

Dear Colleague

AGREEMENT ON APPLICATIONS FOR REGRADING TO ASSOCIATE SPECIALIST THROUGH A WINDOW OF OPPORTUNITY

Summary

1. This Chief Executive Letter (CEL) clarifies the position in relation to personal regradings to the Associate Specialist grade in the context of the introduction of the new Specialty Doctor and Associate Specialist contracts.

Window of Opportunity Agreement

2. The agreement on the new Associate Specialist contract provides for a Window of Opportunity for personal regradings to Associate Specialist to be available to eligible doctors up until 31 March 2009. Guidance on the arrangements that shall apply to such applications has been agreed between SGHD, NHS Scotland employers and BMA Scotland. A copy of the agreement is attached at Annex A.

Process

3. The following process applies to regrading applications to Associate Specialist already under way as well as those made during the Window of Opportunity:

- Applications from Staff Grade Doctors to regrade to Associate Specialist and from 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 should continue to be submitted to SACMW for approval.
- Doctors who apply for regrading to Associate Specialist but are not Staff Grades as described above should apply for regrading through agreed local processes and employers should take decisions on these applications themselves in line with extant Circulars and Guidance i.e. MEL (1998)3 and local Board procedures without reference to SACMW.

18 NOVEMBER 2008

Addresses

For action

Chairs, NHS Boards, Special Health Boards and NHS National Services Scotland (Common Services Agency) Chief Executives, NHS Boards, Special Health Boards and NHS National Services Scotland.(Common Services Agency)
Directors of Finance, NHS Boards, Special Health Boards and NHS National Services Scotland (Common Services Agency).
Directors of Human Resources, NHS Boards, Special Health Boards and NHS National Services Scotland (Common Services Agency)

For information

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

Enquires to:

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- Dentists should in all cases apply for personal regrading through local processes as the central body which previously dealt with such applications, SACDW, was formally disbanded in February 2007 and has not been replaced by another body.

Enquiries

4. Employees should direct their personal enquiries to their employing Board, Special Health Board or NHS National Services Scotland (formerly the Common Services Agency).
5. 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/sehd/pcs.asp>.

Yours sincerely

JACQUI JONES
Acting Deputy Director for Health Workforce

AGREEMENT ON APPLICATIONS FOR REGRADING TO ASSOCIATE SPECIALIST THROUGH A WINDOW OF OPPORTUNITY

1. Purpose of this Agreement

This collective agreement between SGHD, NHS Scotland Employers and BMA Scotland sets out the arrangements that shall apply to applications for regrading to Associate Specialist through the Window of Opportunity.

2. Closure of the Associate Specialist grade

The Associate Specialist grade shall be closed to new entrants with effect from midnight on 20 October 2008. From this date there will be a defined period known as the “Window of Opportunity” for those eligible doctors who meet the criteria referred to in paragraph 3.1 to apply for regrading to Associate Specialist under the terms of the new contract. Completed application forms for regrading must be submitted by the applicant in accordance with local procedures to, and received by, employing organisations on or before 31 March 2009. If an application has already been submitted it will be dealt with in the usual way.

3. Process to be followed

3.1 Employing organisations are required to follow the procedure and criteria set out in [NHS MEL\(1998\)3](#) particularly paragraphs 11 – 17 of the Appendix and any locally agreed procedures as appropriate and advise all applicants for regrading of these provisions.

3.2 Funding has been allocated within the cost envelope to give eligible doctors the opportunity to apply to regrade to Associate Specialists if they are successfully assessed as meeting the criteria.

3.3 The process should be completed without delay.

4. Assimilation and Incremental Dates

4.1 A doctor who is successfully regraded through the Window of Opportunity will be regraded to the new Associate Specialist Contract, with effect from the date of receipt by the employer of the completed application form (see paragraph 2 above).

4.2 Where a doctor successfully applies for regrading and the date of regrading is on or before midnight on 20 October 2008, they shall be regraded to the ‘old’ Associate Specialist grade/Terms and Conditions of Service in accordance with [NHS MEL\(1998\)3](#) and local Board procedures. If the doctor subsequently chooses to transfer to the new Associate Specialist (2008) contract, transfer will be in accordance with the transitional arrangements set out in Schedule 28 of the Associate Specialist (2008) Terms and Conditions of Service.

4.3 Where a doctor successfully applies for regrading and the date of regrading is after midnight on 20 October 2008, their current/most recent pay point will be the salary which is used to determine basic salary on assimilation to the new Associate Specialist scale.

4.4 On regrading to the Associate Specialist grade doctors will acquire a new incremental date which shall be the anniversary date of their successful regrading.

Jacqui Jones
on behalf of
SGHD

Jim Cameron
on behalf of
NHS Scotland Employers

Sally Winning
on behalf of
BMA Scotland

18 November 2008