



Unite response to the Department of Health and Social Care call for evidence on a separate pay spine for nursing

About Unite the Union

- This evidence is submitted by Unite the Union - the largest trade union in Britain and Ireland. Unite's members work in a range of industries including manufacturing, transport, financial services, print, media, construction, not-for-profit sectors and public services.
- Unite is the third largest trade union in the National Health Service and represents 100,000 health sector workers. This includes seven professional associations – the Community Practitioners and Health Visitors' Association (CPHVA), Guild of Healthcare Pharmacists (GHP), Medical Practitioners Union (MPU), Society of Sexual Health Advisers (SSHA), Hospital Physicians Association (HPA), College of Health Care Chaplains (CHCC) and the Mental Health Nurses Association (MHNA) – and members in occupations such as allied health professions, healthcare science, applied psychology, counselling and psychotherapy, dental professions, audiology, optometry, building trades, estates, craft and maintenance, administration, ICT, support services and ambulance services.
- Unite also has 80,000 members in local authorities and 50,000 in the voluntary and community sector many of whom work in services directly involved with or linked to public health. Unite is the main union for public health consultants and specialist trainees entering the specialty through the non-medical route, as well as other public health functions such as public health specialist, consultants and directors of public health, school nurses, health visitors and sexual health advisers.

Questions for organisations

1. **Is there any evidence to suggest that the current AfC pay structure is creating issues for the career progression and professional development of nursing staff in the NHS?**

- No

Please explain your answer and provide any evidence you have to support your views. (Maximum 500 words)

Whilst Unite agrees that there are issues for the career progression and professional development of nursing staff in the NHS, Unite does not believe that these are caused by the Agenda for Change agreement.

Annex 23 of the Agenda for Change agreement includes clear procedures to enable progression for all staff, but these are not being implemented at the moment due to wider systemic failures relating to NHS pay and funding.

Unite is aware from partnership discussions that the Department of Health has data that demonstrates that nurses progress more slowly than many other professional groups within the NHS, including paramedics, midwives, and many other AHPs grouping. It must be stressed though that there is no uniform trend of progression for any professions throughout the service.

Further we are aware that there seems to be a significant racialised element to the trends within nursing, with black and other ethnic minority nurses less likely to progress than other nurse colleagues. Unite therefore believes there may be several intersecting concerns involved, with nurse demographics tending to be more female and ethnically diverse than some of the other occupations within the health service. Nurses are also the most populous occupation on Agenda for Change by a significant margin. As these demographics are more likely to face discrimination at work on the whole, nurse data must be seen in the context of wider concerns about how historically discriminated against groups progress within the NHS.

Unite also stresses that the NHS funding settlement has been grossly inadequate for most of the last 14 years and this is likely having an influence on employers' behaviour. Unite members in nursing reflect that there may be a reluctance by employers to properly support individual nurse progression due to the potential costs involved if progression was implemented consistently across such a large group of staff.

2. Is there any evidence to demonstrate that issues with career progression and professional development are impacting the recruitment and retention of nursing staff in the NHS?

- Yes

Please provide any evidence you have to support your answer. (Maximum 500 words)

There is clearly a significant issue with recruitment and retention across the NHS as a whole and nurses, being the most populous group of staff, are particularly affected.

Individuals' decisions about working for the NHS will be influenced by a wide range of factors and career progression and professional development are clearly two significant factors.

Unite would argue strongly though, that the biggest concerns for all staff in within the NHS, including nurses, are workload, safe staffing and low pay. Nurses pay, like most other occupations, has fallen significantly in value following nearly a decade and a half of real term pay cuts. At the same time demand has risen while staff have left and have not been replaced.

Unite maintains that the solution to the staffing problems within the NHS is not to break up the equality proofed national pay structures but rather to pay all staff a fair day's wage for a fair day's work.

That means a genuinely restorative pay award to value all NHS staff properly for the extremely demanding and vital work that they do.

3. To what extent could existing AfC arrangements accommodate changes to the nursing profession, including changing responsibilities within roles and the introduction of new nursing roles?

- Fully

Please explain your answer and provide any evidence you have to support your views. (Maximum 500 words)

Unite is of the belief that the nursing profession warrants to be included under the annex 20 provisions within Agenda for Change that provides for progression between band 5 and 6.

As part of the NHS Job Evaluation group, we believe that there should be a similar approach taken to that in Scotland where nurses have had their job descriptions reviewed with their manager and this has allowed for progression between grades.

This solution would meet nurses demands for more opportunities to progress, but it needs to be acknowledged that this would require a strong commitment to fund the NHS at a level to cover the costs.

Unite rejects the idea of creating a new pay structure for nurses. Such a move would be divisive and damaging to NHS working practices, expose NHS employers to equal pay claims and create more problems than it would address.

4. Is there any evidence to suggest that issues with career progression and professional development in the NHS are unique to nursing, and would therefore require a solution that is exclusive to nursing?

- No

Please explain your answer and provide any evidence you have to support your views. (Maximum 500 words)

There are significant issues that impact all NHS staff that relate to the wider loss of value for pay within the service. That said, Unite is deeply concerned that there may be a combination of intersecting factors (including the gender segmentation of the nursing workforce which is overwhelmingly female, and worse outcomes for black and ethnic minority staff) that may be leading to greater concerns for nursing occupations.

Given the size of the nursing workforce and the wider budget concerns from 14 years of insufficient funding settlements for the NHS, Unite is concerned that the cost of tackling the issue is preventing nurses from progressing as they should.

An approach that exclusively focuses on nurses risks making these wider problems worse. Such a move could be divisive and damaging to NHS working practices, expose NHS employers to equal pay claims and create more problems than it would address.

5. Do you think the introduction of a separate nursing pay spine would improve the career progression and professional development of nursing staff?

No

Please share any relevant experiences or evidence to support your views. (Maximum 1,000 words)

Agenda for Change is a pay system designed specifically for the NHS, taking into account the roles carried out in the NHS. The structure does allow for progression from bands 5 to 6 already using annex 20 and annex 21. A number of professions already have the opportunity for such progression such as midwives, paramedics and healthcare scientists. It is therefore possible within the existing structure.

It is the view of Unite that creating a new pay structure for nurses is unnecessary and it is far better to use the equality proofed system that currently exists to open up these opportunities for nurses (and all other professional groups that do not have this opportunity). The barrier to this is not the current structure but funding.

If you answered 'yes', please explain how you think a nursing pay spine would achieve this.

N/A

- 6. If you identified issues for nursing staff in the section 'Understanding the problems', please consider whether you think a separate nursing pay spine would directly address these issues and explain the reasons for your view.**

As stated above, Unite believes that the issues facing nursing are not simply explained by looking at occupation alone, but crucially relate to wider funding pressures on the system and intersectional concerns around sex and race discrimination within the system. Unite believes that these concerns are best tackled within the Agenda for Change system and creating a separate nurses pay spine risks making issues worse.

Do you think there are any additional benefits to introducing a separate nursing pay spine that are not directly related to career progression and professional development?

No

Please share any relevant experiences or evidence to support your views. (Maximum 500 words)

Unite does not support the creation of a separate nursing pay spine.

- 7. Do you think there would be risks or potential unintended consequences of separating nursing staff from the current AfC pay arrangements?**

Yes

Please share any relevant experiences or evidence to support your views. (Maximum 1,000 words)

Unite believes that there are a number of unintended consequences from the introduction of a separate nurses pay spine:

- i. It will create division and disunity between the workforce. Resentment and hostility will build up on between those on different pay spines especially if negotiations lead to vastly different reward packages / opportunity. This disunity will negatively impact on team dynamics and ultimately patient care.
- ii. It will lead to calls amongst other well-organised groups for similar separations. Any number of professional groups could organise around arguments of why they are distinct from the rest of the workforce or why market forces mean a separate pay spine is appropriate for them. This would lead back to a Whitley council scenario and all of the equal pay issues that arose historically.
- iii. It will potentially give rise to equal pay claims and it will undermine the equal pay for work of equal value ethos that Agenda for Change is built around.
- iv. It will complicate recruitment and career progression in multi-disciplinary teams (and will be where the equal pay claims as mentioned above could start to arise).
- v. There would be the increased confusion of roles it may have as an unintended consequence.
- vi. There are an increasing number of roles within the NHS that are equally open to nursing and non-nursing staff to carry out, e.g. palliative care teams. The introduction of separate pay scales would make it far less likely that these would be equally open to all groups as employers would seek to limit such roles to whichever pay spine was less costly.

- vii. It will complicate negotiation and consultation with the trade unions. A number of trade unions represent significant numbers of nursing staff including Unite and others, while even the RCN also represent some non-registrants and managerial staff. This would therefore lead to an overcomplication in terms of discussions with trade unions at both local and national levels.
- viii. It will cause even greater differences between the devolved nations and England. This will create issues along the borders and other areas where the workforce move between nations and it would further start to fragment the NHS. Nursing would exist on Agenda for Change terms in parts of the UK but not in others and work would be required to keep two systems live.

8. If you are responding as a membership organisation, please include a view of how this would be received by your membership or profession, and any potential consequences of this.

This submission has been made with input and sign off by our senior health committees. Unite has many members working in nursing including hospital nursing, mental health nursing, school nurses, community practitioners and health visitors. We have several specialised nursing committees and also cover a wide range of other NHS professions. An overwhelming majority of these committee members are strongly opposed to the introduction of a separate pay spine for nurses.

9. Do you agree or disagree with the principle of introducing a separate pay spine exclusively for nursing staff?

Disagree

10. What would be the benefits, if any, of option 1? (Maximum 500 words)

Unite does not support the creation of a separate nurses pay spine. Unite does not see any benefits to this idea and believes that it would undermine joint working and morale within the NHS, fragment NHS pay and create huge concerns for equal pay within the service.

Unite believes that the concerns nurses have must be resolved through a fully funded restorative pay rise for all Agenda for Change staff and implementation of existing progression processes within the agreement.

11. What would be the challenges and wider implications, if any, of option 1? (Maximum 500 words)

Unite does not support the creation of a separate nurses pay spine. Unite does not see any benefits to this idea and believes that it would undermine joint working and morale within the NHS, fragment NHS pay and create huge concerns for equal pay within the service.

12. What practical steps and decisions would be needed to implement option 1? (Maximum 500 words)

Unite is strongly opposed to this proposal.

13. What would be the benefits, if any, of option 2? (Maximum 500 words)

Unite does not support the creation of a separate nurses pay spine. Unite does not see any benefits to this idea and believes that it would undermine joint working and morale within the NHS, fragment NHS pay and create huge concerns for equal pay within the service.

Unite believes that the concerns nurses have must be resolved through a fully funded restorative pay rise for all Agenda for Change staff and implementation of existing progression processes within the agreement.

14. What would be the challenges and wider implications, if any, of option 2? (Maximum 500 words)

Unite does not support the creation of a separate nurses pay spine. Unite does not see any benefits to this idea and believes that it would undermine joint working and morale within the NHS, fragment NHS pay and create huge concerns for equal pay within the service.

15. What practical steps and decisions would be needed to implement option 2? (Maximum 500 words)

Unite is strongly opposed to this proposal.

16. If a separate nursing pay spine were introduced, which of the following would you prefer?

- No preference - neither option would work

Please explain your answer. (Maximum 200 words)

Unite does not support the creation of a separate nurses pay spine. Unite believes that such a move would be costly and divisive; would undermine joint working and morale within the NHS, fragment NHS pay and create huge concerns for equal pay within the service.

17. If you have any views on which members of the nursing workforce should be in scope of a separate nursing pay spine, please outline them. (Maximum 500 words)

Unite is opposed to a separate nurses pay spine.

18. Please include how your suggested approach would best support the recruitment, retention and development of nursing staff in the NHS.

Agenda for Change can provide the solution to recruitment, retention and career progression. Staff who feel that there is an open route from band 5 to 6 (and beyond) will be motivated to join the NHS and will see the progression ahead of them as a reason to stay even in the face day to day challenges in work. This sort of progression and development occurs in other NHS professions as stated above and therefore there is no need for a new pay spine to address these issues.

19. If you have any views on how nursing roles should be assessed against a separate nursing pay spine, please outline them. (Maximum 500 words)

Unite is opposed to a separate nurses pay spine.

20. Please include how your suggested approach would best support the recruitment, retention and development of nursing staff in the NHS.

Agenda for Change can provide the solution to recruitment, retention and career progression. Staff who feel that there is an open route from band 5 to 6 (and beyond) will be motivated to join the NHS and will see the progression ahead of them as a reason to stay even in the face day to day challenges in work. This sort of

progression and development occurs in other NHS professions as stated above and therefore there is no need for a new pay spine to address these issues.

21. Are there any adjustments that could be made to the existing AfC pay structure, or any existing flexibilities within AfC that could be used more effectively, to address any issues you have identified in the 'Understanding the problems' section?

Yes

Please explain your answer and provide any evidence you have to support your views. (Maximum 500 words)

As stated above, Unite believes that Agenda for Change can provide the solution to recruitment, retention and career progression. Staff who feel that there is an open route from band 5 to 6 (and beyond) will be motivated to join the NHS and will see the progression ahead of them as a reason to stay even in the face of day to day challenges in work. This sort of progression and development occurs in other NHS professions as stated above and therefore there is no need for a new pay spine to address these issues.

22. Are there other measures that could be considered to support any issues you have identified in the 'Understanding the problems' section?

Yes

Please explain your answer and provide any evidence you have to support your views. (Maximum 500 words)

Unite believes that the concerns nurses have must be resolved through a fully funded restorative pay rise for all Agenda for Change staff and implementation of existing progression processes within the agreement.

23. Is there evidence of effective solutions that are currently in place within the NHS to support the issues you have identified in the 'Understanding the problems' section?

Yes

Please explain your answer and provide any evidence you have to support your views. (Maximum 500 words)

Agenda for Change is a pay system designed specifically for the NHS, taking into account the roles carried out in the NHS. The structure does allow for progression from bands 5 to 6 already using annex 20 and annex 21. A number of professions have successfully used this approach and developed the opportunity progression such as midwives, paramedics and healthcare scientists. It is therefore possible within the existing structure. To enable nurses to achieve the same progression there must be more funding in the system and a fully funded pay rise for all.

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Richard Munn and Jacalyn Williams
National Officers for Health, Unite the Union

For further information on this written response, please contact:

James Lazou, Research Officer

Unite the Union, Unite House, 128 Theobalds Road, Holborn, London, WC1X 8TN