

Dear Colleague

NEW SPECIALTY DOCTOR AND ASSOCIATE SPECIALIST CONTRACTS

1. A joint letter from Paul Martin and George Brechin, dated 20 March 2008, advised NHS Scotland Employers that 79% of doctors and dentists who took part in the BMA ballot on the new contracts for the Staff and Associate Specialist Group of Doctors and Dentists voted in favour of the contract as offered by Scottish Ministers. The Scottish Government Health Directorates welcomes this outcome. This will help NHS Scotland organisations to move forward on a collaborative basis with the profession to support service improvements through NHS reform and help improve doctors' and dentists' working lives.

2. The Specialty Doctor and Associate Specialist Contract Scottish Implementation Group (SDASCSIG) comprising a partnership of SGHD, MSG and BMA Scotland representatives has been set up to agree and make appropriate decisions to ensure the smooth implementation of the new contracts for the Specialty Doctor and Associate Specialist grades and to deal with issues as they arise during the implementation process. NHS Boards, in partnership with Local Negotiating Committees, will perform this function at a local level, but the SDASCSIG will remain available to provide appropriate advice and guidance where their local systems require this.

Eligibility

3a) The following groups of staff are entitled to transfer to the new contract:

- Staff Grade
- Associate Specialist
- Non-practising GP clinical assistants
- Hospital Practitioner
- Clinical Medical Officer
- Senior Clinical Medical Officer
- Dental Officer
- Senior Dental Officer

CEL 27 (2008)

1 July 2008

Addresses

For action

Chairs, NHS Boards and Special Health Boards and NHS National Services Scotland
Chief Executives, NHS Boards and Special Health Boards and NHS National Services Scotland
Directors of Finance, NHS Boards and Special Health Boards and NHS National Services Scotland
Directors of Human Resources, NHS Boards and Special Health Boards and NHS National Services Scotland

For information

Members, Scottish Partnership Forum
Members, Scottish Terms and Conditions Committee
Members, Scottish Workforce and Governance Group

Enquires to:

Mr Kevin Matheson
Scottish Government Health Directorates
Health Workforce
Ground Floor Rear
St Andrew's House
Regent Road
Edinburgh EH1 3DG

Tel: 0131-244 2327

Fax: 0131-244 2837

Kevin.matheson@scotland.gsi.gov.uk

<http://www.scotland.gov.uk>

3b). In addition, any employed individuals who undertake the duties of a Staff Grade and who are paid on the national Staff Grade pay and terms and conditions and who meet the eligibility criteria for entry to the Specialty Doctor grade will qualify for the new contract and should therefore be given the opportunity to express an interest in the Specialty Doctor contract.

3c). Doctors who are employed in General Practice: where a doctor holds a post as a GP, and holds a second job in a hospital setting in any of the eligible grades which is not for the delivery of primary care services, may be offered the new contract if they fulfil the other eligibility criteria.

Indicative Timetable for Implementation

4. It has been agreed that, in order to ensure for adequate preparation time, and consistency and clarity for all parties, a co-ordinated and managed approach to implementation of the new contract will take place. An indicative timetable for implementation is outlined in Annex A.

5. All employers should now proceed to work with their Local Negotiating Committee to establish joint local implementation committees to draw up their local implementation plan in line with the indicative timetable attached at Annex A. This should focus on the next steps to be taken under the arrangements for transition to the new contract and preparations for commencing the job planning process with eligible doctors and dentists.

Contract Documentation

6. The Contract Terms and Conditions of Service, supporting documentation and guidance, including Frequently Asked Questions are currently being prepared. Once agreement on the Terms and Conditions of Service is reached, these will be issued to NHS Scotland under a PCS circular.

Optional and Discretionary Points

7. The new contracts have replaced the optional and discretionary points systems with a new incremental salary scale. However, NHS Employers, in the interest of fairness and transparency and as part of their implementation plan, are advised to complete their Optional and Discretionary Points decision making process up to and including 2007-08 and notify individual Staff Grade and Associate Specialist Doctors and Dentists of any points he/she would be awarded from 1 April 2008 by the end of August 2008. This will assist eligible doctors and dentists in deciding whether to express an interest in the new contract, or remain on their existing Terms and Conditions of Employment.

Optional and discretionary points continue to be available for those who remain on the Staff Grade and old Associate Specialist contracts.

Expression of Interest Letters

8. Once the optional/discretionary points exercise is completed within individual Boards, each employer should write to eligible doctors and dentists to ensure that they are given the opportunity of indicating whether or not they wish to give a formal commitment to enter into a discussion regarding transfer to the new contract from 1 April 2008. (Employers should not wait until the end of August as set out in the indicative timetable if

they have completed their points processes earlier). A standard letter is attached at Annex B. Employers should consider whether they wish to establish a facility to allow eligible doctors and dentists to reply to this letter by e-mail or by other means. Annex D shows the assimilation process for the new contracts.

Closed Grades

9. The existing Staff Grade, Hospital Practitioner, Clinical Assistant, Clinical Medical Officer and Senior Clinical Medical Officer grades will be closed to new applicants from midnight on the day the new PCS Circular is issued. Employers should take steps to identify staff in these grades so that they can be offered the opportunity to transfer to the new contracts.

Associate Specialist Grade

10. The current Associate Specialist grade is closed to new entrants from midnight on the day the new PCS Circular is issued. From this date there will be a defined period – known as the Window of Opportunity - until 31 March 2009 for those doctors and dentists who meet the relevant criteria to apply for re-grading to the new Associate Specialist grade. Completed application forms for re-grading must be submitted by the applicant in accordance with local procedures to, and received by, employing organisations on or before 31 March 2009. These applications will be considered in accordance with the extant MEL (NHS MEL (1998)3) dated 2 February 1998.

New Appointments and Locum Renewals

11. Under the agreement reached with BMA Scotland, the new contract is the only contract that will be available for new appointments from the date of the PCS Circular. Anyone who is offered and takes up a Staff Grade or other eligible post on or after this date should therefore be appointed on the basis of the new Specialty Doctor contract.

12. Any staff in the eligible group, who are appointed or regraded to Associate Specialist on or after 1 April 2008 and whose start date or date of regrading is prior to the date of issue of the PCS circular should be appointed on the old terms and conditions and offered the opportunity to either remain on the old terms and conditions of service or transfer to the new contract. If they choose to transfer, they will assimilate to the new contract with effect from the date of commencement/regrading in accordance with the assimilation arrangements.

13. From the date of the PCS circular all new starts and locum renewals will be employed on the new contract and any advertisements for new staff should now reflect this.

Job Planning

14. A key stage in the implementation of the new contract will be the agreement of new job plans with eligible doctors and dentists and to do so in a way that begins to generate the shared benefits for patient services and for staff. It is anticipated that the job planning process will be completed in line with the indicative timescale set out in Annex A. The individual nature of job planning and the level of initial take up may mean that completion of the process may take longer in some cases. Recognising that some of the benefits will be achieved on a gradual basis over a longer timeframe, the job planning process should not therefore be viewed as a “one-off” exercise.



INVESTOR IN PEOPLE



15. It is particularly important for employers to make clear from the outset the key role to be played by job planning as a tool to enable and take forward the re-design of services. This requires a common understanding that job planning is an iterative and dynamic process and is open to review and change at any time, on the suggestion of either employer or doctor or dentist. In this way job plans will retain the necessary flexibility and relevance to respond to the fact that service redesign is a continuous process which takes place over different timeframes in different services.

16. For assimilation purposes, the job plan should be based as far as possible on the actual work carried out by the eligible doctor or dentist prior to the transition process. Diary evidence should be submitted to inform this process.

Support for Implementation

17. An Employers Reference Group, chaired by a member of the Management Steering Group (MSG), has been established. The remit and membership of the Group is attached at Annex C.

Further Communications

18. It is intended that further guidance on implementation issues will be communicated to NHS Scotland as required during the implementation process by means of joint communications agreed by SGHD, the BMA and NHS Employers.

General Queries

19. If you have any queries or issues which you wish to raise on the new contracts these should be directed in the first instance to Kevin Matheson in NHS Pay and Pensions Unit at the following e-mail address: Kevin.matheson@scotland.gsi.gov.uk

Enquiries

20. Employees should direct their personal enquiries to their employing Board, Special Health Board or NHS National Services Scotland (the Common Services Agency).

21. NHS Employers are asked to make their own arrangements for obtaining any additional copies of this Chief Executive Letter (CEL) which is available on the SHOW website at <http://www.show.scot.nhs.uk/pcs.asp>.

Yours sincerely

COLIN McGOWAN
Acting Deputy Director for Health Workforce

INDICATIVE TIMETABLE FOR IMPLEMENTATION

TABLE 1

	Task	Completion Date
1.	Optional and Discretionary Points Exercises up to and including points payable from 1 April 2008 must be completed by all Boards	By end August 2008
2.	Employers write to each eligible doctor or dentist confirming eligibility and inviting expression of interest to transfer	By early September 2008
3.	Expressions of interest received	By early December 2008
4.	Job Planning then undertaken and prospective Job Plan agreed	By early March 2009
5.	Formal offer of new TCS made to doctor or dentist	By end April 2009
6.	Doctor/dentist has 28 days within which to accept offer	By end May 2009
7.	Doctors/dentists transferred to new TCS pay (and arrears will follow as soon as is practicably possible after the end of June)	By end June 2009

[Insert Date]

[Insert name and address]

Dear [Insert Name]

NEW CONTRACTS FOR SPECIALTY AND ASSOCIATE SPECIALIST DOCTORS

I am writing to ask whether or not you wish to express a formal interest in moving to the [Specialty Doctor/Associate Specialist (2008)] contractual arrangements. Please confirm your intention by signing the expression of interest attached to this letter and returning it to [insert name and location].

To be eligible to have your pay backdated to 1 April 2008 or an agreed later date you will need to respond within 12 weeks from the date of this letter (i.e. Insert date). Such an expression of interest is not legally binding nor does it oblige you to transfer, but it will signal that you wish to commence the job planning process in good faith.

This does not prevent you from deciding at some future point that you do wish to transfer, but if you did so decide then your transfer and salary payments would only take effect from the date you then commenced work in accordance with the subsequently agreed Job Plan. In other words, there would be no back payment.

You are therefore required to complete the attached slip and return it to me indicating whether or not you wish to take up the new contract.

If you do express an interest in moving to the new arrangements we will arrange a meeting to discuss your prospective job plan as soon as possible.

Please do not hesitate to contact me if you have any queries.

Yours sincerely

PLEASE COMPLETE THE FOLLOWING AND RETURN TO [INSERT NAME AND LOCATION]

I wish/do not wish* to express an interest in moving to the Specialty Doctor/Associate Specialist 2008* contract.

Name of Doctor

Staff Pay Number

Address

.....

Email address

.....

Signed

Date

***delete as appropriate**

Yours sincerely

REFERENCE GROUP ON IMPLEMENTATION OF THE NEW CONTRACT FOR SPECIALTY DOCTOR AND ASSOCIATE SPECIALIST GRADES

Remit

- To act as the reference point and promulgator of answers to queries in relation to the new contract for specialty doctor and associate specialist grades
- To ensure consistent application and implementation of the contract across the Service
- To act as a liaison between SGHD and the NHS
- To work with BMA colleagues to resolve any issues that arise during the implementation process

Members

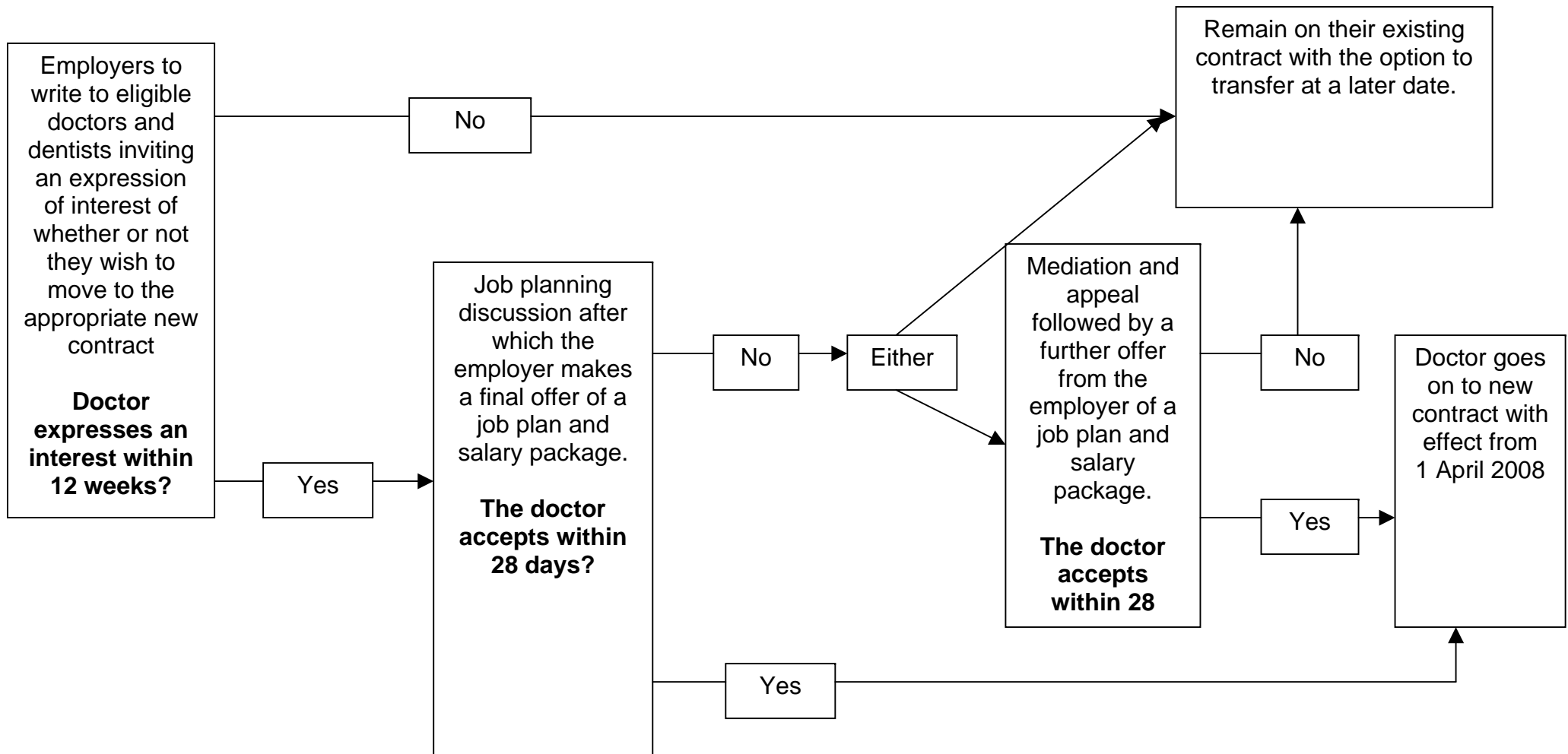
Jim Cameron, Secretary, MSG
Gordon Birnie, Scottish Association of Medical Directors
Gordon Walker, NHS Lanarkshire
Caroline Sharp, NHS Dumfries and Galloway
Raymond Rose, NHS Greater Glasgow and Clyde
Janis Millar, Workforce Modernisation Division
Claire Bulloch, NHS Ayrshire and Arran
Marlene Fraser, NHS Lanarkshire
Melanie Stewart, SSPS Project Team
Elaine Hickey, NHS Lothian
Brian Houston, NHS Highland
Colin McGowan, SGHD, NHS Pay and Pensions Unit

Secretariat

Brenda Burnett, SGHD, NHS Pay and Pensions Unit
Kevin Matheson, SGHD, NHS Pay and Pensions Unit

Annex D

FLOWCHART – NEW SPECIALTY DOCTOR AND ASSOCIATE SPECIALIST CONTRACTS – ASSIMILATION PROCESS



It is anticipated that the job planning process will be completed within **3 months** of a doctor expressing an interest.