

31 March 2008

Pay Circular (M&D) 2/2008

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 consequential changes related to the introduction of revised NHS Pension Scheme arrangements from 1 April 2008 to the Hospital Medical and Dental Staff, Doctors in Public Health Medicine and the Community Health Service (2002) Terms and Conditions of Service (TCS), the Terms and Conditions – Consultants (England) 2003 and the consultant and doctors in training model contracts.

Agreement

- 1 NHS Employers and the NHS Trades Unions have agreed changes to the NHS Pension Scheme from 1 April 2008. Further information about the changes can be found at: <http://www.nhsemployers.org/pay-conditions/pension-review-employer.cfm>
- 2 The Joint Negotiating Committee (Seniors), Joint Negotiating Committee (Juniors) and the Staff and Associate Specialist Negotiating Committee have approved consequential amendments to the relevant TCS and model contracts. Links to the amended documents are given in Annex A to this Circular.

Action/Effective date of changes

- 3 Employers should implement the new TCS with effect from 1 April 2008.
- 4 Employers are not required to reissue amended contracts to those doctors whose contracts have an effective start date of 31 March 2008 or before, providing they have written to the doctor as set out below. However, employers are asked to make use of the amended contract documents for all appointments or transfers which have an effective start date of 1 April 2008 or later. Employers are also asked to use the amended contracts when a doctor undergoes a change of contractual terms i.e. moves to or from a part-time contract.
- 5 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.

6 It is good practice that employers should:

- write to individual medical and dental practitioners in order to notify them of the revisions to their TCS; and
- place a copy of the notification on each individual's HR record.

Contract maintenance

7 There have been a number of amendments made to the Terms and Conditions – Consultants (England) 2003 and the model consultant contract to update and to ensure consistency of style and language.

Record of amendments

- 8 For ease of reference, all significant amendments made to the TCS and model contracts are collated in record of amendments logs. The logs also record the Advance Letter, Pay Circular, or other reference under which amendments were issued.
- 9 Each significant amendment in the TCS and model contracts 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 that wording in this paragraph has changed¹³”. The number corresponds to that given to the amendment in the log. By doing this, the reader is notified that an amendment has been made to the document and is directed to the relevant section of the log. Links to the records of amendments are given in Annex A to this Circular.

Enquiries

- 10 Employers should direct enquiries about the content of this Pay Circular and/or the TCS and model contracts to: doctorsanddentists@nhsemployers.org
- 11 Employers should direct enquiries about the new NHS Pension Scheme arrangements to: NHSPensionReview@nhsemployers.org
- 12 Employees should direct personal enquiries to their employer.

Further copies

- 13 Copies of this circular can be downloaded from: www.nhsemployers.org



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NHS Employers

Links to amended TCS and model contracts

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

A copy of the amended TCS and 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

A copy of the amended TCS and 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>

Model consultant contract

A copy of the amended contract and 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>

Model contract for doctors in training (statement of particulars)

A copy of the amended contract and 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>