Job evaluation and equal pay when organisations change/restructure

NHS Employers

NHS Staff Council Job Evaluation Group

25 Nov 2025

NHS Employers and the Job Evaluation Group

Session outline

Introduction

Workforce reprofiling (Annex 24) and the Job Evaluation Scheme

Key information for organisations to consider in service reconfiguration

Questions and answers

Workforce re-profiling

Annex 24 provides advice on how the principles and processes of the NHS Job Evaluation Scheme (NHS JES) can assist organisations in developing and implementing new ways of working and revised job principles locally and how local partnerships can benefit from the NHS Staff Council agreement.

- (v) the re-profiling exercise should look first at the skills, tasks and responsibilities needed to carry out roles rather than the bands required

- (vii) the re-profiling exercise should be supported by and comply with the processes and guidance contained in the NHS JES (or the appropriate system for staff outside Agenda for Change groups)

- Revised job documentation for all roles should be put through the established joint job matching/evaluation process consistent with the Job Evaluation Handbook.

NHS Job Evaluation Scheme

The NHS JES is used by employers to determine the pay banding of roles in a way that ensures equal pay for work of equal value.

Important to ensure that the principles and practices in relation to the NHS JE Scheme are used by organisations as they develop and implement new and revised job structures.

Ensures staff are paid correctly for the work they are required to deliver.

Manages equal pay risk.

Equity, fairness, consistency, transparency

Equal pay - Equality Act 2010

Equality clause – women and men should have equal pay for equal work, that is:

- Like work – same or similar jobs.
- Work rated as equivalent – same or similar points under a Job Evaluation Scheme.
- Equal value – when jobs are compared under headings such as skill, effort and decision-making.

Requires a comparator of the opposite sex.

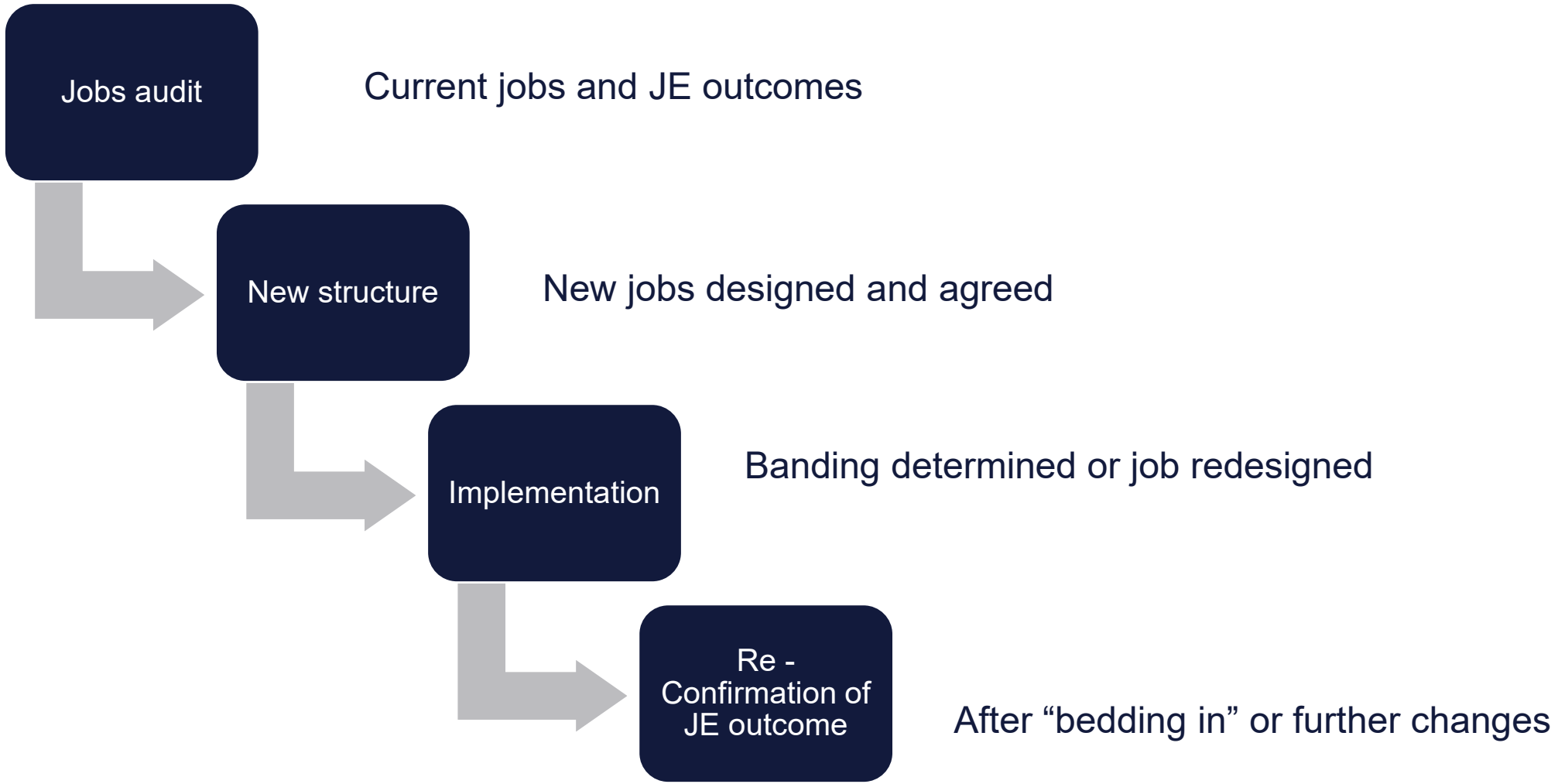
The equal pay implications of service reconfiguration

- If there are significant differences in how the NHS JES was implemented across legacy organisations, this could lead to equal pay disputes.
- Where organisations come together all employees are considered to be “in the same employment” so comparators could be made with posts from legacy org.
- Limited tribunal leniency: employment tribunals may take the TUPE process into account, but only for a limited time.
- Need for harmonisation.
- Situation with group models has not been tested legally as yet, but cases regarding pay equality in the retail sector indicate that comparators within the group could accepted.

Advice for restructured organisations

- Review job evaluation practices and capacity.
- Scope out any work that will be necessary to ensure there is no risk of pay inequality for example:
  - all staff have an up-to-date job description and that JE records made available
  - changed roles or been brought in from other organisations – review and consistency check all legacy JE outcomes.
- Chapter 4 of the NHS Job Evaluation Handbook

Chapter 4


Jobs audit
Current jobs and JE outcomes
New structure
New jobs designed and agreed
Implementation
Banding determined or job redesigned
Re - Confirmation of JE outcome
After “bedding in” or further changes

Good job evaluation practice

Nurture partnership working

Build internal JE capacity

Ensure robust record keeping / audit trail of decision making

Partnership working

Partnership working between staff and management has been integral to every aspect of the NHS Job Evaluation scheme including:

- scheme design and development
- information collection and analysis
- evaluation and scoring
- training and implementation

Partnership working

- 16 trade unions are recognised within the NHS.
- Refers to how employers and staff side unions work together on the local implementation of the Job Evaluation Scheme.
- Builds trust, engagement and joint ownership of decisions being made.
- Staff side job evaluation practitioners should be nominated by and accountable to a local branch or staff side.
- Job evaluation should be managed locally by a staff side and a management side JE lead.
- **https://www.nhsemployers.org/publications/tchandbook#part-1-principles-and-partnership**

Building capacity

- Ensuring sufficient resource – for administration and for panellists.
- Supporting line managers with service design and job description writing – informed by JE.
- Having sufficient trained panellists – and a succession plan to ensure numbers.
- Enabling staff to be released to sit on JE panels.
- Regular refresher training.
- Cascading guidance and information (eg from Community of Practice sessions).

Audit trails and record keeping

- Problems caused if (legacy) records not available.
- Each job should be covered by a current job description – reviewed at least every three years.
- JE outcome report should be available for all jobs – need to go to panel if not (even if job description not changed).
- Ensure whatever system used is transportable by csv file (future digital system for England from 2027).

The role of line managers

- Undertake job design and service development with an understanding of the requirements of job evaluation and the potential impact on pay banding that their decisions may have.
- Understand the difference between supporting career development of staff, with changing the requirements of the job they are employed in.
- Ensure job documentation for all staff is accurate and up to date – review at least every three years, preferably annually.
- Support staff to participate in job evaluation panels.
- Job evaluation: what line managers need to know | NHS Employers

Writing/reviewing job descriptions

A job description is a key document for job evaluation

BUT

it should not be written simply to follow and give information on each the 16 factors of the NHS JES using factor definitions.

Writing/reviewing job descriptions

- Describe the responsibilities of the role and the skills needed to perform the role.
- Define where the job fits within the overall company hierarchy.
- Outline the types of activities a post-holder is expected to do and decisions they may need to make.
- Outline the autonomy a post-holder has in undertaking the duties required by the role.
  - Work with JE trained practitioners and HR/People lead from the start.
  - Caution re using job descriptions from other organisations.
  - Review regularly – annual appraisal or whenever recruiting.
  - Staff who disagree with revisions (or lack of revisions) can lodge grievance under local policy.

ACAS advice

Have an equal pay policy.

Ensure job descriptions are kept up to date.

Undertake equal pay audits.

“Be consistent when deciding people's pay and contractual terms and conditions” – ie use an analytical JES.

EHRC advice

If job evaluation procedures are not followed for new or changed jobs – or if up-to-date evaluation records cannot be produced - a tribunal may not accept that a job has been adequately evaluated.

Providing regular training on job evaluation will help to ensure skills and knowledge are fresh and reflect best practice.

Q&A

Session feedback

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Thank you.

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