

RECRUITMENT AND RETENTION PROTOCOL

Document Version

1

Status

Approved

Document author:

All NHS Wales

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All NHS Wales

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STRATEGIC OBJECTIVE (Please place a 'x' next to relevant objective/s)

Mobilising digital transformation and ensuring high quality health and care data	
Expanding the content, availability and functionality of the Digital Health and Care Record	
Delivering High Quality Digital Services	X
Driving value from data for better outcomes	

QUALITY STANDARDS (Select relevant standard/s)

ISO 20000	X	ISO 27001	X	ISO 9001	X	ISO 14001	
BS 76000:2015	X	BS 76005	X	BS 10008		ISO 13485	
SDI (Service Desk Institute) Standard							X

HEALTH CARE STANDARD (Select relevant standard/s)

Staying Healthy	X	Safe Care		Effective Care		Dignified Care	
Timely Care		Individual Care	X	Staff & Resources			X

EQIA STATEMENT (Select as appropriate)

	Not Applicable
April 2005	Outcome - Approved
Statement: The assessment found that there was no impact to the equality groups mentioned and this protocol will have a positive impact on all of the 'protected characteristic' groups. Where appropriate, the organisation will make plans for the necessary actions required to minimise any stated impact to ensure that it meets its responsibilities under the equalities and human rights legislation.	

APPROVAL/SCRUTINY ROUTE: Person/Committee/Group who have received or considered this

Local Partnership Forum	23/03/2021	Approved

WELL-BEING OF FUTURE GENERATIONS ACT (Select relevant theme/s)

A Prosperous Wales	X	A Resilient Wales	X	A More Equal Wales	X	A Healthier Wales	X
A Wales of Cohesive Communities	X	A Globally Responsible Wales					X
A Wales of Vibrant Culture and Thriving Welsh Language							X

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1 DOCUMENT HISTORY

1.1 REVISION HISTORY

Date	Version	Author	Revision Summary
14/09/2005	1	All NHS Wales	Policy finalised

1.2 REVIEWERS

This document requires the following reviews:

Date	Version	Name	Position
31/03/2022	1	All NHS Wales	All NHS Wales

1.3 AUTHORISATION

Signing of this document indicates acceptance of its contents.

Author's Name:	All NHS Wales		
Role:	All NHS Wales		
Signature:		Date:	14/09/2005

Approver's Name:	All NHS Wales		
Role:	All NHS Wales		
Signature:		Date:	

1.4 DOCUMENT LOCATION

Type	Location
Electronic	Integrated Management System

2 INTRODUCTION

Subject to the provisions set out in the Agenda for Change (AfC) Terms and Conditions Handbook and the AfC Agreement and the All Wales Protocol for Paying Recruitment and Retention Premia, the Trust may apply a recruitment and retention premium (RRP) to a specific group of posts. RRP's may also be applied to individual posts where the post is unique e.g. the head of a department or service.

RRPs may be awarded either nationally (on the recommendation of the Pay Review Body for Nursing and Other Health Professions and / or the Pay Negotiating Council where there are national recruitment and retention pressures) or locally (by a Sub Committee of the All Wales Terms and Conditions Sub Group). A RRP can be awarded on either a short or long term basis (see Sections 3.3 and 3.4). This policy and protocols cover both national and local RRP's.

3 SCOPE

The application of a RRP can be applied to all staff working within Digital Health and Care Wales with the exception of staff that opt to remain on a Digital Health and Care Wales contract, very senior managers and medical staff who are outside of Agenda for Change.

4 DEFINITIONS OF A RRP

A RRP is an addition to the pay of an individual post or specific group of posts, where market pressures would otherwise prevent the NHS organisation from being able to recruit staff and / or retain staff in sufficient numbers for the posts concerned, at the normal salary for a job of that weight. A RRP is a supplementary payment over and above the pay that the post holder could otherwise receive, by virtue of their pay point on their pay band, excluding any high cost area supplements, or any payments for unsocial hours or on-call cover.

RRPs apply to posts not to individuals in the post. Therefore, when an employee moves to a different post either within the same organisation or elsewhere in the NHS, and that post does not attract a RRP, their entitlement to any previous RRP will cease immediately.

National RRP's

National RRP's may be awarded on a national basis to particular groups of staff on the recommendations of the Pay Review Body for Nursing and Other Health Professions and / or the Negotiating Council where there are national recruitment and retention pressures. This policy follows Section 5 of the Terms and Conditions of Service Handbook, which sets out guidance on the application of RRP's.

Local RRP

Local RRP may be awarded by a sub committee of the All Wales Terms and Conditions AfC Sub Group on the basis of evidence produced to support the application for either a local long-term or a short-term RRP. This committee shall determine whether in the circumstances it is appropriate to award a long-term or a short-term RRP, based on the evidence presented.

Short-term RRP

Short-term RRP will apply where the labour market conditions giving rise to recruitment and retention problems which are expected to be short-term and where the need for the payment is expected to disappear or reduce in the foreseeable future.

Short-term RRP

- May be awarded on a one-off basis or for a fixed term
- Will be reviewed annually by the Workforce and Organisational Development department, relevant manager and staff representative
- May be withdrawn or have the value adjusted subject to a notice period of six months
- Will not be pensionable, or count for the purposes of overtime, unsocial hours payments or any other payments linked to basic pay.

Long-Term RRP

Long-term RRP will apply where the relevant labour market conditions are more deep-rooted and the need for the payment is not expected to vary significantly in the foreseeable future.

Long-term RRP

- Will be awarded on a long-term basis
- Will have their values regularly reviewed by the NHS Staff Council
- May be awarded to new staff at a different value to that which applies to existing staff (i.e. where a decision has been made to reduce the premia because the need for the RRP is reduced, newly appointed staff will be offered a RRP at a lower percentage rate)
- Will be pensionable, or count for the purposes of overtime, unsocial hours payments or any other payments linked to basic pay.

5 THE PAYMENT OF RRP

Both long-term and short-term RRP will be expressed as cash sums and will be separately identifiable from basic pay, and any other component of pay on an employee's pay slip.

The combined value of any nationally or locally awarded RRP for a given post shall not normally exceed 30% of basic salary.

6 NATIONALLY AGREED RRPS

This section of the policy deals specifically with nationally agreed RRPs. Table 1 below has been agreed nationally for local implementation. The table lists a number of posts for which there is prima facie evidence from both the work on the job evaluation scheme and consultation with management and staff representatives that a premium is necessary to ensure the position of the NHS is maintained in relation to the relevant external labour market during the transitional period.

TABLE 1

JOB

Chaplains
Clinical Coding Officers
Cytology Screeners
Dental Nurses, Technicians and Therapists
Estates Officers/Works Officers
Financial Accountants (including other accountancy posts at a similar level where an accounting qualification is required)
Invoice Clerks
Biomedical Scientists
Payroll Team Leaders (Supervisory level staff)
Pharmacists
Qualified Maintenance Craftspersons
Qualified Maintenance Technicians
Qualified Medical Technical Officers
Qualified Midwives (new entrant)
Qualified Perfusionists

Nationally agreed RRPs will be reviewed annually by the NHS Staff Council. During these reviews this body will determine whether the premia need to be reduced or ended to reflect the current labour market conditions.

6.1 Levels of Payment

Where it has been agreed nationally that a recruitment and retention payment is necessary for a particular post during the transitional period, the level of the RRP will be calculated by the NHS organisation, in cash terms at a level at least sufficient to ensure that at assimilation existing staff (See Table 1 above) will be no worse off financially. Therefore, the level of the RRP agreed locally

should therefore be at least sufficient to ensure that the staff in these posts do not require pay protection under the AfC pay protection arrangements.

The value of national RRP will be calculated in accordance with the guidance contained in Annex R of the AfC Handbook.

The NHS organisation may establish different RRP percentage rates for different posts provided there is evidence that the recruitment and retention position is different, for example because they have significantly different job descriptions and are in different pay bands under the new system.

Local RRP will be reviewed annually by the NHS organisation, where there are long standing recruitment and retention problems for that staff group, and where the evidence shows that pay (rather than, for example, absence of non pay benefits or other non pay factors causing turnover) is the key factor. This will be done in consultation with the NHS Terms and Conditions Group staff representative leads and in accordance with the All Wales Protocol set out in Appendix A.

The combined value of any nationally awarded or locally awarded RRP for a given post shall not normally exceed 30% of basic salary. It will be the responsibility of the NHS organisation to ensure that any premia applied for and awarded locally do not normally result in payments in excess of this amount, taking into account any national awards for the post(s) in question.

7 LOCALLY AGREED RECRUITMENT AND RETENTION PREMIA

This section of the policy deals specifically with locally agreed RRP and reflects Annex D of the Agenda for Change Agreement.

To ensure consistency in the application and payment of RRP in Wales, the NHS organisation will adhere to the following protocol.

7.1 Recruitment

All new vacancies will be advertised in relevant local, regional, national and/or professional media.

Where adverts have produced no suitable applicants Workforce and Organisational Development and the Head of Department / Ward Manager will consider the reasons for this. Account will be taken of the number of applicants, relevant national vacancy data and local labour market information, the media used and any non pay improvements which could be made to the employment package (e.g. training opportunities, childcare, relocation), or any expected increase in the supply of staff suitable for the post.

If it could be reasonably assumed that vacancies could be filled through, for example, advertising in different media or by waiting for an expected increase in supply (for example from new trainees) then vacant posts will be re-advertised.

However if, on the basis of the above discussions, it is decided that the vacancy problem can be

addressed most effectively only through payment of a RRP, the Divisional Director and Director of Workforce & Organisational Development in consultation with local staff representatives will decide whether the problem is likely to be resolved in the foreseeable future (in which case any premium should be short-term see paragraph 3.3) or whether it is likely to continue indefinitely (in which case any premium should be long-term – see paragraph 3.4).

A local RRP will be considered when:

- There is evidence, following advertising feedback that applicants are failing to apply for the post due to the pay band being viewed as not being market competitive.
- Efforts have been made to recruit through family friendly policies, e.g. job share, part time working, flexible contracts etc.
- The work cannot be done in any other way e.g. by redesigning jobs, training and development (KSF), or career management
- A RRP would still be more economical than the use of contractors, agencies, buying services in from other organisations, the voluntary sector
- The payment of a RRP would not generate grievances from other staff groups or within the same staff group
- The payment of a RRP would not generate an equal pay claim
- Payment of a premia is not simply a response to negotiation by a single individual

The level of premium will be determined by seeking local or national labour market information, through salary surveys, etc.

7.2 Retention

Before consideration is given to paying a RRP to increase retention of staff, Workforce & Organisational Development, Heads of Departments and relevant staff representatives will ensure that non pay benefits (e.g. childcare support, training and development) are sufficiently developed. Where possible local turnover rates will be compared with national rates. Evidence will be taken from exit interviews / questionnaires wherever possible to assess how far pay is a factor in employees' decisions to leave the organisation. The criteria listed in section 6.1 will also apply.

Where it is decided that a retention problem can be addressed most effectively only through payment of a recruitment and retention premium, the NHS organisation will decide with the involvement of the Divisional Director whether the problem is likely to be resolved in the foreseeable future (in which case any premium should be short-term) or whether it is likely to continue indefinitely (in which case any premium should be long-term).

Through the process of assimilation during implementation of Agenda for Change, the NHS organisation and staff representatives will work within the AfC Terms and Conditions Group to identify and agree any jobs for which there is prima facie evidence that a premium is necessary to ensure the position of the NHS organisation is maintained, i.e. where a demonstrable and quantifiable case can be made that recruitment or retention problems are certain/almost certain, as a result of market pressures, with no RRP. This approach should be adopted by exception rather than as the norm.

The NHS' AfC Terms and Conditions Group will identify any further local groups requiring a RRP following assimilation using the criteria set out in this policy.

8 THE PROCESS FOR AGREEING A LOCAL RRP

Once the NHS organisation has identified that it needs to apply for a Local RRP they must adhere to the following All Wales Protocol for Paying Recruitment and Retention Premia (Appendix A):

The manager will approach their Workforce and Organisational Development representative to discuss their recruitment or retention difficulties.

The manager along with the Workforce and Organisational Development representative will consult with relevant staff representatives to collect evidence to support their RRP application.

The manager in consultation with the Workforce and Organisational Development representative and the staff representatives will complete an 'Application to Pay a RRP' form (Appendix A) attaching the necessary evidence and supporting information.

This completed paperwork will be forwarded to the Director of Workforce and Organisational Development or in their absence the Chief Executive of the Trust, who will sign off the application and commence the consultation exercise (with a response deadline of one week) with neighbouring NHS employers, Local Health Boards, staff organisation and stakeholders.

Once the consultation exercise has been completed the Director of Workforce and Organisational Development or the Chief Executive will if still deemed appropriate, send the completed RRP paperwork to the All Wales AfC Terms and Conditions Group for their consideration.

8.1 RRP Review

Once a RRP has been awarded they will be reviewed annually. This review will be undertaken by Workforce and Organisational Development, Departmental Manager and relevant staff representatives.

The review will consider amongst other factors:

- how far the recruitment and retention premia have allowed the NHS organisation to reduce its vacancy rates and turnover.
- the likely impact on vacancies of removing or reducing a recruitment and retention premium.
- any changes in labour market circumstances.

The principle consistent with equal pay for work of equal value should be that where the need for a recruitment and retention premium is reduced or has ended, short-term premia should be reduced or withdrawn as soon as possible consistent with the notice arrangements set out in the AfC

Handbook (Short-term RRP – a notice period of six months. Long-term RRP at the end of the review period if not extended).

Long-term RRP should be adjusted or withdrawn for anyone offered a qualifying post after the decision to withdraw or reduce the RRP has been made.

9 AFC RRP REFERENCE DOCUMENTS

The following sections of the AfC Agreement and Terms and Conditions of Employment Handbook have been referred to when drafting this Policy:

AfC Agreement

- f Section 1 (Page 9) – Other Recruitment and Retention Issues
- f Section 4 (Pages 19 -21) – Recruitment and Retention Premia
- f Annex D (Page 60) - Local Recruitment and Retention Premia Criteria
- f Annex H (pages 69 – 72) – Guidance on the Application of Nationally Agreed Recruitment and Retention Premia

AfC Terms and Conditions of Service Handbook

- f Section 5 – Recruitment and Retention Premia
- f Section 46 (Paragraph 46.46 – 46.48) – Nationally Agreed Recruitment and Retention Premia
- f Annex J – Local Recruitment and Retention Premia Criteria
- f Annex R – Guidance on the Application of Nationally Agreed Recruitment and Retention Premia

Appendix A

ALL WALES PROTOCOL FOR PAYING RECRUITMENT AND RETENTION PREMIA (RRP)

INTRODUCTION

Annex D of the AfC Agreement covers the criteria by which NHS employers may consider applying for and paying a local RRP. This document proposes the arrangements for Wales in order for local employers to consult appropriately with local health economies.

The guidance states that where employers believe this to be the most effective way of resolving a local problem, they should then consult with neighbouring employers and other bodies before implementing any premium. The purpose of this protocol is to ensure consistency in the application and payment of RRP in Wales.

It is not expected that NHS employers in Wales will seek to introduce local leads or allowance payments instead of this process.

PROCESS

Attached is a short proforma for completion by individual employers wishing to apply for a RRP. It must be signed off by the Director of Workforce and Organisational Development / Chief Executive and the Chair of Staff Representatives, since any decision for local RRP shall have been taken on a partnership basis. This process may also be used for joint application by employers where RRP are being sought to address identical problems. The proforma should be sent electronically for comment to all HR Directors in Wales with a week's response time. Any responses received should be collated by the applying organisation and submitted to the sub committee of the Terms and Conditions Subgroup comprising:

1. Welsh Assembly Government Representative
2. Staff representatives from the All Wales Terms and Conditions Subgroup
3. Management representatives from the All Wales Terms and Conditions Subgroup

which will meet on an ad hoc basis as required.

Two employer representatives (consisting of one management representative and one staff representative) may be invited to address the sub committee and to answer any questions not clarified during the consultation process. The sub committee may seek further written or oral

evidence as necessary at any time during this process.

The sub committee will consider all evidence presented to it. It must be satisfied that the evidence put forward is sufficient to provide an adequate defence against a potential equal pay claim from other staff groups, if the application for an RRP were to be successful.

It must also reassure itself that employers in Wales who apply for RRP have given the process the same scrutiny and are unable to find an alternative local solution, which may not necessarily be based on pay. **Alternative structures, modernisation and service redesign are all options which should be considered before an RRP is sought.**

It therefore follows that the sub committee's purpose is not to prevent the use of RRP, but to reassure the Welsh Assembly Government and the Partnership Forum that where these are being applied, it is both prudent and safe to do so. The decision of the sub committee will be final, although it may be invited by the Terms and Conditions Sub Group or its successor body to reconsider cases in the light of new and compelling evidence.

This protocol will be reviewed in **June 2005** by the Terms and Conditions Sub Group to ensure that it fulfils its purpose in protecting NHS Wales from equal pay claims but allows the service to address recruitment and retention issues in as timely a fashion as possible.

Appendix B

PAY MODERNISATION NHS WALES APPLICATION TO PAY A RRP

Name of Organisation: _____

Please give an overview of the recruitment/ retention difficulty for which the RRP application is being made. (Please attach any other evidence which you wish the panel to consider, for example local/national labour market surveys, recruitment and retention action plans and outcomes, turnover, vacancy rates, details from relevant exit interviews)

Do you intend to pay the RRP on a long term or short term basis? (short term = up to 12 months)

If short term, for how long? _____

How many staff does this affect? (please give head count and WTE) _____

Please detail any potential “knock on” effects within your organisation if this premium payment is made.

Please confirm that you have considered **alternative solutions (such as restructuring, service redesign/ modernisation, and role enhancement)** and other non-pay benefits (e.g. training and development, childcare support) and are convinced that paying an RRP is the only practical solution.

Does a national RRP already apply to this staff group? If so, can you confirm that the proposed RRP together with the national RRP do not increase base salary by over 30%?

Signed _____ (Director of Workforce and Organisational Development/ Chief Executive)

Date _____

Signed _____ (Chair of Staff Representatives)

Date _____

Appendix C

PAY MODERNISATION NHS WALES APPLICATION TO EXTEND A SHORT-TERM RRP

Name of Organisation: _____

Please show the evidence which demonstrates that the issue which originally gave rise to the short term RRP persists (for example local/national labour market surveys, vacancy rates).

For how long is this extension requested? _____

How many staff does this affect? (please give head count and WTE) _____

Please detail any potential “knock on” effects within your organisation if this premium payment is made on a continued basis.

Please detail changes you have introduced in the time since the original application or provide evidence that you have considered **alternative solutions (such as restructuring, service redesign/modernisation, and role enhancement)** and other non-pay benefits (e.g. training and development, childcare support) and are convinced that continuing to pay an RRP is the only practical solution.

Does a national RRP already apply to this staff group? If so, can you confirm that the proposed RRP together with the national RRP do not increase base salary by over 30%?

Signed _____ (Director of Workforce and Organisational Development / Chief Executive)

Date _____

Signed _____ (Chair of Staff Representatives)

Date _____

Appendix D

PROCEDURE FOR APPLYING FOR A RECRUITMENT AND RETENTION PREMIUM

The flow chart below is an overview of the process, together with indicative time scales.

Employers forward
completed request proforma
with summary supporting
evidence electronically to all
HR Directors in Wales

1 week

Comments received
electronically from HRD's,
attached to business case and
sent to Pay Modernisation
Unit

1 week

PMU arranges for panel to
meet, notifies employer

Panel meets, seeks
information as necessary,
reaches conclusion

3 weeks

Employer notified in writing

1 week