

NHS Terms and Conditions of Service Handbook

This is Volume 1 of the record of amendments

These amendments are effective from 16 November 2009:

Changes to terms and conditions in the NHS Terms and Conditions of Service Handbook are notified to employers by pay circulars and notices in the NHS Workforce Bulletin. The Handbook is on the NHS Employers website at:

www.nhsemployers.org/pay-conditions/agenda-for-change.cfm

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
1.	Section 27	Working time regulations	<p>Paragraph 27.14: last line: the words “taking account of intensity of work” are deleted.</p> <p>Paragraph 27.15: lines 9 and 10: the words “normally within two weeks” are deleted.</p> <p>Paragraph 27.17: lines 7, 8 and 9: the sentence “Compensatory rest should be provided within a reasonable time from when the entitlement to rest was modified, usually within two weeks” is deleted</p> <p>Paragraph 27.18: line 3: the words “as soon as is practicable” are deleted.</p> <p>Paragraph 27.24: line 7: the words “the Department of Health” are deleted and the new words “NHS Employers” are inserted.</p> <p>The footnote on the page containing paragraph 27.25 (footnote number 7): in lines 1 and 2 the words “The Effective Management of Occupational Health and Safety Services in the NHS (Department of Health 2001)” are deleted and the new words “The management of health, safety and welfare issues for NHS staff (NHS Employers 2005)” are inserted.</p>	20-04-05	1/2005	

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
2.	Section 2	Working or providing emergency cover outside normal hours	Interim Regime, allowances for alternating and rotary shifts: Section 2: paragraph 2.6: line 8: £535 is deleted and £552 inserted and £915 is deleted and £945 is inserted. The words " from 1 April 2005 " are inserted after the word "respectively" and the words "and will be updated annually in line with pay awards" are deleted.	20-04-05	2/2005	
	Annex R	Guidance on the application of nationally agreed recruitment and retention premia	Nationally agreed recruitment and retention premia, craftspersons allowance; Annex R: paragraph 13: line 3: £2,808 is deleted and £2,899 is inserted. Annex R: paragraph 17: line 2: the following new sentence in brackets is inserted " (The value of the premium in paragraph 13 is the value effective from 1 April 2005). " In line 3 delete the word "these" and insert the word " this " and delete the word "by" and insert the word " to ".			
	Annex C	Pay bands and pay points on second and third pay spines	Annex C pay rates 1 October 2004 Replace with: Annex C pay rates 1 April 2005			
	Annex I	High Cost Area supplements	Insert new table – 17a into Annex I – rates of payment for high cost area supplements from 1 April 2005			
3.	Section 2	Working or providing emergency cover outside normal hours	Interim Regime, allowances for alternating and rotary shifts: Section 2: Paragraph 2.2: Delete the words "31 March" and insert " a new system of payments is introduced. " Paragraph 2.3: delete the first sentence and replace it with " The NHS Staff Council is reviewing and devising new harmonised arrangements for pay for unsocial hours. " paragraph 2.6: line 8: £552 is deleted and £567 inserted and £945 is deleted and £969 is inserted.	25-05-06	1/2006	
	Annex R	Guidance on the application of nationally agreed recruitment and retention premia	Paragraph 13: line 3: £2,899 is deleted and £2,972 is inserted. Paragraph 17: line 2: delete the contents of the first sentence – remove brackets in the second sentence, delete 1 April 2005 and insert 1 April 2006 .			

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
	Annex C	Pay bands and pay points on second and third pay spines	New Table 12 and Annex C – pay rates from 1 April 2006. The contents of Annex C will move to Annex B which will form a chronological record of pay rates since 1 October 2004.			
	Annex C	Pay rates	to form a chronological record of pay rates since 1 October 2004 and: Replaced with: Annex C pay rates 1 April 2006			
	Annex I	High cost area supplements	Insert new table – 18 into Annex I – rates of payment for high cost area supplements from 1 April 2006			
4.	Annex U	Remuneration of public health specialist trainees under the Agenda for Change agreement.	<p>Arrangements for the remuneration of public health specialist trainees promulgated by this pay circular:</p> <p>1. The Executive of the NHS Staff Council has agreed the application of Annex U of the NHS Terms and Conditions of Service Handbook in relation to specialist trainees in public health (SpTs).</p> <p>2. Employers of trainees should move to assimilate these trainees onto Agenda for Change as soon as possible. Any arrears of pay should be back dated to 1 October 2004.</p> <p>3. SpTs fall in the category outlined in Annex U, paragraph 2 (iii) of the NHS Terms and Conditions of Service Handbook so levels of pay should be determined as a percentage of the pay for qualified staff. The expectation is that SpTs when qualified will be eligible to apply for jobs at Band 8d.</p> <p>4. SpTs are required to do the same training in order to be awarded a Certificate for Completion of Training (CCT) or equivalent as (medically qualified) specialist registrars (SpR) in public health. These arrangements have been agreed to ensure that a consistent and broadly equitable approach is taken in respect of all public health trainees.</p>	08-02- 07	1/2007	

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes												
			<p>5. The following percentages of pay should apply in each year of training based upon the top pay point in band 8d:</p> <table data-bbox="689 427 1182 614"> <thead> <tr> <th>Year of training</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Year 1</td> <td>45%</td> </tr> <tr> <td>Year 2</td> <td>47%</td> </tr> <tr> <td>Year 3</td> <td>49%</td> </tr> <tr> <td>Year 4</td> <td>52%</td> </tr> <tr> <td>Year 5</td> <td>56%</td> </tr> </tbody> </table> <p>6. Where applicable the protection arrangements on assimilation as set out in Section 46 of the Handbook will apply.</p> <p>7. Year of training should be understood as educational year. Where trainees in view of previous experience or qualifications have exemptions from a year of training they would commence at the Year 2 level of pay or later as appropriate.</p> <p>On-call working and overtime</p> <p>8. Where trainees are required to work “on-call”, locally agreed arrangements which normally provide for a 20% supplement, equivalent to the supplement received by medical specialist registrars (1C banding) should continue or be introduced. In these circumstances no additional payments should be made to trainees for on-call duty (as any other AforC on-call percentages are subsumed within the 20%) or who are called into work during a period of on-call or overtime within the European Working Time Directive (EWTD) limits.</p> <p>Pay protection for entrants to training programmes</p> <p>9. It is recognised that it is important to encourage and facilitate entry to public training programmes from a variety of professional backgrounds.</p>	Year of training	Percentage	Year 1	45%	Year 2	47%	Year 3	49%	Year 4	52%	Year 5	56%			
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			<p>Pay protection on a mark time basis will be provided to individuals who move into public health training programmes from other higher paid posts within the NHS or from elsewhere where previous experience is judged to be relevant to NHS employment.</p> <p>Other terms and conditions</p> <p>10. In all other respects the provisions of the Terms and Conditions of Service Handbook that relate to staff in Band 8 will also apply to SpTs.</p> <p>Review</p> <p>11. From August 2007, a new training curriculum will be introduced for all public health trainees. Medically qualified trainees will enter the new Speciality Registrar Grade (StR) at an earlier career stage than previously.</p> <p>12. In view of possible changes to Agenda for Change on-call arrangements, and the likely impact of Modernising Medical Careers. It has been agreed that this guidance will be subject to review by the Executive of the Staff Council no later than May 2008.</p>			
5.	Section 15	Maternity leave and pay	<p>Section 15 in pay circular 2/2007 replaces Section 15 of the handbook. Insert new first paragraph which is: "All employees will have the right to take 52 weeks of maternity leave." All subsequent paragraphs are renumbered. Paragraph 15.7 (ii) (b) the existing sub-paragraph is replaced by a new paragraph which reads: "of the date she wishes to start her maternity leave – she can choose when to start her maternity leave – this can usually be any date from the beginning of the 11th week before the baby is born (but see paragraph 15.8 below)" Immediately after paragraph 15.10 insert two new headings as follows:</p>	28-03-07	2/2007	

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
			<p>“Work during the maternity leave period Keeping in touch days” Insert new paragraph 15.11 as follows: “to facilitate the process of keeping in touch days (kit days), it is important that the employer and employee have early discussion to plan and make arrangements for KIT days before the employee’s maternity leave takes place.” Paragraphs 15.12 to 15.20 inclusive giving further explanation of KIT days are all new. Paragraph 15.21 (iii) this is a new paragraph and is: “for the next 13 weeks, the employee will receive any Statutory Maternity Pay or Maternity Allowance that they are entitled to under the statutory scheme.” In the heading under 15.23 (iii) delete the word “maternity” . Delete the paragraph previously numbered 15.13 and insert a new paragraph 15.24 which is: “employees are also entitled to take a further 13 weeks as unpaid leave to bring the total leave to 52 weeks. However, this may be extended by local agreement in exceptional circumstances for example, where employees have sick pre-term babies or multiple births.” Delete the old heading underneath the old paragraph 15.16 and insert the new heading “Pre-term birth”. Paragraph 15.42 amends the old paragraph 15.31. The new paragraph is: “Employees subject to fixed-term or training contracts which expire after the 11th week before the expected week of childbirth and who satisfy the conditions in paragraphs 15.7 (i), 15.7 (ii) (a), 15.7 (ii) (b) and 15.7 (ii) (d), shall have their contracts extended so as to allow them to receive the 52 weeks which include paid contractual and statutory maternity pay and the remaining 13 weeks of unpaid maternity leave.”</p>			

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
	Section 30	General statement on equality and diversity	Paragraph 30.11 was amended to read: 30.11 Based upon the results of the audit, plans should be agreed about what is to be done towards meeting the aims of the agreement over the coming year. Guidance on the conduct of an equality audit will be developed separately. Where under-representation of particular racial groups, particular age groups, disabled staff or of a particular sex is identified, employers should take advantage of the positive action provisions in the discrimination legislation, assuming that the detailed conditions in the legislation are met. Guidance on positive action will be developed separately.			
	Section 33	Caring for children and adults	Section 33 in this circular replaces Section 33 in the Handbook:			
	Section 34	Flexible working arrangements	Paragraph 34.1 was amended to read: 34.1 NHS employers in partnership with staff organisations will develop positive flexible working arrangements which allow people to balance work responsibilities with other aspects of their lives. In considering the provisions of this paragraph employers should also have regard to the provisions in Section 2 "Working Outside Normal Hours." Paragraph 34.6: additional bullet point: - Flexible retirement Paragraph 34.8 was amended to read: 34.8 All jobs should be considered for flexible working if this is not possible the employer must provide written, objectively justifiable reasons for this and give a clear, demonstrable operational reason why			

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			this is not practicable			
	Section 35	Balancing work and personal life	Section 35 in this circular replaces Section 35 in the Handbook.			
6.	Section 16	Redundancy pay	Section 16 in this circular replaces Section 16 in the Handbook:	27-03-07	3/2007	
7.	Section 2	Working or providing emergency cover outside normal hours	Paragraph 2.6 line 8 delete £567 and insert £575 from April, £581 from November and delete £969 and insert £983 from April, £993 from November. Delete 1 April 2006 in line 9.	17-10-07	4/2007	
	Annex C	Pay bands and pay points on second and third pay spines	New pay rates effective from 1 April 2007 are in Table 12a of Annex C. New pay rates effective from 1 November 2007 are in Table 12b in Annex C. Pay rates for 2006 move into Annex B which contains a chronological record of pay rates since 1 October 2004.			
	Annex I	High cost area supplements	Amendments to high cost area payments effective from 1 April and 1 November. Inner London: <ul style="list-style-type: none"> • Minimum payment: delete £3,383 and replace with £3,434 from 1 April and £3,468 from 1 November. • Maximum payment: delete £5,638 and replace with £5,722 from 1 April and £5,779 from 1 November. Outer London: <ul style="list-style-type: none"> • Minimum payment: delete £2,819 and replace with £2,861 from 1 			

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			<p>April and £2,890 from 1 November.</p> <ul style="list-style-type: none"> Maximum payment: delete £3,946 and replace with £4,005 from 1 April and £4,045 from 1 November. <p>Fringe:</p> <ul style="list-style-type: none"> Minimum payment: delete £846 and replace with £859 from 1 April and £867 from 1 November. Maximum payment: delete £1,466 and replace with £1,488 from 1 April and £1,503 from 1 November. 			
	Annex R	Guidance on the application of nationally agreed recruitment and retention premia	<ul style="list-style-type: none"> Paragraph 13 Annex R – line 3: delete £2,972 and insert £3,016 from April 2007 and £3,046 from November 2007. Paragraph 17: – delete 1 April 2006 in the first sentence – and insert 1 April 2007 and subsequently 1 November 2007. 			
	Annex W (new)	Support for professional fees for staff in bands 5 to 8A (England only)	Support for clinical staff requiring professional registration. Payment will be made from 1 November and each year until November 2010 inclusive by which time it will have been reviewed, this is set out in a new Annex W of the Handbook.			
8.	Contents		<p>In the list of contents <i>Section :2 Working or providing emergency cover outside normal hours</i> is deleted and replaced by Section 2: Maintaining round the clock services</p> <p>Implementation annexes</p>	28-02-08	1/2008	

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
			<p>The following are new entries:</p> <p>Annex X: Working or providing emergency cover outside normal hours</p> <p>Annex Y: Arrangements for general and public holidays over the Christmas and New Year holiday periods</p>			
	Section 2	Maintaining round the clock services: supporting staff who work evenings, at night, weekends and on general public holidays	<p>The old <i>Section 2: Working or providing emergency cover outside normal hours</i> is replaced by the new Section 2: Maintaining round the clock services.</p> <p>The changes are:</p> <p>existing paragraphs 2.1 to 2.12 are replaced by new paragraphs 2.1 to 2.30;</p> <p>existing paragraphs 2.13 to 2.34 become paragraphs 2.31 to 2.51;</p> <p>references elsewhere in the Handbook to paragraphs in this Section are amended accordingly;</p> <p>the insertion of new Table 2 means that the Tables which follow it are renumbered.</p> <p>Employees called into work during an on-call period</p> <p>In the old paragraph 2.13 (now paragraph 2.31) the following sentence has been inserted at line 4:</p> <p>Annex D lists the relevant sections of the Whitley handbooks in relation to on-call.</p> <p>In the existing paragraph 2.14 (now paragraph 2.32) the words <i>four year</i> in</p>			

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			<p>line 2 are deleted.</p> <p>The following words are added to the existing paragraph 2.28 (now paragraph 2.46):</p> <p>In the former “early implementer” sites, where staff’s effective date of assimilation was earlier than it was for staff elsewhere, the period of protection will end on 30 September 2008. This brings staff in the EI sites into line with staff employed in the rest of the NHS.</p> <p>Christmas and New Year holidays at weekends</p> <p>Paragraphs 2.32 and 2.33 are replaced by a new paragraph 2.50.</p>			
	Section 13	Annual leave and general public holidays	Paragraph 9 in Section 13 is amended so that it ends at “. . . would have received had he/she been at work. ” All the following text, including the two bullet points are deleted.			
	Section 14	Sickness absence	<p>The following text is deleted from paragraph 14.4:</p> <p><i>“During the interim regime (as described in Section 2) existing arrangements will be undisturbed for staff groups who already receive payments for working outside normal hours in respect of sick absence; staff groups who do not currently receive payment will do so by a calculation based on average pay in a reference period.”</i></p> <p>The following sentence is added at the end of this paragraph:</p> <p>“Local partnerships can use virtual rotas showing what hours the employee would have worked in a reference period had he or she</p>			

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			been at work.”			
	Section 34	Flexible working arrangements	In line 5 of paragraph 1 “ <i>Section 2 Working outside normal hours</i> ” is deleted and is replaced by Section 2: Maintaining round the clock services.			
	Section 46	Assimilation and protection	In existing Table 7 (now Table 8), left-hand row 5, the words <i>up to four years</i> are deleted.			
	Annex D	Working or providing emergency cover outside normal hours	All references to unsocial hours in Annex D have been deleted. The existing paragraphs 1 and 3 are deleted. The words <i>for up to four years from the effective date of assimilation</i> in the existing paragraph 2 (now paragraph 1) are deleted. There is new paragraph 2.			
	Annex X	Working or providing emergency cover outside normal hours	This is a new Annex linked to new paragraphs 1 to 30 in Section 2.			
	Annex Y	Arrangements for general and public holidays over the Christmas and New Year holiday periods	This is a new Annex linked to the new paragraph 50 in Section 2.			

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9.	Section 14	Sickness absence	<p>Section 14: Sickness absence has been revised.</p> <p>The following is an new entry:</p> <p>Implementation annexes</p> <p>Annex Z: Management of sickness absence</p> <p>The detailed changes are:</p> <p>In the existing paragraph 14.1 the following words have been added:</p> <p>“This section is supplemented by Annex Z which sets out a framework to support employers and staff in the management of sickness absence and manage the risk of premature and unnecessary ill health retirements”</p> <p>In the existing paragraph 14.6 the following words have been added to the 3rd bullet point:</p> <p>“(England and Wales), the Criminal Injuries Compensation Authority (Scotland) and the compensation Agency, (Northern Ireland.)</p> <p>Replace the words in paragraph 14.9 with:</p> <p>“Sick pay for those who have exhausted sick pay entitlements should be reinstated at half pay, after 12 months of continuous sickness absence, in the following circumstances:</p> <ul style="list-style-type: none"> • Staff with more than 5 years reckonable service – sick pay will be reinstated if sick pay entitlement is exhausted before a final review meeting for long term absence has taken place. • Staff with less than 5 years reckonable service – sick pay will be reinstated if sick pay entitlement is exhausted and a final 	01-04-08	2/2008	

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
			<p style="text-align: center;">review does not take place within 12 months of the start of their sickness absence</p> <p>Reinstatement of sick pay should continue until the final review meeting has taken place. Reinstatement of sick pay is not retrospective for any period of zero pay in the preceding 12 months of continuous absence.</p> <p>These arrangements will be in accordance with local sickness absence procedures established in accordance with Annex Z and will only apply where the failure to undertake the final review meeting is due to delay by the employer. This provision will not apply where a review is delayed due to reasons other than those caused by the employer”.</p> <p>Insert a new paragraph at 14.10 with the following words:</p> <p>“Employers will have the discretion to reinstate a member of staff’s period of sick pay beyond the scale set out in 14.2</p> <ul style="list-style-type: none"> • Where there is the expectation of return to work in the short term and an extension would materially support a return and or assist recovery. Particular consideration should be given to those staff without full sick pay entitlements. • In any other circumstance that the employer deems reasonable”. <p>Existing paragraph 14.10 has been moved to 14.11 and replaced with the following words:</p> <p>“During the rehabilitation period employers should allow employees</p>			

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			<p>to return to work on reduced hours or, where possible, be encouraged to work from home without loss of pay. Any such arrangements need to be consistent with statutory sick pay rules”.</p> <p>Existing paragraph 14.11 to 14.15 become paragraphs 14.12 to 14.16</p> <p>Insert new paragraph 14.17 with the following words:</p> <p>“Payment of NHS Temporary Injury Allowance for workplace injuries or disease should be in accordance with the NHS Injury Benefit Scheme regulations”.</p>			
	Annex Z	Management of sickness absence	This is a new Annex linked to Section 14			
10	Section 25	Time off and facilities for Trade Unions representatives	Section 25 has been revised – the old section 25 should be removed and replaced with a new section 25	20-06-08	3/2008	
	Annex C	Pay bands and pay points on second and third spine	New pay rates effective from 1 April 2008 are set out in Table 13 of Annex C. Pay rates for 2007 in table 12c and 12d move into Annex B which contains a chronological record of pay rates since 1 October 2004.			
	Annex I	High Cost Area payments	<p>Amendments to high cost area payments effective from 1 April 2008.</p> <p>Inner London</p> <ul style="list-style-type: none"> • Minimum payment: delete £3,468 and replace with £3,855 from 1 April 2008 • Maximum payment: delete £5,779 and replace with £5,938 from 1 April 2008 <p>Outer London</p> <ul style="list-style-type: none"> • Minimum payment: delete £2,890 and replace with £3,261 from 1 April 2008 • Maximum payment: delete £4,045 and replace with £4,156 from 1 April 2008 <p>Fringe</p>			

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			<ul style="list-style-type: none"> Minimum payment: delete £867 and replace with £891 from 1 April 2008 Maximum payment: delete £1,503 and replace with £1,544 from 1 April 2008 			
	Annex R	Guidance on the application of nationally agreed recruitment and retention payments	<ul style="list-style-type: none"> Paragraph 13 Annex R – line 4 : delete £3,016 (from April 2007) rising to £3,046 from November 2007 and insert £3,130 from 1 April 2008 Paragraph 17 – delete 1 April 2007 and subsequently 1 November 2007 in the first sentence and insert 1 April 2008 			
	Annex W	Support for professional fees for staff in bands 5 to 8A (England only)	Add to the list at paragraph 5: <ul style="list-style-type: none"> General Optical Council (GOC) 			
	Annex A1	Principles and Best Practice of Partnership Working	This is a new Annex linked to Section 25			
11	Annex L	Mileage Allowances	<p>Public transport rate</p> <p>23p per mile is deleted and replaced by 24p per mile</p> <p>Regular User allowance</p> <p>In line 5 the value 27.0p is deleted and replaced by 29.7p</p> <p>In line 5 the value 33.5p is deleted and replaced by 36.9p.</p> <p>In line 5 the value 40.0p is deleted and replaced by 44.0p.</p> <p>In line 7 the value 16.2p is deleted and replaced by 17.8p.</p> <p>In line 7 the value 18.3p is deleted and replaced by 20.1p</p> <p>In line 7 the value 20.5p is deleted and replaced by 22.6p</p>	07-07-08	4/2008	

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			<p>Standard Rates</p> <p>In line 5 the value 34.0p is deleted and replaced by 37.4p: In line 5 the value 43.0p is deleted and replaced by 47.3p In line 5 the value 53.0p is deleted and replaced by 58.3p In line 7 the value 16.2p is deleted and replaced by 17.8p In line 7 the value 18.3p is deleted and replaced by 20.1p In line 7 the value 20.5p is deleted and replaced by 22.6p</p> <p>Pedal Cycles</p> <p>The sentence: “For local agreement, subject to a minimum of 6.2p per mile” is deleted and replaced with: For local agreement subject to a minimum of 10p per mile.</p> <p>Passenger allowances</p> <p>The title “Passenger allowances” is deleted and replaced with Passenger allowance.</p> <p>In the first line “Each passenger 2p per mile” is deleted and replaced with: Each passenger 5p per mile.</p>			
12	Annex L	Mileage allowances (motor cycles)	<p>Standard rates</p> <p>Motor cycles</p>	21-07-08	5/2008	

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			<p>In line 3 the value 16.2p is deleted and replaced by 17.8p</p> <p>In line 3 the value 25.3p is deleted and replaced by 27.8p.</p> <p>In line 5 the value 6.1p is deleted and replaced by 6.7p.</p> <p>In line 5 the value 9.0p is deleted and replaced by 9.9p.</p>			
	Section 2	Maintaining round the clock services	<p>The existing paragraph 32 in Section 2 is deleted.</p> <p>A new paragraph 32 is inserted as follows:</p> <p>The NHS Staff Council is reviewing on-call. The target date for completion is September 2009 to allow sufficient time for consultation and NHS preparation before new arrangements could be implemented in April 2010. The review will ensure that on-call arrangements are consistent with equal pay for work of equal value. Existing arrangements for on-call will remain in place until new arrangements are implemented. Paragraph 2.46 specifies the period of protection of on-call.</p> <p>Paragraph 46 in Section 2 says:</p> <p>“Where agreed locally, all current on-call arrangements may be protected for groups of employees for up to four years from the effective date of assimilation, irrespective of whether they were nationally or locally agreed. This extended protection will apply to existing staff and new staff during the period of protection. In the former early implementer sites, where staff’s effective date of assimilation was earlier than it was for staff elsewhere, the period of protection will end on 30 September 2008. This brings staff in the former EI sites into line with staff employed in the rest of the NHS.”</p>			

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			<p>This paragraph is amended and the new paragraph now says:</p> <p>Unless locally, it is agreed otherwise, all current on-call arrangements will be protected for groups of employees up to 31 March 2010, irrespective of whether they were nationally or locally agreed. This extended protection will apply to existing staff and new staff during the period of protection.”</p>			
13	Annex C	Pay bands and pay points on the second and third spine	<p>New Pay rates effective from 1 April 2009 are set out in Table 13 Annex C.</p> <p>Pay rates for 2008 in Table 12e move to Annex B which contains a chronological record of pay rates since 1 October 2004.</p>	13-02-09	1/2009	
	Annex I	High Cost Area payments	<p>Insert new Table 19 into Annex I – rates of payment for high cost area supplements from 1 April 2009.</p> <p>High cost area rates for 2008 become a new Table 18d.</p>			
	Annex R	Guidance on the application of nationally agreed recruitment and retention premia	<p>Paragraph 13 Annex R – : delete £3,130 (from April 2008) and insert £3,205 from 1 April 2009</p> <p>Paragraph 17 – delete 1 April 2008 in the first sentence and insert 1 April 2009</p>			
14	Section 12	Contractual continuity of service	<p>A new paragraph 12.3 is added as follows:</p> <p>When employees who have been transferred out of NHS employment to a non-NHS provider return to NHS employment, their continuous service with a new non-NHS employer providing NHS funded services, will be counted as reckonable in respect of NHS agreements on sick pay, annual leave and incremental credit.</p>	14-10-09	2/2009	

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	Section 27	Working time regulations	<p>The existing paragraphs 12.3 and 12.4 are renumbered.</p> <p>Section 27: Working time regulations: reference period. Currently paragraph 9 is:</p> <p>Employees will normally not be expected to work more than 48 hours per each seven-day period calculated over an averaging period of 17 weeks. In exceptional circumstances, for those health professionals involved in the need for continuous care relating to reception, treatment or care of patients, the reference period may be extended by agreement with locally recognised unions to a maximum of 26 weeks.</p> <p>This paragraph is amended so that it is:</p> <p>Employees will normally not be expected to work on average more than 48 hours per each seven-day period, calculated over 17 weeks. In exceptional circumstances the reference period may be extended, by agreement with locally recognised unions, to a maximum of 52 weeks.</p>			
15	Section 13	Annual leave and general public holidays	<p>Currently paragraph 9 is:</p> <p>Pay during annual leave will include regularly paid supplements including any recruitment and retention premia, payments for work outside normal hours and high cost area supplements. Pay is calculated on the basis of what the individual would have received had he/she been at work.</p> <p>This paragraph is amended so that it is:</p>	November 2009	3/2009	

	Section(s)/ Annex(es) Number(s)	Section(s)	Amendment(s)	Date Amended	Circular Number	Notes
			Pay during annual leave will include regularly paid supplements including any recruitment and retention premia, payments for work outside normal hours and high cost area supplements. Pay is calculated on the basis of what the individual would have received had he/she been at work. This would be based on the previous three months at work or any other reference period that may be locally agreed.			