

**TERMS AND CONDITIONS OF SERVICE OF HOSPITAL MEDICAL AND DENTAL STAFF AND DOCTORS IN PUBLIC HEALTH MEDICINE  
AND THE COMMUNITY HEALTH SERVICE**

**(ENGLAND AND WALES)**

**Record of Amendments Volume 2**

Amendments to the Terms and Conditions (TCS) will normally be notified to employers via a message in the NHS Workforce Bulletin.

Volume 1 of this record of amendments and a revised version of the terms and conditions is posted on the NHS Employers website at:

<http://www.nhsemployers.org/pay-conditions/pay-conditions-467.cfm>

	<b>Paragraph no.</b>	<b>Amendment</b>	<b>Date amended</b>	<b>Circular number</b>
111	25a	<p>Replace</p> <p><i>25.a. Where a doctor in public health medicine and the community health service (other than a public health physician or trainee in public health medicine) who has the appropriate experience and training, deputises for a public health physician who acts as medical officer for environmental health in regard to his or her responsibilities for communicable diseases and food poisoning on the 24 hour rota, he or she shall each half year receive an allowance at the rate given in Appendix I. Each week should be regarded as consisting of 9 duties, ie. 7 nights plus the days of Saturday and Sunday. Statutory and general national holidays should be treated in the same way as Saturdays and Sundays. The allowance should be assessed and paid at the end of each half-year ending 30 June and 31 December. The allowance is</i></p>	31 March 2008	PC (M&D) 2/2008

	Paragraph no.	Amendment	Date amended	Circular number
		<p><i>superannuable.</i></p> <p>With</p> <p><i>25.a. Where a doctor in public health medicine and the community health service (other than a public health physician or trainee in public health medicine) who has the appropriate experience and training, deputises for a public health physician who acts as medical officer for environmental health in regard to his or her responsibilities for communicable diseases and food poisoning on the 24 hour rota, he or she shall each half year receive an allowance at the rate given in Appendix I. Each week should be regarded as consisting of 9 duties, ie. 7 nights plus the days of Saturday and Sunday. Statutory and general national holidays should be treated in the same way as Saturdays and Sundays. The allowance should be assessed and paid at the end of each half-year ending 30 June and 31 December. The allowance is pensionable.</i></p>		
112	36.1.a. iii	<p>Replace</p> <p><i>iii. persons referred in connection with diagnosis or treatment by a medical practitioner in the Community Health Service; (<u>But</u> examinations of and reports required on employees or prospective employees for the purpose of, for example, superannuation schemes fall within Category 2.)</i></p> <p>With</p> <p><i>iii. persons referred in connection with diagnosis or treatment by a medical practitioner in the Community Health Service; (<u>But</u> examinations of</i></p>	31 March 2008	PC (M&D) 2/2008

	Paragraph no.	Amendment	Date amended	Circular number
		<i>and reports required on employees or prospective employees for the purpose of, for example, pension schemes fall within Category 2.)</i>		
113	36.1.b.iv	<p>Replace</p> <p><i>iv. reports required by employers (including government departments and local authorities) on employees who are under observation or treatment, eg. reports required in connection with sick leave or premature retirement on health grounds; (<u>But</u> information required primarily to serve the interests of the person or his or her employer in such non-clinical contexts as insurance, superannuation, foreign travel or emigration would fall within Category 2.)</i></p> <p>With</p> <p><i>iv. reports required by employers (including government departments and local authorities) on employees who are under observation or treatment, eg. reports required in connection with sick leave or premature retirement on health grounds; (<u>But</u> information required primarily to serve the interests of the person or his or her employer in such non-clinical contexts as insurance, pension arrangements, foreign travel or emigration would fall within Category 2.)</i></p>	31 March 2008	PC (M&D) 2/2008
114	36.1.c.	<p>Replace</p> <p><i><u>CATEGORY 1.c:</u> Examinations and reports on persons for the purposes of the prevention of illness, under arrangements approved by the Secretary of State after consultation with the profession. (<u>But</u> examinations and reports required by a person or third party primarily to serve the interests of the person, his or her employer or other third party, in such non-clinical contexts as insurance,</i></p>	31 March 2008	PC (M&D) 2/2008

	Paragraph no.	Amendment	Date amended	Circular number
		<p><i>superannuation, foreign travel, or emigration, fall within Category 2.)</i></p> <p>With</p> <p><i><u>CATEGORY 1.c:</u> Examinations and reports on persons for the purposes of the prevention of illness, under arrangements approved by the Secretary of State after consultation with the profession. (<u>But</u> examinations and reports required by a person or third party primarily to serve the interests of the person, his or her employer or other third party, in such non-clinical contexts as insurance, pension arrangements, foreign travel, or emigration, fall within Category 2.)</i></p>		
115	37.d.	<p><i>d. required by a patient or interested third party to serve the interests of the person, his or her employer or other third party, in such non-clinical contexts as insurance, superannuation, foreign travel, emigration, or sport and recreation. (This includes the issue of certificates confirming that inoculations necessary for foreign travel have been carried out, but excludes the inoculations themselves. It also excludes examinations in respect of the diagnosis and treatment of injuries or accidents);</i></p> <p>With</p> <p><i>d. required by a patient or interested third party to serve the interests of the person, his or her employer or other third party, in such non-clinical contexts as insurance, pension arrangements, foreign travel, emigration, or sport and recreation. (This includes the issue of certificates confirming that inoculations necessary for foreign travel have been carried out, but excludes the inoculations themselves. It also excludes examinations in respect of the diagnosis and treatment of injuries or accidents);</i></p>	31 March 2008	PC (M&D) 2/2008

	Paragraph no.	Amendment	Date amended	Circular number
116	49 b	<p>Replace</p> <p><i>b. An allowance shall be paid to a clinician (whether whole-time or part-time) who holds an appointment as medical superintendent of one or more psychiatric hospitals or an appointment the duties of which require him or her to be the chief officer of such hospital or hospitals for the whole of the therapeutic sphere. This allowance will be superannuable. A deputy medical superintendent shall receive no part of this allowance.</i></p> <p>With</p> <p><i>b. An allowance shall be paid to a clinician (whether whole-time or part-time) who holds an appointment as medical superintendent of one or more psychiatric hospitals or an appointment the duties of which require him or her to be the chief officer of such hospital or hospitals for the whole of the therapeutic sphere. This allowance will be pensionable. A deputy medical superintendent shall receive no part of this allowance.</i></p>	31 March 2008	PC (M&D) 2/2008
117	50b	<p>Replace</p> <p><i>b. Supplements shall be an element of remuneration and shall be superannuable.</i></p> <p>With</p> <p><i>b. Supplements shall be an element of remuneration and shall be pensionable.</i></p>	31 March 2008	PC (M&D) 2/2008

	<b>Paragraph no.</b>	<b>Amendment</b>	<b>Date amended</b>	<b>Circular number</b>
118	122b	<p>Replace</p> <p><i>On entry to a post under these terms and conditions of service a general practitioner who has been vocationally trained and has 4 years experience as a principal in general practice, or a general practitioner who has at least 8 years post-registration experience including at least 5 years as a principal in general practice, shall have entitlement to protection either of his or her superannuable income in his or her last complete year of practice uprated by the factor determined for the purpose of regulations 71(2)(a) of the National Health Service Superannuation Regulations 1980 (SI 1980 No 362) or at the current rate of the second incremental point on the consultant scale, whichever is the lower.</i></p> <p>With</p> <p><i>On entry to a post under these terms and conditions of service a general practitioner who has been vocationally trained and has 4 years experience as a principal in general practice, or a general practitioner who has at least 8 years post-registration experience including at least 5 years as a principal in general practice, shall have entitlement to protection either of his or her pensionable income in his or her last complete year of practice uprated by the factor determined by the NHS Pension Scheme Regulations 1995 (as amended) or at the current rate of the second incremental point on the consultant scale, whichever is the lower.</i></p>	31 March 2008	PC (M&D) 2/2008
119	228a	<p>Replace</p> <p><i>For the purpose of ascertaining the appropriate allowance of paid sick leave under paragraph 225, all periods of service (without any break of twelve</i></p>	31 March 2008	PC (M&D) 2/2008

	Paragraph no.	Amendment	Date amended	Circular number
		<p><i>months or more, subject to sub-paragraph b. below) under any employing authority constituted under the National Health Service Act 1977, or any local authority, or in the Civil Service or the teaching service, or any other service approved by the Secretary of State for the purposes of Regulation 82(1) of the National Health Service (superannuation) Regulations 1980, shall be aggregated.</i></p> <p>With</p> <p><i>For the purpose of ascertaining the appropriate allowance of paid sick leave under paragraph 225, all periods of service (without any break of twelve months or more, subject to sub-paragraph b. below) under any employing authority constituted under the National Health Service Act 1977, or any local authority, or in the Civil Service or the teaching service, or any other service approved by the Secretary of State for the purposes of the NHS Pension Scheme Regulations 1995 (as amended).</i></p>		
120	Supplement paragraph 20	<p>Replace</p> <p><b><u>SUPERANNUATION</u></b></p> <p><i>Fees for work done under the collaborative arrangement will not normally be regarded as superannuable remuneration in the NHS superannuation scheme. Fees for work in the community health service will normally be superannuation under the scheme. Exceptions to these generalisations include where a previous agreement to the contrary exists.</i></p> <p>With</p>	31 March 2008	PC (M&D) 2/2008

	Paragraph no.	Amendment	Date amended	Circular number
		<p><b><u>PENSIONABLE RENUMERATION</u></b></p> <p><i>Fees for work done under the collaborative arrangement will not normally be regarded as pensionable remuneration in the NHS Pension Scheme Regulations 1995 (as amended). Fees for work in the community health service will normally be pensionable under the scheme. Exceptions to these generalisations include where a previous agreement to the contrary exists.</i></p>		
121	4.e.	<p>Insert</p> <p><i>From 31<sup>st</sup> March 2008 entry to the grades of AS, SG, Hospital Practitioner, Part-Time Medical Practitioners and Part-Time General Dental Practitioners is closed.</i></p>	31 March 2008	PC (M&D) 1/2008

Pay and Negotiations Team  
NHS Employers  
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