

Offer

The Trust makes the following offer in full and final settlement of the current dispute:

1	Scope	<ul style="list-style-type: none"> The offer applies to all substantive Band 2 CSWs in post as at the signed date of agreement of this offer. This offer also applies to substantively employed Band 3 CSWs in post as at the signed date of agreement of this offer, who have held a Band 2 CSW role during the period from 1 April 2018. These CSWs may request retrospective recognition at Band 3 for periods where they held a Band 2 CSW role, from 1 April 2018 to the date they commenced in a Band 3 CSW role.
2	Employment Status	<p>This offer applies to those holding a Wirral University Teaching Hospitals substantive or fixed term employment contract and excludes bank and agency workers.</p> <p>For all CSWs that have left and returned to the organisation, the effective date of back pay would be the date of commencement of their new contract of employment, this is with the exception of those CSWs who have retired and returned.</p> <p>CSWs who have retired and returned to the Trust will be eligible to apply for retrospective re-grading and the period of back pay will apply to their whole service subject to the earliest date of re-banding being 1st April 2018, as long as they meet the other criteria listed above.</p> <p>Ex-employees (leavers) are excluded.</p>
3	Duties	<p>Any individuals who have been undertaking one or more of the following duties are eligible, under this offer, to make a claim for retrospective re-grading:</p> <ol style="list-style-type: none"> Performance of ECG recording. Insert IV Cannulation. Insert Female Catheterisation. Removal of catheter and post-catheterisation care. Perform Venepuncture. Perform Bladder Scanning and urinalysis. Apply mould and POP/Fibreglass plasters. Basic wound dressing, wound observations, and skin assessment with Aseptic Non-Touch Technique (ANTT). Wound swabs where Aseptic Non-Touch Technique (ANTT) is required. Patient physiological observations to include all the following range of duties: temperature, blood pressure, pulse, respirations, and urinalysis (or pregnancy testing) and recording of the observations and escalation of observations. Undertaking the role and responsibilities of a theatre circulator.

		<p>12. Care of a newly formed stoma (it is not expected that Clinical Support Workers will undertake this duty going forward).</p> <p>13. Performs tracheal suctioning (it is not expected that Clinical Support Workers will undertake this duty going forward).</p> <p>14. Patient observation for signs of agitation and distress for patients with challenging mental health or dementia health needs</p> <p>15. Collecting blood (for transfusion) from the blood fridge</p> <p>16. A range of duties consistent with the Band 3 'Higher clinical support worker' national AfC profile' which may include, but is not limited, to elements of the above duties or additional duties which may be inclusive of blood glucose level testing and removal of peripheral cannulas.</p>
4	Evidence Requirements	<p>Individuals making a claim for retrospective re-grading will need to provide auditable evidence that they have been undertaking clinical duties throughout each year of the backdating period to date.</p> <p>The Trust will accept a broad range of evidence including patient records (<i>which the Trust will facilitate</i>), training records, competency forms, appraisal documentation, statements from line managers and where an individual may not be able to evidence any of the above, two witness statements from a registered professional who is an employee of the Trust.</p> <p>To aid the process of evidence collection, the Trust will develop proformas for witness statements and our Digital Healthcare Team are already exploring how we can support with evidence collection from Cerner, the electronic patient record.</p>
5	Assessment Process	<p>There will be a panel to review retrospective regrading applications. This will consist of senior managers and will ensure that the sign off of evidence and decision making will not be reliant on any one individual, as requested by UNISON.</p>
6	Appeals	<p>A structured appeals process will be developed to objectively review the original panel decision where an individual employee feels that a decision was either unreasonable or inconsistent with the principles.</p> <p>All appeals will be considered by a more senior decision maker. Any individual attending an appeals panel can be accompanied by a Trade Union representative or colleague.</p>
7	Dates	<p>Retrospective re-grading will be effective for each individual from when evidence confirms band 3 duties commenced, subject to the earliest date of re-banding being 1st April 2018 and the latest date of retrospective re-grading will be the date this Framework Agreement is agreed and signed.</p>

8	Financials	<p>Any back pay will be calculated starting at entry level Band 3 and progress incrementally as per AfC terms and conditions, with enhancements calculated at Band 3, as per Agenda for Change Terms and Conditions.</p> <p>In cases where the above results in any financial detriment when compared to the previous salary (basic pay plus any applicable unsocial hours payments), the previous salary will be maintained until the combination of basic pay, including any unsocial hours payment in the new band does produce a higher salary. In accordance with AfC T's & C's Part 2: Section 1.18, pay on promotion.</p> <p>Any payments to staff will be subject to any appropriate deductions including pension, tax and national insurance contributions in accordance with the regulations set out by the NHS Pension Schemes and His Majesty's Revenue and Customs.</p>
9	Future Skill Mix Review	<p>UNISON is aware that the Trust has commenced a prospective skill mix review of its CSW workforce.</p> <p>The Trust agrees to a return to normal local partnership working to undertake the organisational change process required to implement any changes to the prospective establishment.</p> <p>The Trust commits to an organisational change process in line with the Trust Organisational Change policy and in accordance with Annex 24 of Agenda for Change, which will include meaningful consultation in relation to the details of the establishment review, the process of implementation and any associated review of job descriptions.</p> <p>Although the current dispute relates to retrospective re-banding and back pay rather than the prospective skill mix review, for the purposes of providing clarity, I have set out below the key principles of the review:</p> <p>Where an individual moves into a band 3 post as a result of the organisational change, and they have been awarded retrospective re-banding to band 3, the time frame for backdating will be taken into account in relation to the pay step point.</p> <p>Where an individual moves into a band 3 post as a result of the organisational change, and they have not been awarded retrospective re-banding to band 3, they will be placed at the bottom of the band 3.</p> <p>Any pay arrangements will be in line with the national terms and condition, 'Pay on promotion, Section 1.18, as described above at point 8.</p> <p>Pay protection will apply to anyone displaced through this process in accordance with the Trust's Organisational Change policy. In line with section 8 of the Trust policy, the organisation will seek, during the period of the protection, to find a suitable alternative job at a level commensurate with the protected grade if the employee wishes, although this may not always prove possible. It is a condition of protection that an employee does not unreasonably refuse such alternative employment.</p>

		<p>Some colleagues may prefer to remain at band 2. Where that is the case, this will be supported to find a Band 2 role across the Trust. It is important to note that the results of the CSW skill mix review may determine that this is in a different ward or department. This will not prevent those colleagues applying for backdated re-banding where they feel they have been working outside of their role.</p>
10	The Offer	<p>The offer, once terms have been clarified and if accepted in full, will be a full and final settlement of the current trade dispute between the Trust and Unison and its members and any collective and individual grievances in relation to this issue. Any grievances that individual CSW's have regarding re-banding decision taken through the validation process will be addressed via the appeal process referred to above at point 6.</p>