

1 March 2007

Pay Circular (M&D) 1/2007

Pay and conditions for hospital medical and dental staff, doctors in public health medicine and the community health service

To: All NHS employers

Summary


This pay circular notifies employers of a change, in respect of redundancy pay, to the hospital medical and dental staff, doctors in public health medicine and the community health service (2002) Terms and Conditions of Service (TCS) and the Terms and Conditions – Consultants (England) 2003. Links to the amended TCS are given below.

Agreement

- 1 The Department of Health has approved changes to the redundancy pay arrangements for the NHS, following joint recommendations from NHS Employers and the NHS staff council. These arrangements supersede the provisions laid down in Section 45 and 46 of the General Council Conditions of Service.
- 2 The Joint Negotiating Committee (Seniors), Joint Negotiating Committee (Juniors) and the Staff and Associate Specialist Negotiating Committee have approved amendments, detailed below, to the relevant Terms and Conditions of Service (TCS).

Action

- 3 Revised redundancy pay arrangements will apply in full with effect from 1 October 2006. Please implement and, where necessary, retrospectively apply the new arrangements as soon as practicable.
- 4 A High Court judgment in 2006 highlighted the need for NHS employers to take all reasonable steps to ensure that the effects of nationally negotiated collective agreements are incorporated into individual contracts of employment.
- 5 It is good practice that employers should:
 - o write to individual medical and dental practitioners in order to notify them of the revisions to their TCS; and
 - o place a copy of the notification on each individual's HR record.

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Changes to Terms and Conditions of Service

Doctors employed under National Health Service Hospital Medical and Dental Staff and Doctors in Public Health Medicine and the Community Health Service (England and Wales) Terms and Conditions of Service

Temporary Appendix VI(iii) – Redundancy Pay

- 6 Agreement has been reached to incorporate the new arrangements into the TCS and these can be found in Temporary Appendix VI(iii).
- 7 All other relevant provisions in the General Council Conditions of Service as listed in Appendix III of the TCS shall continue to apply.
- 8 A copy of the amended TCS can be downloaded from the NHS Employers website at the following web address: <http://www.nhsemployers.org/pay-conditions/pay-conditions-467.cfm>.
- 9 A copy of the amended record of amendments log can be downloaded from the NHS Employers website at the following web address: <http://www.nhsemployers.org/pay-conditions/pay-conditions-467.cfm>.

Doctors employed under Terms and Conditions – Consultants (England) 2003

Temporary Schedule 26 – Redundancy Pay

- 10 Agreement has been reached to incorporate the new arrangements into the relevant TCS and these can be found in Temporary Schedule 26.
- 11 All other relevant provisions in the General Council Conditions of Service as listed in Schedule 20 of these TCS shall continue to apply.
- 12 A copy of the amended TCS can be downloaded from the NHS Employers website at the following web address: <http://www.nhsemployers.org/pay-conditions/pay-conditions-348.cfm>.
- 13 A copy of the amended record of amendments log can be downloaded from the NHS Employers website at the following web address: <http://www.nhsemployers.org/pay-conditions/pay-conditions-348.cfm>.

Record of amendments

- 14 For ease of reference, all amendments which have been made to the contract since publication are collated in a record of amendments log. The log also records the Advance Letter, Pay Circular, or other reference under which amendments were issued.

- 15 Each amendment in the contract has been given a reference number which appears in the text as a superscript number at the end of each amendment i.e., 'the superscript shows you that wording in this paragraph has changed'¹³. The superscript number corresponds to the number assigned to the amendment in the record of amendments log. By doing this, the reader is notified that an amendment has been made to the contract and is directed to the relevant section of the record of amendments log. A link to the web page which holds the record of amendments log is given above.

Enquiries

- 16 Employees should direct personal enquiries to their employer.
- 17 Employers should direct enquiries to
RetirementRedundancyReview@nhsemployers.org

Further copies

- 18 Copies of this circular can be downloaded from: the NHS Employers website at the following web address: <http://www.nhsemployers.org/pay-conditions/pay-conditions-707.cfm>.
- 19 Copies of previous Advance Letters from 1995 onwards may also be obtained from the Department of Health website at: <http://www.dh.gov.uk/letters>.

Yours faithfully,



Gill Bellord

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NHS Employers