

Pay and Conditions Circular (M&D) 3/2019

Changes to Terms and Conditions of Service for NHS Doctors and Dentists in Training (England) 2016.

Summary

This pay circular notifies employers of changes to the Terms and Conditions of Service for NHS Doctors and Dentists in Training (England) 2016.

Agreement

1. The Joint Negotiating Committee (Juniors), have approved amendments to the Terms and Conditions of Service for NHS doctors and Dentists in Training (England) 2016.
2. A framework agreement setting out the proposals agreed was published on 11th June
3. Full details of the agreed changes are available in the [framework agreement](#).
4. The changes made to the relevant schedules are available in the [record of amendment document](#) published on 28 October 2019.

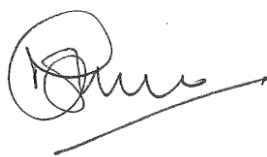
Action

1. Employers are asked to make use of the amended TCS for all appointments from the date of publication of the Pay Circular. Employers are also asked to use the amended contracts when a doctor undergoes a change of contractual terms i.e. moves to or from a part-time contract.
2. Copies of the amended TCS can be downloaded from the NHS Employers website at the following web address: <http://www.nhsemployers.org>
3. NHS employing organisations need to take all reasonable steps to ensure that the effects of nationally negotiated collective agreements are incorporated into individual contracts of employment.
4. Employers are not required to reissue an amended contract to those individuals who were appointed prior to 25 October 2019 providing they have notified the individual and sign posted doctors and dentists in training to NHS Employers website for full details of the terms and condition in effect.
5. Employers are also asked to use the amended contract document for all appointments from the date of publication of the Pay Circular. Employers are also asked to use the amended contract when an individual undergoes a change of contractual terms i.e. moves to or, from a part-time contract.

Enquiries

6. Employees must direct personal enquiries to their employer. NHS Employers cannot advise on individuals' personal circumstances.
7. Employers should direct enquiries to: doctorsanddentists@nhsemployers.org
8. Copies of this circular can be downloaded from: www.nhsemployers.org
9. Prior to the establishment of NHS Employers in November 2004, responsibility to inform the NHS of changes to pay and allowances rested with the Department of Health. Changes were published in Advance Letters. Copies of Advance Letters going back to 2000 may be obtained from the national archives:
<http://www.webarchive.org.uk/wayback/archive/20060506120000/http://www.dh.gov.uk/PublicationsAndStatistics/LettersAndCirculars/AdvancedLetters/fs/en.html>
10. For Advance Letters prior to 2000, please contact the Ministerial Correspondence and Public Enquiries Unit, Department of Health and Social Care:
<http://www.info.doh.gov.uk/contactus.nsf/memo?openform>

Issued by

A handwritten signature in black ink, appearing to read 'Paul Wallace', with a long horizontal stroke extending to the right.

Paul Wallace
Director of Employment Relations & Reward
NHS Employers

Annex A

Doctors and dentists employed under the Doctors and Dentists in Training Model Contract.

General Data Protection Regulation

The following is inserted into the Doctors and Dentists in Training Model Contract at Section 16:

16. Transfer of information

- 16.1. Where you are required to rotate between employing organisations, you acknowledge that we may receive and transfer personal and confidential information regarding your employment and training, as necessary for the continuation of your training. Such personal and confidential information may include personal and special category data for the purposes of the General Data Protection Regulation and the Data Protection Act 2018.
- 16.2 On commencement of employment with the Trust, your personal data will be uploaded to the Electronic Staff Record (ESR). ESR is a workforce solution for the NHS which is used by the Trust to effectively manage the workforce leading to improved efficiency and improved patient safety.

[In accepting employment with the Trust, you accept that the following personal data will/may be transferred if your employment transfers to another NHS organisation].

[List data which is transferred]

- 16.3. Certain personal data is transferred from one NHS organisation to another when your employment transfers. NHS organisations have a legitimate interest in processing your data in this way to enable them to establish the employment of a suitable workforce and improve efficiencies within the NHS by making costs savings for Trusts and to save you time if your employment transfers.