

Wirral CSW Re-banding Campaign – FAQs

Frequently Asked Questions

Who is in scope of the proposal?

The offer applies to all substantive Band 2 Clinical Support Workers in post on the date that the offer is agreed.

The offer also applies to substantively employed Band 3 CSWs in post when the offer is agreed, 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.

Why are Band 2 CSWs being re-banded?

Band 2 CSWs are being re-banded following a campaign by UNISON CSWs who have been routinely working above and beyond their pay-band for a number of years. This campaign has involved prolonged and sustained industrial campaign which has compelled the Trust to improve their offer.

Why is back pay being offered up to 1 April 2018?

Following the UNISON campaign, strike action and negotiations with the employer, the Trust is offering back-pay and retrospective re-banding to when it's identified that CSWs began undertaking Band 3 duties, up to a maximum (earliest) date of 1 April 2018. This is in line with agreements made with a number of Trusts across the North West.

What duties are considered Band 3?

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:

1. Performance of ECG recording.
2. Insert IV Cannulation.
3. Insert Female Catheterisation.
4. Removal of catheter and post-catheterisation care.
5. Perform Venepuncture.
6. Perform Bladder Scanning and urinalysis.
7. Apply mould and POP/Fibreglass plasters.
8. Basic wound dressing, wound observations, and skin assessment with Aseptic Non-Touch Technique (ANTT).
9. Wound swabs where Aseptic Non-Touch Technique (ANTT) is required.
10. 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.
11. Undertaking the role and responsibilities of a theatre circulator.
12. Care of a newly formed stoma (it is not expected that Clinical Support Workers will undertake this duty going forward).
13. Performs tracheal suctioning (it is not expected that Clinical Support Workers will undertake this duty going forward).
14. Patient observation for signs of agitation and distress for patients with challenging mental health or dementia health needs
15. Collecting blood (for transfusion) from the blood fridge
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

The list above has been agreed by 99% of UNISON CSW members.

What if I'm not doing any of the duties on the list?

Where a CSW is not able to evidence a competency from the list above and undertakes additional duties that would meet the Band 3 national role profile, this can be detailed and submitted to the Trust along with supporting evidence. This will then be reviewed by a panel of senior managers. Support for this process can be provided by a trade union representative. CSWs will also have the right to appeal the outcome.

What evidence will I need to provide?

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.

The Trust will accept a broad range of evidence including patient records (which the Trust will facilitate), 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.

Whose responsibility is it to provide evidence?

It is an individual CSW's responsibility to obtain the required evidence. Line managers will support CSWs and the individual can have trade union support in completion of this process.

To aid the process of evidence collection, the Trust will develop proformas for witness statements and their Digital Healthcare Team are already exploring how they can support with evidence collection from Cerner, the electronic patient record.

How will the Trust support this process?

The Trust will ensure CSWs and Ward Managers are fully supported during the process including the development of a WUTH Template submission form, FAQs, and briefing sessions for both CSWs and Ward Managers to support the process.

What if I disagree with the outcome of my application?

If you disagree with this decision, you are entitled to appeal. You should collect as much evidence as you can to demonstrate that you have been required to undertake additional clinical duties in your Band 2 role and when this requirement began, so that this can be considered through the appeals process. You may wish to seek advice from your trade union if you are in this position.

I've been undertaking Band 3 duties for the past 10 years, but only paid Band 2. How much back pay will I get?

You would receive back pay to the earliest possible point under the offer which is 1 April 2018.

I'm a Band 2 CSW doing Band 3 duties for 3 years. How much back-pay will I get?

Your retrospective re-banding date will be based on when you started undertaking Band 3 duties, to a maximum of 1 April 2018. If you started doing Band 3 duties 3 years ago, then you would get appropriate back-pay from this date.

Will I lose out because the Band 2 and Band 3 enhancements are different?

Those staff who are not moved to the top pay point of Band 3 upon transfer to Band 3, may potentially see a reduction in their new overall earnings dependent upon the enhancement pattern worked. This is due to the Band 3 enhancement rate being lower than the Band 2 enhancement rate. To avoid the earnings of staff reducing in this scenario, the Trust will protect pay at the current level until such a time that staff move annually through the increment points to reach the top pay point of Band 3 (which for staff in this group will be a maximum of 2 years. Some staff may reach the top of Band 3 prior to the 2-year period, at which point protection would cease).

What about my pension payments?

Because there are differences in the Band 2 and Band 3 pension contributions, any additional contributions will be taken out of your back pay.

Will I need to pay tax on back-pay?

Yes. Tax and national insurance will be paid on back-pay.

What if I am retrospectively re-banded to Band 3 but there are insufficient Band 3 roles moving forward. Will I receive pay protection?

Where CSWs who are successful in their retrospective re-banding claim elect to move into a Band 3 post prospectively, but the Trust are unable to allocate them a Band 3 post due to lack of available posts, pay protection will apply as per the Trust's policy.

Where will I be appointed on the Band 3 pay scale?

As well as receiving back-pay, eligible staff will be retrospectively re-banded up to 1 April 2018 to reflect the time that staff should have been on Band 3. If you have been employed at the Trust since 1 April 2018 or before, you will be placed at the top of Band 3. If you started working at the Trust after 2018, your appointment on the Band 3 pay scale will depend on your service.

What if I disagree with the outcome of the process?

Individuals can appeal if they are unhappy with the outcome of the process. 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.

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.

What is happening with the current skill-mix review?

During the last round of strike action, the Trust announced a restructure and skill-mix review involving Band 2 CSWs.

The Trust agrees to return to normal local partnership working to undertake the organisational change process required to implement any changes moving forward. This will be done in line with the Trust Organisational Change Policy and Agenda for Change, and will be done in partnership with UNISON, including frontline CSW representatives. This review will include agreeing associated job descriptions with UNISON and post-holders.

If I get a Band 3 role will I need to do a wider range of delegated clinical duties?

New job descriptions will be reviewed in partnership with UNISON and post-holders. If further competencies are required, you will be supported to attain the full range of skills appropriate

to your role and will be expected to undertake these once suitable training has been given and you have shown the necessary competencies.

Why do I need to vote in the consultation?

UNISON CSW members have led the campaign for fair reward and recognition. The proposed offer will have an impact on your banding and pay, so it's only appropriate that UNISON members have the final say on the terms of the agreement.

What if CSWs reject the offer and vote no?

If UNISON members reject the offer we will not sign up to it as a trade union, and would need to explore other ways of resolving the issue of CSW pay. This may mean every CSW would need to explore an individual job evaluation claim, collating evidence and going through a potentially lengthy internal process. Your union is confident that the offer is in line with the national Job Evaluation Scheme, is a reasonable step in resolving this issue and is the best that can be achieved without a considerable escalation in strike action.

What is the timeline for receiving back pay?

If UNISON members vote to accept the offer, we will confirm acceptance to the employer. Further discussions with then take place with the Trust to map out an agreed process for implementation.

I am a Band 2 CSW who has retired and returned. Will back-pay and retrospective re-grading recognise my service prior to retirement?

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.

I am currently employed as a Band 3 CSW, but prior to that I was a Band 2 CSW. Will I receive back-pay?

The offer also applies to substantively employed Band 3 CSWs in post when the offer is agreed, 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.

I work as a Medical Secretary / Administration etc and believe I am working above my band. Will my role be looked at as part of this process?

This process only relates to CSWs. However, if you work in another role and are undertaking duties beyond your job description, and believe this may mean you are working at a higher band than you are being paid for, you may be in a position to challenge this through a re-grading process in line with the NHS Job Evaluation Scheme. Speak to your UNISON branch who can provide further advice and support.

I work for NHSP, will I get back pay like my colleagues who work for the NHS?

Under the Trust's proposals, the offer only applies to CSWs holding a WUTH substantive or fixed term contract and excludes bank and agency. UNISON has objected to the exclusion of bank staff during negotiations, however the Trust have said that CSWs who have undertaken work for NHSP will not be eligible for back-pay for these shifts because NHSP is a separate employer to the Trust.