

The Scottish Government
Health Workforce Directorate
Employment and Retention Division¹



8 August 2008

Dear Colleague

BLOCKED MATCHING PROTOCOL

Summary

1. In recognition that there may be issues relating to job evaluation that cannot be resolved locally, the UK Staff Council agreed to the development of a protocol for addressing instances of "Blocked Local Matching/Evaluation and Consistency Checking".

2. This protocol has been successfully used in England by a number of Strategic Health Authorities and, after discussions in partnership through the Scottish Terms and Conditions Committee, it has been agreed that the same approach should be adopted in Scotland.

3. The protocol should be implemented as soon as it becomes clear within an organisation that there is an absolute failure to agree an Agenda for Change outcome in partnership, most likely following the final local consistency checking stage. It is intended only to address issues around banding outcomes with any breakdown in procedural issues being dealt with through local grievance procedures.

Cabinet Secretary approval

4. This circular has been approved by the Cabinet Secretary under regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (S.I. 1991/537). A copy of the formal approval is attached.

Addresses

For action

Chairs, NHS Boards and Special Health Boards and NHS National Services Scotland (Common Services Agency)
Chief Executives, NHS Boards and Special Health Boards and NHS National Services Scotland (Common Services Agency)
Directors of Finance, NHS Boards and Special Health Boards and NHS National Services Scotland (Common Services Agency)
Directors of Human Resources, NHS Boards and Special Health Boards and NHS National Services Scotland (Common Services Agency)

For information

Members, Scottish Partnership Forum
Members, Scottish Terms and Conditions Committee
Members, Scottish Workforce and Governance Group

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Action

5. NHS Boards, Special Health Boards and NHS National Services Scotland (Common Services Agency) are asked to note the attached protocol and apply it where the requisite conditions are met.

6. Employers should make their own arrangements for obtaining additional copies of this circular, which can be viewed at:

www.show.scot.nhs.uk/sehd/publications.asp

Yours sincerely

Colin Cowie

Health Workforce: Employment and Retention
Pay, Pensions and Benefits Realisation Unit

The Scottish Government
Health Workforce Directorate
Employment and Retention Division¹



**NATIONAL HEALTH SERVICE
APPROVAL OF REMUNERATION AND CONDITIONS OF SERVICE**

In accordance with regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (S.I. 1991/537) the remuneration and conditions of service set out in the attached Scottish Government Health Workforce Directorate circular of 8 August 2008 – PCS(AFC)2008/10 – in respect of a Blocked Local Matching/ Evaluation/ Consistency Checking Protocol are hereby approved for the purposes of the said Regulations.

Elinor Mitchell
Scottish Government
Health Directorates
St Andrew's House
EDINBURGH
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8 August 2008

AGENDA FOR CHANGE

BLOCKED LOCAL MATCHING/ EVALUATION/ CONSISTENCY CHECKING PROTOCOL (SCOTLAND)

Introduction:

This protocol should be implemented as soon as it becomes clear within an organisation that there is an absolute failure to agree an Agenda for Change outcome in partnership, most likely following the final local consistency checking stage. It is intended only to address issues around banding outcomes, with any breakdown in procedural issues being dealt with through local grievance procedures.

1. Where the parties within an employing organisation (Management and Staff Side) have been unable to conclude the matching and/or evaluation process, or consistency checking of outcomes locally for any post or group of posts, either of the parties may approach the Co-Chairs of the Scottish Terms and Conditions Committee (STAC) for assistance to help resolve the issues or areas of disagreement.
2. If not resolved through initial discussion with the Co-Chairs of STAC, and if the situation is agreed to be genuinely intractable, arrangements will be made for a meeting of the interested parties (this may on occasions have to be by video or telephone conference). The directly interested party/parties will be asked by the Co-Chairs of STAC to submit relevant documentation (job descriptions, matching/evaluation outcomes, consistency checking records) to support the resolution process.
3. If the issues are not resolved through the meeting of the parties, then the Co-Chairs of STAC shall establish a national panel to undertake matching or evaluation consistency checking of the job or group of jobs.
4. The panel will be drawn from a pool of matching and evaluation panellists drawn in equal numbers from the management and staff side. Panel members will be provided by the Co-Chairs of STAC and will not include panellists from the Board involved or anyone connected with the same job group.
5. All panellists will be qualified and experienced in both matching and/or evaluation processes. In addition, the panel may be assisted by an agreed independent job evaluation expert.
6. The membership of the panel will be the subject of consultation with all the relevant parties so that there is consensus and confidence in the process and those participating in it.
7. Arrangements for the convening and meeting of the panel will be made by the Co-Chairs of STAC and the Co-Chairs of STAC will be responsible for the notification of the outcome of the matching or evaluation process to the NHS Board concerned who will in turn notify the staff affected by the decision. All costs will be met by the Health Board requesting assistance.

8. Signed terms of reference shall be drawn up by the Co-Chairs of STAC in partnership with the Board concerned and appropriate staff side representatives. The terms of reference will set out clearly what is expected from the panel and the notification process.
9. Job advisors (staff representatives of the post being considered and line management) shall be made available to the panel to answer any questions or points of clarification. This is in line with the agreed matching and evaluation procedures.
10. Exceptionally, for example if matters emerge from this process that would benefit from national UK advice, the matters may be referred to the Staff Council Executive for consideration who may in turn, at their discretion, seek advice from the UK Job Evaluation Group.
11. In the event that a post holder or post holders request a review of the outcome following application of this process, it must be through their Health Board and the Co-Chairs of STAC will refer the review to another panel convened in accordance with the process described in paragraphs 4 and 5. This process does not build in an automatic right to a further review of local outcomes by individual post holder(s).
12. All outcomes shall be the subject of consistency checking involving a second independent panel in accordance with the process described in the Job Evaluation Handbook.
13. The Co-Chairs of STAC may also convene consistency checking panels in the event of inconsistent outcomes being unresolved by local processes.
14. The arrangements for consistency checking will be the same as those for matching/evaluation as described in paragraphs 4 to 8 of this protocol.
15. Following consistency checking the outcome will be implemented by the organisation.