To: Chief Executives
    Human Resource Directors
    Finance Directors of:-
    NHS Trusts
    Local Health Boards

Eich cyf . Your ref
Ein cyf . Our ref

31 March 2004

Dear Colleague

PAY AND CONDITIONS OF SERVICE OF HOSPITAL MEDICAL AND DENTAL STAFF AND DOCTORS IN PUBLIC HEALTH MEDICINE AND THE COMMUNITY HEALTH SERVICE

This letter details

A: CHANGES TO THE LEAVE YEAR FOR SHOs AND SpRs
B: PAY PROTECTION ARRANGEMENTS FOR DOCTORS IN TRAINING GRADES WHERE PAY BANDS CHANGE AS A RESULT OF MONITORING
C: CONFIRMATION OF BANDING MULTIPLIER CHANGES FOR REGISTRARS AND PRE-REGISTRATION HOUSE OFFICERS IN GENERAL PRACTICE

Summary

1. This letter notifies employers of agreed changes to pay and to national terms and conditions of service of hospital medical and dental staff and doctors in public health medicine and the community health service, in respect of doctors in training:
   • changes to determination of leave years for Specialist Registrars;
   • revised arrangements for pay protection on change of banding; and
   • confirmation of changes already made to the banding multiplier for Registrars and Pre-Registration House Officers in General Practice
Approval

2. A copy of the formal approval is attached.

CHANGES TO THE LEAVE YEAR FOR SHOs AND SpRs

3. Agreement has been reached to correct an anomaly in the leave year of Specialist Registrars created as a result of the merging of the Registrar and Senior Registrar grades. The opportunity has also been taken to bring the Senior House Officer into line. As a result the leave year for all Specialist Registrars and Senior House Officers will in future run from their incremental date for salary purposes, except as described in the amended Paragraph 209 attached as Annex A to this Advance Letter.

PAY PROTECTION ARRANGEMENTS FOR DOCTORS IN TRAINING GRADES WHERE PAY BANDS CHANGE AS A RESULT OF MONITORING

4. Agreement has been reached on arrangements for backdating pay where bandings change without changes in working practices. Details of the agreement are reflected in revisions to Paragraph 21 of Terms and Conditions of Service (see Annex B to this letter). Employers are reminded that where monitoring produces inconsistent results and bands fluctuate as a result this is normally indicative of an unstable rota pattern; efforts must be made to resolve this.

CONFIRMATION OF BANDING MULTIPLIER CHANGES FOR REGISTRARS AND PRE-REGISTRATION HOUSE OFFICERS IN GENERAL PRACTICE

5. The supplement payable to Registrars and PRHOs for undertaking out-of-hours duties in general practice was increased from 50% of basic salary to 65% of basic salary as a result of DDRB recommendations with effect from 1st April 2003.

EFFECT OF AMENDMENTS

6. The revised national rates for doctors in training in General Practice notified in this Advance Letter replace those notified in AL(MD)W1/2002 and are effective from 1st April 2003.

7. Changes to paragraphs 21 and 209 of TCS are effective as of the date of this letter.

ACTION

8. The new rates for doctors in General Practice should be paid in full with effect from 1st April 2003. Please aim to implement and backdate the new rates as soon as possible.

9. Employers are also asked to note the provisions of the revised Paragraphs 21 and 209 of TCS and to action these as appropriate.
ENQUIRIES

10. Employers should direct enquiries about the content of this letter to gwenda.davies@wales.gsi.gov.uk or telephone 029 20825231.

11. Employees should direct personal enquiries to their employer.

FURTHER COPIES

12. Copies of this letter can be obtained from the HOWIS website at www.howis.wales.nhs.uk.

Yours faithfully

STEPHEN REDMOND
Human Resources Director
NHS Wales
Advance Letter AL(MD)W 4/2003

The Welsh Assembly Government in exercise of his powers under regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) Regulations 1991 (SI 1991 No 481) and under paragraph 11 of Schedule 3 to the National Health Service Act 1977 hereby approves the agreement of the Joint Negotiating Committee for Hospital Medical and Dental Staff and Doctors in Public Health Medicine and the Community Health Service set out in the revised pages of the handbook of terms and conditions of service of hospital medical and dental staff and doctors in public health medicine and the community health service (England and Wales) which are attached to Advance Letter MDW4/03 with effect from 1 April 2003.

Signed by authority of the
Welsh Assembly Government

STEPHEN REDMOND
Human Resources Director
NHS Wales

31 March 2004
The following paragraph to replace the existing Paragraph 209.

**Leave years**

209 With the exception of CMOs on the first five points of the salary scale and practitioners in the staff grade other than those mentioned in paragraph 205, whose leave year will run from 1 November to 31 October, the leave year of practitioners (other than locums) referred to in paragraphs 205 and 206 shall run from their incremental date for salary purposes, or its anniversary where the practitioners are on the maximum of the scale, or the anniversary of the date of the appointment where there is no incremental progression. Practitioners previously conditioned to a different leave year may retain existing arrangements for the duration of their current post.
The following paragraphs to be added as a continuation of Paragraph 21.

**Backdating of Pay on Re-Banding after Monitoring**

**o)** When following a change of house a rota is properly monitored to be in a higher band than demonstrated by previous valid monitoring, backdating of pay will apply to those doctors currently in post and will not apply to former postholders regardless of when previous monitoring took place, unless former postholders have formally raised concerns and requested monitoring but where that has not taken place. In such cases where the later valid monitoring confirms the concerns of the former postholders, they should receive back pay at the higher rate from the date of the request for monitoring to the end of the placement.

**p)** In the event of a rota, without any change in working pattern, being shown to belong in a higher pay band as a result of a valid monitoring round, pay at the higher level shall be backdated to the point three calendar months after the first day of the previous successful monitoring round, i.e. that which most recently showed the lower pay band, except:

- where there are postholders who have taken up their posts after the previous valid monitoring round, for whom the most recent round is also their first one in their current post, in which case their pay increase will be backdated to their first day in the post;

**OR**

- when there have been intervening attempts by the trust to monitor, which the trust can demonstrate to have been done in accordance with good practice guidelines and which have not been successful despite the proven best efforts of the trust, in which case pay shall be backdated to the first day of the valid monitoring exercise which led to the rota being shown for the first time to belong in a higher pay band.

**OR**

- where a valid monitoring round which has been requested by the doctors in post demonstrates an increase in the pay band, when backdating will be to the date of the request to monitor if this is less than three calendar months from the first day of the previous successful monitoring round.
Notification of Posts becoming Compliant

q) Where a previously non-compliant rota is shown on valid monitoring to fall into a compliant pay band, an employer shall notify the doctors on that rota of the change in writing, and salaries at the protected level of band 2A shall be paid from the first day of the month following that in which notification was made. An employer cannot require repayment of any salary paid at the higher band prior to the last day of the month in which formal notification was given.