

Part 1: Principles and partnership

Principles and partnership

1.1 All NHS employers are obliged to adhere to employment and tax law and other statutory provisions. The NHS Staff Council will review this handbook periodically, taking account of changes to relevant legislation.

1.2 In Scotland, the statutory framework includes legislation on staff governance as set out in the NHS Reform (Scotland) Act 2004 and the Staff Governance Standard. Compliance with this standard includes implementation of Partnership Information Network (PIN) guidelines, which define a minimum standard of best employment practice. This handbook should be read in conjunction with the provisions of the PIN policies as listed in annex 22.

1.3 The provisions set out in this handbook are based on the need to ensure a fair system of pay for NHS employees which supports modernised working practices. The provisions recognise that modern forms of healthcare rely on flexible teams of staff providing patient care 24 hours a day, 7 days a week, 365 days a year and applying a wide range of skills.

1.4 Nationally, employer and trades union representatives have agreed to work in partnership to maintain an NHS pay system which supports NHS service modernisation and meets the reasonable aspirations of staff. The national partners have agreed to work together to meet the reasonable aspirations of all the parties to:

- ensure that the pay system leads to more patients being treated, more quickly and being given higher quality care
- assist new ways of working which best deliver the range and quality of services required, in as efficient and effective a way as possible, and organised to best meet the needs of patients
- assist the goal of achieving a quality workforce with the right numbers of staff, with the right skills and diversity, and organised in the right way
- improve the recruitment, retention and morale of the NHS workforce

- improve all aspects of equal opportunity and diversity, especially in the areas of career and training opportunities and to ensure working patterns that are flexible and responsive to family commitments
- meet equal pay for work of equal value criteria, recognising that pay constitutes any benefits in cash or conditions.

1.5 Effective from 1 July 2018, new provisions will come in to force which apply to England only, accounting for the negotiated changes to pay and contract reform as set out in the Framework Agreement on the reform of Agenda for Change. In light of the Barnett formula, the devolved nations of Scotland, Cymru/Wales and Northern Ireland will be able to consider whether and how the content of 2018 Framework Agreement could be implemented in those countries.

Local partnership

1.6 Trades union and employer representatives at national level actively support, encourage and promote a partnership approach to the development of the pay system. Their aim is to ensure the pay system supports NHS service modernisation and meets the reasonable aspirations of staff. Employers and trades unions are expected to work in partnership to apply the pay system at local level.

1.7 To this end, employers should ensure that the representatives of trade unions and other staff organisations, recognised for purposes of collective bargaining at local level, are released appropriately to participate in the partnership process and that nominated officers of local staff representatives can be fully involved in the local partnership arrangements. The adequacy of facilities arrangements will be monitored by the NHS Staff Council.

1.8 Within NHS Scotland the Staff Governance Standard applies. This can be found at: <http://www.staffgovernance.scot.nhs.uk/what-is-staff-governance/staff-governance-standard/>

Wider human resources issues

recognise that the pay system should be consistent with the wider human resource policies set out in the relevant strategies.

*Amendment number 33: The NHS Staff Council Pay circular (AforC)
04/2014*

Amendment number 39: NHS TCS Advisory Notice 01/2018