clear.</b>	<b>Yes/No (Please delete as appropriate)</b>

<b>I confirm that I have discussed the above application for a Grading Review with my Line Manager and have identified the areas for review.</b>	
Name of Postholder(s)	
Postholder Signature(s)	
Date	
Name of Manager	
Signature of Manager	
Date	
Name of SLT Member	
Signature of SLT Member	
Date	

Please return your request via email to the HR Team at [nnicb-nn.hr@nhs.net](mailto:nnicb-nn.hr@nhs.net).

## Appendix B:

### GRADING REVIEW APPEAL FORM

<b>Employee(s) Name(s) and Payroll Number(s):</b> (Please use additional sheets if required)	
<b>Job Title:</b>	
<b>Date of Appeal:</b>	
<b>Date of Notification of Grading Review Outcome:</b>	

<p><b>Please provide detailed reasoning of the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Why you disagree with the outcome.</b></li> <li>• <b>The areas that you disagree with (i.e. which factors).</b></li> <li>• <b>The reasons why you disagree and the additional evidence you have to support your case.</b> (Please use additional sheets is required)</li> </ul>	
<b>Factor:</b>	
<b>Communication &amp; Relationship skills:</b>	
<b>Knowledge, Training &amp; Experience:</b>	
<b>Analytical and Judgement skills:</b>	
<b>Planning and Organisational skills:</b>	

<b>Physical Skills:</b>	
<b>Responsibility for Patient Client Care:</b>	
<b>Responsibilities for policy and service development implementation:</b>	
<b>Responsibilities for financial and physical resources:</b>	
<b>Responsibilities for human resources (HR):</b>	
<b>Responsibilities for information resources:</b>	
<b>Responsibilities for research and development:</b>	
<b>Freedom to Act:</b>	
<b>Physical Effort:</b>	
<b>Mental Effort:</b>	

<b>Emotional Effort:</b>	
<b>Working Conditions:</b>	

<b>Is the information you have supplied above contained in your job description?</b>	<b>Yes/No (Please delete as appropriate)</b>
<b>I/We confirm that we have discussed the above appeal application with the Line Manager and have identified the areas for appeal.</b>	
<b>I/We acknowledge that there is no recourse to further appeal following the decision of the Appeal Panel.</b>	
<b>Signed:</b>	
<b>Date:</b>	
<b>Print Name:</b>	

**If the review request is from a group of employees please ensure all employees sign (Please use an additional sheets if required).**

**Number of additional sheets:**

## Appendix C: Equality Impact Assessment

<b>Date of assessment:</b>	June 2022			
<b>For the policy, and its implementation, please answer the questions against each of the protected characteristic and inclusion health groups:</b>	Has the risk of any potential adverse impact on people in this protected characteristic group been identified, such as barriers to access or inequality of opportunity?	If yes, are there any mechanisms already in place to mitigate the adverse impacts identified?	Are there any remaining adverse impacts that need to be addressed? If so, please state any mitigating actions planned.	Are there any positive impacts identified for people within this protected characteristic group? If yes, please briefly describe.
<b>Age<sup>1</sup></b>	Potential impact that younger employees lack the experience to be regarded as not 'served time'	None at this time	No	No
<b>Disability<sup>2</sup></b>	Potential impact that employees with a disability would not be considered for regrading due to increased responsibilities	None at this time	No	No
<b>Gender identity (trans, non-binary)<sup>3</sup></b>	None identified		No	No

<sup>1</sup> A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

<sup>2</sup> A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

<sup>3</sup> The process of transitioning from one gender to another.

<b>Date of assessment:</b>	June 2022			
<b>For the policy, and its implementation, please answer the questions against each of the protected characteristic and inclusion health groups:</b>	Has the risk of any potential adverse impact on people in this protected characteristic group been identified, such as barriers to access or inequality of opportunity?	If yes, are there any mechanisms already in place to mitigate the adverse impacts identified?	Are there any remaining adverse impacts that need to be addressed? If so, please state any mitigating actions planned.	Are there any positive impacts identified for people within this protected characteristic group? If yes, please briefly describe.
<b>Marriage or civil partnership status<sup>4</sup></b>	None identified	N/A	No	No
<b>Pregnancy or maternity<sup>5</sup></b>	Potential impact that regarding is not considered or is delayed for women who are pregnant due to them being absent from the organisation whilst on maternity leave	None at this time	No	No
<b>Race<sup>6</sup></b>	Potential impact for black and minority ethnic colleagues as statistically	None at this time	No	No

<sup>4</sup> Marriage is a union between a man and a woman or between a same-sex couple.

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'.

<sup>5</sup> Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

<sup>6</sup> Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

<b>Date of assessment:</b>	June 2022			
<b>For the policy, and its implementation, please answer the questions against each of the protected characteristic and inclusion health groups:</b>	Has the risk of any potential adverse impact on people in this protected characteristic group been identified, such as barriers to access or inequality of opportunity?	If yes, are there any mechanisms already in place to mitigate the adverse impacts identified?	Are there any remaining adverse impacts that need to be addressed? If so, please state any mitigating actions planned.	Are there any positive impacts identified for people within this protected characteristic group? If yes, please briefly describe.
	less likely to ask for regrading to be considered			
<b>Religion or belief<sup>7</sup></b>	None identified	N/A	No	No
<b>Gender<sup>8</sup></b>	Potential impact for female colleagues as statistically male employees are more likely to ask for regrading to be considered	None at this time	No	No
<b>Sexual orientation<sup>9</sup></b>	None identified	N/A	No	No
<b>Carers<sup>10</sup></b>	None identified	N/A	No	No

<sup>7</sup> Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

<sup>8</sup> A man or a woman.

<sup>9</sup> Whether a person's sexual attraction is towards their own sex, the opposite sex, to both sexes or none. <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

<sup>10</sup> Individuals within the ICB which may have carer responsibilities.