

NHS Terms and Conditions of Service Handbook

This is Volume 5 of the record of amendments

This is a chronological record of amendments to the Handbook starting on 1 January 2013.

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:

http://www.nhsemployers.org/SiteCollectionDocuments/AfC_tc_of_service_handbook_fb.pdf

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
28		Title page	<p>“Amendment number 27” is deleted and replaced by “Amendment number 28”</p> <p>“Pay Circular (AforC) 3/2012” is changed to “Pay Circular (AforC) 1/2013”.</p>	March 2013	1/2013
	Annex B	Pay bands and pay points from 2004	<p>Annex B is a chronological record of pay point values since 1 October 2004.</p> <p>Existing Table 12: Annex C: this table is transferred into Annex B where it becomes Table 11(i): Pay bands and pay points on the second pay spine in England from 1 April 2012. There is no change to any of the values in the table.</p>		
	Annex C	Pay bands and pay points on the second pay spine in England from 1 April 2013	A new Table 12 is inserted into Annex C: Pay bands and pay points on the second pay spine in England from 1 April 2013 .		
	Annex I	High cost area supplements	<p>Existing Table 18, minimum and maximum values effective from 1 April 2010, becomes new Table 17f.</p> <p>A new Table 18, minimum and maximum values effective from 1 April 2013, is inserted.</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
28		Title page	"Pay Circular (AforC) 1/2013" is changed to " Pay Circular (AforC) 2/2013 ".	March 2013	2/2013
		Introduction	<p>Introduction</p> <p>The first paragraph is deleted.</p> <p>The last sentence in paragraph 2 beginning "staff on contracts" is deleted.</p> <p>A new second paragraph is inserted as follows: " This Handbook is published on the Agenda for Change web site. It is not published in hard copy. It is amended whenever new agreements are reached in the NHS Staff Council. Amendments to the Handbook are published in numbered pay circulars which set out details of the changes, including the effective date(s) of changes to pay and conditions. The title page shows the number of the latest amendment and the number of the pay circular which announced it. Footnotes refer to the pay circular which contained the last amendment to each Section".</p> <p>A new third paragraph is inserted as follows:</p> <p>Sections and annexes with the suffix "(a)" apply in England from 31 March 2013 (Pay Circular (AforC) 2/2013):</p> <ul style="list-style-type: none"> • Employers in England will need to print pages: 1–16, 21–24, 29–38, 47–64, 69–232, 235–240, 243–258, 265–284 • Employers in Scotland, Wales and Northern Ireland will need to print pages: 1–20, 25–28, 33–46, 51–68, 73–178, 193–234, 237–242, 251–264, 275–284 		
		Contents	A new entry is inserted after "Section 1, Pay structure," as follows: Section 1(a) (England): Pay structure		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			<p>A new entry is inserted after "Section 2, Maintaining round the clock services," as follows: "Section 2(a) (England): Maintaining round the clock services"</p> <p>A new entry is inserted after "Section 6, Career and pay progression," as follows: "Section 6(a) (England): Career progression"</p> <p>A new entry is inserted after "Section 14, Sickness absence," as follows: "Section 14(a) (England): Sickness absence"</p> <p>A new entry "Section 22: Injury allowance" is inserted.</p> <p>The entry: "Sections 22-24 (Unallocated)" is changed to: "Sections 23 - 24 (Unallocated)"</p> <p>In Part 4, "Employee relations" the first entry is Section 25, "Facilities for staff representatives". This is changed to: "Section 25: Time off and facilities for trades union representatives"</p> <p>The entry "Sections 28–29 (Unallocated)" is changed to: "Sections 28 and 29 (Unallocated)"</p> <p>"Section 30: General statement on equality and diversity" is changed to: "Section 30: General equality and diversity statement"</p> <p>The entry "Section 40: new bodies and procedures" is changed to "Section 40: National bodies and procedures"</p> <p>"Sections 41 to 45 (Unallocated)" is changed to: "Sections 41 - 46 (Unallocated)"</p> <p>The entry "Part 7: Transitional arrangements", is changed to: "Part 7: Maintenance"</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			<p>The entry "Section 46, Assimilation and protection" is deleted.</p> <p>The entry "Section 47, Monitoring, reviews and appeals" is changed to: "Section 47: Reviews, appeals and job evaluations."</p> <p>The entry Annex B: Pay bands and pay points from 2004 is changed to: "Annex B: Pay bands and pay points on the second pay spine in England from 2004".</p> <p>The entry "Annex C: Latest pay bands and pay points" is changed to "Annex C: Latest pay bands and pay points in England".</p> <p>The entry "Annex E, Provisions for unsocial hours payments for ambulance staff and available to early implementer sites" is changed to: "Annex E: Provisions for unsocial hours payments for ambulance staff".</p> <p>The entry Annex F: Examples of special cases under the provisions for work outside normal hours" is changed to "Annex F: Provisions for unsocial hours payments for ambulance staff: examples of special cases".</p> <p>The entry Annex K: Additional freedoms for trusts with earned autonomy" is changed to "Annex K: Additional freedoms for NHS foundation trusts and other trusts with earned autonomy in England."</p> <p>A new entry is inserted after "Annex S, Local appeals procedures", as follows: "Annex S(a) (England): Local appeals procedures"</p> <p>"Annex W: (Unallocated)" is deleted and the new entry: "Annex W (England): Pay progression" is inserted.</p> <p>"Annex X: Working or providing emergency cover outside normal hours" is deleted and the new entry "Annex X (England): Guidance on workforce re-profiling" is inserted.</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			A new entry is inserted after "Annex A2, Guidance on frequently asked questions", as follows: "Annex A2(a) (England): Guidance on frequently asked questions"		
		Part 1: Principles and partnership	Part 1: Principles and partnership In paragraph 4 bullet number 7 is: <ul style="list-style-type: none"> implement the new pay system within the management, financial and service constraints likely to be in place. This bullet is deleted.		
	Part 2: Pay Section 1:	Pay structure	In paragraph 1.2: line 1: the words "Part 2 and Part 7 of" are deleted. The word "set" becomes " sets ". In line 2: the entry "(Part 6)" is deleted. In line 6: the word "below" in brackets is deleted and replaced with the words " in this Section ". Paragraph 1.3: line 2: the words "on assimilation" are deleted and replaced by the new words " be assigned. " Paragraph 1.4: line 3: the word "assimilate" is deleted and replaced by the new words " be assigned. " Paragraph 1.5: line 1: the words " (third edition) " are inserted after the word "Handbook." In line 2: the words "the new" are deleted and replaced by the word " this ". In line 4: the words: "The process for assimilation is set out more fully in Section 46." are deleted. In footnote number 1 attached to paragraph 1.5 the web site link is: www.dh.gov.uk/PolicyAndGuidance/HumanResourcesAndTraining/ModernisingPay/AgendaForChange/fs/en This is deleted and replaced by: www.nhsemployers.org/Aboutus/Publications/Pages/NHSJobEvaluationHandbookThirdEdition.aspx		

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			<p>Paragraph 1.6: line 2: the word "below" is deleted.</p> <p>Table 1: the heading is: "Review body spine" This is changed to: "NHS Pay Review Body (NHSPRB) spine"</p> <p>Paragraph 1.9: line 1: the word "new" is deleted. In line 2 the reference to "Section 6" and the word "the" after the word "gives" is deleted.</p> <p>Paragraph 1.10: line 2: the words "in England" are inserted after the words "pay spine".</p> <p>The heading "Transitional arrangements" and paragraph 1.11 are deleted.</p> <p>A new heading "Incremental dates" is inserted above two new paragraphs as follows:</p> <p>"1.11 For newly appointed or promoted staff the incremental date will be the date they take up their post.</p> <p>1.12 All other staff will retain their current incremental date."</p>		
	Section 1(a) (England)	Pay Structure	A new "Section 1(a) (England): Pay structure" is inserted.		
	Section 2	Maintaining round the clock services	<p>The existing paragraph 2.1 is deleted: following paragraphs are re-numbered.</p> <p>In the existing paragraph 2.2: lines 4 and 5: the words "percentage enhancements should be paid" are deleted and replaced by the new words "they should receive unsocial hours payments."</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			<p>In existing paragraph 2.3: lines 1 and 2: the words “paragraphs 2.1 to 2.12 of the previous agreement” are deleted and replaced by the new words “the interim regime” previously set out in this Section. In line 4 the words "set out" are deleted.</p> <p>In existing paragraph 2.4: line 1 the word "or" is deleted and the word "and" is inserted. In lines 2 and 3: the reference to “paragraphs 2.4 to 2.30 below” is deleted and replaced by “paragraphs 2.4 to 2.23 in this Section.”</p> <p>The existing paragraph 2.5 is deleted: all following paragraphs are re-numbered.</p> <p>The existing paragraph 2.8 is deleted: all following paragraphs are re-numbered.</p> <p>In existing paragraph 2.9 the words "Section 10" are deleted and the reference to "paragraph 10" is changed to "paragraph 10.1".</p> <p>In existing paragraph 2.10: line 1: the words “percentage enhancement” are deleted and replaced by the new words “unsocial hours payment.” The second sentence beginning “Annex X. . .” and the remainder of this paragraph are deleted.</p> <p>The existing paragraph 2.11 is deleted: following paragraphs are re-numbered.</p> <p>In existing paragraph 2.12, line 1, the words “Premium payments” are deleted and replaced by the new words “unsocial hours payments.”</p> <p>The existing paragraph 2.13 is deleted: following paragraphs are re-numbered.</p> <p>In existing paragraph 2.14: line 2: the reference to “paragraphs 2.33 to 2.57” is deleted and replaced by “paragraphs 2.24 to 2.26 in this Section.”</p>		

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			<p>In Table 2 the words “Unsocial hours payments” are added above the line “Column1: Column 2: Column 3”.</p> <p>In existing paragraph 2.15: line 1: the word "enhanced" is deleted. In line 2 the word "or" is deleted and the word "and" is inserted.</p> <p>In existing paragraph 2.17: line 1: the words “percentage enhancement” are deleted and replaced by the new words “unsocial hours payment.”</p> <p>Existing paragraph 2.18: line 4: the words “percentage enhancement for” are deleted and the new word “payment” is inserted after the words “unsocial hours”.</p> <p>The heading above existing paragraph 2.19 "Occupational sick pay" is changed to "Occupational sick pay and contractual maternity pay".</p> <p>In paragraph 2.19: line 1: the words "percentage enhancements" are deleted and the word "payments" is inserted after the words "unsocial hours". In lines 2 and 3 the words "in line with paragraph 14.4" are inserted after the words "sick pay". In lines 3 and 4 the words "paragraph 4 in Section 14" are changed to "Section 15."</p> <p>The existing paragraph 2.20 is deleted: following paragraphs are re-numbered.</p> <p>In existing paragraph 2.21 the words "Section 13" are deleted.</p> <p>In existing paragraph 2.22 the words “percentage enhancements for” in line 2, are deleted, and the new word “payments” is inserted after the words “unsocial hours”.</p> <p>The existing paragraph 2.23 is deleted: following paragraphs are re-numbered.</p>		

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			<p>In existing paragraph 2.24 the words “percentage enhancements for” in lines 1 and 2, are deleted, and the new word “payments” is inserted after the words “unsocial hours” in line 2.</p> <p>The heading "Staff working overtime" and existing paragraph 2.25 are deleted: following paragraphs are re-numbered.</p> <p>The heading "On-call and other extended service cover" and existing paragraphs 2.32 to 2.53, including Table 3, are deleted: following paragraphs are renumbered.</p> <p>Existing paragraph 2.55: line 1: the new words “From 1 April 2011” are inserted at the start of the second sentence.</p> <p>Existing paragraph 2.56: line 1: the reference to “paragraphs 2.35 to 2.51” is deleted and replaced by the new words “this Section.”</p>		
	Section 2(a) (England)	Maintaining round the clock services	A new " Section 2(a) England: Maintaining round the clock services " is inserted.		
	Section 3	Overtime payments	Paragraph 3.6: line 2: the words in brackets “(see Section 2, paragraph 2.45)” are deleted.		
	Section 4	Pay in high cost areas	<p>Paragraph 4: line 8: the word "new" is deleted.</p> <p>Paragraph 5 is: "Current payments for London weighting, fringe allowances and cost of living supplements in these areas will be discontinued once the new arrangements are in force." It is changed to: "Current payments for London weighting, fringe allowances and cost of living supplements in these areas will be discontinued once the arrangements in this Section are in force."</p>		

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			<p>Paragraph 4.9: bullet number 3: the words "staff organisations" become "trades unions/staff organisations". Bullet number 4: is deleted.</p> <p>In paragraph 4.10: line 3: the words "and strategic health authorities" are deleted.</p> <p>The heading "Transitional arrangements" above paragraph 4.11 and the paragraph itself are deleted.</p>		
	Section 6	Career and pay progression	<p>The footnote attached to paragraph 1 is: "Available at: www.dh.gov.uk/PolicyandGuidance/HumanResourcesandTraining/ModernisingPay/AgendaForChange/KnowledgeAndSkillsFramework.htm and at www.scot.nhs.uk/sehd/paymodernisation/afc.htm" It is changed to: "Available at: http://www.nhsemployers.org/Aboutus/Publications/Pages/KnowledgeandSkillsFrameworkNHSstaff.aspx and at www.scot.nhs.uk/sehd/paymodernisation/afc.htm"</p> <p>In paragraph 6.3: line 1: the word "above" is deleted and replaced with the words "in this Section." The word "paragraph" is inserted before "6.2". In new line 3: the word "below" is deleted and replaced with the words "in this Section".</p> <p>In paragraph 6.5: line 3: the word "below" is deleted and replaced with the words "in this Section".</p> <p>In paragraph 6.9: line 6: the word "above" is deleted and replaced by the words "in this Section".</p> <p>In paragraph 6.18: line 2: the words "Table 4 below" are deleted and replaced with "Table 3".</p>		

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			<p>In paragraph 6.21: line 1 the word "new" is deleted.</p> <p>In paragraph 6.25: line 4: the word "new" is deleted.</p> <p>In paragraph 6.32: line 4: "from long-term sick leave" is changed to "from long-term sickness absence."</p> <p>In paragraph 6.33: line 6: "long-term sick leave" is changed to "long-term sickness absence".</p> <p>The heading above paragraph 6.36 "Transitional arrangements" and paragraph 6.36 are deleted.</p>		
	Section 6(a) (England)	Career Progression	A new Section 6(a) England: Career progression is inserted.		
	Section 7	Payment of annual salaries	<p>In paragraph 1: line 2: the words "Table 5 below" are deleted and replaced by "Table 4".</p> <p>In paragraph 2: line 2: the words "Table 6 below" are deleted and replaced by "Table 5".</p>		
	Part 3: Terms and conditions of service Section 10	Hours of the working week	<p>Paragraph 10.1: lines 2 and 3: the words "subject to the protection and assimilation arrangements set out in Section 46" are deleted.</p> <p>The heading above paragraph 10.3 "Transitional arrangements" is deleted as are paragraphs 10.3 and 10.4.</p>		
	Section 11	Part-time employees and employees on fixed-term contracts	In paragraph 1: line 2: the words "in Section 13" are deleted.		

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	Section 12	Contractual continuity of service	In paragraph 12.5: lines 2 and 3: "entitlement to sick leave" is changed to " entitlement to sickness absence ".		
	Section 13	Annual leave and general public holidays	In paragraph 13.1: line 2: the words "Table 7 below" are deleted and replaced with " Table 6 ". In line 2: the word "governing" is deleted and is replaced by the word " on ". Paragraph 13.4: line 4: the reference in brackets "(see Section 2 and Annex A3)" is changed to " (see Sections 2 or 2(a) (England) and Annex A3). " In paragraph 13.8: line 4: the words "the new" are deleted and the word "this" is inserted. The heading above paragraph 13.10 "Transitional arrangements" and paragraph 13.10 are deleted.		
	Section 14	Sickness absence	In paragraph 14.2: line 3: the word "governing" is deleted and is replaced by the word " on ". In paragraph 14.6: bullet point 2 is: "injuries or diseases sustained to members of staff in the actual discharge of their duties, through no fault of their own" It is changed to: "injuries, diseases or other health conditions sustained or contracted in the discharge of the employee's duties of employment, as defined in Section 22;" Bullet point 3 is: "injury resulting from a crime of violence, not sustained on duty but connected with or arising from the employee's employment, where the injury has been the subject of payment by the Criminal Injuries Compensation Board (England and Wales), the Criminal Injuries Compensation Authority (Scotland) and the Compensation Agency (Northern Ireland)" It is changed to: "injury resulting from a crime of violence, not sustained on duty but		

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			<p>connected with or arising from the employee's employment, where the injury has been the subject of payment by the Criminal Injuries Compensation Authority (England, Wales and Scotland) and the Compensation Agency (Northern Ireland);</p> <p>Bullet point 4 is:</p> <ul style="list-style-type: none"> • as above, but an injury which has not been the subject of payment by the Board on grounds that it has not given rise to more than three weeks' loss of earnings or was not one for which compensation above the minimum would arise. <p>It is changed to:</p> <ul style="list-style-type: none"> • "as above, but an injury which has not attracted payment of an award as it has not met the loss of earnings criteria or was not one for which compensation above the minimum would arise." <p>In paragraph 14.7: line 4: the word above is deleted and replaced by "in this Section".</p> <p>In paragraph 14.12: line 2: the word "paragraph" is inserted after the words "set out in" and the words "in this Section" are inserted after "14.2".</p> <p>In paragraph 14.15: line 7: the word "above" is deleted and replaced by "in this Section."</p> <p>Paragraph 14.19 is: "Payment of NHS Temporary Injury Allowance for workplace injuries or disease should be in accordance with the NHS Injury Benefit Scheme regulations." It is changed to: "Staff who are on sickness absence due to a work related injury, disease or other health condition may also be entitled to payment of an injury allowance as defined in Section 22."</p>		

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	Section 14(a) (England)	Sickness absence	A new " Section 14(a) (England): Sickness absence " is inserted.		
	Section 15	Maternity leave and pay	<p>In paragraph 15.4: line 3: the word "below" is deleted.</p> <p>In paragraph 15.7 (ii) (b): line 4: the word "below" is deleted.</p> <p>In paragraph 15.9: (iii): line 3: the word "below" is deleted.</p> <p>The heading above paragraph 15.11 "Work during the maternity leave period" is changed to "Keeping in touch during the maternity leave period."</p> <p>The heading below this "Keeping in touch days" is deleted.</p> <p>In paragraph 15.26: line 8: "shall be treated as sick leave" is changed to "shall be treated as sickness absence"</p> <p>In paragraph 15.33: line 2: "normal sick leave provisions" is changed to "normal sickness absence provisions".</p> <p>In paragraph 15.40: line 2: "normal sick leave provisions" is changed to "normal sickness absence provisions".</p> <p>In paragraph 15.41: line 3: the word "above" is deleted.</p> <p>In paragraph 15.44: line 3: the word "above" is deleted.</p> <p>In paragraph 15.45: line 2: the word "above" is deleted.</p> <p>In paragraph 15.48: the words "/increment (in England)" are inserted immediately after the word "gateway."</p> <p>In paragraph 15.61: sub-paragraph (i): line 2: the words "primary care trusts" are deleted."</p>		

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			<p>In paragraph 15.66 the following links to web sites are deleted:</p> <p>www.dti.gov.uk/employment/workandfamilies/maternity-leave-pay/guidance/page21116.html</p> <p>www.dwp.gov.uk/lifeevent/benefits/statutory_maternity_pay.asp</p> <p>http://jobcentreplus.gov.uk/JCP/Customers/WorkingAgeBenefits/Dev008115.xml.html</p> <p>and replaced by the new link:</p> <p>http://www.gov.uk</p> <p>The link: www.hse.gov.uk is changed to: www.gov.uk</p>		
	Section 17	Mileage allowances	<p>In paragraph 17.7: line 5: the word "below" is deleted.</p> <p>In paragraph 17.12: lines 5 and 6: "prolonged sick leave" is changed to "prolonged sickness absence".</p> <p>In paragraph 17.15: line 2: the word "above" is deleted.</p> <p>In paragraph 17.21: line 3: the word "above" is deleted.</p>		
	Section 20	Mutually agreed resignation schemes: principles.	<p>The footnote to paragraph 20.21 (footnote number 2) starts "For SHAs, PCTs and NHS Trusts". This is changed to "For NHS Trusts."</p> <p>In paragraph 20.22: lines 1 and 2: the words " local Strategic Health Authority" are deleted and replaced with "NHS Trust Development Authority (NHS TDA)".</p>		

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			Paragraph 20.26: line 2: the reference to "Section 5" is deleted and replaced by a new reference " paragraphs 20.19 to 20.23. " In existing paragraph 20.30: line 1: the word "Impact" is deleted and "Equality Assessment" is re-written as " equality assessment ".		
	Section 22	Injury allowance	A new " Section 22: Injury allowance " is inserted.		
			The title page: "Sections 22-24 (Unallocated)" is changed to: " Sections 23-24 (Unallocated) "		
	Part 4: Employee relations: Section 25	Time off and facilities for trades union representatives	Paragraph 2: line 7: the words "to this Section" are deleted. Paragraph 25.20: bullet number 9: line 1: the words " this would be " are inserted after the word "which". Paragraph 25.21: the link www.staffgovernance.scot.nhs/what-is-staff-governance/staff-governance-standard is deleted and replaced by www.scotland.gov.uk/Resource/Doc/179320/0051009.pdf		
	Section 27	Working time regulations	Paragraph 27.13: line 6: the reference in brackets" (see also paragraph 27.8 and Section 2)" is changed to " (see also paragraph 27.8, Sections 2 or 2(a) (England) and Annex A3) ".		
			The title page "Sections 28 - 29: Unallocated" is changed to " Sections 28 and 29: Unallocated ".		
	Section 31	Recruitment, promotion and staff development	In paragraph 8: line 4: the words " or other relevant competency framework " are inserted after "KSF". In line 5 the words " or 6(a) (England) " are inserted after "Section 6".		

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			In paragraph 31: lines 2 and 3: the words " and/or, in England, relevant local policy documents " are added to the end of the sentence.		
	Section 34	Flexible working arrangements	Paragraph 1: line 5: the words " or 2(a) (England) " are inserted after "Section 2".		
	Section 35	Balancing work and personal life	In paragraph 35.5: line 3: the number "13" is changed to " 18 " and the words in brackets "(18 weeks if child is disabled)" are deleted. The headings below paragraph 35.31 "Keeping in touch"; "Work during the adoption leave period" and "Keeping in touch days" are deleted and replaced with " Keeping in touch during the adoption leave period. "		
	Section 40	National bodies and procedures	In paragraph 9: line 3: the word "new" is deleted.		
			The page "Sections 41 to 45 (Unallocated)" is changed to " Sections 41 to 46 (Unallocated) ".		
	Part 7	Transitional arrangements	The title page: "Part 7: Transitional arrangements" Is changed to " Part 7: Maintenance "		
	Section 46	Assimilation and protection	This Section is deleted.		
	Section 47	Monitoring, reviews and appeals	The heading to this Section is "Monitoring, reviews and appeals." This is changed to " Reviews, appeals and job evaluations ". Existing paragraphs 47.1 to 47.7 are deleted: following paragraphs are re-numbered. In existing paragraph 47.9: line 4: the words " or Annex S(a) (England) " are inserted after the words "Annex S". In line 7: the reference in brackets "(see paragraph 47.11 below)" is changed to " (third edition) " and the words in brackets " (see paragraph		

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			<p>47.3)" are inserted at the end of the sentence.</p> <p>In existing paragraph 47.10 the second sentence is deleted.</p> <p>Existing paragraph 47.12 is deleted.</p>		
	Annexes Annex A	NHS Employers	<p>In the list of employers in England the following entries are deleted: "Primary Care Trusts (until 31 March 2013) Strategic health authorities (until 31 March 2013)" The following new entries are added: "The Health and Social Care Information Centre National Institute for Health and Clinical Excellence"</p> <p>In the list of employers in Northern Ireland the following entries are deleted: "HSS health boards HSS trusts HSS special agencies" The following entries are added: "HSC Board HSC Trusts Public Health Agency Business Services Organisation Patient and Client Council HSC Special Agencies"</p>		
	Annex B	Pay bands and pay points on the second pay spine in England from 2004	<p>"Annex B: Pay bands and pay points from 2004" is changed to: Pay bands and pay points on the second pay spine in England from 2004</p> <p>A new paragraph 1 is created as follows: "This Annex is an archive of pay bands and pay points in England since 1 October 2004. The pay tables are reproduced in exactly the form in which they appeared in the Handbook when they were published. Consequently, they contain references to Sections which have been deleted e.g. Section 46: Assimilation and protection."</p>		

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			is changed to: “Clinical psychologists and child psychotherapists No provision”		
	Annex E	Provisions for unsocial hours payments for ambulance staff and available to early implementer sites	<p>The title "Annex E: "Provisions for unsocial hours payments for ambulance staff and available to early implementer sites" is changed to "Annex E: "Provisions for unsocial hours payments for ambulance staff"</p> <p>In paragraph 1: the last sentence is deleted.</p> <p>The heading "Table 13" is deleted and replaced by "Table 9".</p> <p>In paragraph 8: line 9: the reference to "Table 13" is deleted and replaced by "Table 9". The word "above" is deleted.</p> <p>In paragraph 10: line 4: the word "above," in brackets, is deleted and replaced by "in this Section".</p> <p>The heading “Table 13” is deleted and replaced by “Table 9”.</p> <p>Paragraph 8: line 9: “Table 13 above” is deleted and replaced by “Table 9”.</p> <p>Paragraph 20: Line 3: "long term sick leave" is changed to "long-term sickness absence."</p>		
	Annex F	Provisions for unsocial hours payments for ambulance staff and available to early implementer sites	<p>The title "Annex F: Provisions for unsocial hours payments for ambulance staff and available to early implementer sites" is changed to "Annex F: Provisions for unsocial hours payments for ambulance staff"</p> <p>In line 9: “Table 13” is deleted and replaced by “Table 9”.</p>		

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	Annex G	Good practice guidance on managing working patterns	<p>Paragraph 4 is: The Improving Working Lives (IWL) website at: http://www.dh.gov.uk/en/Policyandguidance/Humanresourcesandtraining/Modelemployer/Improvingworkinglives/index.htm includes a good practice database, which provides examples of how flexible working is used to cover both normal hours and the provision of care outside normal hours. There are comparable initiatives providing similar information in each of the other countries (e.g. the PIN Guidelines in NHSScotland). http://www.nhsemployers.org/HealthyWorkplaces/ImplementingBoorman/Pages/Improvingworkinglives.aspx</p> <p>It is changed to: NHS Staff Council guidance on Improving Working Lives (IWL) is at: http://www.nhsemployers.org/HealthyWorkplaces/ImplementingBoorman/Pages/Improvingworkinglives.aspx It includes a good practice database, which provides examples of how flexible working is used to cover both normal hours and the provision of care outside normal hours. There are comparable initiatives providing similar information in each of the other countries (e.g. the PIN Guidelines in NHSScotland).</p>		
	Annex H	High cost area payment zones	<p>Paragraph 1: line 2: the words “the current” are deleted.</p> <p>The heading “Table 14” is deleted and replaced by “Table 10”. The heading “Table 15” is deleted and replaced by “Table 11”. The heading “Table 16” is deleted and replaced by “Table 12”.</p>		
	Annex I	High cost area supplements	<p>The heading “Table 17” is deleted and replaced by “Table 13”. The heading “Table 17a” is deleted and replaced by “Table 13a”. The heading “Table 17b” is deleted and replaced by “Table 13b”. The heading “Table 17c” is deleted and replaced by “Table 13c”. The heading “Table 17d” is deleted and replaced by “Table 13d”.</p>		

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			<p>In the footnote below "Table 17d", in line 3, the reference to "Table 17e" is deleted and replaced by "Table 13e"</p> <p>The heading "Table 17e" is deleted and replaced by "Table 13e".</p> <p>A new Table 13f is created "From 1 April 2010"</p> <p>The heading "Table 18" is deleted and replaced by "Table 14: From 1 April 2013".</p>		
	Annex J	Local recruitment and retention premium criteria	<p>In paragraph 5: line 1: the word "above" is deleted.</p> <p>In paragraph 6: lines 1 and 2: the words "the strategic health authority" are deleted.</p> <p>In paragraph 9: lines 1 and 2: the words "the strategic health authority" are deleted.</p>		
	Annex K	Additional freedoms for NHS foundation trusts and other trusts with earned autonomy in England	<p>In paragraph 1 the first sentence is deleted. The second sentence begins "But where. . ." The word "But" is deleted so that it begins "Where NHS organisations. . ."</p> <p>In sub-paragraph (i): line 2: the words "and any contractual agreements with PCTs" are deleted.</p> <p>In sub-paragraph (iii) lines 2, 3 and 4 the words "and where appropriate with the explicit agreement of their strategic health authority" are deleted.</p> <p>In paragraph 2: sub-paragraph (iii) line 3: the words "or strategic health authority" are deleted.</p>		
	Annex N	Subsistence allowances	In paragraph 1: line 2: the words "of Section 18" are deleted.		
	Annex P	Coverage of NHS Pay Review Body	The letters " (NHSPRB) " in brackets are added at the end of the heading.		

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	Annex R	Withdrawal of nationally agreed recruitment and retention premia and transitional arrangements	In paragraph 1: line 6: "Table 19 is deleted and replaced by "Table 15" . The heading "Table 19" is deleted and replaced by "Table 15."		
	Implementation annexes Annex S	Local appeals procedures	In paragraph 1: line 3: the word "new" is deleted. In sub-point (i): the words "unsocial hours" are deleted and the words "of unsocial hours payments" are added after the word "system." Paragraph 12 is deleted.		
	Annex S(a) (England)	Local appeals procedures	A new "Annex S(a) England: Local appeals procedures" is inserted.		
	Annex U	Arrangements for pay and banding of trainees	In paragraph 2: sub-point (ii): line 8: the words "when this is in use in an organisation" are inserted after the word "gateway". In paragraph 3: line 1: the word "above" is deleted. The title page "Annex W (Unallocated)" is deleted.		
	Annex W		Annex W has been an "unallocated" Annex. A new Annex W (England): "Pay progression" is inserted.		
	Annex X	Working or providing emergency cover outside normal hours	The existing Annex X is deleted. A new "Annex X (England): Guidance on workforce re-profiling" is inserted.		
	Annex Y	Arrangements for general and public holidays over the Christmas and New Year holiday periods	The heading "Table 22" is deleted and replaced by "Table 16" . The heading "Table 23" is deleted and replaced by "Table 17" . The heading "Table 24" is deleted and replaced by "Table 18" .		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
	Annex Z	Managing sickness absences – developing local policies and procedures	<p>A new heading "Absence reporting" is inserted above the existing heading "Structured review"</p> <p>A new paragraph 7 and a new paragraph 8 are inserted as follows:</p> <p>"7. Local policies should define how and when staff notify their employer of their sickness absence.</p> <p>8. Early notification that the absence is work related will enable an employer to make a timely determination of future injury allowance entitlement, as defined in Section 22".</p> <p>The following paragraphs are renumbered.</p> <p>In paragraph 8: sub-paragraph 4: is: <i>"sick pay entitlements – review and decision dates should be determined taking account of the individual's sick pay entitlements and there should be a review before their sick pay ends. Procedures should make reference to the NHS Injury Benefit Scheme and, in particular, the circumstances when NHS Temporary Injury Allowance should be paid;"</i> It is changed to: "sick pay entitlements – review and decision dates should be determined taking account of the individual's sick pay entitlements and there should be a review before their sick pay ends. Procedures should make reference to provisions in Section 22 and the amended NHS injury benefit scheme regulations;"</p>		
	Annex A2	Guidance on frequently asked questions (faqs)	<p>Part 2: Section 1: Pay Structure Paragraph 7 Footnote number 3</p> <p>Which senior managers in England are covered by Agenda for Change?</p> <p>The NHS Terms and Conditions of Service Handbook makes clear that there will be separate arrangements for the most senior managers working in the NHS. These will be defined as chief executives and those senior managers at board level who report directly to them. The Agenda for Change provisions will be available to all other managers who should be</p>		

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			<p>offered the opportunity to move onto Agenda for Change pay and terms and conditions, backdated to 1 October 2004.</p> <p>This is changed to</p> <p>Part 2: Section 1: Pay Structure Paragraph 7 Footnote number 3</p> <p>Which senior managers are covered by Agenda for Change? The NHS Terms and Conditions of Service Handbook makes clear that there will be separate arrangements for senior managers working in the NHS. The Agenda for Change provisions will be available to all other managers.</p> <p>All the FAQs relating to Section 2 are deleted except: Part 2: Section 2: Maintaining round the clock services Paragraph 6 Footnote number 2</p> <p>Do the provisions for unsocial hours payments in Annex E apply just to staff working on ambulances or to all staff? Paragraph 2.6 makes clear that the arrangements in Annex E should apply to ambulance staff (i.e. those who would have been subject to the provisions of the Ambulance Whitley Council had they been on national contracts). Paragraph 2.5 describes arrangements for transferring staff in former EI sites from the Annex E payments to the new payments in Section 2.</p> <p>This is changed to: Part 2: Section 2: Maintaining round the clock services Paragraph 4 Footnote number 1</p> <p>Do the provisions for unsocial hours payments in Annex E apply just to staff working on ambulances or to all staff? Paragraph 2.4 makes clear that the arrangements in Annex E should apply to ambulance staff (i.e. those who would have been subject to the provisions of the Ambulance Whitley Council had they been on national contracts).</p>		

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			<p>The first FAQ relating to Section 3 is: Part 2: Section 3: Overtime payments Paragraph 2 Footnote number 1 How is overtime pay calculated for staff on “protected pay”? As an example: if staff are on Agenda for Change pay point £18,000 but the protected level of pay is £20,000, is overtime paid on £20,000? Yes, overtime is not off-set against protected pay. Overtime payments are calculated by taking the annual rate of basic pay and working out the rate of pay per hour. In this case the annual rate of pay used will be £20,000. All overtime is payable at one and a half times the hourly rate, except overtime worked on general public holidays which is payable at twice the hourly rate (paragraph 3.1). This FAQ is deleted.</p> <p>The second FAQ relating to Section 3 is: Part 2: Section 3: Overtime payments Paragraph 3 Footnote number 2 Under Agenda for Change when does overtime start for a part-time member of staff? For staff working a portion of the standard 37½ hours, overtime starts when these staff work over 37½ hours (paragraph 3.3). Where standard hours are as in Tables 9 and 10 in Section 46 overtime starts when the hours in the right-hand column in each table are exceeded. This is changed to: Part 2: Section 3: Overtime payments Paragraph 3 Footnote number 1 Under Agenda for Change when does overtime start for a part-time member of staff? For staff working a portion of the standard 37½ hours, overtime starts when these staff work over 37½ hours (paragraph 3.3).</p>		

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			<p>Part 2: Section 4: Pay in high cost areas Paragraph 7 (see also paragraph 46.5) Footnote number 1</p> <p>Where a member of staff is in receipt of a COLs based RRP (4.7 and 46.5) and is promoted within the same Trust does he or she retain the RRP? Yes, providing the person is still in a staff group meeting the eligibility criteria. This is changed to: Part 2: Section 4: Pay in high cost areas Paragraph 7 Footnote number 1</p> <p>Where a member of staff is in receipt of a COLs based RRP (4.7) and is promoted within the same Trust does he or she retain the RRP? Yes, providing the person is still in a staff group meeting the eligibility criteria.</p> <p>Part 3: Section 13: Annual leave and general public holidays Paragraph 1, Table 7: Leave entitlements Footnote number 1</p> <p>What happens to my two public holiday days when Easter is in March and when, therefore, if Easter was in April the previous year, I have already had two days for Easter in the current twelve-month period? The Agenda for Change annual leave and general public holiday entitlements are set out in Section 13. In normal circumstances all staff are entitled to 8 general public holidays in a twelve-month period. Sometimes Easter will fall in March. This may mean that in some organisations there will, in effect, be two Easter holidays in the same twelve-month period. In such circumstances the local partners will need to decide on the appropriate action to take. Pragmatically, this might mean anticipating the two public holidays falling in the next twelve-month period. This is changed to: Part 3: Section 13: Annual leave and general public holidays Paragraph 1, Table 6: Leave entitlements Footnote number 1</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			<p>What happens to my two public holiday days when Easter is in March and when, therefore, if Easter was in April the previous year, I have already had two days for Easter in the current twelve-month period? The Agenda for Change annual leave and general public holiday entitlements are set out in Section 13. In normal circumstances all staff are entitled to 8 general public holidays in a twelve-month period. Sometimes Easter will fall in March. This may mean that in some organisations there will, in effect, be two Easter holidays in the same twelve-month period. In such circumstances the local partners will need to decide on the appropriate action to take. Pragmatically, this might mean anticipating the two public holidays falling in the next twelve-month period.</p> <p>Part 3: Section 13: Annual leave and general public holidays Paragraph 4 Footnote number 2</p> <p>Does paragraph 13.4 provide an entitlement to equivalent time off at plain time rates, plus the appropriate payment, on top of the standard entitlement to 8 general and public holidays (see table 7)? No – paragraph 13.4 preserves the right to 8 general public holidays. It does not provide additional entitlements. This is changed to: Part 3: Section 13: Annual leave and general public holidays Paragraph 4 Footnote number 2</p> <p>Does paragraph 13.4 provide an entitlement to equivalent time off at plain time rates, plus the appropriate payment, on top of the standard entitlement to 8 general and public holidays (see table 6)? No – paragraph 13.4 preserves the right to 8 general public holidays. It does not provide additional entitlements.</p> <p>Part 3: Section 14: Sickness absence Paragraph 4 Footnote number 2</p> <p>How is the reference period for calculating sick pay determined under Section 14?</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			<p>This is the average pay for the three month period ending on the day before an employee commences sick leave – or any other locally agreed reference period.</p> <p>Is changed to</p> <p>Part 3: Section 14: Sickness absence Paragraph 4 Footnote number 2</p> <p>How is the reference period for calculating sick pay determined under Section 14?</p> <p>This is the average pay for the three month period ending on the day before an employee commences sickness absence – or any other locally agreed reference period.</p> <p>A new FAQ is inserted as follows: Part 3: Section 22: Injury allowance Paragraph 4 Footnote number 2</p> <p>What guidance will be produced on how sickness and injury is judged to be work related?</p> <p>Section 22 of the NHS terms and conditions of service handbook says that <i>the attribution of injury, illness or other health condition will be determined by the employer who should seek appropriate medical advice.</i></p> <p>Accompanying Section 22 the Staff Council has published <i>Supporting guidance for the introduction of the new injury allowance.</i></p> <p>All the FAQs relating to Section 46 are deleted.</p> <p>Implementation annexes: Annex A3: Principles for harmonised on-call arrangements Interim regime Paragraph 48 Footnote number 1</p> <p>Does the protection for on-call arrangements include protection for the “rate of pay”. For example, if the local protected agreement says that Sunday is double time is this protected under 2.8.</p> <p>Yes, all current on-call arrangements may be protected for groups of</p>		

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			<p>employees irrespective of whether they were nationally or locally agreed (paragraphs 2.8 and 2.48). It is the totality of the local national on-call agreement that is protected. Pay circular (AforC) 1/2009 announced that where flat rate on-call allowances continue to be paid in accordance with Section 2 these should be increased by 2.4%. This protection does not prevent local agreements on alterations to working patterns to meet changing service needs.</p> <p>This is changed to:</p> <p>Implementation annexes: Annex A3: Principles for harmonised on-call arrangements Interim regime Paragraph 48 Footnote number 1</p> <p>Does the protection for on-call arrangements include protection for the “rate of pay”. For example, if the local protected agreement says that Sunday is double time is this protected under 2.48.</p> <p>Yes, all current on-call arrangements may be protected for groups of employees irrespective of whether they were nationally or locally agreed (paragraph 2.48). It is the totality of the local national on-call agreement that is protected. Pay circular (AforC) 1/2009 announced that where flat rate on-call allowances continue to be paid in accordance with the former interim regime in Annex A3 these should be increased by 2.4%. This protection does not prevent local agreements on alterations to working patterns to meet changing service needs.</p> <p>Implementation annexes: Annex A3: Principles for harmonised on-call arrangements Interim regime Paragraph 48 Footnote number 1</p> <p>On what date does the period of protection of current on-call arrangements start?</p> <p>It starts from 1 October 2004 – the effective date for new pay and conditions, except hours of work (see paragraph 46.6).</p> <p>This is changed to:</p>		

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
			<p>Implementation annexes: Annex A3: Principles for harmonised on-call arrangements Interim regime Paragraph 48 Footnote number 1</p> <p>On what date does the period of protection of current on-call arrangements start? It starts from 1 October 2004.</p>		
	Annex A2(a) (England)	Guidance on frequently asked questions	A new " Annex A2(a) (England): Guidance on frequently asked questions (faqs) " is inserted.		
	Annex A3	Principles for harmonised on-call arrangements	<p>Paragraph 1: line 1: the first sentence is: "Paragraphs 2.1 and 2.32 identify that from 1 April 2011, payments for on-call will need to be agreed locally and consistent with the principles set out below". This is changed to: "Paragraph 2.25 in Section 2 and paragraph 2.27 in Section 2(a) (England) confirm that from 1 April 2011, payments for on-call will need to be agreed locally and consistent with the principles set out below."</p> <p>Paragraph 2: line 1: the reference to paragraph 2.54 is deleted and replaced with a new reference to "Paragraph 2.24 in Section 2 and paragraph 2.26 in Section 2(a) (England)."</p> <p>The heading "Table 25" is deleted and replaced by "Table 19."</p> <p>Existing Table 25: Principles for harmonised on-call arrangements</p> <p>1. Equal pay: right-hand column: "Principles" bullet 2: is:</p> <ul style="list-style-type: none"> • All employing organisations will need to undertake an Equality Impact Assessment (EqIA) of their proposals. <p>This is changed to</p>		

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			<ul style="list-style-type: none"> • “All employing organisations will need to undertake an equality assessment of their proposals.” <p>2. Commitment or availability payment</p> <p>In the right-hand column In line 12: third bullet: the word "grade" is deleted and replaced with the word "band". In the last paragraph the reference to “paragraphs 2.27 to 2.28” is deleted and replaced with a reference to “paragraphs 2.19 to 2.20 in Section 2 and paragraphs 2.21 to 2.22 in Section 2(a) (England)”.</p> <p>11. Agenda for change interim regime</p> <p>In line 2 in the right hand column the word “are” is deleted and replaced by the word “were”.</p> <p>12. Transition</p> <p>The third bullet point, in the right-hand column is:</p> <ul style="list-style-type: none"> • “As an example of some of the above elements in practice, Section 2 and Annex X set out how transition was approached when new unsocial hours provisions were introduced”. <p>It is changed to: “The transitional arrangements which were agreed as part of the new, harmonised unsocial hours payments were an example of this sort of approach. New lower and higher levels of payments were introduced in stages over three years. ”</p>		