

NHS Terms and Conditions of Service Handbook

This is Volume 6 of the record of amendments

This is a chronological record of amendments to the Handbook starting on 1 January 2014.

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
30		Title page	<p>“Amendment number 29” is deleted and replaced by “Amendment number 30”</p> <p>“Pay Circular (AforC) 3/2013” is changed to “Pay and Conditions Circular (AforC) 1/2014”.</p>	24-03-14	1/2014
		Introduction	<p>In paragraph 2: line 4 the words “and Conditions” are added after the words “numbered pay”.</p> <p>In line 6 the word “pay” is deleted.</p> <p>The paragraph:</p> <p>Sections and annexes with the suffix "(a)" apply in England from 31 March 2013 (Pay Circular (AforC) 2/2013). The following print ranges can be cut and pasted into the "Word" "print range" facility:</p> <ul style="list-style-type: none"> • employers in England will need to print pages: <ul style="list-style-type: none"> ○ 1–16, 21–24, 29–38, 47–64, 69–236 ○ 239–244, 247–262, 269–288 • employers in Scotland, Wales and Northern Ireland will need to print pages: 		

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			<ul style="list-style-type: none"> ○ 1–20, 25–28, 33–46, 51–68, 73–178 ○ 193–238, 241–246, 255–268, 279–288 <p>is deleted and replaced with</p> <p>Sections and annexes with the suffix "(a)" apply in England from 31 March 2013 (Pay Circular (AforC) 2/2013). The following print ranges can be cut and pasted into the "Word" "print range" facility:</p> <ul style="list-style-type: none"> • employers in England will need to print pages: <ul style="list-style-type: none"> ○ 1–16, 21–24, 31–42, 51–70, 75–252 ○ 255–260, 263–278, 285–303 • employers in Scotland, Wales and Northern Ireland will need to print pages: <ul style="list-style-type: none"> ○ 1–20, 25–30, 37–50, 57–74, 79–192 ○ 209–254, 257–262, 271–284, 295–303 		
	Annex C	Pay bands and pay points on the second pay spine in England from 1 April 2013	<p>The existing Annex C: “Pay bands and pay points on the second pay spine in England from 1 April 2013” becomes a new Table 9 (j) in Annex B.</p> <p>A new Annex C: “Pay bands and pay points on the second pay spine in England from 1 April 2014” is inserted.</p>		
31		Title page	<p>“Amendment number 30” is deleted and replaced by “Amendment number 31”</p> <p>“Pay Circular (AforC) 1/2014” is changed to “Pay and Conditions Circular (AforC) 2/2014”.</p>	04-06-14	2/2014

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		Introduction	<p>The entry:</p> <p>Sections and annexes with the suffix "(a)" apply in England from 31 March 2013 (Pay Circular (AforC) 2/2013). The following print ranges can be cut and pasted into the "Word" "print range" facility:</p> <ul style="list-style-type: none"> • employers in England will need to print pages: <ul style="list-style-type: none"> ○ 1–16, 21–24, 31–42, 51–70, 75–252 ○ 255–260, 263–278, 285–303 • employers in Scotland, Wales and Northern Ireland will need to print pages: <ul style="list-style-type: none"> ○ 1–20, 25–30, 37–50, 57–74, 79–192 ○ 209–254, 257–262, 271–284, 295–303 <p>is changed to:</p> <p>Sections and annexes with the suffix "(a)" apply in England from 31 March 2013 (Pay Circular (AforC) 2/2013). The following print ranges can be cut and pasted into the "Word" "print range" facility:</p> <ul style="list-style-type: none"> • employers in England will need to print pages: <ul style="list-style-type: none"> ○ 1–16, 21–24, 31–42, 51–70, 75–252 ○ 255–260, 263–278, 287–305 • employers in Scotland, Wales and Northern Ireland will need to print pages: 		

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			<ul style="list-style-type: none"> ○ 1–20, 25–30, 37–50, 57–74, 79–192 ○ 209–254, 257–262, 271–286, 297–305 		
	Section 17	Reimbursement of travel costs	<p>Paragraph 5: line 2: the words “Motoring organisation test (MOT) certificate” are deleted and replaced with “Ministry of Transport (MOT) test certificate.”</p> <p>Paragraph 9: line 4: the date “1 July 2013” is deleted and replaced with “1 July 2014”.</p> <p>Paragraph 10: line 1: the date “1 July 2013” is deleted and replaced with “1 July 2014”.</p> <p>Paragraph 10: line 3: the date “1 July 2013” is deleted and replaced with “1 July 2014”.</p> <p>Paragraph 10: line 4: the date “1 July 2013” is deleted and replaced with “1 July 2014”.</p> <p>The existing Table 7 “Rates of reimbursement from 1 July 2013” is deleted and replaced with a new Table 7: “Rates of reimbursement from 1 July 2014.”</p> <p>Paragraph 13: line 1: the date “1 July 2013” is deleted and replaced with “implementation of the new system.”</p>		
	Annex L	Motoring costs	<p>Paragraph 4: line 1: the date “1 July 2013” is deleted and replaced with “1 July 2014”.</p> <p>Paragraph 4: line 3: the date “April/May 2013” is deleted and replaced with “April/May 2014”.</p> <p>Paragraph 4: the last sentence is “Those rates will apply to all journeys undertaken on and after 1 July 2013.” It is changed to “Those rates will apply to all journeys undertaken on and after 1 July 2014.”</p> <p>The existing Table 7 “Motoring costs as at 1 April 2013” is deleted and replaced with a new Table 7: “Motoring costs as at 1 April 2014.”</p>		

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	Annex A2 and Annex A2(a) (England)	Guidance on frequently asked questions (FAQs)	<p>The following FAQ is inserted into both of these Annexes:</p> <p>Annex M: Lease vehicle policies Paragraph 3 Footnote number 1 What happens if an employer's offer of a lease car is dependent on the employee also accepting a salary sacrifice scheme? The national agreement does not mention this situation in Annex M. Local partnerships looking to link lease cars and salary sacrifice schemes should consider carefully the future implications for pay and tax. Salary sacrifice depends on remuneration being given up before it is treated as received for tax and NICs and it must be that the employee receives lower cash remuneration and a benefit. Salary sacrifice may impact on an employee's pay and conditions such as maternity and paternity pay as well as sickness entitlement and pensionable pay. It can also affect state benefits, including pension and tax credits. Whilst there may be mutual benefits to employers and employees in agreeing salary sacrifice, due to their impact it would not be reasonable to treat a refusal to accept a lease car on such terms as an unreasonable refusal. In these circumstances staff should be reimbursed to the standard rate for miles travelled. Information about salary sacrifice is on the HMRC web site including the advice that local partnerships of employers and employees ". . . would be well advised to obtain legal advice on whether their proposed arrangements achieve their desired result".</p>		
32		Title page	<p>Title page</p> <p>"Amendment number 31" is deleted and replaced by "Amendment number 32"</p> <p>"Pay Circular (AforC) 2/2014" is changed to "Pay Circular (AforC) 3/2014".</p>	18-07-14	3/2014

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
	Section 17	Reimbursement of travel costs	<p>Table 7</p> <p>The title "Rates of reimbursement from 1 July 2014" is changed to "Amended rates of reimbursement from 1 July 2014"</p> <p>In Table 7 the following changes are made:</p> <p>in column 2, line 3, "car (all types of fuel), Annual mileage up to 3,500 miles (standard rate)" is changed from "54 pence per mile" to "56 pence per mile".</p> <p>in column 4, line 4 "Motorcycle" 27 pence per mile" is changed to "28 pence per mile".</p> <p>in column 4, line 7, "Reserve rate" 27 pence per mile is changed to "28 pence per mile".</p>		
	Annex L	Motoring costs	<p>The title "Motoring costs as at 1 April 2014" is changed to "Amended motoring costs as at 1 April 2014"</p> <p>In Table 17 the following changes are made:</p> <p>in "Row 4, Depreciation (based on 10,000 miles per year), 2,397" is changed to "2,615":</p> <p>in "Row 6, Total annual cost of standing charges, annual cost (£) 3,319" is changed to "3,537":</p> <p>in "Row 6, Total annual cost of standing charges, cost per mile (pence) 33.19" is changed to "35.37":</p> <p>in "Row 12, Total of standing charges and running costs up to 3,500 miles per year, cost per mile (pence)" 53.64 (54 pence rounded)" is changed to "55.81 (56 pence rounded)"</p>		
33		Title page	<p>Title page</p> <p>"Amendment number 32" is deleted and replaced by "Amendment number 33"</p> <p>"Pay Circular (AforC) 3/2014" is changed to "Pay Circular (AforC) 4/2014".</p>	11-08-14	4/2014

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
		Contents	The entry "Annex V: NHSScotland: Partnership Information Network guidelines" is changed to " Annex V: NHSScotland: partnership information network (PIN) policies "		
		Principles and partnership	Paragraph 2: line 7: the word "guidelines" is deleted and the word " policies " is inserted.		
	Section 1	Pay Structure	In paragraph 5: line 1: the word "third" is deleted and the word " fourth " is inserted".		
	Section 1(a) (England)	Pay Structure	In paragraph 5: line 1: the word "third" is deleted and the word " fourth " is inserted".		
	Section 14(a) (England)	Sickness absence	In paragraph 1, line 6: "POSHH" is deleted and " Health, Safety and Wellbeing Partnership Group (HSWPG) " is inserted. In paragraph 1: line 8: "These POSHH guidelines" is changed to " These guidelines. " In paragraph 4: line 2: the word "contracted" is inserted after the word "disease". In paragraph 4: line 3: the words "and" and "not" are deleted.		
	Section 35	Balancing work and personal life	In paragraph 31: line 3: the sentence "the rate of SAP is the same as for statutory maternity pay" (the last sentence) is deleted.		
	Annex G	Good practice guidance on managing working patterns	In paragraph 4: line 7: the word "Guidelines" is deleted and the word " policies " is inserted.		
	Annex N	Subsistence allowances	In paragraph 4 the entries: "Married employees and employees with responsibilities equivalent to those of married employees."		

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			<p>"Employees without responsibilities equivalent to those of married employees and those staying in non-commercial accommodation."</p> <p>"Maximum amount payable: £25.00"</p> <p>Are deleted.</p>		
	Annex V	NHSScotland	The existing Annex V is deleted and a new Annex V is inserted.		
	Annex A2	Frequently asked questions (FAQs)	<p>"Part 2: Pay Part 2: Section 1: Pay Structure Paragraph 6 Footnote number 2 Where a post holder's role has been determined (based on one contract of employment) and it includes specialist responsibilities – is it permissible for an employee to be paid at the specialist pay band on days when they do specialist duties and at a lower pay band when they do not? No, the higher specialist pay band applies for all of their service." is changed to "Part 2: Pay Part 2: Section 1: Pay Structure Paragraph 6 Footnote number 2 Where a post holder's role has been determined (based on one contract of employment) and it includes specialist responsibilities – is it permissible for an employee to be paid at the specialist pay band on days when they do specialist duties and at a lower pay band when they do not? No, the higher specialist pay band applies for all of their service. If you have any queries about specific circumstances, please contact the joint secretaries.</p>		

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	Annex A2(a) (England)	Frequently asked questions (FAQs)	<p>"Part 2: Pay Part 2: Section 1(a) (England): Pay Structure Paragraph 6 Footnote number 2 Where a post holder's role has been determined (based on one contract of employment) and it includes specialist responsibilities – is it permissible for an employee to be paid at the specialist pay band on days when they do specialist duties and at a lower pay band when they do not? No, the higher specialist pay band applies for all of their service." is changed to "Part 2: Pay Part 2: Section 1: Pay Structure Paragraph 6 Footnote number 2 Where a post holder's role has been determined (based on one contract of employment) and it includes specialist responsibilities – is it permissible for an employee to be paid at the specialist pay band on days when they do specialist duties and at a lower pay band when they do not? No, the higher specialist pay band applies for all of their service. If you have any queries about specific circumstances, please contact the joint secretaries.</p> <p>Part 3: Section 14(a) (England): Sickness absence Paragraph 4 Footnote number 2 Are on-call allowances and on-call payments included in pay during sickness absence? Paragraph 14.4 allows on-call allowances and payments to be included in pay during sickness absence for staff on pay spine points 1 to 8 only. This will include on-call allowances and on-call payments where these are normally paid at regular intervals. An allowance which is paid only occasionally will not count. is changed to</p>		

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			<p>Part 3: Section 14(a) (England): Sickness absence Paragraph 4 Footnote number 2 Are on-call allowances and on-call payments included in pay during sickness absence? Paragraph 14.4 allows on-call allowances and payments to be included in pay during sickness absence only for staff on pay spine points 1 to 8 and those absent due to a work related injury or disease, contracted in the actual discharge of their duties. This will include on-call allowances and on-call payments where these are normally paid at regular intervals. An allowance which is paid only occasionally will not count.</p>		