

Regrading Policy

January 2024 - January 2027

CONTROL RECORD			
Reference Number HR-018	Version 2.0	Status Final	Author Head of Human Resources and Organisational Development Sponsor Director of Nursing Team Human Resources and Organisational Development
Title	Regrading Policy		
Amendments	1. Review Date amended to Jan 2027 2. Updated EQIA		
Purpose	This policy outlines an independent and objective grading review process		
Superseded Documents	Regrading Policy v1.2		
Audience	All staff in Nottingham and Nottinghamshire Integrated Care Board		
Consulted with	Integrated Care Board Senior Leadership Team and Staff Engagement Group		
Equality Impact Assessment	Completed – See Appendix C		
Approving Body	Human Resources Executive Steering Group	Date approved	January 2024
Date of Issue	January 2024		
Review Date	January 2027		
<p>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.</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

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

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

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.

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

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

I confirm that I have discussed the above application for a Grading Review with my Line Manager and have identified the areas for review.	
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.

Appendix B: Grading Review Appeal Form

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

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

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

Emotional Effort:	
Working Conditions:	

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

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

Overall Impact on: Equality, Inclusion and Human Rights	Positive <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Negative <input type="checkbox"/> Undetermined <input type="checkbox"/>
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Name of Policy, Process, Strategy or Service Change	HR-018 Regrading Policy	Date of Completion	20/09/2023
EIA Responsible Person Include name, job role and contact details.	Gemma Waring Head of HR and OD Gemma.Waring@nhs.net		
EIA Group Include the name and position of all members of the EIA Group.			
Wider Consultation Undertaken State who, outside of the project team, has been consulted around the EIA.	Staff Engagement Group.		
Summary of Evidence Provide an overview of any evidence (both internal and external) that you utilised to formulate the EIA. E.g., other policies, Acts, patient feedback, etc.	References/ sources of information Equality Act (2010)		

	What are the actual, expected or potential positive impacts of the policy, process, strategy or service change?	What are the actual, expected or potential negative impacts of the policy, process, strategy or service change?	What actions have been taken to address the actual or potential positive and negative impacts of the policy, process, strategy or service change?	What, if any, additional actions should be considered to ensure the policy, process, strategy or service change is as inclusive as possible? Include the name and contact details of the person responsible for the actions.	Impact Score
Age		There is no evidence that application of this policy is negatively affected by ages.	Managers and staff can seek guidance from HR if unsure of range and type of support available.	Management needs to be aware of the impact of unconscious bias regarding perception of age/ time served and how it can affect the outcome in the application of this policy.	3
Disability¹ (Including: mental, physical, learning, intellectual and neurodivergent)	.	Potential impact that employees with a disability would not be considered for regrading due to perception of limitation of ability to take on additional responsibility due to their condition by others.	Managers and staff can seek guidance from HR if unsure of range and type of support available.	Management needs to be aware of the impact of unconscious bias regarding perception of how disabilities and reasonable adjustments and how it can affect the outcome in the application of this policy.	3
Gender² (Including: trans, non-binary and gender reassignment)		There is no evidence that application of this policy is negatively affected by gender.	Managers and staff can seek guidance from HR if unsure of range and type of support available.		3

Marriage and Civil Partnership		There is no evidence that application of this policy is negatively affected by their marriage or civil partnership status.	Managers and staff can seek guidance from HR if unsure of range and type of support available.		3
Pregnancy and Maternity Status		There is no evidence that application of this policy is negatively affected by pregnancy or maternity status.		Management needs to be aware of the impact of unconscious bias regarding perception regarding is not considered or is delayed for women who are pregnant due to them being absent, or knowing that they soon will be absent from the organisation whilst on maternity leave affect the outcome in the application of this policy.	3
Race³		There is no evidence that application of this policy is negatively affected by race.	<p>Staff can be referred to OH to identify actions or reasonable adjustments at any point, they do not have to wait for an absence to trigger the request for support if they become aware of a condition that need support.</p> <p>Managers and staff can seek guidance from HR if unsure of range and type of support available.</p>	Management needs to be aware of the impact of unconscious bias regarding race may affect the outcome in the application of this policy.	3

Religion and Belief⁴		There is no evidence that application of this policy is negatively affected an employee's religion or belief.	Managers and staff can seek guidance from HR if unsure of range and type of support available.		3
Sex⁵		There is no evidence that application of this policy is negatively affected an employee's sex.	Managers and staff can seek guidance from HR if unsure of range and type of support available.	Management need to be aware of the impact of unconscious bias regarding sex may affect the outcome in the application of this policy.	3
Sexual Orientation⁶		There is no evidence that application of this policy is negatively affected by an individual's sexual orientation.			3
Human Rights⁷		There is no evidence that this policy contravenes and of the relation to health and care, the most commonly applicable of the Articles within the Human Rights Act 1998.			3

Community Cohesion and Social Inclusion⁸		<p>This policy is an internal organisational policy and there is no evidence that it impacts community Cohesion or Social inclusion.</p>		<p>NNICB is a community, and this policy gives the opportunity to be rewarded for the work that is being done. Line managers and staff together have the responsibility to ensure that this policy is considered reviewed and applied with equity to ensure consistency of reward and recognition in the organisation.</p>	<p>3</p>
Safeguarding⁹ (Including: adults, children, Looked After Children and adults at risk or who lack capacity)		<p>This policy is an internal organisational policy and there is no evidence that it has an impact on safeguarding.</p>		<p>.</p>	<p>3</p>
Other Groups at Risk¹⁰ of Stigmatisation, Discrimination or Disadvantage		<p>This policy is an internal organisational policy and there is no evidence that other groups are at risk from this policy.</p>			<p>3</p>

Additional Narrative

Provide additional evidence and narrative about the positive, negative, and neutral impacts of the proposal on the equality, inclusion and human rights elements detailed above.

You should consider:

- Three elements of Quality (safety, experience and effectiveness)
- Intersectionality
- Impact of COVID-19
- Access to Services
 - Physical
 - Written communication.
 - Verbal communication
- Digital Poverty
- Safeguarding
- Dignity and Respect
- Person-centred Care

Here you should add additional detail or explanation around the positive, negative, and neutral impact of the proposals on the above protected characteristic and health inclusion groups. To address this, you should consider the barriers to accessing or using the service, including the mitigations to respond to these.

There is little external research or evidence which links how the application of a regrading policy may specifically impact one or more groups demonstrating a protected characteristic. As the regrading decision itself is managed and benchmarked by external Job Evaluation criteria, the decision itself is neutral. However the organisation needs to be aware that the decision to support an application to regrade is subject to manager discretion, and therefore subject to unconscious bias at this stage.

EQIA Completed by Natasha Firth HR Manager
– 21/11/2023.

Authorised By Gemma Waring - 21/11/2023

3

Positive Impact	Neutral Impact	Negative Impact	Undetermined Impact	Equality Impact Score Total	42
56 to 50	49 to 36	35 to 22	21 to 14		

Positive	Neutral	Negative	Undetermined
4	3	2	1

1. **Disability** refers to anyone who has: "...a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities..." (Equality Act 2010 definition). This includes, but is not limited to: mental health conditions, learning disabilities, intellectual disabilities, neurodivergent conditions (such as dyslexia, dyspraxia and dyscalculia), autism, many physical conditions (including HIV, AIDS and cancer), and communication difficulties (including d/Deaf and blind people).

2. **Gender**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: "A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."

3. **Race**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: A person's colour, nationality, or ethnic or national origins. This also includes people whose first spoken language is not English, and/or those who have a limited understanding of written and spoken English due to English not being their first language.

4. **Religion and Belief**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

5. **Sex**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: A reference to a person who has a particular protected characteristic and is a reference to a man or to a woman.
6. **Sexual Orientation**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: Sexual orientation means a person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of either sex.
7. The **Human Rights Act 1998** sets out the fundamental areas that everyone and every organisation must adhere to. In relation to health and care, the most commonly applicable of the Articles within the Human Rights Act 1998 include: Article 2 Right to Life, Article 5 Right to Liberty and Security, Article 8 Right to Respect of Private and Family Life, and Article 9 Freedom of Thought, Conscience and Religion.
8. **Community Cohesion** is having a shared sense of belonging for all groups in society. It relies on criteria such as: the presence of a shared vision, inclusion of those with diverse backgrounds, equal opportunity, and supportive relationships between individuals. **Social Inclusion** is defined as the process of improving the terms of participation in society, particularly for people who are disadvantaged, through enhancing opportunities, access to resources, voice and respect for rights (United Nations definition). For the EQIA process, we should note any positive or negative impacts on certain groups being excluded or not included within a community or societal area. For example, people who are homeless, those from different socioeconomic groups, people of colour or those from certain age groups.
9. **Safeguarding** means: "...protecting a citizen's health, wellbeing and human rights; enabling them to live free from harm, abuse and neglect. It is an integral part of providing high-quality health care. Safeguarding children, young people and adults is a collective responsibility" (NHS England definition). Those most in need of protection are children, looked after children, and adults at risk (such as those receiving care, those under a DoLS or LPS Order, and those with a mental, intellectual or physical disability). In addition to the ten types of abuse set out in the Health and Care Act 2022, this section of the EQIA should also consider PREVENT, radicalisation and counterterrorism.
10. **Other Groups** refers to anyone else that could be positively or negatively impacted by the policy, process, strategy or service change. This could include, but is not limited to: carers, refugees and asylum seekers, people who are homeless, gypsy, Roma and traveller communities, people living with an addiction (e.g., alcohol, drugs or gambling), people experiencing social or economic deprivation, and people in stigmatised occupations (e.g., sex worker