

## NHS terms and conditions of service handbook

### This is Volume 2 of the record of amendments

This is a chronological record of amendments to the Handbook starting on 25 January 2010

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:

[www.nhsemployers.org/pay-conditions/agenda-for-change.cfm](http://www.nhsemployers.org/pay-conditions/agenda-for-change.cfm)

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
16		Title page	The reference to amendment number 15 is changed to: <b>Amendment number 16</b> Pay circular (AforC) 3/2009 is changed to <b>Pay circular (AforC) 1/2010</b>		1/2010
		Introduction	A new first paragraph is inserted as follows:  <b>This Handbook 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 dates(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.</b>		
	Contents	Annexes	The line which reads: Annex B Pay bands and pay points 2004; 2005; 2006; 2007 and 2008 Is amended so that it is: <b>Pay bands and pay points from 2004.</b> The line which reads: Annex C Pay bands and pay points 2009 Is amended so that it is: <b>Latest pay bands and pay points</b> “Annex P Coverage of Nurses and Other Health Professions Review Body” Is amended so that it is: <b>Annex P Coverage of NHS Pay Review Body (NHSPRB)</b> The following line is added at the end of the list of Annexes: <b>“Annex A2 Guidance on frequently asked questions”</b>		

		Principles and Partnership	<p>In the second sentence in paragraph 1 the words “seek to keep the Handbook up to date with any changes, but current law takes precedence over the Handbook” are deleted and the words “<b>review this Handbook periodically taking account of changes to relevant legislation</b>” are inserted.</p> <p>Paragraph 4 was:  “The Agenda for Change partners agree to work in partnership to deliver a new NHS pay system which supports NHS service modernisation and meets the reasonable aspirations of staff. The signatories to the agreement will work together to meet the reasonable aspirations of all the parties to.”  It is amended to read:  <b>“Nationally, employer and trades union representatives have agreed to work in partnership to maintain an NHS pay system which supports NHS service modernisation and meets the reasonable aspirations of staff. The national partners have agreed to work together to meet the reasonable aspirations of all the parties to:”</b></p> <p>First bullet point in paragraph 4: line 1: the word “new” is deleted.  Fifth bullet point in paragraph 4: line 3: the words “<b>to ensure</b>” are inserted immediately after the word “and”.</p> <p><b>Local Partnership</b>  Paragraph 5 is deleted.  A new paragraph 5 is inserted as follows:  <b>“Trades union and employer representatives at national level actively support, encourage and promote a partnership approach to the development of the pay system. Their aim is to ensure the pay system supports NHS service modernisation and meets the reasonable aspirations of staff. Employers and trades unions are expected to work in partnership to apply the pay system at local level”</b></p> <p><b>Wider human resources issues</b>  Paragraph 8: second sentence: this reads:  “All parties to this agreement therefore recognise that it should be implemented in a way which is consistent with the wider human resource policies set out in the relevant strategies.”  It is amended to read:  <b>All parties recognise that the pay system should be consistent with the wider human resource policies set out in the relevant strategies.”</b></p>		
	Part 2: Pay Section 1	Pay structure	<p><b>Pay spines</b>  Paragraph 1 is:  “The NHS pay system as a whole will have three pay spines or series of</p>		

		<p>pay bands: one for staff within the remit of the Doctors' and Dentists' Review Body one for staff within the extended remit of the Pay Review Body. for Nursing and Other Health Professions; and one for other directly employed NHS staff, with the exception of the most senior managers.”</p> <p>It is amended and is:</p> <p><b>“The NHS pay system as a whole will have two pay spines or series of pay bands: pay spine one for staff within the remit of the Doctors' and Dentists' Review Body and pay spine two for staff within the extended remit of the NHS Pay Review Body (NHSPRB).”</b></p> <p>Paragraph 2 is:</p> <p>“Part 2 of this Handbook sets out the pay spine and the associated arrangements for staff on the second and third of these groups. Section 40 (Part 6) and Annex P sets out the extended coverage of the NHS Pay Review Body for Nursing and Other Health Professions.”</p> <p>It is amended and is:</p> <p><b>“Part 2 and Part 7 of this handbook set out pay and conditions for staff within the remit of the NHSPRB. Section 40 (Part 6) explains the role of the NHS Staff Council its Executive and the NHS pay review bodies. Annex P sets out the extended coverage of the NHSPRB. Pay and conditions for the most senior managers are outside the scope of this Handbook (see paragraph 1.7 below)”</b></p> <p>Paragraph 3 is:</p> <p>“Both The second and third pay spines staff will be divided into nine pay bands. All staff covered by Agenda for Change will, on assimilation, be assigned to one of these pay bands on the basis of job weight, as measured by the NHS Job Evaluation Scheme.”</p> <p>It is amended and is:</p> <p><b>“The pay spine for staff covered by the NHSPRB will be divided into nine pay bands. All staff covered by this pay system will, on assimilation, be assigned to one of these pay bands on the basis of job weight, as measured by the NHS Job Evaluation Scheme.”</b></p> <p>Paragraph 10 is:</p> <p>“Annex B sets out the <b>pay</b> spines in full effective from 1 October 2004. The pay spines effective from 1 April 2005 are set out in Annex C. For some staff whose new pay band minimum is significantly above their current pay, there are special transitional pay points which apply during the assimilation period (see Section 46).”</p> <p>It is amended and is:</p> <p><b>“Annex B sets out the values of the pay points in the pay bands and the pay spine in full, effective from 1 October 2004. The latest values are in Annex C.”</b></p>		
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			<p>Paragraph 11; second bullet is:</p> <p>“special transitional pay points for staff whose new pay band minimum is significantly above their current pay;”</p> <p>It is amended and is:</p> <p><b>“special transitional pay points for staff whose new pay band minimum was significantly above their rate of basic pay before their assimilation to Agenda for Change;”</b></p> <p><b>Footnotes number 2 and 3 “See the question and answer guidance in Annex A2” are new.</b></p>		
	Section 2	Maintaining round the clock services	<p><b>Supporting staff who work evenings, at night, weekends and on general public holidays</b></p> <p>Paragraph 2 is:</p> <p>“This section is effective from 1 April 2008. It replaces paragraphs 2.1 to 2.12 of the previous agreement. It applies to all staff Agenda for Change terms and conditions of service.”</p> <p>It is amended and is:</p> <p><b>“This section is effective from 1 April 2008. It replaces paragraphs 2.1 to 2.12 of the previous agreement. It applies to all Staff employed on the terms and conditions of service set out in this Handbook.”</b></p> <p>The word <b>“transitional”</b> is inserted immediately after the word “The” in the last sentence of paragraph 5.</p> <p>Paragraph 7: third sentence: is</p> <p>“These arrangements remain unaffected by this agreement and all pathology out of hours working provisions will be regarded as included in these arrangements and the provisions outlined in paragraphs 2.8 to 2.30 below will not apply.”</p> <p>It is amended and is:</p> <p><b>“These arrangements remain unaffected by this agreement. All pathology out of hours working provisions will be regarded as included in these arrangements and the provisions outlined in paragraphs 2.8 to 2.30 below will not apply. Protection will continue up to 31 March 2011”</b></p> <p>Paragraph 2.32 is:</p> <p>“The NHS Staff Council is reviewing on-call. The target date for completion is September 2009 to allow sufficient time for consultation and NHS preparation before new arrangements could be implemented in April 2010.</p>		

			<p>The review will ensure that on-call arrangements are consistent with equal pay for work of equal value. Existing arrangements for on-call will remain in place until new arrangements are implemented. Paragraph 2.46 specifies the period of protection of on-call.”</p> <p>It is amended and is</p> <p><b>The NHS Staff Council is reviewing on-call. The target date for new arrangements to be implemented is April 2011. The review will ensure that on-call arrangements are consistent with equal pay for work of equal value. Existing arrangements for on-call will remain in place until new arrangements are implemented. Paragraph 2.46 specifies the period of protection of on-call.</b></p> <p>Paragraph 2.46 is:</p> <p>Unless locally, it is agreed otherwise, all current on-call arrangements will be protected for groups of employees up to 31 March 2010, irrespective of whether they were nationally or locally agreed. This extended protection will apply to existing staff and new staff during the period of protection.</p> <p>It is amended and is:</p> <p><b>Unless locally, it is agreed otherwise, all current on-call arrangements will be protected for groups of employees up to 31 March 2011, irrespective of whether they were nationally or locally agreed. This extended protection will apply to existing staff and new staff during the period of protection.</b></p> <p><b>Footnotes 1 to 8 “See the question and answer guidance in Annex A2” are new.</b></p>		
	Section 3	Overtime payments	<p><b>Footnotes 1 and 2 “See the question and answer guidance in Annex A2” are new.</b></p>		
	Section 4	Pay in high cost areas	<p>Paragraph 3 is:</p> <p>“The level of high cost area payments effective from 1 October 2004 and 1 April 2005 are set out in Annex I. Beyond 2005 The value of the supplement will be reviewed annually, based on the recommendations of the Pay Review Body for Nursing and Other Health Professions and the Pay Negotiating Council.”</p> <p>It is amended and is:</p> <p><b>“The level of high cost area payments are set out in Annex I. The value of the supplement is reviewed annually, based on the recommendations of the NHS Pay Review Body (NHSPRB).”</b></p> <p>Paragraph 8 is:</p>		

			<p>"It will be open to the Review Body for Nursing and other Health Professions and/or the Pay Negotiating Council to make recommendations on the future geographic coverage of high cost area supplements and on the value of such supplements."</p> <p>It is amended and is:  <b>"It will be open to the NHSPRB to make recommendations on the future geographic coverage of high cost area supplements and on the value of such supplements."</b></p> <p>Paragraph 4.9: bullet point number 4: the words "and workforce development confederations" are deleted.</p> <p><b>Footnote number 1 "See the question and answer guidance in Annex A2" is new.</b></p>		
	Section 5	Recruitment and retention premia	<p>Paragraph 2: second sentence: delete the word "they" at the start of the sentence and insert the word "<b>Premiums</b>".</p> <p>Paragraph 3: first sentence: is:  "Recruitment and retention premia may also be awarded on a national basis to particular groups of staff on the recommendation of the Pay Review Body for Nursing and Other Health Professions and/or the Pay Negotiating Council where there are national recruitment and retention pressures."  It is amended and is:  <b>"Recruitment and retention premia may also be awarded on a national basis to particular groups of staff on the recommendation of the NHS Pay Review Body (NHSPRB) where there are national recruitment and retention pressures."</b></p> <p>In the second sentence the words "and the Pay Negotiating Council" are deleted. The rest of this paragraph is unaltered.</p>		
	Section 6	Career and pay progression	<p>Paragraph 1 is:  "A new NHS Knowledge and Skills Framework will be applied to all jobs covered by Agenda for Change, no later than October 2006."  It is amended and is:  <b>"A NHS Knowledge and Skills Framework will be applied to all jobs covered by the pay system"</b>.</p> <p>Paragraph 22: the last sentence is deleted.</p> <p>Paragraph 34: first bullet point: the words "and the need for this to be done for all posts by no later than October 2006" are deleted.</p>		

	Part 3 Section 10	Hours of the working week	<p>Paragraph 1: is: “The standard hours of all full-time NHS staff covered by Agenda for Change will be 37½ hours, excluding meal breaks, subject to the protection and assimilation arrangements set out in Section 46. Working time will be calculated exclusive of meal breaks, except where individuals are required to work during meals, in which case such time should be counted as working time.”</p> <p>It is amended and is: “<b>The standard hours of all full-time NHS staff covered by this pay system will be 37½ hours, excluding meal breaks, subject to the protection and assimilation arrangements set out in Section 46. Working time will be calculated exclusive of meal breaks, except where individuals are required to work during meal breaks, in which case such time should be counted as working time.</b>”</p> <p>Paragraph 4: delete the word “<b>the</b>” after “further information on. . . “</p>		
	Section 11	Part-time employees and employees on fixed-term contracts	<p><b>Part-time employees</b></p> <p>Paragraph 1: line 3: delete the words “bank and”.</p>		
	Section 12	Contractual continuity of service	<p><b>Footnote number 1 “See the question and answer guidance in Annex A2” is new.</b></p>		
	Section 13	Annual leave and general public holidays	<p>Paragraph 6: lines 1 and 2: delete the word “bank” in each line and insert the word “<b>public.</b>”</p> <p>Paragraph 7: lines 1 and 2: delete the word “bank” in each line and insert the word “<b>public.</b>”</p> <p>Paragraph 8: line 2: the word “bank” is deleted and the word “<b>public</b>” is inserted.</p> <p><b>Footnotes 1 to 3 “See the question and answer guidance in Annex A2” are new.</b></p>		
	Section 14	Sickness absence	<p><b>Footnotes 1 and 2 “See the question and answer guidance in Annex A2” are new.</b></p>		
	Section 15	Maternity leave and pay	<p>The last sentence of paragraph 15.54 is now a new paragraph 15.55. All subsequent paragraphs are renumbered.</p>		
	Section 16	Redundancy pay	<p>Paragraph 17: fifth bullet point: delete the word “are” at the beginning of the point and insert the word “<b>they;</b>”</p>		
	Section 19	Other terms and	<p><b>Footnotes number 1 “See the question and answer guidance in Annex</b></p>		

		conditions	<b>A2” is new.</b>		
	Part 5 Section 30	General equality and diversity statement	<p>Second main heading: amended as follows “General statement on equality and diversity statement”.</p> <p>Paragraph 1: is:            “All parties to this agreement are committed to building a NHS workforce which is valued and whose diversity reflects the communities it serves, enabling it to deliver the best possible healthcare service to those communities.”</p> <p>It is amended and is:  <b>“All parties to this agreement commit to building a NHS workforce which is valued and whose diversity reflects the communities it serves, enabling it to deliver the best possible healthcare service to those communities. The NHS will strive to be a leader in good employment practice, able to attract and retain staff from diverse backgrounds and communities.”</b></p> <p>Paragraph 2: the following is inserted as a new first line:  <b>“The parties will strive to ensure that: . . . “</b></p> <p>Second bullet: is:            “the past effects of institutional discrimination are recognised and. all parties seek to guarantee equality of opportunity for all.”</p> <p>It is amended and is:  <b>“ the past effects of institutional discrimination are identified and remedial action taken.”</b></p> <p>Third bullet: this is:            “equality of opportunity is guaranteed means that an individual’s diversity is viewed positively and, in recognising that everyone is different, valuing equally the unique contribution that individual experience, knowledge and skills can make.”</p> <p>It is amended and is:  <b>“equality of opportunity is guaranteed;”</b></p> <p>A new fourth bullet is inserted as follows:  <b>“Individual difference and the unique contribution that individual experience, knowledge and skills can make is viewed positively.”</b></p> <p>The renumbered fifth bullet point is:            “Everyone who works in the NHS, or applies to work in the NHS, should be treated fairly and valued equally. All conditions of service and job requirements should fit with the needs of the service and those who work in it, regardless of age, disability, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, domestic circumstances, social</p>		



			<p>and employment status, HIV status, gender reassignment, political affiliation or trade union membership. The NHS should strive to be a place where people want to work, and to be a leader in good employment practice. This agreement seeks to build on the current legal framework, thought he establishment of good practice.”</p> <p>It is amended and is:</p> <p><b>“Job descriptions, person specifications and the terms and conditions of service fit with the needs of the service and those who work in it, regardless of age, disability, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, domestic circumstances, social and employment status, HIV status, gender reassignment, political affiliation or trade union membership.”</b></p> <p><b>Making it Happen</b> Paragraph 30.3: is:</p> <p>“The aim is to make equality and diversity part of everything that the NHS does. To make this happen:</p> <ul style="list-style-type: none"> <li>• everyone who works in the NHS needs to know about the agreements which exist and what they say;</li> <li>• everyone needs to know what their responsibilities are in relation to equality and diversity;</li> <li>• steps taken to promote equality and diversity need to be monitored;</li> <li>• appropriate training should be provided.</li> <li>• there must be a willingness to recognise the need for investment to provide and spend such money as is necessary to achieve these aims;</li> <li>• the boards of NHS trusts (of NHS boards in Scotland) and other NHS organisations and senior managers must work for the aims of the agreements, and show that they are doing so in the decisions they take, their policies and actions ;</li> <li>• the NHS should encourage other organisations, such as local authorities, education providers, contractors and recruitment agencies, to work in partnership with the service to ensure that everyone working in and with the NHS does so in the spirit of this agreement.</li> </ul>		
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			<p>It is recognised that not everybody who works for the NHS is covered by this agreement. All parties to this agreement believe that it should be a model for all employers within the service.”  It is amended and is:  <b>“To achieve these goals all parties to this agreement will ensure that:</b></p> <ul style="list-style-type: none"> <li>• <b>everyone who works in the NHS knows about these agreements and what they say;</b></li> <li>• <b>everyone knows what their responsibilities are in relation to equality and diversity and these are reflected in individual KSF outlines and development reviews;</b></li> <li>• <b>steps taken to promote equality and diversity need to be monitored;</b></li> <li>• <b>appropriate training is provided. This will include appropriate equality and diversity training for all staff and relevant skills based training for line managers and others who play a key role in implementing equality and diversity policy;</b></li> <li>• <b>appropriate resources where appropriate, are made available to achieve these aims;</b></li> <li>• <b>the boards of NHS trusts (of NHS boards in Scotland) and other NHS organisations and senior managers will demonstrate their commitment and accountability for implementing these aims by measuring and monitoring progress through their equality schemes;</b></li> <li>• <b>the NHS will encourage other organisations, such as local authorities, education providers, contractors and recruitment agencies, to work in partnership with the service to achieve the aims of this agreement including the application of its commissioning and procurement activities.”</b></li> </ul> <p><b>Monitoring and review</b>  Paragraph 30.5 is:  NHS employers and local staff representatives should look together at what progress they are making towards the aims of this agreement, within their own local arrangements. Annual ‘equality audits’ are recommended,</p>		
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			<p>and these should cover:</p> <ul style="list-style-type: none"> <li>• data on the make-up of the workforce by race, sex, age, disability and contract status (i.e. part time);</li> <li>• what equality policies and procedures are in place;</li> <li>• pay and grading;</li> <li>• current monitoring processes.</li> </ul> <p>Based upon the results of the audit, plans should be agreed about what is to be done towards meeting the aims of the agreement over the coming year. Guidance on the conduct of an equality audit will be developed separately. Where under-representation of particular racial groups, particular age groups, disabled staff or of a particular sex is identified, employers should take advantage of the positive action provisions in the discrimination legislation, assuming that the detailed conditions in the legislation are met. Guidance on positive action will be developed separately.</p> <p>It is amended and is:</p> <p><b>“NHS employers and local staff representatives should review their local arrangements to ensure they produce outcomes that are consistent with this agreement. Annual ‘equality audits’ are recommended, and these should include a review of:</b></p> <ul style="list-style-type: none"> <li>• <b>workforce data by race, sex, age, disability and contract status (i.e. part time);</b></li> <li>• <b>existing equality policies and procedures and any gaps requiring the development of new arrangements;</b></li> <li>• <b>data on pay and grading by race, sex, age, disability and contract status e.g. part-time;</b></li> </ul> <p>A new paragraph 6 is inserted as follows:</p> <p><b>“Where under-representation of particular groups is identified, employers should take advantage of the positive action provisions in the discrimination legislation, assuming that the detailed conditions in the legislation are met.”</b></p> <p>The heading “Complaints” and the associated paragraph are deleted.</p>		
	Section 34	Flexible working	Paragraph 2: the following sentence is added at the end of paragraph 2:		

		arrangements	<b>“In addition, unless there are clear, demonstrable reasons why it is not practicable, flexible working arrangements (in line with the Employment Equality (Religion or belief) Regulations 2003) should, wherever possible, be made available to employees who undertake daily religious observance or holy day in the week.”</b>		
	Section 35	Balancing work and personal life	<b>General</b> Paragraph 1: the following sentence is added at the end of paragraph 1: “This form of leave should cover a wide range of needs from genuine domestic emergencies through to bereavement and should take into account all religion or belief obligations and associated activities.”		
	Section 36	Employment break scheme	<b>Length of break</b> Paragraph 11: is: “Breaks should be able to be taken either as a single period or as more than one period.” It is amended and is: <b>“It should be possible to take breaks either as a single period or as more than one period.”</b>		
	Part 6: Operating the system Section 40	National Bodies and procedures	Section 40 is re-written. The new Section 40 replaces the old Section 40.		
	Section 46	Assimilation and protection	<b>Footnotes 1 to 7 and 9 to 14 “See the question and answer guidance in Annex A2” are new.</b>		
	Annex A	NHS Employers	Under the heading “England” the words <b>“including NHS Foundation Trusts”</b> are added after the words “NHS Trusts”.		
	Annex B		The following text is added at the start of Annex B: <b>This Annex is an archive of pay bands and pay points in England since 1 October 2004. Current pay bands and pay points are in Annex C.</b> <b>Scotland, Wales and Northern Ireland</b> <b>Pay bands and pay points in Scotland can be found at:</b>		

			<b>www.staffgovernance.scot.nhs.uk</b> <b>in Wales at:</b> <b>www.wales.gov.uk</b> <b>and in Northern Ireland at:</b> <b>www.dhsspsni.gov.uk</b>		
	Annexes B and C	Tables 12, 12a, 12b, 12c, 12d, 12e and Table 13.	The headings “Pay bands and pay points on the second and third pay spines at . . .” are amended and are <b>“Pay bands and pay points on the second pay spine in England at . . .”</b>		
	Annex J	Local recruitment and retention premium criteria	Paragraph 6: line 2: the words “workforce development confederations” are deleted. Paragraph 7: the words “the organisation” are added to the end of the last sentence. Paragraph 9: line 2: the words “workforce development confederations” are deleted.		
	Annex P	Coverage of Nurses and Other Health Professions NHS Pay Review Body	The heading “Coverage of Nurses and Other Health Professions NHS Pay Review Body” is amended and is <b>“Coverage of NHS Pay Review Body”</b> The whole list of professions in Annex P is deleted. The following paragraph is inserted: <b>“The NHS PRB’s recommendations currently apply to all staff employed in the NHS on the pay spine and pay bands in Annexes B and C with the exception of doctors, dentists and very senior managers. (See Appendix A in the twenty third report of the Review Body <a href="http://www.ome.uk.com">www.ome.uk.com</a>”</b>		
	Annex R	Guidance on the application of nationally agreed recruitment and retention premia	<b>Footnotes 1 and 2 “See the question and answer guidance in Annex A2” are new.</b>		
	Annex T	Development of professional roles	<b>Footnote number 1 “See the question and answer guidance in Annex A2” is new.</b>		
	Annex U	Arrangements for pay and banding of trainees	Paragraph 1: line 3: the words “under the Agenda for Change arrangements” are deleted.  <b>Footnote number 1 “See the question and answer guidance in Annex A2” is new.</b>		
	Annex Z	Managing sickness absences –	Paragraph 5: line 8: the following words are inserted <b>“The minimum standards are:”</b>		

		developing local policies and procedures			
	Annex A2	Guidance on frequently asked questions	This is a new Annex.		
17		Title page	The reference to amendment number 16 is changed to: <b>Amendment number 17</b> Pay circular (AforC) 1/2010 is changed to <b>Pay circular (AforC) 2/2010</b>		2/2010
	Annex B	Pay bands and pay points from 2004	Pay rates from 1 April 2009 in Annex C are transferred into Table 12f in Annex B which is an archive of pay bands and pay points in England since 1 October 2004.		
	Annex C	Pay bands and pay points from 1 April 2010	Pay rates effective from 1 April 2010 are in the new Table 13 in Annex C. The new Annex C published in the pay circular replaces the old Annex C in the Handbook.		
	Annex I	High cost area supplements	Rates of supplements effective from 1 April 2009 in Table 19 are transferred into a new Table 18e. Tables 18 to 18e are an archive of High Cost Area payments since 1 October 2004. Rates of supplements effective from 1 April 2010 are inserted into a new Table 19.		
	Annex R	National recruitment and retention premia	Paragraph 13 in Annex R is:  Given the high degree of consistency in NHS rates and the existence of published market rates, it is appropriate to specify a single level of premium for staff who require full electrical, plumbing or mechanical crafts qualifications of £3,205 a year, from 1 April 2009. Premia should only exceed this rate, or the equivalent rate as uplifted under the provisions below, where that is necessary to ensure no loss under the rules in paragraphs 4 to 7, above. It is amended and is:  <b>Given the high degree of consistency in NHS rates and the existence of published market rates, it is appropriate to specify a single level of premium for staff who require full electrical, plumbing or mechanical crafts qualifications of £3,277 a year, from 1 April 2010. Premia should only exceed this rate, or the equivalent rate as uplifted under the provisions below, where that is necessary to ensure no loss under</b>		

			<p><b>the rules in paragraphs 4 to 7, above.</b></p> <p>Paragraph 17 is:</p> <p>The value of the premium in paragraph 13 is the value effective from 1 April 2009. Any premia paid prior to this date should be uplifted at that date to this amount. Any uprating of premia thereafter will be by either national or local agreement.</p> <p>It is amended and is:</p> <p><b>The value of the premium in paragraph 13 is the value effective from 1 April 2010. Any premia paid prior to this date should be uplifted at that date to this amount. Any uprating of premia thereafter will be by either national or local agreement.</b></p>		
18		Title page	<p>The reference to amendment number 17 is changed to:</p> <p><b>Amendment number 18</b></p> <p>Pay circular (AforC) 2/2010 is changed to</p> <p><b>Pay circular (AforC) 3/2010</b></p>		3/2010
		New list of contents	<p><b>Section 20 Mutually agreed resignation schemes: Principles is a new entry to the contents page</b></p> <p>The reference to Sections 20 – 24 (Unallocated) is changed to read:</p> <p><b>Sections 21 – 24 (Unallocated)</b></p>		
	Section 20	Mutually agreed resignation schemes: Principles	This is a new section 20		
		Page which says "Sections 20 to 24 (Unallocated)	<p>The page with reference to the unallocated sections 20 – 24 has been changed to:</p> <p><b>Sections 21 – 24 (Unallocated)</b></p>		
19		Title page	<p>The reference to amendment number 18 is changed to:</p> <p><b>Amendment number 19</b></p> <p>Pay circular (AforC) 3/2010 is changed to</p> <p><b>Pay circular (AforC) 4/2010</b></p>		4/2010

		Change to introduction	The reference to “Health and Personal Social Services organisations in Northern Ireland in the second paragraph has been changed to: <b>“Health and Social Care organisations in Northern Ireland”.</b>		
		New list of contents	<b>Section 21 Right to raise concerns in the public interest (whistleblowing) is a new entry to the contents page</b>  The reference to “Sections 21 – 24 (Unallocated)” is changed to read: <b>“Sections 22 – 24 (Unallocated)”</b>		
	Section 21	Right to raise concerns in the public interest (whistleblowing)	This is a new section 21		
		Page which says “Sections 21 to 24 (Unallocated)	The page containing the reference to the unallocated sections 21 – 24 has been changed to: <b>“Sections 22 – 24 (Unallocated)”</b>		
<b>20</b>		Title page	Title page “Amendment number 19” is deleted and replaced by <b>“Amendment number 20”</b> “Pay circular (AforC) 4/2010” is deleted and replaced by <b>“Pay circular (AforC) 5/2010”.</b>		5/2010
		Contents	The words <b>“Annex A3 Principles for harmonised on-call arrangements”</b> are added at the end of the list of contents.		
	Section 2	Maintaining round the clock services	A new paragraph 2.1 is inserted which is:  <b>“This Section is in three parts. Paragraphs 2.2 to 2.31 apply. Paragraphs 2.33 to 2.53 will apply until 31 March 2011. Paragraphs 2.54 to 2.57 apply from 1 April 2011.”</b>  All the subsequent paragraphs in this Section are renumbered.  Paragraph 2.8: line 6: the words “paragraphs 2.8 to 2.30” are deleted and the words <b>“paragraphs 2.9 to 2.31”</b> are inserted”.		



			<p>Paragraph 2.14: This is:  “Any extra time worked in a week, above standard hours, will be treated as overtime and Section 3 will apply. The agreement on on-call and other extended service cover is unchanged. It is now in paragraphs 2.31 to 2.50. Staff cannot receive percentage enhancements for unsocial hours and payments for on-call and other extended service cover for the same hours of work.”</p> <p>It is amended so that it is:  <b>“Any extra time worked in a week, above standard hours, will be treated as overtime and Section 3 will apply. Paragraphs 2.33 to 2.57 and Annex A3 set out the arrangements for on-call and other extended service cover. Staff cannot receive unsocial hours payments and payments for on-call and other extended service cover for the same hours of work.”</b></p> <p>A new paragraph 2.32 is inserted which is:  <b>“Paragraphs 2.33 to 2.53 describe the arrangements for on-call and other extended service provision which will apply until 31 March 2011. Paragraphs 2.54 to 2.57 describe the arrangements for on-call and other extended service provision which will apply from 1 April 2011.”</b></p> <p>All subsequent paragraphs are renumbered.</p> <p>Paragraph 2.36: line 2: the reference to paragraph 2.46 is deleted and replaced by <b>“paragraph 2.48”</b>.  In line 7 “paragraphs 2.35 to 2.40 are deleted” and replaced by <b>“paragraphs 2.37 to 2.42.”</b></p> <p>A new Heading <b>“On-call and other extended service cover from 1 April 2011”</b> is inserted after paragraph 2.53. Paragraphs 2.54 to 2.56 are new. They are:</p> <p><b>2.54 On-call systems exist as part of arrangements to provide appropriate service cover across the NHS. A member of staff is on-call when, as part of an established arrangement with his/her employer, he/she is available outside his/her normal working hours – either at the workplace, at home or elsewhere – to work as and when required.</b></p>		
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			<p><b>2.55 Employees on-call are entitled to receive an on-call payment. This payment will be determined by local agreement on harmonised payments for on-call and other extended service cover. Local agreements need to be consistent with the 12 principles set out in Annex A3.</b></p> <p><b>2.56 The” interim regime” formerly set out in paragraphs 2.35 to 2.51 is consistent with these principles. It is now in Annex A3.</b></p> <p>The Heading “<b>Christmas and New Year holidays at weekends</b>” is inserted after paragraph 2.56 and the content of paragraph 2.52 is repeated in a new paragraph 2.57:</p> <p><b>“General and public holiday entitlements are in Section 13. These include Christmas Day, Boxing Day (26 December) and New Year’s Day. When any of these holidays falls on a Saturday or Sunday arrangements will need to be made to ensure that the right of staff to three public holidays in the Christmas and New Year holiday period is preserved. Annex Y sets out what applies when staff work on general and public holidays in this holiday period. In Scotland there are four public holidays over the Christmas/New Year period. Further information is available from <a href="http://paymodernisation.scot.nhs.uk">paymodernisation.scot.nhs.uk</a>”</b></p>		
	Section 3	Overtime payments	Paragraph 3.6 (line 2): “(see Section 2, paragraph 2.43)” is deleted and the words “ <b>(see Section 2, paragraph 2.45)</b> ” are inserted.		
	Section 13	Annual leave and general public holidays	Paragraph 13.4: line 4: the words “(see Section 2)” are deleted and replaced with <b>(see Section 2 and Annex A3)</b>		
	Section 17	Mileage allowances	<p>Paragraph 4 is:</p> <p>“Employees who prefer to use their own car rather than accept the employer’s offer of a lease car shall be reimbursed at the rate of mileage allowance set out in paragraph 1 of Annex L”.</p> <p>This is replaced by new paragraphs 4, 5 and 6 which are:</p> <p><b>“ 17.4 The rate of reimbursement in paragraph 1 in Annex L will apply if an employee unreasonably declines the employers’ offer of a lease car.</b></p>		

			<p><b>17.5 In determining reasonableness the employer and employee should seek to reach a joint agreement as to whether a lease car is appropriate and the timeframe by which the new arrangements will apply. All the relevant circumstances of the employee and employer will be considered including an employees' personal need for a particular type of car and the employers' need to provide a cost effective option for business travel.</b></p> <p><b>17.6 If the employee's circumstances subsequently change the original decision will be reviewed. The agreed principles underlying local lease car policies are in Annex M."</b></p> <p>All subsequent paragraphs are renumbered.</p> <p>Paragraph 17.7: line 5: the words "paragraph 17.9" are deleted and replaced by "<b>paragraph 17.11</b>"</p> <p>Paragraph 17.15: line 2: the words "paragraph 17.12" are deleted and replaced by "<b>paragraph 17.14</b>".</p> <p>Paragraph 17.21: line 3: the words "paragraph 17.7 and 17.8" are deleted and replaced by the words "<b>paragraph 17.9 and 17.10</b>".</p> <p>Paragraph 17.25: line 1: the words "paragraphs 17.21 and 17.22" are deleted and replaced by "<b>paragraphs 17.23 and 17.24</b>"</p>		
	Section 34	Flexible working arrangements	Paragraph 34.1: the words " <b>and Annex A3: Principles for harmonised on-call arrangements</b> " are added at the end of this paragraph.		
	Section 46	Assimilation and protection	<p>Table 8: left hand column: line 16: the words "see paragraph 2.46" are deleted and replaced by "<b>see paragraph 2.48</b>".</p> <p>Right hand column: line 12: the words "see paragraph 2.46" are deleted and replaced by "<b>see paragraph 2.48</b>".</p> <p>Paragraph 46.22: line 7: the words "paragraph 46" are deleted and replaced by "<b>paragraph 48</b>".</p>		

	Annex D	Working or providing emergency cover outside normal hours	<p>Paragraph 1: line 3: the words “(see paragraph 31 in Section 2)” are deleted and replaced by “<b>(see paragraph 33 in Section 2)</b>”</p> <p>Under the heading “Scientific and professional staff” in the right hand column: line 4: the words “no provision: see Section 2, paragraph 31” are deleted and replaced by “<b>see Section 2, paragraph 33.</b>”</p> <p>Under the heading “Scientific and professional staff” in the right hand column: line 7: the words “no provision: see Section 2, paragraph 31” are deleted and replaced by “<b>see Section 2, paragraph 33.</b>”</p>		
	Annex M	Lease car policies	<p>A new third sub-clause is added to paragraph 1 which is:</p> <p><b>iii. schemes should provide for lease cars to be accepted on the basis of business only use or a combination of business and private use. Where cars are accepted for business use only these cars should be classed as “pool” cars.</b></p>		
	Annex X	Working or providing emergency cover outside normal hours	<p>Paragraph 4: line 7: the words “paragraphs 2.31 to 2.49” are deleted and replaced by “<b>paragraphs 2.33 to 2.51.</b>”</p> <p>In the same sentence the words “of the Terms and Conditions of Service Handbook” are deleted.</p> <p>A new sentence is inserted, starting at line 7, as follows:  <b>“(See paragraphs 2.54 to 2.56 and Annex A3)”.</b></p>		
	Annex A2	Guidance on frequently asked questions	<p>The references to paragraphs in Section 2 in the questions which relate to this Section are amended to reflect the renumbering of paragraphs in the new Section 2. The changes are:</p> <p>Part 2: Section 2: Maintaining round the clock services  <del>Paragraph 2</del>  <b>Paragraph 3</b>  Footnote number 1  What happens for staff who, before the implementation of Agenda for Change, did not receive unsocial hours payments (USH) for work in standard hours that fell within an USH period?  Under Agenda for Change all staff who work unsocial hours within their standard working week will receive unsocial hours payments under the provisions in paragraph <del>2.1 to 2.30</del> <b>2.2 to 2.31.</b></p>		

			<p>Part 2: Section 2: Maintaining round the clock services  <del>Paragraph 5</del>  <b>Paragraph 6</b>  Footnote number 2  Do the provisions for unsocial hours payments in Annex E apply just to staff working on ambulances or to all staff?  Paragraph <del>2.5</del> <b>2.6</b> 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 <del>2.4</del> <b>2.5</b> describes arrangements for transferring staff in former EI sites from the Annex E payments to the new payments in Section 2.</p> <p>Part 2: Section 2: Maintaining round the clock services  <del>Paragraphs 7, 31 and 46</del>  <b>Paragraphs 8, 33 and 48</b>  Footnotes number 3, 7 and 8  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 <del>2.7</del> <b>2.8</b>.  Yes, all current on-call arrangements may be protected for groups of employees irrespective of whether they were nationally or locally agreed (paragraphs <del>2.7</del> <b>2.8</b> and <del>2.46</del> <b>2.48</b>). 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>Part 2: Section 2: Maintaining round the clock services  <del>Paragraph 7</del>  <b>Paragraph 8</b>  Footnote number 4  Are other groups of staff who might have had similar on-call arrangements to pathology covered by the protection offered in <del>2.7</del> <b>2.8</b>?  In paragraph <del>2.7</del> <b>2.8</b> the protection of on-call arrangements during the “<i>interim regime</i>” are described as “<i>a particular feature of NHS pathology departments.</i>” All out of hours working in pathology is defined as “<i>on-call</i>”. However, other staff groups (including radiographers, physiotherapists and clinical scientists) who may also work similar “<i>out of hours</i>” arrangements are protected until new Agenda for Change on-call arrangements are</p>		
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			<p>negotiated.</p> <p>Part 2: Section 2: Maintaining round the clock services  <del>Paragraphs 7, 31 and 46</del>  <b>Paragraphs 8, 33 and 48</b>  Footnotes number 5, 6 and 8  On what date does the period of protection of current on-call arrangements start?</p> <p>The following text is added to the end of the Annex:</p> <p><b>“Implementation annexes: Annex A3: Principles for harmonised on-call arrangements  Interim regime  Paragraph 48  Footnote number 1  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.  Yes, all current on-call arrangements may be protected for groups of 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.</b></p> <p><b>Implementation annexes: Annex A3: Principles for harmonised on-call arrangements  Interim regime  Paragraph 48  Footnote number 1  On what date does the period of protection of current on-call arrangements start?  It starts from 1 October 2004 – the effective date for new pay and conditions, except hours of work (see paragraph 46.6).”</b></p>		
	Annex A3	Principles for harmonised on-call payments	This is a new Annex.		

21		Title page	The reference to amendment number 20 is changed to: <b>Amendment number 21</b> Pay circular (AforC) 5/2010 is changed to <b>Pay circular (AforC) 6/2010</b>		
		Section 2	The reference in Section 2 ( para 2.18) has been changed from 6.33 to 6.35		
		Section 6	<p>Paragraph 1 “ A NHS Knowledge and Skills Framework will be applied to all jobs covered by the pay system” has been reworded to read</p> <p>“ The NHS Knowledge and Skills Framework<sup>1</sup> is a tool for describing the knowledge and skills staff need to apply at work in order to deliver high quality services and includes an annual system of review and development for staff. It applies to all staff covered by Agenda for Change contracts”.</p> <p>New heading inserted after paragraph 1 “Simplified Process”</p> <p>New Para 6.2 inserted - this reads”- The NHS Staff Council guidance <i>Appraisals and the KSF made simple: a practical guide</i>” enables NHS organisations to develop and implement local arrangements that are consistent with the principles underlying the national KSF Framework.</p> <p>New para 6.3 inserted – this reads “The guidance detailed in 6.2 above, supplements rather than replaces the full Knowledge and Skills Framework. Paragraphs 6.4 to 6.15 below outline the processes for development reviews which were agreed as part of the original KSF documentation. Organisations may wish to continue to refer to the original provisions if the local partners wish to do so or to pursue the new guidance. The guidance could also be used to complement existing good local practice where the full KSF has not been implemented.</p> <p>Development review Process</p> <p>Old para 6.2 has been renumbered and becomes 6.4. All other paras have been subsequently renumbered. The insertion of two new paras means</p>		

<sup>1</sup> Available at: [www.dh.gov.uk/PolicyandGuidance/HumanResourcesandTraining/ModernisingPay/AgendaForChange/KnowledgeAndSkillsFramework.htm](http://www.dh.gov.uk/PolicyandGuidance/HumanResourcesandTraining/ModernisingPay/AgendaForChange/KnowledgeAndSkillsFramework.htm)  
and at [www.scot.nhs.uk/sehd/paymodernisation/afc.htm](http://www.scot.nhs.uk/sehd/paymodernisation/afc.htm)

			that Section 6 now ends at Para 6.36 ( previously 6.34)		
			Para 6.5 – the paragraph numbers referring to gateways in old para 6.3 (new para 6.5) has been changed to paras (6.16 –to 6.20 previously referenced as paras 6.14-6.18. The new paragraph reference in 6.9 to 6.8 has been changed – previously 6.6 in old paragraph 6.7		
			Section 46 The reference in old paragraph 46.28 to paragraph 32 has been changed to paragraph 34		