

PAY PROTECTION POLICY

July 2014

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North Yorkshire and Humber Commissioning Support Unit on
behalf NHS Scarborough and Ryedale CCG

Committee Approved: SRCCG Committees -TBC
Joint Trade Union Partnership Forum – 5.11.14
Senior Management Team – 02.12.14

Approved date: 02.12.14

Review Date: 4 years

Equality Impact Assessment Completed

**Sustainability Impact
Assessment** Completed

Target Audience: All staff

Policy Reference No: SRCCG P616

Version Number: Approved Policy – Version 1

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as ‘uncontrolled’ and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by	Date approved	Date on Intranet
DRAFT	SRCCG	Draft policy for CCG	Senior Management Team		
DRAFT	SRCCG	Draft policy for approval	JTUPF	5.11.14	
FINAL	SRCCG	Final policy for CCG	Senior Management Team	02.12.14	03.12.14
FINAL	SRCCG	Final policy for CCG	Governing Body approval	January 2015	n/a

Table of Contents

1	INTRODUCTION	4
2	ENGAGEMENT	4
3	IMPACT ANALYSES	4
3.1	Equality	4
3.2	Sustainability	4
3.3	Bribery Act 2010	4
4	SCOPE	4
5	POLICY PURPOSE & AIMS.....	5
6	DEFINITIONS.....	5
7	ROLES / RESPONSIBILITIES / DUTIES.....	6
8	IMPLEMENTATION.....	6
9	TRAINING & AWARENESS	7
10	MONITORING & AUDIT	7
11	POLICY REVIEW	7
12	REFERENCES.....	7
13	ASSOCIATED DOCUMENTATION.....	7
	PART 2 PROCEDURE.....	8
14	PROVISIONS.....	8
15	APPEAL PROCESS.....	9
16	APPENDICES	9
Appendix 1	Protection of Pensionable Pay for Member of the NHS Pension Scheme	10
Appendix 2	Equality Impact Analysis	12
Appendix 3	Sustainability Impact Assessment.....	23

1 INTRODUCTION

This policy provides a Pay Protection framework for NHS Scarborough and Ryedale Clinical Commissioning Group, hereafter referred to as the 'CCG'.

2 ENGAGEMENT

- Joint Trade Union Partnership Forum/Policy Development Group
- SRCCG staff via team meetings/team brief/internet

3 IMPACT ANALYSES

3.1 Equality

In applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

An Equality Impact Assessment is attached at Appendix 2. The assessment has identified that age may affect the impacts of this policy for those employees who are a member of the NHS Pension Scheme. Additional information is included in this policy to mitigate any negative impacts

3.2 Sustainability

A Sustainability Impact Assessment has been completed for this policy and is attached at Appendix 3. No impacts were identified in relation to the policy and the appendices.

3.3 Bribery Act 2010

The Bribery Act is particularly relevant to this policy. Under the Bribery Act it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist.

4 SCOPE

- 4.1 This policy shall be applied to all new employees. For existing staff who transferred to the CCG under COSOP/ Staff Transfer Order on 01.04.2013, whose sender PCT had a written Pay Protection Policy offering more beneficial terms, those staff will be able to opt for those arrangements to be used for any Pay Protection agreements entered into before or on 31.03.15 as this is the end of the Memorandum of Understanding (MoU) period. For existing staff not eligible for those pay protection terms then this policy shall apply.

5 POLICY PURPOSE & AIMS

- 5.1 The aim of this policy is to ensure that the arrangements for pay protection are clear and applied appropriately and fairly to staff who may require protection of their pay at some point during their employment with the CCG due to organisational change.
- 5.2 The purpose of pay protection is to provide the employee with a period of time to prepare for a reduction of earnings or secure an alternative role at the previous salary during the protected pay period.
- 5.3 The policy applies to all staff whom as a consequence of organisational change (as per the policy) is required to move to a lower graded post (downgrading) or suffers a reduction in basic hours worked within the standard working week.
- 5.4 This policy also provides a short-term protection provision, whereby staff experience a reduction in their total income, as a result of loss or reduction in additional earnings.
- 5.5 These arrangements apply to staff who hold permanent or fixed term contracts of employment. This policy does not apply to temporary positions; bank contracts or where staff are redeployed as a result of disciplinary action, for capability reasons or due to health.
- 5.6 Pay Protection shall only be applied to an employee's substantive post.
- 5.7 The CCG will endeavour at all times to redeploy staff into new roles which match the levels of skills and responsibilities required in the previous pay band and to provide reasonable training to enable staff to fulfil new roles, although it is recognised that this may not always prove possible.
- 5.8 Whilst in receipt of Pay Protection the CCG will continue to seek redeployment for the member of staff into a post at the same banding as the original post. Protection of pay will cease if a member of staff unreasonably refuses any subsequent offer of another suitable post within the organisation, which attracts a basic salary or wage the same or in excess of that applying to the old post. If a staff member unreasonably refuses to accept such an offer, protection will cease with immediate effect. The employee will have the right to appeal, in accordance with Section 10 if they do not think the offer of an alternative post was reasonable..

6 DEFINITIONS

- 6.1 AfC

Agenda for Change Terms and Conditions of Employment

- 6.2 Basic Salary or Wage

This is the weekly or monthly sum due in respect of basic contractual hours worked by the member of staff concerned within the standard working week. It excludes any payments made in respect of acting up (or additional responsibilities), overtime, working outside normal hours payments, AfC recruitment and retention premia, standby or on call duty.

6.3 Downgrading

Where a new post, irrespective of its banding, carries an hourly rate lower than that for the previous post. Furthermore, a salary scale with a maximum point lower than the maximum point for the previous post, or lower than that of the grade held in the previous post.

6.4 Marked Time

Pay and pay related conditions are frozen and remain unchanged by inflationary pay awards, incremental or other progression.

6.5 MOU Period

Memorandum of Understanding agreed nationally between NHS employers and Staff Side representatives regarding the major NHS reorganisation implemented on 01 April 2013. This document protects terms and conditions of service between 01.04.2013 to 31.03.2015.

6.6 Organisational Change

Any NHS or management initiated change in the organisation of the healthcare provision or commissioning arrangements, including both structural and managerial alterations.

7 ROLES / RESPONSIBILITIES / DUTIES

7.1 Employees are responsible for the following:

- Initiating and completing where appropriate any paperwork in relation to protecting pension entitlements;
- Accurate completion of paperwork in relation to this policy;
- Checking their pay and reporting any apparent inaccuracies.

7.2 Line Managers are responsible for the following:

- Applying this policy in a fair and consistent manner;
- Accurate completion of paperwork in relation to this policy;
- Seeking advice, where necessary, from the eMBED Workforce Team on the application of this policy.

7.3 The Senior Management Team are responsible for the following:

- Ensuring this policy is applied in a fair and consistent manner;
- Monitoring the application of this policy in conjunction with the eMBED Workforce Team;
- Reviewing the continuous application of this policy and redeploying staff in receipt of protection where opportunities arise.

8 IMPLEMENTATION

8.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.

8.2 Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCG's disciplinary procedure.

9 TRAINING & AWARENESS

- 9.1 A copy of the policy will be available on the CCG intranet.
- 9.2 Advice on the application of this policy is available from the eMBED workforce team.

10 MONITORING & AUDIT

- 10.1 The Pay Protection Policy shall be applied in a fair and consistent manner. The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Governing Body.

11 POLICY REVIEW

- 11.1 The policy and procedure will be reviewed after 3 years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

12 REFERENCES

- 12.1 For further information please refer to the following reference sources:

Agenda for Change Terms and Conditions of Service handbook.
Grievance Policy.
Objective Setting and Review Policy and Procedure

13 ASSOCIATED DOCUMENTATION

Change Management Policy.
Redeployment Policy

PART 2 PROCEDURE

14 PROVISIONS

14.1 Protection Provisions

Where an employee is downgraded as a result of Organisational Change they may be eligible for Short Term Protection and/ or Long term Protection of their earnings.

In order to receive either category of Pay Protection the employee must have been employed continuously by the organisation, or its predecessors, for 12 months.

14.1.1 Short Term Protection provides protection of an employee's additional earnings (i.e. other than basic salary) where employee's total income is reduced as a result of changes to their post, such as; hours, contractual overtime, additional duties that attract a payment, unsocial hours, on call, high cost area supplement etc. Short term pay protection does not include pay relating to additional hours, additional responsibilities, voluntary overtime.

A member of staff whom this agreement applies to is entitled to have certain elements of their pay in their former post in accordance with the following table:

Length of Time in Receipt of the Pay Element	Period of Pay Protection
Less than 12 months	None
More than 1 year and less than 3 years	6 months
More than 3 years	12 months

Please note that travel and subsistence expenses are not included in the calculation of earnings for this purpose.

During the period of protection, the rates used when calculating earnings in the new post will be those applicable to the new post, for example any unsociable hours worked as a requirement of the new role, shall be paid at the same rate as the new role.

Earnings in the new post will be offset against protected earnings. If for any particular pay period the earnings in the new post exceed the protected earnings, Pay Protection will not apply for that pay period only and earnings in the new post are paid in full for that particular pay period. The period of the Pay Protection will not be extended.

14.1.2 Long Term Pay Protection provides protection of basic salary on a marked time basis. This applies where a member of staff is downgraded as a result of organisational change and will be implemented from the effective date of the change. The employee will be entitled to Long Term Protection for 18 months or until one of the following occurs;

- The employee accepts a suitable post in which the normal basic wage or salary is equal to or exceeds the protected wage or salary; or
- The employee moves of his/her own accord to a position with a basic wage or salary which is equal to or lower than that of the existing post; or
- The employee retires or otherwise leaves the organisation; or
- They unreasonably refuse the offer of a suitable alternative post (ref. para 5.8); or
- The basic salary for the job is above their protected pay.

The salary that will be protected will be the basic salary the employee was receiving immediately prior to the Organisational Change for all staff except those in receipt of annually earned increments as defined in Agenda For Change Terms and Conditions of Employment and the CCG's Objective Setting and Review Policy and Procedure. For staff in receipt of annually earned

increments the level of protection applied will be the highest increment in their existing pay band that is not classed as 'annually earned'.

14.1.3 When calculating earnings in the new post, the rates used for calculating payments in respect of overtime, work outside normal hours and other additional duties shall be those applicable to the new post.

14.1.4 Upon the expiry of the time-scales outlined above, the salary/earnings of the member of staff concerned will revert to that of the new post.

14.1.5 Where an employee has accepted a post as suitable alternative employment which does not attract the AfC Recruitment & Retention premia their current post does, then Recruitment & Retention premia pay shall be protected to the last day of the 12 month period for which it was applied.

14.1.6 A Variation form should be completed and submitted to payroll to notify payroll that Pay Protection should be applied.

14.2 Pension arrangements

Under the provisions of the NHS Pensions Scheme, staff may apply to preserve their pension benefits, based on the previous level of pay, where, through no fault of their own they are downgraded (subject to the relevant qualifying membership of the NHS Pensions Scheme). Should any individual require further Pensions Advice, please contact the NHS Pension Scheme Advisors directly or the Pension's Officer within the Payroll Team.

All such applications must be made within three months of the member going on to reduced pay for which the pensionable salary is to be reduced. Please see Appendix 1 or access the following link for additional information:

[http://www.nhsbsa.nhs.uk/Documents/Pensions/SM_R9_App_members_\(V1\)_11.2011.pdf](http://www.nhsbsa.nhs.uk/Documents/Pensions/SM_R9_App_members_(V1)_11.2011.pdf)

[It is advised that all CCG staff to whom this may apply take their own advice on how their pension may be affected and seek clarity from the NHS Pensions Agency on the protection available to them, and any potential limits to this.](#)

15 APPEAL PROCESS

Any grievances or appeals arising out of the operation of this policy may be raised in accordance with the CCG's Grievance Policy.

16 APPENDICES

- Appendix 1 Protection of Pensionable Pay for Member of the NHS Pension Scheme
- Appendix 2 Equality Impact Analysis
- Appendix 3 Sustainability Impact Assessment

Appendix 1 Protection of Pensionable Pay for Member of the NHS Pension Scheme

There are two provisions under which a member can protect their pensionable pay.

Protection of pay through no fault of the member (both Sections of the Scheme).

Voluntary Protection of Pay (1995 Section only).

Protection of Pay (through no fault of the member)

If you have at least 2 years “qualifying service” and suffer a reduction in earnings through no fault of your own, you may apply to protect your pension benefits.

Examples of accepted reasons for protection of pay are:

- A change in the nature of the duties performed for example due to ill health.
- A move to a lower paid post because of pending or actual redundancy.
- Being transferred to other employment with an employer.

We can consider protecting pension benefits when redundancy results in a member receiving a lower rate of pensionable pay within 12 months of redundancy. As pension benefits are automatically deferred after a break of 12 months, a member would not need to apply for protection if returning to NHS pensionable employment 12 months or more after being made redundant.

Where pay is to “mark-time” for a specified period, pensions can be protected at the beginning and the end of the mark-time period.

Voluntary Protection of Pay (VPP)

If you choose to step down to a less demanding role where your new or remaining duties are less demanding and carry less responsibility than your previous duties, you may be able to apply for voluntary pay protection.

VPP was introduced from 1 April 2008 to provide more flexibility in the 1995 Section of the Scheme. The provision supports the improving working lives (IWL) initiatives which exist in the NHS and recognises that in the run up to retirement a member may prefer, if possible, to remain in NHS employment, perhaps in a lesser capacity, whilst protecting their pension benefits.

This provision also allows an employer to maintain the valuable knowledge and skills of a member who may otherwise have left the NHS. Any “step down” will therefore be agreed between the employer and the member and the employer will have to provide NHS Pensions with information that the “step down” has been agreed. The provision is also intended for lasting, rather than trivial or short-term reductions in pay.

The provision is not intended for situations where a member leaves one employer and merely joins another on a reduced rate of pay.

The following criteria must be met:

- You are a member of the 1995 Section of the Scheme.
- You have stepped down to a less demanding role where your new, or remaining duties are less demanding and carry less responsibility than your previous duties. This must be confirmed by your employer(s).

- Your pensionable pay has reduced by at least 10 per cent for a period of at least one year, beginning with the first pay day on which the reduced pensionable pay was paid, as verified by your employer(s).
- Your pensionable pay has not been subject to any other reductions in the 12 month period before you stepped down, as verified by your employer(s).
- You have applied after 12 months, but within 15 months, of your pensionable pay being reduced.
- You have attained your normal minimum pension age. (Further information about minimum pension age can be found in the Scheme Guide).
- You have attained at least 2 years qualifying membership within the NHS Pension Scheme at the time you step down.
- You have not previously protected your pensionable pay under the Voluntarily Protected Pay provision.

How do I apply for Protection of Pay or Voluntary Protection of Pay?

If you have any queries on whether protection would apply, please initially refer to the Q&A. You should complete form SM R9 App and send it to your employer.

Your employer will forward all relevant information to NHS Pensions. If you have stepped down between employers, please send the form to the earlier employer. We will need to contact your current employer in order to verify that pay protection applies.

Your employer will communicate the decision to you. However it may take several weeks before you receive a response.

Time limits

Protection of Pay through no fault of the member – requests should be made within 3 months of going on to reduced pay.

Voluntary Protection of Pay – Requests should be made after 12 months, but within 15 months of the pensionable pay being reduced.

You do not need to apply if:

You are only reducing your hours and not your hourly rate of pay. This is because we always use the notional whole time equivalent pay when calculating retirement benefits. The reduced pay is due to Agenda for Change, as the employer will automatically request protection of pay for you.

If my application is accepted how will my pension be calculated?

If you have one period of protection when you retire, two pensions will be calculated. A pension based on your protected rate of pay* plus inflation increases for membership up to the date of protection and a second pension for membership after that date which will be calculated on your pay* at retirement.

If by retirement the protected pay plus inflation increases is not more beneficial to you, then the whole of your pension benefits will be calculated using your pay* at retirement.

*1995 Section - The best of the last three years of pensionable pay.

*2008 Section - The reckonable pay, which is an average of the best three consecutive years pensionable pay in the last ten years.

Remember: In the 2008 section voluntary protection of pay does not apply.
SM R9 (V1) 11/2011 The Pensions Officer/Practice manager

Equality Impact Analysis									
Policy / Project / Function:	Pay Protection Policy								
Date of Analysis:	30/7/2014								
This Equality Impact Analysis was completed by: (Name and Department)	CSU Workforce Team								
What are the aims and intended effects of this policy, project or function ?	This policy provides a Pay Protection framework for the CCG.								
Please list any other policies that are related to or referred to as part of this analysis?	<ul style="list-style-type: none"> • Agenda for Change Terms and Conditions of Service handbook • Grievance Policy • Agenda for Change Terms and Conditions of Service handbook. • Change Management Policy. • Redeployment Policy • Objective Setting and Review Policy and Procedure 								
Who does the policy, project or function affect ? Please Tick ✓	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Employees</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Service Users</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Other (List Below)</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Service Users	<input type="checkbox"/>	Members of the Public	<input type="checkbox"/>	Other (List Below)	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>								
Service Users	<input type="checkbox"/>								
Members of the Public	<input type="checkbox"/>								
Other (List Below)	<input type="checkbox"/>								

1. Equality Impact Analysis: Screening

	Could this policy have a positive impact on...		Could this policy have a negative impact on...		Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact
	Yes	No	Yes	No	
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy</p> <p>It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.</p>
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The policy (in terms of short term protection) might adversely affect younger staff who are likely to have less service but this can be objectively justified within the Equality Act.</p> <p>Final Pension allowances may be affected by changes in salary. Depending on Pension scheme and age the affects will differ. Negative impacts of changes can be mitigated by requesting protection of pension entitlements and policy includes a section on this. The VPP referred to in the policy would provide a positive impact on older employees</p>

Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.
Disabled People	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.

Transgender People	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.
Pregnancy and Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.
Marital Status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.

Religion and Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. No detrimental impact on this group is identified in the policy</p> <p>It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.</p>
Reasoning	<p>The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation. It is important, however, that the application of the policies that could lead to the need to apply pay protection are applied so as not to deliberately or inadvertently cause a detrimental impact to any of the target groups.</p>				
If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7					

2. Equality Impact Analysis: Local Profile Data

Local Profile/Demography of the Groups affected (population figures) Employment data as at July 2014

General	Total number of employees in the CCG is 104
Age	63.47% of staff are aged 30-55 21.15% of staff are over 55 15.38% of staff employed are under 30
Race	91.35% of staff employed in the CCG declared themselves White 6.73% of staff are not stated/undefined 0.96% of staff declared themselves Black 0.96% of staff declared themselves Other
Sex	81.73% of staff employed are female 18.27% of staff employed are male
Gender reassignment	No information
Disability	79.81% of staff employed declared themselves as having no disability 20.19% of staff did not declare /undefined 0% of staff declared a disability
Sexual Orientation	68.27% of staff described themselves as heterosexual 30.77% did not wish to respond /undefined 0.96% described themselves as bisexual
Religion, faith and belief	Christianity is the largest religious group declared by staff in the CCG (54.81%) 36.54% were undefined or did not wish to declare 5.77% declared themselves Atheist 2.88% of staff declared other faith or religious beliefs
Marriage and civil partnership	61.55% of employees are married. 34.61% are single/divorced/legally separated/widowed 2.88% are undefined 0.96% of employees are in a civil partnership
Pregnancy and maternity	No information yet as the CCG has not been established long enough to build meaningful data

3. Equality Impact Analysis: Equality Data Available

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1. Application success rates <i>Equality Groups</i> 2. Complaints by <i>Equality Groups</i> 3. Service usage and withdrawal of services by <i>Equality Groups</i> 4. Grievances or decisions upheld and dismissed by <i>Equality Groups</i> 5. <i>Previous EIAs</i> 	<p>Yes <input checked="" type="checkbox"/> employee data</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>Consultation has taken place with Trade Unions locally and nationally</p>
<p>Promoting Inclusivity How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>The advantage of a written policy is that it will help to ensure that the pay protection provisions are applied consistently across the organisation which helps towards promoting equality and diversity</p>

1. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)	x			Considered – no impact
Race (All Racial Groups)	x			Considered – no impact
Disability (Mental and Physical)	x			Considered – no impact
Religion or Belief	x			Considered – no impact
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	x			Considered – no impact

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> exists
Pregnancy and Maternity	x			Considered – no impact
Transgender	x			Considered – no impact
Marital Status	x			Considered – no impact
Age		x	x	The policy (in terms of short term protection) might adversely affect younger staff who are likely to have less service but this can be objectively justified within the Equality Act. 15.38% of staff employed in the CCG are

				<p>under 30</p> <p>Final Pension allowances may be affected by changes in salary. Depending on Pension scheme and age the affects will differ. Negative impacts of changes can be mitigated by requesting protection of pension entitlements and policy includes a section on this.</p> <p>The VPP arrangements referred to in the policy would provide a positive impact</p>
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2. Action Planning

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Impacts related to age- specifically in reference to pensions	Information is provided to mitigate any negative impacts and the policy specifies it is the employee's responsibility to complete required actions. This is due to Pension Agency requirements.	employees	n/a	n/a

3. Equality Impact Analysis Findings

Analysis Rating:	Red	Red/Amber	Amber	✓ Green
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Brief Summary/Further comments	
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Approved By		
Job Title:	Name:	Date:
Chief Officer	Simon Cox	02.12.14

Appendix 3 Sustainability Impact Assessment

Staff preparing a policy, Governing Body (or Sub-Committee) report, service development or project are required to complete a Sustainability Impact Assessment (SIA). The purpose of this SIA is to record any positive or negative impacts that this is likely to have on sustainability.

Title of the document	Pay Protection Policy
What is the main purpose of the document	The aim of this policy is to ensure that the arrangements for pay protection are clear and applied appropriately and fairly to staff who may require protection of their pay at some point during their employment with the CCG due to organisational change
Date completed	
Completed by	CSU Workforce Team

Domain	Objectives	Impact of activity Negative = -1 Neutral = 0 Positive = 1 Unknown = ? Not applicable = n/a	Brief description of impact	If negative, how can it be mitigated? If positive, how can it be enhanced?
Travel	Will it provide / improve / promote alternatives to car based transport? Will it support more efficient use of cars (car sharing, low emission vehicles, environmentally friendly fuels and technologies)? Will it reduce 'care miles' (telecare, care closer) to home? Will it promote active travel (cycling, walking)? Will it improve access to opportunities and facilities for all groups?	n/a		

Procurement	<p>Will it specify social, economic and environmental outcomes to be accounted for in procurement and delivery?</p> <p>Will it stimulate innovation among providers of services related to the delivery of the organisations' social, economic and environmental objectives?</p> <p>Will it promote ethical purchasing of goods or services?</p> <p>Will it promote greater efficiency of resource use?</p> <p>Will it obtain maximum value from pharmaceuticals and technologies (medicines management, prescribing, and supply chain)?</p> <p>Will it support local or regional supply chains?</p> <p>Will it promote access to local services (care closer to home)?</p> <p>Will it make current activities more efficient or alter service delivery models?</p>	n/a		
Facilities Management	<p>Will it reduce the amount of waste produced or increase the amount of waste recycled?</p> <p>Will it reduce water consumption?</p>	n/a		
Workforce	<p>Will it provide employment opportunities for local people?</p> <p>Will it promote or support equal employment opportunities?</p> <p>Will it promote healthy working lives (including health and safety at work, work-life/home-life balance and family friendly policies)?</p> <p>Will it offer employment opportunities to disadvantaged groups?</p>	n/a		
Community Engagement	<p>Will it promote health and sustainable development?</p> <p>Have you sought the views of our communities in relation to the impact on sustainable development for this activity?</p>	n/a		

Buildings	<p>Will it improve the resource efficiency of new or refurbished buildings (water, energy, density, use of existing buildings, designing for a longer lifespan)?</p> <p>Will it increase safety and security in new buildings and developments?</p> <p>Will it reduce greenhouse gas emissions from transport (choice of mode of transport, reducing need to travel)?</p> <p>Will it provide sympathetic and appropriate landscaping around new development?</p> <p>Will it improve access to the built environment?</p>	n/a		
Adaptation to Climate Change	<p>Will it support the plan for the likely effects of climate change (e.g. identifying vulnerable groups; contingency planning for flood, heat wave and other weather extremes)?</p>	n/a		
Models of Care	<p>Will it minimising 'care miles' making better use of new technologies such as telecare and telehealth, delivering care in settings closer to people's homes?</p> <p>Will it promote prevention and self-management?</p> <p>Will it provide evidence-based, personalised care that achieves the best possible outcomes with the resources available?</p> <p>Will it deliver integrated care, that co-ordinate different elements of care more effectively and remove duplication and redundancy from care pathways?</p>	n/a		