UNISON HEALTHCARE - BRANCH UPDATE
From: Sara Gorton, UNISON National Secretary - Health

BRIEFING HC-061-17
13 July 2017

Staff Council reaches agreement on pay and conditions for apprentices

Who needs to know?

- All Health Branches

Summary:
The NHS Staff Council has now reached agreement on joint guidance covering the pay and conditions of apprentices under Agenda for Change.

In full:

The NHS Staff Council has now reached agreement on joint guidance covering the pay and conditions of apprentices under Agenda for Change. A copy is attached and can be downloaded from http://www.nhsemployers.org/~/media/Employers/Documents/Pay%20and%20reward/Apprenticeships%20in%20the%20NHS%20-%20NHS%20Staff%20Council%20guidance.pdf

The guidance is particularly important as the number of apprentices employed in the NHS is set to grow rapidly in all four countries of the UK.

UNISON research was pivotal in demonstrating widespread variation in how apprentices are currently paid and employed. Many organisations have been using inferior non-AfC contracts, and applying just the statutory minimum apprenticeship rate, or other rates outside of the AfC pay scales.

UNISON’s work helped push the discussions forward and the joint guidance now addresses these issues as follows:

- Apprenticeships are to support progression into genuine job roles and must not be created purely for the purposes of the apprenticeship programme
  - This needs monitoring by UNISON branches to ensure jobs are genuine.

Contact UNISON on 0800 0 857 857 or visit www.unison.org.uk
Apprenticeships for job roles within the scope of AfC will normally be employed on contracts incorporating the NHS Terms and Conditions handbook.

- This means that apprentices are entitled to all the same terms and conditions as other staff within AfC. UNISON does not believe there are any exceptions to this so please contact the Health Group if you face employers claiming that AfC does not apply to apprentices.

Annex 21 (previously Annex U) of the Handbook sets out the options for pay and banding of trainees. This can be applied to apprentices as follows:

- For most apprenticeships for roles in the lower bands, job evaluation should be used in the normal way to determine the band.

- For higher apprenticeships with significant knowledge and skill development over an extended period of years, provisions for applying a percentage of the band maximum of the qualified rate may be used.

- Where a percentage of band maximum is used the rate of pay must not fall below the main adult rate of the National Minimum Wage (England, Northern Ireland and Wales). In Scotland the Scottish Living Wage in Scotland is the bottom rate). There are no age-related pay rates in AfC.

- As there are no age-related provisions in AfC UNISON is clear that, the absolute minimum an apprentice can be paid under this part of Annex 21 is the NMW rate for those aged 25+, currently £7.50ph (£8.45 applies in Scotland). Again if you encounter problems with how your employer is interpreting this, please contact the Health Group.

Action for branches

1. Seek an urgent meeting to discuss your employer’s current arrangements for pay and conditions of apprentices across the organisation
2. Use the Staff Council guidance to negotiate any improvements needed to bring apprentice pay and conditions into line with the guidance
3. Refer any queries, issues or problems to the Health Group
4. If you are unable to reach agreement on use or interpretation of the guidance in your local partnership, seek agreement with your employer to make a joint request for advice to the Staff Council Secretariat (contact the Health Group for more information on how to do this)

Author: Helga Pile

Email: h.pile@unison.co.uk

Contact UNISON on 0800 0 857 857 or visit www.unison.org.uk