

Scottish Terms and Conditions Committee

Ref: STAC(TCS01)2020

10 March 2020

To: Directors of Human Resource:
NHS Boards and Special Health Boards,
NHS National Services Scotland (Common Services Agency), and
Healthcare Improvement Scotland.

CC: Chief Executives,
Directors of Finance,
Members, Scottish Partnership Forum
Members, Scottish Terms and Conditions Committee
Members, Scottish Workforce and Governance Committee

Dear Colleague

ORGANISATIONAL CHANGE PAY PROTECTION

Further to the requirements and guidance recommended in [PCS\(AFC\)2019/5](#) and [PCS\(AFC\)2019/8](#), the Scottish Terms and Conditions Committee (STAC) wish to provide further guidance and information on annual review and audit. In addition, we want to clarify the arrangements for processing pay awards for employees who are on pay protection as a consequence of organisational change.

In [PCS\(AFC\)2019/5](#), paragraph 5 stated that we would develop a standard template which Boards could use for their annual audit and review of Organisational Change. That template is now attached as ANNEX A. The first return should be made for the year ending 31st March 2020, covering the period 1 April 2019 to 31 March 2020. The return should be signed off by the Joint Chairs of the Area Partnership Forum (APF) and thereafter sent to STAC Secretariat via Colin Cowie (colin.cowie@scotland.gsi.gov.uk).

In addition, in order to inform the arrangements for monitoring organisational change pay protection costs, STAC would like details of each Boards spend for 2017/2018 and 2018/2019. A total figure for these costs will suffice. Please note, the template is for gathering data for staff on protection and/or on the Redeployment Register as a result of Organisational Change only.

All NHS Boards are reminded that in accordance with [PCS\(AFC\)2019/5](#), Annex A, key principle 3(vii), it was recommended that all employees moving into protected earnings will receive written confirmation and guidance on how protected earnings will be applied and arrangements for working up to the level of protection. In the attached template, Boards are asked to confirm that arrangements are in place to provide this written confirmation to staff that move into protection.

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In [PCS\(AFC\)2019/8](#), Annex B, Question 15, clarified that the new arrangements for AfC rates of pay, removal of spine points and increment changes meant that the uplift for some staff on organisational pay protection would not necessarily be the headline uplift of 2.8%. This will require payroll to manually re-calculate to ensure that employees are paid correctly. Early modelling work suggests a number of staff have been underpaid. This now requires to be rectified. A small number of employees may also have been overpaid. In this situation, payroll departments should apply their normal processes for recovering overpayments.

Can you please complete the attached template and return no later than **29 May 2020**. Thereafter, templates should be completed and submitted on an annual basis. The attached template is available in an editable version for Boards to download and use on the Circulars and Guidance page of the STAC Website - www.stac.scot.nhs.uk/circulars.

Yours sincerely



Calum Campbell
Chief Executive
NHS Lanarkshire
STAC Management Side Co-Chair



Colin Poolman
Senior Officer
Royal College of Nursing
STAC Staff Side Co-Chair

NHS Scotland

**Monitoring of Organisational Change for year ending 31 March 2020
(i.e. 1st April 2019 to 31st March 2020)**

Name of Board:	
Date Completed:	
Completed by:	

Agenda for Change Staff Groups:

	Number of staff on protection as a result of Organisational Change, split by Band.	Total cost of Organisational Change Protection, split by Band.	Number of staff on the redeployment register as a result of Organisational Change, split by Band.
AHP			
HSS			
AS			
SS			

N&M			
PSS			

Medical and Dental Staff Groups:

	Number of staff on protection as a result of Organisational Change, split by staff group and grade.	Total cost of Organisational Change Protection, split by staff group and grade.	Number of staff on the redeployment register as a result of Organisational Change, split by staff group and grade.
Medical (Consultants, Juniors, SAS etc)			
Dental			

Executive and Senior Manager:

	Number of staff on protection as a result of Organisational Change, split by Grade.	Total cost of Organisational Change Protection, split by Grade.	Number of staff on the redeployment register as a result of Organisational Change, split by Grade.
Executive and Senior Managers			

General:

Please provide a total number of staff that have been on your redeployment register as a result of Organisational Change for more than 12 months.

Please provide reasons why redeployment into suitable alternative employment is providing problematic for those on the register for more than 12 months? This should describe the generic reasons to avoid any breach of General Data Protection regulations in regard to personal information.

NHS Scotland

**Monitoring of Organisational Change
Total Organisational Change Pay Protection costs**

Please provide total year costs for Organisational Change Pay Protection for the following years:

2017/2018	
2018/2019	

Can you please confirm (by ticking the relevant box below) if all employees moving into protected earnings as a result of Organisational Change received written confirmation and guidance on how protected earnings will be applied and arrangements for working up to the level of protection?

Yes	Comments:
No	Comments (If No, reasons why):