



To: Regional Health Authorities)
 District Health Authorities) For action
 Special Health Authorities)
 Public Health Laboratory)
 Service Board) For information
 Community Health Councils)

November 1988

PERSONNEL/PAY AND CONDITIONS OF SERVICE

THE NEW HOSPITAL STAFF GRADE

SUMMARY

This circular notifies authorities of arrangements for the introduction of the new hospital Staff Grade, foreshadowed in the report "Hospital Medical Staffing: Achieving a Balance - Plan for Action" which accompanied circular HC(87)25,

INTRODUCTION

1. This circular gives guidance on arrangements for the employment of hospital medical and dental staff in the new Staff Grade. Its contents are subject to the provisions of the terms and conditions of service of hospital medical and dental staff (TCS) determined by the Secretary of State following discussion in the Joint Negotiating Committee for Hospital Medical and Dental Staff. Provisions as to rates of pay have been so determined in the light of advice from the Review Body on Doctors' and Dentists' Remuneration.

2. FUNCTION AND DESIGNATION

2.1. The Staff Grade is a permanent career grade of limited responsibility. Accordingly, postholders are hospital medical or dental officers who:

2.1.1 have held a hospital appointment in the SHO, or exceptionally, in a higher grade, or their equivalent; and

2.1.2 are normally appointed without term, subject to satisfactory completion of a probationary period; and

2.1.3 exercise an intermediate level of clinical responsibility as delegated by the consultant-in-charge.

2.2 Postholders' duties will include work related to the prevention, diagnosis and treatment of illness, and will be undertaken on the responsibility of senior hospital medical and dental staff. The work that postholders might properly undertake is such as is currently allocated in any specialty to Registrars and experienced SHOs. It is envisaged that the purpose of appointments to the grade will be, typically, though not exclusively, to provide:

2.2.1 an intermediate, staffing function in the hospital specialties, combined as necessary with the support and supervision of practitioners in the house officer grades and participation in arrangements for night and weekend cover where' workload is consistently high; or

2.2.2 a range of services in narrow areas of clinical practice which do not justify a consultant post.

2.3 The grade title denotes a scale of remuneration and should not be used to designate individual posts. Practitioners appointed to the grade should be referred to collectively as "Staff Doctors and Dentists". Authorities should choose a suitable designation for individual posts, such as "Staff Anaesthetist" or "Staff Surgeon", and ensure that the post is otherwise clearly distinguished in status and responsibility from those in other grades.

3. ESTABLISHMENT OF POSTS

3.1 The Department has taken the advice. of the Joint Monitoring Group, and has allocated the quotas to regions. In 1988/89 as shown in the appendix to Annex B - Quotas for succeeding years will be notified three months in advance of the year in question. Thereafter, posts may be established by DHAs and SHAs and by RHAs in relation to regionally-managed services, subject in the case of district posts to the approval of the RHA. Proposals for the establishment and advertisement of a post should be developed, having regard to the criteria mentioned in paragraph 15 below, in consultation with consultants in the relevant specialty in the district and representatives of the medical executive committee or equivalent body. The authority should satisfy itself and as the case may be the RHA that the creation of a new post represents the most appropriate means of meeting service requirements. A DHA proposing a new post should in particular furnish the RHA with:

3.1.1 details of the current and projected workload and complement of the relevant firm or department;

3.1.2 an assessment of the implications of the proposal for consultant staffing and for the provision of suitable experience for practitioners in the training grades in the future; and

3.1.3 a proposed job description.

The Regional Adviser of the relevant Royal College or Faculty should be given an opportunity to comment on the draft job description including the suitability of the proposed arrangements and facilities in the light of service needs.

The RHA must obtain the advice of the regional manpower committee before determining whether a RHA or DHA proposal is to proceed.

3.2 Authorities should:

3.2.1 advertise posts; and

3.2.2 offer contracts, subject to probation where appropriate, on a permanent basis, unless the Department, after consultation with the profession's representatives, expressly approves otherwise. The Department has approved a limited scheme for personal regrading, without advertisement, from the Associate Specialist to the Staff Grade. Details of the scheme, which is available until 1 November 1989 or until 100 such regradings have been approved whichever is the sooner, are set out in Annex B.

4. APPOINTMENTS PROCEDURE

4.1 Posts should be advertised in such a way that candidates unable for personal reasons to work full time are able to apply. Provisional job descriptions and contracts based on the forms recommended at Annex A should be issued to applicants. The expenses of attending for interview and of one prior visit should be re-imbursed to shortlisted candidates.

4.2 The prospective employing authority should constitute an advisory appointments committee, comprising at least:

4.2.1 a lay chairman appointed in the case of district posts on the advice of the RHA;

4.2.2 a professional member from outside its district, appointed on the advice of the appropriate College or Faculty; and

4.2.3 a professional member employed in its district in the relevant specialty, appointed on the advice of the appropriate division.

The committee should select applicants for interview and should advise the authority on who if any of them is suitable for appointment. It need not interview every applicant, but no applicant will be appointed without interview. It may advise whether any suitable applicants should receive a starting salary above the minimum by reason of age, qualifications and experience; such advice will not be disclosed to any applicant. Where appropriate, the immigration status of practitioners who are suitable for appointment should be checked in accordance with paragraphs 26 to 28 of HC(FP)(85)14.

5. CONDITIONS OF APPOINTMENT

5.1 A practitioner appointed to the grade:

5.1.1 shall have full registration; or, if a dentist, shall be registered; and

5.1.2 shall have completed at least 3 years' full time regular hospital service in the SHO or a higher grade, including adequate experience in the relevant specialty; or shall have had equivalent experience; such longer periods of part-time hospital service as are deemed to provide comparable experience to the prescribed period of full-time service will be reckonable for these purposes; and

5.1.3 shall have passed a medical examination arranged by the authority before taking up appointment.

The foregoing are basic requirements, and it is open to authorities to seek experience related to the needs of individual posts.

6. TENURE

6.1 An appointment to the grade will normally be for one year in the first instance and, if confirmed, may be extended without term and held until retirement under TCS paragraph 200. An authority may at its discretion waive or reduce the prescribed probationary period where the practitioner has previously held a regular appointment, other than in the HO grade, in the same unit and specialty. A fixed-term appointment may, exceptionally and subject to the Department's approval, be offered for a period of up to 5 years, renewable at yearly intervals, in which case the practitioner will be required to waive any right to claim unfair dismissal in respect of termination which consists only of expiry of the contract without renewal.

6.2 All appointments to the grade are subject to termination on three months' notice on either side, unless application of the statutory minimum period would be more favourable to the practitioner.

7. BASIS OF CONTRACT

Whole-time

7.1 Subject to the provisions of the TCS, a whole-time practitioner appointed to the grade contracts for:

7.1.1 a minimum average work commitment of 10 sessions a week, each session. being equivalent to 4 hours' work; and

7.1.2 liability to deputise, so far as is practicable, for absent colleagues; and

7.1.3 such exceptional irregular commitments outside normally rostered duties as are essential for continuity of patient care; and

7.1.4 exceptionally, duty in occasional emergencies and unforeseen circumstances.

Such a practitioner will be paid a basic salary with annual increments up to a maximum of 6. He may also be contracted for:

7.1.5 such regular additional sessions up to a maximum of 3 as are required to meet the needs of the service; and

7.1.6 exceptionally, for not more than one temporary additional session, separately contracted, to undertake work outside his normal commitment,

and will be paid at one tenth of the appropriate basic salary for each such additional session.

Part-time

7.2 A part-time practitioner appointed to the grade contracts for an average work commitment equivalent to no more than 9 sessions a week, and for the liabilities specified in paragraphs 7.1.2 to 4. Such a practitioner is eligible for the award of a temporary, but not a regular, additional session,

and will be paid at one tenth of the appropriate rate of basic salary for each session. The maximum remuneration for a part-time practitioner is that appropriate to 9 sessions, including aggregate remuneration from 2 or more appointments with the same or different authorities, but excluding that from locum work, a temporary additional session and services attracting fees.

Deputising

7.3 Where a practitioner deputises for absent colleagues outside his normal contracted hours and his commitments under paragraphs 7.1.3 to 4, he will be entitled to an equivalent off-duty period; but, where such a period has not been or is unlikely to be allocated within 6 months, he will receive payment for the actual amount of duty undertaken, at one tenth of the weekly locum rate for each session and subject to a maximum of 50 sessions in any one financial year.

8. ASSESSMENT OF CONTRACT

8.1 Employing authorities should assess the average weekly number of sessions, rounded up to the nearest whole number, required for each appointment by reference to the normal roster period specified in the job description. They should satisfy themselves that the practitioner's commitment is such that substantially the whole of his contracted time is spent working. The assessment should exclude time attributable to:

8.1.1 the commitments specified in paragraphs 7.1.2 to 4;

8.1.2 travelling between the practitioner's residence and his principal hospital; and to

8.1.3 scheduled off-duty periods, including voluntary attendance and residence in hospital; but permitted breaks for refreshment while the practitioner remains on duty may be reckoned.

9. CONDITIONS OF SERVICE

Starting salary

9.1 A practitioner appointed to the grade should be paid at the minimum scale point, and the incremental date should be the date of taking up appointment, but previous service should be reckoned as follows:

9.1.1 regular service in the same or a higher grade to count in full;

9.1.2 where the practitioner has held a regular appointment in the same or a higher grade, all subsequent locum service in that or the higher grade to count in full;

9.1.3 all other locum service in NHS hospitals in an equivalent or higher grade, to count at the rate of one half;

9.1.4 service outside NHS hospitals in an equivalent or higher grade, other than locum service, to be reckoned in accordance with the Department's guidance in PM(81)30;

9.1.5 all but the first 3 years of completed regular service in the SHO or a higher grade, or their equivalent, to count in full.

9.2 Where the starting salary determined as in paragraph 9.1 is at the minimum or first incremental point, the authority has discretion to fix it at the first or second point by reason of age, special experience and qualifications.-taken as a whole.

Annual Leave

10. A practitioner appointed to the grade is entitled to 5 weeks' leave until two years' service in the grade has been completed and to 6 weeks thereafter, save that he is entitled to 6 weeks' leave if his immediately previous regular appointment attracted that entitlement.

Study Leave

11. A practitioner appointed to the grade is entitled to continuing education, subject to the TCS. The recommended standard is 30 days, including off-duty days within the leave period, in any period of 3 years, in relation to leave with pay and expenses in the UK.

Removal expenses

12. A practitioner who moves:

12.1 to take up a first whole-time appointment in the Staff Grade; or

12.2 to take up a further whole-time appointment in the grade in circumstances accepted by the existing and prospective authorities as being in the interests of the service

is entitled to reimbursement of the expenses allowable under TCS paragraphs 314 to 324. No refund of expenses will be required where an authority has terminated a probationary appointment.

Other

13. All other provisions of the TCS, as currently determined or amended in accordance with paragraph 1 hereof, apply to the Staff Grade, unless the context specifically imports the contrary, with the exception of those relating to domiciliary and exceptional consultations (TCS paragraphs 140 to 157).

Superannuation

14. Payments under TCS paragraph 16 are not superannuable.

15. USE OF THE GRADE

15.1 The Department has accepted the contract described above on the understanding that:

15.1.1 practitioners in the Staff Grade are expected to work for substantially the whole time while on duty;

15.1.2 in constructing the job description, in consultation with the responsible consultant(s), authorities should have complete flexibility over the deployment, location and rostering of available sessions.

15.2 Authorities should ensure that practitioners are used in a way that secures value for money for the sessional commitments agreed. In particular:

15.2.1 practitioners should not be used as substitutes for staff in the training grades for out-of-hours work on traditional rotas unless the intensity of the work throughout the out-of-hours period is consistently high. An exception may be allowed when cover is provided for a colleague on annual or study leave - where time off in lieu cannot be granted, a maximum of 50 locum sessions a year may be allowed in accordance with TCS 108.b. In the case of cover for other absences or unfilled vacancies, a temporary additional session may be awarded in accordance with TCS 16.b where time off in lieu cannot be granted.

15.2.2 It is likely to be effective to use the Staff Grade either in duties involving little or no out-of-hours work or in specialties where the duties involve a continuously intensive work commitment and shift working is practicable, e.g, Accident and Emergency. In specialties where these conditions are unlikely to apply, authorities contemplating the use of the Staff Grade should review the scope for organising out-of-hours cover in such a way that it is used when the volume of work is greatest. Illustrative examples are:

- use of the grade on an evening "shift", say, between 6pm and midnight;
- use of the grade for elective operating sessions or clinics at weekends.

15.2.3 Before offering a Staff Grade contract, the authority should satisfy itself, from an assessment of the actual work to be performed, that the practitioner will be working for substantially the whole time while on duty. After appointment the work content of the job should be re-assessed, at management discretion but at least every 3 years, to ensure that this condition is still fulfilled. If not, the practitioner's job description should be adjusted after discussion with him and with the responsible consultant(s).

REVIEW OF SESSIONAL ASSESSMENT

16. It is open to a practitioner to seek a review of his sessional assessment at any time. Where agreement is reached on a revised assessment, the practitioner shall be entitled to protection of his earnings from basic and regular additional sessions in accordance with TCS paragraph 17.b. Where an assessment is disputed, and without prejudice to the practitioner's right of immediate or subsequent recourse to the procedures available under Section 32 of the GWC Conditions of Service, authorities are asked to refer the matter to an appropriate professional advisory committee. Disputes which cannot be resolved on the basis of the committee's recommendations may have to be referred to the GWC machinery.

MONITORING

17. The Department will closely monitor the actual deployment of practitioners in the Staff Grade, the nature and intensity of any out-of-hours duties they are required to perform, and authorities' experience in providing 24-hour cover in the acute specialties. For this purpose, authorities will be required, for at least the first few years' experience of the grade, to submit annual returns to the Department, showing for each practitioner employed:

- 17.1 the specialty and nature of duties;
- 17.2 the number of sessions, distinguishing between those in the normal working week and those outside;
- 17.3 the nature and work intensity of the out-of-hours commitment, eq rota commitments;
- 17.4 the periods (if any) for which temporary additional sessions were granted; and
- 17.5 for each newly advertised post, the qualifications and relevant previous experience of short-listed applicants, and commenting in general terms on the authority's experience of the use of the grade.

Further guidance will be given shortly on the form and timing of returns on this and other aspects of the "Plan Action".

PART-TIME MEDICAL OFFICERS EMPLOYED UNDER TCS PARAGRAPH 94

18. Following the introduction of the Staff Grade, no further paragraph 94 appointments of six notional half days (NHDs) or more may be made unless the practitioner is an unrestricted principal in general practice. As an exception, for an interim period, the appointments procedure may continue in cases where the appointment has been authorised by the RHA on advice from the Regional Manpower Committee before 1 November 1988. However, no such appointments may be made after 31 January 1989.

19. Those practitioners holding an appointment under paragraph 94 for 6 NHDs or more per week who are already in post on 31 January 1989 may continue on the same terms for the duration of the appointment in accordance with the Secretary of State's Direction set out in Annex C. When vacated by the present holder, these appointments will lapse.

AMENDMENTS TO THE TERMS AND CONDITIONS OF SERVICE

20. Amendments to the TCS arising from the above arrangements are set out in Annex D. Replacement pages for TCS handbooks will be issued in due course.

SECRETARY OF STATE'S APPROVAL

21. The Secretary of State has approved the revised terms and conditions of service of hospital medical and dental staff set out in Annex D. The approval is recorded at Annex C.

ACTION

22. Authorities should:-

- 22.1 notify all appropriate staff, including practitioners in the Associate Specialist grade and those holding appointments under TCS paragraph 94, of these arrangements,
- 22.2 ensure that any posts they require in the Staff Grade are established, advertised and filled in accordance with the procedures described in paragraphs 2 to 16 thereof;

22.3 keep such returns, specified in paragraph 17, as will be required, and make the returns described at Annex B paragraph (vii) to the following address:-

Department of Health and Social Security
Branch MME(A)4
Room 411
Eileen House
Newington Causeway
LONDON SE1 6EF

From:

Family Practitioner Services Division IA,
Room 624 Eileen House
80-94 Newington Causeway
LONDON SE1 6EF

Tel: 01-703 6330 Ext 3710

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