

NHS Terms and Conditions of Service Handbook

This is Volume 7 of the record of amendments

This is a chronological record of amendments to the Handbook starting on 1 January 2015.

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:

http://www.nhsemployers.org/SiteCollectionDocuments/AfC_tc_of_service_handbook_fb.pdf

Amendment Number	Section(s)/ Annex(es) Number(s)	Section(s) Title	Amendment(s)	Date Amended	Circular Number
34		Title Page	<p>“Amendment number 33” is changed to “Amendment number 34”</p> <p>“Pay Circular (AforC) 4/2014” is changed to “Information note number 1”.</p>		Information note number 1
		Introduction	<p>A new third paragraph is inserted as follows:</p> <p>“Sections and annexes with the suffix “(a)” apply in England from 31 March 2013 (Pay Circular (AforC) 2/2013) and in Wales from 1 January 2015. The changes to Agenda for Change agreed by the parties in Wales are detailed in an information note published on the web site. This is referred to in footnotes to the amended sections. These changes have no impact on employers in England, Scotland and Northern Ireland.”</p>		
		Contents	<p>The entry "Section 1(a) (England): Pay structure" is changed to “Section 1(a) (England and Wales)”</p> <p>The entry "Section 2(a) (England): Maintaining round the clock services" is changed to “Section 2(a) (England and Wales): Maintaining round the clock services”</p> <p>The entry "Section 6(a) (England): Career progression" is changed to “Section 6(a) (England and Wales): Career progression”</p> <p>The entry "Section 14(a) (England): Sickness absence" is changed to “Section 14(a) (England and Wales): Sickness absence”</p>		

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			<p>The entry "Annex W (England): Pay progression" is changed to "Annex W (England and Wales): Pay progression"</p> <p>The entry "Annex X (England): Guidance on workforce re-profiling" is changed to "Annex X (England and Wales): Guidance on workforce re-profiling"</p> <p>The entry "Annex A2(a) (England): Guidance on frequently asked questions" is changed to "Annex A2(a) (England and Wales): Guidance on frequently asked questions"</p>		
	Part 2: Pay: Section 1	Pay Structure	The following sentence is added onto the end of paragraph 1.10: "Employers elsewhere will need to refer to the relevant documents in their countries" .		
	Section 1(a) (England)	Pay Structure	<p>The title "Section 1(a) (England): Pay structure" is changed to "Section 1(a) (England and Wales): Pay structure"</p> <p>In paragraph 1.8: line 6: "Annex W (England)" is changed to "Annex W (England and Wales)".</p> <p>In paragraph 1.14: line 1: "Annex W (England)" is changed to "Annex W (England and Wales)".</p> <p>Paragraph 1.15 is: "This will apply to appraisal objectives after April 2013 for incremental pay progression post April 2014". It is changed to: "In England this will apply to appraisal objectives after April 2013 for incremental pay progression post April 2014 and in Wales this will apply to appraisal objectives after April 2015 for incremental pay progression post April 2016".</p> <p>The following sentence is added onto the end of paragraph 1.16: "Employers elsewhere will need to refer to the relevant documents in their countries".</p>		

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	Section 2 (a) (England)	Maintaining round the clock services	<p>The title "Section 2(a) (England): Maintaining round the clock services" is changed to "Section 2(a) (England and Wales): Maintaining round the clock services"</p> <p>In paragraph 2.13: line 5: the reference to "paragraph 6.21 in Section 6(a) (England)" is changed to "paragraph 6.21 in Section 6(a) (England and Wales)".</p> <p>In paragraph 2.14: line 4: the reference "(see paragraph 14.7 in Section 14(a) (England)" is changed to "(see paragraph 14.7 in Section 14(a) (England and Wales))".</p> <p>In line 7 the reference to "paragraph 14.4 in Section 14(a) (England)" is changed to "paragraph 14.4 in Section 14(a) (England and Wales)".</p> <p>In paragraph 2.15: the first sentence is: "From 31 March 2013, for staff on pay spine points 9 to 54, unsocial hours payments will be pensionable and will count for contractual maternity pay only, in line with Section 15". It is changed to: "From 31 March 2013 in England and from 1 January 2015 in Wales, for staff on pay spine points 9 to 54, unsocial hours payments will be pensionable and will count for contractual maternity pay only, in line with Section 15".</p>		
	Section 6(a) (England)	Career progression	<p>The title "Section 6(a) (England): Career progression" is changed to "Section 6(a) (England and Wales): Career progression"</p> <p>In paragraph 6.7: first bullet point: line 3: the reference to "Annex W (England)" is changed to "Annex W (England and Wales)"</p> <p>In paragraph 6.16: line 4: the reference to "Annex W (England)" is changed to "Annex W (England and Wales)"</p>		
	Part 3: Section	Annual leave an	Paragraph 13.4: line 4: the reference in brackets "(see Section 2 or 2(a)		

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	13	general public holidays	(England) and Annex A3)" is changed to " (see Sections 2 or 2(a) (England and Wales) and Annex A3). "		
	Section 14(a) (England)	Sickness absence	<p>The title "Section 14(a) (England): Sickness absence" is changed to "Section 14(a) (England and Wales): Sickness absence"</p> <p>Paragraph 14.5 is: "From 31 March 2013, for staff on pay spine points 9 to 54, full pay in this agreement is pay which is in line with the appropriate pay point in the relevant pay circular, plus high cost area supplements (if these are in payment on the day before the sickness absence begins). The pay of staff who begin a period of sickness absence before 31 March 2013, and who remain absent on this date will, from 31 March 2013 and for the remainder of the absence, be in line with this paragraph. Their pay during subsequent sickness absences will be in line with this paragraph"</p> <p>It is changed to: "In England: from 31 March 2013, for staff on pay spine points 9 to 54, full pay in this agreement is pay which is in line with the appropriate pay point in the relevant pay circular, plus high cost area supplements (if these are in payment on the day before the sickness absence begins). The pay of staff who begin a period of sickness absence before 31 March 2013, and who remain absent on this date will, from 31 March 2013 and for the remainder of the absence, be in line with this paragraph. Their pay during subsequent sickness absences will be in line with this paragraph; and in Wales: from 1 January 2015, for staff on pay spine points 9 to 54, full pay in this agreement is pay which is in line with the appropriate pay point in the relevant pay circular, plus high cost area supplements (if these are in payment on the day before the sickness absence begins). The pay of staff who begin a period of sickness absence before 1 January 2015, and who remain absent on this date will, from 1 January 2015 and for the remainder of the absence, be in line with this paragraph. Their pay during subsequent sickness absences will be in line with this paragraph".</p>		

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	Section 15	Maternity leave and pay	In paragraph 15.48: line 5: the words "and Wales" are inserted immediately after the word "England" in brackets.		
	Section 17	Reimbursement of travel costs	The following footnote is added below paragraph 17.5: Footnote number 1 "From 1 January 2015 a local agreement for the reimbursement of travel costs, linked to HMRC "Approved Mileage Allowance Payments" (AMAP) is in place in NHS Wales. Therefore this section does not apply in NHS Wales and employers there should refer to the revised Section 17 published by the Welsh Government."		
	Section 22	Injury allowance	In paragraph 22.2: line 2: the reference to "Section 14(a) (England)" is changed to "Section 14(a) (England and Wales)" . In paragraph 22.8: line 5: the reference to "paragraph 14.4 and paragraphs 14.4 and 14.5 in Section 14(a) (England)" is changed to "paragraph 14.4 and paragraphs 14.4 and 14.5 in Section 14(a) (England and Wales)" . In paragraph 22.13: line 3: the reference to "paragraph 14.4 and paragraphs 14.4 and 14.5 in Section 14(a) (England)" is changed to "paragraph 14.4 and paragraphs 14.4 and 14.5 in Section 14(a) (England and Wales)" .		
	Part 4: Section 27	Working time regulations	Paragraph 27.13: line 6: the reference in brackets "(see also paragraph 27.8 and Section 2 or 2(a) (England) and Annex A3)" is changed to "(see also paragraph 27.8, Sections 2 or 2(a) (England and Wales) and Annex A3)" .		
	Part 5: Section 31	Recruitment, promotion and staff development	In paragraph 8: line 5: the reference to "6(a) (England)" is changed to "6(a) (England and Wales)" In paragraph 31: lines 2 and 3: the reference in brackets is "(see Section 3 of the KSF Handbook and/or, in England, relevant local policy documents). It is changed to "(see Section 3 of the KSF Handbook and/or, in England and Wales, relevant local policy documents)" .		
	Section 34	Flexible working	Paragraph 1: line 5: the reference to "Sections 2 or 2(a) (England)" is		

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		arrangements	changed to “ Sections 2 or 2(a) (England and Wales) ”.		
	Annexes: Annex B	Pay bands and pay points on the second pay spine in England from 1 April 2013	Table 9(j) The reference in the footnote to table 9(j) “(see paragraphs 1.11 to 1.15 in Section 1(a) (England)” is changed to “ (see paragraphs 1.11 to 1.15 in Section 1(a) (England and Wales) ” and the following sentence is added at the end of the note: “ (See relevant policy documents for information on pay in Wales) ”.		
	Annex C	Pay bands and pay points on the second pay spine in England from 1 April 2014	Table 10 The reference in the footnote to Table 10 “(see paragraphs 1.11 to 1.15 in Section 1(a) (England)” is changed to “ (see paragraphs 1.11 to 1.15 in Section 1(a) (England and Wales) ” and the following sentence is added at the end of the note: “ (See relevant policy documents for information on pay in Wales) ”.		
	Annex D	Working or providing emergency cover outside normal hours	In paragraph 2: line 2: the reference “Sections 2 or 2(a) (England) and Annex A3” is changed to “ Sections 2 or 2(a) (England and Wales) and Annex A3 ”.		
	Implementation Annexes: Annex W (England)	Pay progression	The title “Annex W (England): Pay progression” is changed to “ Annex W (England and Wales): Pay progression ” Paragraph 2(i) is: “local appraisal, performance and development reviews will need to be consistent with the employer's local objectives and the NHS Constitution; it is changed to “ local appraisal, performance and development reviews will need to be consistent with the employer's local objectives and the NHS Constitution for England or the equivalent statements of principles/values in the other UK countries (see paragraph 8, Principles and Partnership) ”		
	Annex X	Guidance on	The title “Annex X (England): Guidance on workforce re-profiling is changed		

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	(England)	workforce re-profiling	to” “Annex X (England and Wales): Guidance on workforce re-profiling”		
	Annex A2(a) (England)	Guidance on frequently asked questions (FAQs)	<p>The title “Annex A2(a) (England): Guidance on frequently asked questions (faqs)” is changed to “Annex A2(a) (England and Wales): Guidance on frequently asked questions (faqs)”</p> <p>All references to Sections and Annexes applying in England are changed to include “Wales”.</p> <p>In addition the changes detailed below are made.</p> <p>“Part 2: Section 1(a) (England and Wales): Pay Structure Paragraph 7 Footnote number 3 Which senior managers in England are covered by Agenda for Change? The NHS Terms and Conditions of Service Handbook makes clear that there will be separate arrangements for senior managers working in the NHS. The Agenda for Change provisions will be available to all other managers”. Is changed to “Part 2: Section 1(a) (England and Wales): Pay Structure Paragraph 7 Footnote number 3 Which senior managers in England and Wales are covered by Agenda for Change? The NHS Terms and Conditions of Service Handbook makes clear that there will be separate arrangements for senior managers working in the NHS. The Agenda for Change provisions will be available to all other managers”.</p> <p>“Part 2: Section 1(a) (England): Pay Structure Paragraph 9 Footnote number 5 What happens if I start a programme of preceptorship before 31 March 2013 and this programme continues after 31 March 2013? The link between preceptorship and an additional incremental pay point, upon the successful completion of a preceptorship programme, is removed from amendment number 28 of the NHS terms and conditions of service handbook</p>		

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			<p>(from the 31 March 2013. For those staff who started their preceptorship programme under amendment number 27 of the handbook (prior to the 31 March 2013), the expectation is that upon successful completion they will be awarded an additional incremental pay point. This means that these staff will pass through pay spine points 16 and 17 in their preceptorship year”.</p> <p>Is changed to “Part 2: Section 1(a) (England and Wales): Pay Structure Paragraph 9 Footnote number 5 What happens if I start a programme of preceptorship before 31 March 2013 (before 1 January 2015 in Wales) and this programme continues after 31 March 2013 (after 1 January 2015 in Wales)? The link between preceptorship and an additional incremental pay point, upon the successful completion of a preceptorship programme, is removed from amendment number 28 of the NHS terms and conditions of service handbook (from the 31 March 2013, 1 January 2015 in Wales). For those staff who started their preceptorship programme under amendment number 27 of the handbook (prior to the 31 March 2013; 1 January 2015 in Wales), the expectation is that upon successful completion they will be awarded an additional incremental pay point. This means that these staff will pass through pay spine points 16 and 17 in their preceptorship year”.</p> <p>“Part 2: Section 1(a) (England): Pay Structure Paragraph 12 Footnote number 7 What about staff already on the top points of 8c, 8d and 9? These staff will not drop below their current pay point. Staff already (as at 31 March 2013, on pay points 45 and 46, 49 and 50, 53 and 54, will be protected”.</p> <p>Is changed to “Part 2: Section 1(a) (England and Wales): Pay Structure Paragraph 12 Footnote number 7 What about staff already on the top points of 8c, 8d and 9? These staff will not drop below their current pay point. Staff already (as at 31 March 2013, 1 January 2015 in Wales) on pay points 45 and 46, 49 and 50,</p>		

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			<p>53 and 54, will be protected”.</p> <p>“Part 3: Section 14(a) (England): Sickness absence Paragraph 5 Footnote number 4 From what date will the change to sickness pay start? “The changes to sickness pay will start from the 31 March 2013. A sickness absence that straddles this implementation date will have sick pay paid at basic salary level, inclusive of any high cost area supplement, for any absence post the implementation date. Employers have discretion to extend the period of sick pay on full or half pay (see paragraph 14.13 in Section 14(a) (England)”.</p> <p>Is changed to “Part 3: Section 14(a) (England and Wales): Sickness absence Paragraph 5 Footnote number 4 “From what date will the change to sickness pay start? The changes to sickness pay will start from the 31 March 2013 (1 January 2015 in Wales). A sickness absence that straddles this implementation date will have sick pay paid at basic salary level, inclusive of any high cost area supplement, for any absence post the implementation date. Employers have discretion to extend the period of sick pay on full or half pay (see paragraph 14.13 in Section 14(a) (England and Wales)”.</p> <p>“Implementation annexes: Annex T: Development of professional roles Paragraph 3 Footnote number 1 Do the provisions for incremental pay point progression in Section 1(a) (England) change the arrangements for progression from pay band 5 to pay band 6 in Annex T? No, the provisions for incremental pay point progression in Section 1(a) (England) do not relate to the development of professional roles in Annex T and would not, for example, change the way that groups of staff such as midwives can progress to band 6 after their first year of supervised practise”.</p> <p>Is changed to</p>		

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			<p>“Implementation annexes: Annex T: Development of professional roles Paragraph 3 Footnote number 1 Do the provisions for incremental pay point progression in Section 1(a) (England and Wales) change the arrangements for progression from pay band 5 to pay band 6 in Annex T? No, the provisions for incremental pay point progression in Section 1(a) (England and Wales) do not relate to the development of professional roles in Annex T and would not, for example, change the way that groups of staff such as midwives can progress to band 6 after their first year of supervised practise”.</p> <p>“Implementation annexes: Annex W (England): Pay progression Main heading Footnote number 1 What will local pay progression schemes contain? The new Annex W (England) on pay progression will set out the principles for locally agreed appraisal objectives and criteria”. Is changed to “Implementation annexes: Annex W (England and Wales): Pay progression Main heading Footnote number 1 What will local pay progression schemes contain? The new Annex W (England and Wales) on pay progression will set out the principles for locally agreed appraisal objectives and criteria”.</p> <p>“Implementation annexes: Annex W (England): Pay progression Paragraph 1 Footnote number 2 From what date will the changes to incremental progression take place? Employers will be able to start updating their appraisal and pay progression policies, in line with Annex W, from 31 March 2013”. Is changed to “Implementation annexes: Annex W (England and Wales): Pay progression Paragraph 1 Footnote number 2</p>		

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			<p>From what date will the changes to incremental progression take place? Employers will be able to start updating their appraisal and pay progression policies, in line with Annex W, from 31 March 2013 and from 1 January 2015 in Wales”.</p> <p>“Implementation annexes: Annex W (England): Pay progression Secondary heading: Criteria for local schemes Footnote number 6 How will pay progression under Annex W (England) work? Once a trust has updated their current appraisal and pay progression processes, in line with Annex W (England), individuals will progress on the basis of demonstrating and applying the required levels of performance and delivery consistently during the performance review period and they will benefit from incremental pay progression. Where an individual has not met their performance criteria then they will not be entitled to progress up the pay band for that given year”.</p> <p>Is changed to “Implementation annexes: Annex W (England and Wales): Pay progression Secondary heading: Criteria for local schemes Footnote number 6 How will pay progression under Annex W (England and Wales) work? Once a trust has updated their current appraisal and pay progression processes, in line with Annex W (England and Wales), individuals will progress on the basis of demonstrating and applying the required levels of performance and delivery consistently during the performance review period and they will benefit from incremental pay progression. Where an individual has not met their performance criteria then they will not be entitled to progress up the pay band for that given year”.</p>		
	Annex A3	Principles for harmonised on-call arrangements	<p>Paragraph 1: line 1: the first sentence is: “Paragraph 2.25 in Section 2 and paragraph 2.27 in Section 2(a) (England) confirm that from 1 April 2011, payments for on-call will need to be agreed locally and consistent with the principles set out below.” This is changed to: “Paragraph 2.25 in Section 2 and paragraph 2.27 in Section 2(a) (England and Wales) confirm that from 1 April 2011, payments for on-</p>		

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			<p>call will need to be agreed locally and consistent with the principles set out below.”</p> <p>Paragraph 2: line 1: the reference to paragraph 2.24 in Section 2 and paragraph 2.26 in Section 2(a) (England)” is changed to “paragraph 2.24 in Section 2 and paragraph 2.26 in Section 2(a) (England and Wales)”</p> <p>2. Commitment or availability payment</p> <p>In the last paragraph the reference to “paragraphs 2.19 to 2.20 in Section 2 and paragraphs 2.21 to 2.22 in Section 2(a) (England)” is changed to “paragraphs 2.19 to 2.20 in Section 2 and paragraphs 2.21 to 2.22 in Section 2(a) (England and Wales)”.</p> <p>The footnote “In Wales this Section is part of a three year agreement. It applies there until 31 December 2017.” is attached to the headings of the following Sections: Section 1(a) (England and Wales) Pay Structure Section 2(a) (England and Wales) Maintaining round the clock services Section 6(a) (England and Wales) Career progression Section 14(a) (England and Wales) Sickness absence Annex W (England and Wales) Pay progression Annex X (England and Wales) Guidance on workforce re-profiling Annex A2(a) (England and Wales) Guidance on frequently asked questions (FAQs) This causes re-numbering of the footnotes in each of these Sections.</p>		