

11 April 2023

Pay and Conditions Circular (M&D) 3/2023

Changes to the model contract for consultants in NHS organisations (England)

Summary

This circular notifies employers of the amendments to the Model Consultant Contract (England) 2003 to be applied with effect from 1 April 2022.

Agreement

1. The British Medical Association (BMA), The Hospital Consultants and Specialists Association (HCSA) and NHS Employers have approved amendments to the Model Consultant Contract (England) 2003 as detailed below.
2. The changes made to the Contract are detailed in the latest version of the Record of Amendments which are available on the NHS Employers website.
3. Following changes made to Schedule 30 of the Terms and Conditions – Consultants (England) 2003 with effect from 1st April 2022. The model contract has been updated and quoted below. The full model contract can be accessed [on our website](#).

Discretionary Points and Awards

Distinction Awards and Discretionary Points

Where the Advisory Committee on Distinction Awards has recommended that you receive a Distinction Award, or we have decided that you should receive one or more Discretionary Points, these will be paid at the rates set out in the latest Pay Circular from NHS Employers.

Local Clinical Excellence Awards (LCEA) and National Clinical Impact Awards (NCIA)

The provisions in 'Schedule 30 Clinical Excellence Awards' regarding LCEAs being an incorporated schedule to the 2003 TCS for Consultants shall apply to and are expressly incorporated into this contract.

Where the Advisory Committee on Clinical Impact Awards (ACCIA) determines that you should receive an NCIA it will be paid at the rate set in the latest relevant Pay Circular from NHS Employers. Existing National Clinical Excellence Awards shall be paid at the rate set out in the latest relevant Pay Circular from NHS Employers while they are retained.

Where the Trust determines that you will receive an LCEA from 1 April 2022, it will be paid at a rate determined locally.

4. Paragraph 23 of the Consultant Contract (England) 2003 has been updated to reflect the changes in Schedule 30 of the Terms and Conditions – Consultants (England) 2003. The changes relate to the Local Clinical Excellence Awards (LCEA) and the introduction of the National Clinical Impact Awards (NCIA). The changes take effect from 1 April 2022.

Action

5. Employers are requested to apply the updated provisions with effect from 1 April 2022.

NHS-employing organisations need to take all reasonable steps to ensure that the effects of nationally negotiated collective agreements are incorporated into individual contracts of employment. It is good practice that where there is a change to national TCS employers should:

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

6. Employers are not required to reissue an amended contract to those individuals who have transferred or been appointed to their contract prior to 11 April 2023, providing they have written to the individual as set out above. However, employers are asked to make use of the amended contract document for all appointments from the date of publication of the Pay Circular. Employers are also asked to use the amended contract when an individual undergoes a change of contractual terms i.e. moves to or from a part-time contract.

Enquiries

7. Employees must direct personal enquiries to their employer. NHS Employers cannot advise on individuals' personal circumstances.

8. Employers should direct enquiries to: doctorsanddentists@nhsemployers.org.

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

10. Prior to the establishment of NHS Employers in November 2004, the responsibility to inform the NHS of changes to pay and allowances rested with the Department of Health and Social Care. Changes were published in Advance Letters. Copies of Advance Letters going back to 2000 may be obtained from the national archives:

<http://www.webarchive.org.uk/wayback/archive/20060506120000/http://www.dh.gov.uk/PublicationsAndStatistics/LettersAndCirculars/AdvancedLetters/fs/en.html>

11. For Advance Letters prior to 2000, please contact the Department of Health and Social Care: <https://contactus.dhsc.gov.uk/>

Issued by

A handwritten signature in black ink, appearing to read 'Paul Wallace', with a long horizontal stroke extending to the right.

Paul Wallace
Director of Employment Relations and Reward
NHS Employers