

Pay, Terms and Conditions of Medical Staff policy

Board library reference	Document author	Assured by	Review cycle
P102	Head of HR	Quality and Standards committee	3 years

This document is version controlled. The master copy is on Ourspace.

Once printed, this document could become out of date.

Check Ourspace for the latest version.

Contents

1. Introduction	2
2. Policy statement	2
3. Purpose or Aim	2
4. Scope	2
5. Local Agreements Requiring the Approval of the Trust Board	2
5.1 Consultant Contract and Terms and Conditions	2
5.2 Specialty Doctor	4
5.3 Associate Specialists	6
5.4 Doctors in Training	6
6. Local Agreements Not Requiring the Approval of the Trust Board	6
7. Roles and Responsibilities	6
8. Standards	6
9. Training	6
10. Monitoring or Audit	6
11. Associated and Related Procedural Documents	7
12. References	7

1. Introduction

Medical staff employed as doctors by the Trust, are subject to both local and national terms and conditions of employment. Where an issue is addressed in nationally agreed terms and conditions of employment, some scope for local agreement may be provided. The Trust may also reach agreement with local trade union representatives on matters not covered by national terms and conditions.

The Trust employs medical staff in a range of grades. Relevant agreements may be reached with local trade union representatives with application to some or all medical grades.

2. Policy statement

The Trust will normally employ staff on nationally agreed terms and conditions of employment except where expressly provided for in this document or other local agreements with trade union representatives.

Local agreements concerning pay and terms and conditions will be set out either in the main body of this document, or in appended agreements, depending on relevant assurance requirements.

The Trust will normally appoint medical staff in the following grades:

- Consultant
- Specialty Doctor
- Doctor in Training

The Trust Board will approve all variations to the general terms and conditions, for staff listed above.

3. Purpose or Aim

The purpose of this policy is:

- To state the Trust's general commitment to following national terms and conditions of employment relating to medical staff;
- To record all local agreements concerning pay and terms and conditions relating to medical staff within this policy
- To provide a framework document for any related process agreements reached with local trade union representatives.
- To ensure fair and consistent treatment of medical staff.

4. Scope

This policy addresses the terms and conditions of employment of medical staff employed by the Trust in medical posts.

5. Local Agreements Requiring the Approval of the Trust Board

5.1 Consultant Contract and Terms and Conditions

Salary on Appointment

- Salary on appointment will be determined in accordance with the [Terms and Conditions – Consultants \(England\) 2003](#).

Recruitment and Retention Premia for Consultants

- The application of a recruitment and retention premium will only be considered where serious recruitment difficulties have been experienced by the Trust and the premium will be included in the advertisement or recruitment pack.
- The application procedure is set out in the Trust's [Determining Recruitment and Retention Premia Policy](#) P076

Job Planning

- All consultants will have an annual job plan review.
- The procedure and guidance for Job Planning are available on [Ourspace](#).

Mediation and Appeals

- A mediation and appeals procedure is to be used when it has not been possible to reach agreement on a job plan or where a doctor disputes the decision that he or she has not met the required criteria for a pay threshold in respect of a given year.
- The procedure for mediation and appeals can be found on [Ourspace](#).

Supporting Professional Activities (SPAs)

- Core supporting professional activities (SPAs) needed for revalidation and CPD require an allocation of 1.5 SPAs per week for full time (10 PA) consultants. An indicative schedule of key activities undertaken as SPAs is available on [Ourspace](#).
- For part time consultants the following minimum allocation of core SPAs will apply:
 - Contracts of 5 PAs or more – 1 SPA
 - Contracts of less than 5 PAs – 0.5 SPAs
- It is expected that consultants will routinely undertake specified roles and responsibilities within the Locality Delivery Unit (LDU) and sometimes the Trust such as college tutor, audit lead, medical student coordinator, ECT lead, MRC Psych I and II examination course organisers, etc. Such specified roles will normally be included within the doctor's contracted hours. The specified role to be undertaken will be shown in the consultant's job plan as a supporting professional activity.
- The standard 10 PA contract will comprise of the core 1.5 SPAs and 8.5 direct clinical care PAs. This division of programmed activities will apply to all posts except where an individual agrees to take on a specified role. In such cases up to one further SPA can be provided within the 10 PA working week and these consultants will reduce their direct clinical care time to 7.5 PAs alongside 2.5 SPAs.

Additional Responsibilities

- Certain roles involving considerable additional Trust wide and/or local responsibilities and accountability and requiring particular skill sets will be additionally remunerated by the application of a percentage to the basic 10 PA salary, exclusive of discretionary awards or clinical excellence awards. Appointment to these posts will normally be made by selection interview and for a fixed term. Roles attracting such additional remuneration are listed on [Ourspace](#).
- The time required to undertake this work will be identified within normal contractual programmed activities through the job planning process. In exceptional circumstances, where it can be clearly demonstrated that a whole time consultant currently undertaking one of these roles is working hours in excess of 11 PAs, one further PA may be agreed subject to a commitment to reduce working hours to a maximum of 11 PAs within two years.

Fee Paying Services

- Arrangements for fee paying services are found on [Ourspace](#).

Clinical Excellence Awards

- The procedure for the award of employer based clinical excellence awards is listed on [Ourspace](#).

Additional Payments for Consultants Covering Absences

- The Trust will differentiate between additional on-call requirements and additional clinical, administrative or other work undertaken as a result of an absence or vacancy.
- Consultants entering into this arrangement should do so voluntarily and by agreement, after discussion with their medical lead or the Executive Medical Director.
- Any additional work entered into as a result of this arrangement should never result in workloads that are unmanageable or unsafe.
- Any such arrangement must be reviewed on a weekly basis by the authorising officer (Associate Medical Director or Medical Director), having regard in particular to individuals' rights under the Working Time Regulations, to the employer's responsibilities under health and safety legislation, and on the requirement to provide a safe service.
- These arrangements apply only to Consultants covering the absence of fellow Consultants. Where a Consultant is obliged as an emergency measure to act down, and cover for the absence of a junior or middle grade member of staff, then separate arrangements apply.
- Relevant arrangements are provided on [Ourspace](#).

5.2 Specialty Doctor

The following paragraphs should be read in conjunction with the [Terms and Conditions of Service for Specialty Doctors – England \(2008\)](#).

Supporting Professional Activities

- Core supporting professional activities (SPAs) needed for revalidation and CPD require an allocation of 1.5 SPAs per week for full time (10 PA) specialty doctors. An indicative schedule of key activities undertaken as SPAs is available on [Ourspace](#).
- For part time specialty doctors the following minimum allocation of core SPAs will apply
 - Contracts of 5 PAs or more – 1 SPA
 - Contracts of less than 5 PAs – 0.5 SPAs
- Where suitably experienced specialty doctors routinely undertake specified roles and responsibilities within the LDU and sometimes the Trust, these will normally be included within the doctor's contracted hours. The specified role to be undertaken will be shown in the doctor's job plan as a supporting professional activity.

Job Planning

- All specialty doctors will have an annual job plan review.
- The procedure and guidance for Job Planning are available on [Ourspace](#)

Mediation and Appeals

- A mediation and appeals procedure is to be used when it has not been possible to reach agreement on a job plan or where a doctor disputes the decision that he or she has not met the required criteria for a pay threshold in respect of a given year.
- The procedure for mediation and appeals is found on [Ourspace](#).

Fee Paying Services

Pay, Terms and Conditions of Medical Staff

- Arrangements for fee paying services are found on [Ourspace](#).

5.3 Associate Specialists

Supporting Professional Activities

- Core supporting professional activities (SPAs) needed for revalidation and CPD require an allocation of 1.5 SPAs per week for full time (10 PA) associate specialists. An indicative schedule of key activities undertaken as SPAs is available on [Ourspace](#).
- For part time associate specialists the following minimum allocation of core SPAs will apply
 - Contracts of 5 PAs or more – 1 SPA
 - Contracts of less than 5 PAs – 0.5 SPAs
- Where suitably experienced associate specialists routinely undertake specified roles and responsibilities within the LDU and sometimes the Trust, these will normally be included within the doctor's contracted hours. The specified role to be undertaken will be shown in the doctor's job plan as a supporting professional activity.

5.4 Doctors in Training

Doctors in Training will be paid in accordance with either the [Terms and Conditions of service for Hospital Medical and Dental Staff and Doctors in Public Health Medicine and the Community Health Service \(England and Wales\)](#)

Or

[Terms and Conditions of Service for NHS Doctors and Dentists in Training \(England\) 2016 - Version 3](#)

The latter link will be applicable to all doctors 2nd August 2017

6. Local Agreements Not Requiring the Approval of the Trust Board

The procedures and processes found on Ourspace relate to terms and conditions for medical staff which have been agreed with recognised Trade Unions concerning processes related to the terms and conditions referenced above. These agreements are not implied into the individual contracts of employment of individual staff members.

7. Roles and Responsibilities

The Trust Board of Directors will require Trust managers to implement this policy and associated agreements.

All Managers will apply this policy in full or, exceptionally and only concerning process agreements appended to this policy, seek agreement on any proposed alternative courses of action with recognised trade union representatives.

8. Standards

This policy will be measured against the requirements of employment law and the best practice expected from a modern health organisation.

9. Training

Further information and advice is available via [Ourspace](#) or by contacting the ER team.

10. Monitoring or Audit

Monitoring information will be provided by the Trust as part of the policy review cycle. This will include exception reporting.

Representatives from trades unions formally recognised by the Trust and management representatives have drawn up this policy in line with relevant UK and European employment legislation

This policy will be reviewed after 3 years or earlier at the request of either party.

11. Associated and Related Procedural Documents

All relevant HR policies are available on [Ourspace](#).

[Mediation and Appeal Procedure for Consultants and Specialty Doctors](#)

[Agreed Procedure Concerning Employer Based Awards \(Previously Clinical Excellence Awards\)](#)

[Fee Paying Services](#)

[Procedure for Additional Remuneration for Consultants or SAS Doctors covering the absence of a colleague](#)

[Consultants' and SAS Doctors' Additional Responsibility Payments](#)

12. References

This policy should be read in conjunction with nationally agreed terms and conditions relating to the employment of medical staff published (online) by NHS employers.

Version History				
Version	Date	Revision description	Editor	Status
1.0	18 Jan 2011	Approved by Quality & Healthcare Governance with minor amendments	TW	Approved
2.0	10 Jan 2012	Ratified at Quality & Healthcare Governance Committee	TW	Approved
3.0	30 Nov 2012	Policy amendments approved for a 3 year review period by LNG on 27 Sep 2012, JUC 2 Oct 2012, MWMG 10 Oct and ESEC 30 Nov 2012.	TW	Approved
4.0	18 May 2016	Minor administrative updates made to reflect Trust structures Transferred into new Trust policy template format. Additional paragraph in section 5.1.5 highlighting Of programmed activities.	JB	Approved
4.1	22 July 2019	Extended until March 2020	HRD - JF	Approved