

Unite the Union's Applied Psychologists Organising Professional Committee



April 2024

Statement Re: Clinical Associate Psychology Posts in England

We have previously communicated to Unite members our concerns regarding the banding of Clinical Associate Psychologists (CAPs) roles using the Agenda for Change (AfC) job evaluation (JE) scheme. In those communications we highlighted several routes that we were planning to explore to address these concerns. This statement is an update on these efforts and includes some suggestions on how members should look to address these issues locally with their employer.

Background

As a reminder of the issue, we were made aware that several NHS organisations in England had locally evaluated CAPs and under factor 2; Knowledge, training and experience (KTE) had awarded level 6. We believe this result is incorrect and therefore means the initial job evaluation process completed by these organisations was unsound and significantly flawed.

Whilst, for some roles, evaluating factor 2 can be complex this should not be the case for CAPs. To be able to carry out the CAPs role it is clearly specified that the individual must have completed the CAPs education qualification. The only route to achieve this is via a masters level qualification.

Rationale for our belief

The 7th edition of the NHS Job Evaluation Handbook (2018) made clear the difference between level 6 and level 7 under factor 2. It stated:

'The difference between levels 6 and 7 - There must be a further clear step in knowledge between levels 6 and 7, equivalent to the step between a post-graduate diploma and masters degree, in terms of both the length of the period of knowledge acquisition and the depth or breadth of the knowledge acquired.'

Following a full review¹ of factor 2 guidance, by the NHS Staff Council Job Evaluation Group (JEG), the KTE section has, in February 2024, been rewritten to 'ensure consistency of definition and clarity in language across the full breadth of information provided.

¹ <https://www.nhsemployers.org/news/changes-job-evaluation-handbook>

The information has been reorganised into a clear table format to improve accessibility and clarity.' JEG are keen to emphasise that 'the level descriptions have not changed' and that the 'revision is designed to better clarify the current information'.

In addition to the section rewrite, JEG has produced two additional guidance documents.

The first guidance document is for panels to use as a source of information to help assess KTE requirements. This guidance can be used in tandem with the second, an additional guidance document on the KTE factor, which details how knowledge is attained and the training required to sit within the parameters of each factor level.

Across these three documents there are a number of explicit references as to why post holders requiring a masters level qualification should be evaluated, as a minimum, at least at level 7 under factor 2:

The NHS Job Evaluation Handbook (page 47)

'For level 7, experience on its own as the means of acquiring sufficient, relevant additional knowledge should be scrutinised carefully. ***There should normally be evidence of a critical understanding of additional theoretical or conceptual knowledge including the foundations of best practice such as would be acquired through a taught master's course.*** At this level jobholders will be able to give reasoned arguments based on evidence about different options available in their work.'

The KTE Escalator² (page 2 and page 5)

[Under level 7] 'Training required: Level 6 (Scottish Credit and Qualifications Framework 9 or 10) or relevant experience, post reg/graduate diploma or equivalent experience and further post reg/ graduate study (***at masters level or above***), short courses and/or additional experience See note a on page 3.'

'How to assess equivalence - Knowledge skills assumed by qualification level [Under level 7] Level 7 [11] (e.g. masters degree)'

Our attempts to address this issue nationally

We were hopeful that we would have been able to resolve this issue nationally and have attempted to do this via several routes. Whilst we have had some limited success, including in contributing to the concerns raised about local evaluation of factor 2 leading to updated guidance, we have been frustrated by a reluctance from others to address this equal pay issue. We are therefore left with our advice being that members should progress cases locally.

² <https://www.nhsemployers.org/system/files/2024-02/KTE%20escalator.pdf>

Whilst there are mechanisms in place for NHS employees to ask for posts to be re-banded due to their development over time, we believe that this issue sits outside of this mechanism as it relates to incorrect application of the scheme in evaluating the original role and not a change in the role over time.

Our advice to members

We encourage all Unite members who hold CAPs roles in England to review their job evaluation outcomes, including asking for the breakdown of which level was awarded for each of the 16 AfC factors. For any members that find that their CAPs post was evaluated below level 7 for factor 2, we advise getting in touch with us and submitting a grievance locally.

Whilst we encourage contact for affected members to a central point (see below) this information will then be shared with the Unite official and/or local Unite representative that covers your local workplace.

Please note, whilst we believe organisations that have evaluated factor 2 below level 7 have made a fundamental error in local evaluation of the CAPs post, we are unable to state that posts should automatically be banded at a particular band. However, as JEG have stated in their updated guidance: *'...it is essential that jobs are correctly evaluated or matched under this factor [factor 2] heading. Getting the level of KTE right helps ensure fairness and consistency and reduces equal pay risk.'*³

It is also worthy to note that out of over 100,000 job roles that have been evaluated in Scotland (using the same AfC JE scheme that is used in England), of the 19,188 roles that had been evaluated by 31 January 2024 at band 6 only 279 of these roles had factor 2 at level 7 or above. That equates to less than 1.5%.

FAQ's

CAPs roles are supporting people into clinical psychologist training programmes and ultimately clinical psychology roles. This is especially true from under-represented groups in this profession. If successful, will this progress be undone?

This line of argument has been put forward to Unite representatives and whilst Unite has highlighted the flawed matching at factor 2 several times, this argument is in effect stating that for people to be afforded the opportunity to develop their careers, they must first give up their employment rights to equal pay. If this is more likely to be people from a minoritised group then, in effect, it is arguing that people from minoritised groups must give up their employment rights to equal pay to secure the opportunity to develop their careers.

³ <https://www.nhsemployers.org/publications/job-evaluation-guidance>

What is the situation in other parts of the United Kingdom?

This statement has concentrated on the situation for CAPs posts in England. We are aware that Scotland have also developed a role which, some argue, is different from the role in England. The CAAP (Clinical Associate in Applied Psychology) role in Scotland requires a masters, with a qualifying role at band 7.

The CAAP role in Wales also requires a masters qualification, with a qualifying role at Band 7.

We are aware that there is a Clinical Associate Psychology role in current development in Northern Ireland. We have put forward the argument, when we have been aware of such developments and invited into the discussions, that if the development of roles includes the requirement to complete a masters qualification, the same mistake in job evaluation which has occurred in England should be avoided.

Who should I contact at Unite?

If you are working in a CAP role and have asked for your local job evaluation outcome sheet and have found that you have been awarded below level 7 on factor 2, KTE, please contact dave.munday@unitetheunion.org to discuss next steps.

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