

HSC in Northern Ireland Pay Offer Consultation



FREQUENTLY ASKED QUESTIONS

The following FAQs provide some background information regarding the pay situation in Northern Ireland, including information on the recent dispute and industrial action. It then goes on to provide specific FAQs on the pay offer itself. These will be added to if common questions arise during the consultation.

The Background

Why is pay different in Northern Ireland?

In 2018 a three-year pay deal for the NHS was agreed for England and subsequently also for Wales and Scotland. The agreements combined a pay award for each of the three years from 1st April 2018 – 31st March 2021, along with significant reform of the Agenda for Change (AFC) pay scales. The reforms improved starting salaries and changed the previous annual incremental system, which included some staff taking up to 7 years to reach the top of the band and had significant overlaps between bands. Each band will have 2-3 pay step points, and although staff no longer progress annually, in most bands staff get to the top of the band more quickly. Points at the bottom of each band have also been removed to ensure there is no overlap between bands. It was a complex agreement due to the reform element, and changes were needed within bands during each of the three years to move toward the final new structure, which will be in place by April 2021.

At the time of the agreement, Northern Ireland had no functioning executive and continued to be without a Northern Ireland Assembly for over three years. It was therefore not able to approve a three-year deal without a minister.

What happened in 2018?

At the start of the 2018 pay award across the rest of the UK, Northern Ireland pay was already behind, as in 2015 a decision was made to give a second non-consolidated pay award when in England the award was consolidated.

In 2018, the health unions in Northern Ireland, including the CSP, entered into discussions with the Department of Health and employers in Northern Ireland to try and secure commitment to the three-year deal and a pay rise for the first year. The lack of functioning executive continued to hamper these discussions, particularly as the Department continued to state it was not able to agree beyond one year at a time.

As it was not possible to reach agreement during these discussions, in February 2019 the Department imposed a pay rise effective from April 2018. This pay rise was the same percentage as applied in NHS England but allied to Northern Ireland's lower pay scale. So although it did deliver the start of the pay reform it did nothing to close the existing pay gap between Northern Ireland and the rest of the UK

What happened in 2019?

In April 2019 the year 2 pay rise was implemented across the rest of the UK and again Northern Ireland were left in a position of uncertainty, a lack of any agreement and no pay rise. The health unions remained committed to bringing Northern Ireland pay in line with England and Wales and achieving the full AFC reform. Despite numerous meetings with the Department of Health and employers during 2019, the CSP and other health unions were unable to agree an offer put forward by the Department of Health and employers as it did not achieve pay parity for HSC staff in Northern Ireland and would actually have seen the pay gap increase.

Why did the CSP move to an industrial action ballot?

During 2018, we gathered views from members as to whether they would be prepared to take action due to the on-going pay disparity. At that time it was clear, that whilst members were not happy with the situation, they did not support industrial action at that stage. However, as the issue failed to get resolved into 2019 and with no agreement in sight, we wanted again to assess members' views. In September and October 2019 we undertook a number of workplace meetings in all five HSC Trusts across Northern Ireland. At these meetings over 90% of you indicated you would be prepared to take industrial action to achieve pay parity with England and Wales. This was followed up with an on-line indicative survey during November, which confirmed over 90% of you were willing to take industrial action. In early December the CSP Council met and on this basis agreed that we would go ahead and ballot members.

Why didn't the CSP ballot earlier so we could take action at the end of last year?

It is always crucial to ensure members are prepared to take industrial action before going to a ballot as legally the result has to be declared. Once CSP members had indicated that they were prepared to take action during the consultation in September – November, this went to the CSP Council of elected members to decide on whether an industrial action ballot would go ahead. This was agreed in early December.

Alongside this consultation process we had also started the necessary preparation to conduct a legal ballot. The rules around conducting a ballot are extremely strict and require us to provide the total number of members employed and a breakdown of how many are based at each workbase. This has to be provided to the relevant employer prior to the start of any ballot. It has to be as close to 100% accurate as possible at the time or it could be challenged and thereby jeopardizing the whole ballot. It took significant time to get this information up to date, firstly by stewards checking member lists and then through the CSP directly contacting members where it was clear their employment profiles on the CSP website had not been updated.

In addition to the need to meet legal requirements, the health unions had also agreed there was strength in ensuring a second co-ordinated wave of action from the AHP health unions and the Royal College of Midwives who were not in a position to ballot back in September 2019. It was therefore crucial that the CSP co-ordinated our ballot timetable with this smaller group to ensure we were in a position to meet the same timetable.

How has the CSP been involved during this time?

The CSP was one of six unions that formed the negotiating team to meet with the Department and the employers. As with all negotiations, many of the details of the meetings were confidential and therefore it was not possible to share with members all the information whilst talks were on going. However, we continued to send emails to members throughout this time to provide updates of key developments.

Also at the same time the Northern Ireland affairs committee at Westminster was conducting a review in health service funding in Northern Ireland. The CSP submitted evidence to the committee to highlight the pay issues that HSC staff were experiencing.

The Pay Offer

How do I work out what I should be on and when I should get it?

The consultation document includes a table, which shows the proposed journey for each member of staff. It is also hoped that an on-line pay calculator will be available from the Department of Health during the consultation process.

Why is my colleague getting a bigger increase than me when we are on the same band?

Individual pay awards vary because they are made up of differing mixtures of annual pay awards, incremental pay progression and improvements to the pay structure. Staff at the top of their pay bands are already at the full rate for the job they do and therefore no longer gain from increments. When these reforms were brought in across England, Wales and Scotland the main aim was to create a fairer system for the future. There were concerns that current pay bands contain so many pay points that it can take six, seven or eight years to reach the full rate for the job.

Health unions were also concerned that the overlaps between pay bands were both unfair, and risky from an equal pay point of view. This is because they mean that staff doing a job at a higher band can, for a period of time, get paid the same or less than someone in a job that is in a lower band.

However, the reforms mean that the proposals give greater increases to those staff at or near the bottom of the pay bands. This arises from deleting pay points from the bottom of bands and merging points upwards, at the same time as individuals may be moving up an increment. This is complicated and means that the proposed pay deal will mean different things for different people, but we believe it is worth it in order to create a fairer system for the future.

Why doesn't my proposed pay journey show a rise on my incremental date?

This is for one of the following reasons:

- you are at the top of the band and no longer receiving increments.
- you are on a bottom increment that is being removed so you are automatically put on the next point, in effect receiving your increment early. Although you will still keep your incremental (pay step) date for future purposes, you will not receive a second increment in one year.

- your pay point is being combined/merged as part of the transition process. If when you look at your pay journey you get the larger part, or the total of your rise, for any given year in April rather than your incremental month, this will be due to the 'smoothing' process during transition of moving from 7-9 incremental points in a band down to either 2 or 3 which means some points merge during the transition period. This means for that year you will in effect be receiving your increment early.

What happens to incremental dates under the proposed deal? Will these be changed?

No everyone will retain their existing incremental date. For new entrants their incremental date (or pay step date), will be the date they joined.

What will happen to increments in April 2021?

The majority of staff will have reached the top of their band by the end of March 2021. For staff still going through their band, for new staff, and for those promoted, they will move onto the new incremental pay progression system.

The new system is described in the consultation document and will no longer include annual increments. A number of bands will have an entry point and then just one top pay point. Depending on the band it may be between 2-5 years before reaching the top point. In bands 5-7 there are also intermediate points that you reach after two years, with the final point being after four years for band 5, and five years for bands 6 and 7.

Have there been any changes to how pay on promotion works

No, employers should continue to follow the provisions in section 6.12 of the handbook. This section states that pay on promotion should be set either 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 and increase in pay. At the end of the reform process there will no longer be overlaps so promotion will normally be to the bottom of the band above.

Won't my rise just get swallowed up in higher pension contributions in the future?

The NHS Pension Scheme is separate from Agenda for Change and therefore from NHS/HSC pay. The scheme arrangements, benefits and contributions are monitored by a separate scheme advisory board and are subject as required legally to an 'actuarial valuation' to assess financial health every 3 years. The current tiered arrangements mean that at certain points a pay rise or increment can move a member of staff into a higher tier. However, it is important to note that pension contributions should be considered 'deferred pay'; as a result, while higher pay does mean higher contributions, it also means a higher pension on retirement.

There are also other payments that may change as they are related to earnings levels, such as repayment of student loans and tax rates.

Are there any changes to the NHS job evaluation system?

No the underpinning NHS job evaluation scheme will remain unchanged. Jobs will continue to be evaluated or matched to determine the appropriate band.

What does the column for years of experience mean?

Years of experience is a way of describing pay points in the transitional pay structure. Because of the structural reform to the pay bands (with overlapping points being removed), it is no longer possible to use the same spine point numbering conventions. Therefore the years of experience column has been introduced. It is designed to represent the minimum number of years it would previously have taken to reach the equivalent spine point.

On transition into the new pay structure, staff have been automatically assimilated to the correct pay point.

In most cases years of experience will align with the pay point, but it may not do in all cases. For example, staff may have skipped pay points on promotion in order to ensure they received a pay rise. This might mean they started on point 3 of a band 7 pay scale but have less than one year's experience at that level. Therefore, if years of experience and pay points do not align it does not mean an individual is on the incorrect point.

Why are some staff in bands 8 and 9 getting a consolidated increase in 2020/21?

In the new proposed pay system Bands 8a – 9 have two pay points and staff will need 5 years of service to reach the top of their band. The final reform of these pay bands will be complete with effect from 1 April 2020 when the pay bands moves to this two point structure; an entry point and a top point.

A number of staff in Bands 8a – 9 are near the top of their band but have less than that 5 years of service. However, the deletion of all other pay points above the entry rate from April 1 2020 means that there is no suitable substantive pay point for affected staff to be placed on.

To address this situation and ensure the no detriment clause is delivered, a consolidated payment will apply to these staff in bands 8a, 8b, 8c, 8d and 9 in 2020/21. These will be paid in monthly installments pro-rata to the date of the individual moving to the denoted salary points (i.e. their pay progression date).

What happens if I have changed jobs since April 2019?

If you have changed jobs but are still with the same employer then they will map your new pay onto your journey to assimilate you to the correct point and then work out your back pay.

If you have changed employer then you may need to contact your past employer to ensure they have your bank details for any back pay you are owed.

What happens if I have retired since April 2019?

If you have retired since April 2019, we are seeking confirmation from the pensions scheme administrators that they will re-evaluate your pensions payments taking account of

the pay you should have been on at the time of retirement. With regards to any back pay, you may need to contact your previous employer to check they have your correct bank details.

Why is the CSP Employment Committee recommending acceptance of the pay proposal?

The CSP members on the employment committee have been following the pay situation in Northern Ireland for some time. They noted that this offer delivers the pay parity with England that was requested when we formally lodged the dispute with employers on behalf of members and in light of this, they are recommending acceptance.

What is happening to the safe staffing concerns that were raised?

Some other health unions: RCN, Unison and Nipsa specifically raised the issue of safe staffing along with pay as part of their dispute. They have received a response to this as part of the consultation document. The CSP, along with all the other health unions, had lodged a dispute on the pay parity issue only and therefore we are not consulting members on the safe staffing proposals.

However, the CSP, along with other AHP colleagues will continue to make the case for adequate staffing across all groups of staff to ensure patient care throughout the pathway can be delivered.

There is currently an AHP workforce review steering group and we will be using that group to maintain pressure for the full implementation of the completed workforce reviews