



Dear Colleague

**CHANGES TO NHS TERMS AND CONDITIONS
HANDBOOK: SECTION 5 AND ANNEX R – NATIONAL
RECRUITMENT AND RETENTION PREMIA**

Summary

1. This pay circular informs employers that changes have been agreed to the NHS Terms and Conditions of Service Handbook in relation to the payment of national recruitment and retention premia (NRRP) to groups of staff identified in Annex R. It also sets out the agreed transitional arrangements to be followed where payments are withdrawn.

2. This circular also details, for information only, additional changes to the Agenda for Change terms and conditions handbook agreed at a UK level which do not apply in Scotland.

National RRPs

3. NRRP are agreed national pay supplements for individual jobs, or groups of jobs, where market pressures would make it difficult for NHS organisations to recruit or retain staff in particular jobs, UK-wide, at the normal salary.

4. The Hartley equal pay test case Employment Tribunal determined that the NRRP in payment to maintenance craft workers was justified until 31 March 2011, but must cease after that date unless a review demonstrated continuing justification.

5. NHS Employers subsequently commissioned the Institute for Employment Studies (IES) to undertake an independent review of all NRRP on behalf of the NHS Staff Council. The findings of this review mean that all existing NRRP set out in Annex R of the Handbook should cease after 31 March 2011, or be converted to a local RRP where appropriate.

13 April 2011

Addresses

For action

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

For information

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

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6. Employers should therefore note that National Recruitment and Retention Premia should not be paid to new starters from 1 April 2011.

7. Transitional arrangements have been agreed to cover staff currently in receipt of the payments. The premia payable for maintenance craft workers (staff requiring full electrical, plumbing or mechanical crafts qualifications) and healthcare chaplains will be withdrawn over a two year period. Current payments will be protected as follows:

- Year one: 2011/12 100 % of the payment at current value.
- Year two: 2012/13 50% of the payment at current value.
- On 1 April 2013 all payments will cease.

8. For the sake of clarity, the provisions set out in PCS(AFC)2008/11 – Application of Annex R of the Agenda for Change Terms and Conditions – are not affected by this circular.

Changes to Agenda for Change Handbook

9. The specific changes to the Agenda for Change terms and conditions handbook made as a result of the agreement detailed above are set out in the Annex to this circular. These also include the deletion of Annex W which will not affect the situation in NHSScotland as this Annex never applied in Scotland.

Cabinet Secretary Approval

10. The provisions of this circular have been approved by Scottish Ministers under Regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (SI 1991 No 537). A copy of the formal approval is attached.

Action

11. NHS Boards and Special Health Boards should ensure that the UK agreement set out above is actioned, as appropriate, and that the provisions of this circular are communicated to any staff currently in receipt of NRRP.

Enquiries

12. Employees should direct their personal enquiries to their employing NHS Board or Special Health Board.

13. Employers should make their own arrangements for obtaining additional copies of this circular, which can be viewed at:

www.sehd.scot.nhs.uk

14. The changes contained in this circular will be reflected in the updated Agenda for Change Terms and Conditions Handbook which can be viewed at:

www.msg.scot.nhs.uk

Yours sincerely

JOHN COWIE
Deputy Director
Directorate of Health Workforce

**NATIONAL HEALTH SERVICE
APPROVAL OF REMUNERATION AND CONDITIONS OF SERVICE**

In accordance with regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (S.I. 1991/537) the remuneration and conditions of service set out in the attached Scottish Government Health Workforce Directorate circular of 13 April 2011 – PCS(AFC)2011/6 – in respect of long term national recruitment and retention premia under the Agenda for Change agreement are hereby approved for the purposes of the said Regulations.

JOHN NICHOLLS
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13 April 2011

CHANGES TO THE AGENDA FOR CHANGE TERMS AND CONDITIONS HANDBOOK

Contents page:

The title of Annex R which was:

“Guidance on the application of national recruitment and retention premia”

Has been changed to:

“Withdrawal of nationally agreed recruitment and retention premia and transitional arrangements”

Section 5: Recruitment and retention premia

The last sentence of para 5.3:

“Guidance on the application of national recruitment and retention premia is set out in Annex R.”

Has been deleted.

Para 5.14:

“Transitional arrangements

Further information on assimilation and protection arrangements during the transition to the new system is set out in Part 7, including information on those jobs where it is agreed that there is prima facie evidence that a premium is necessary, to ensure the position of the NHS is maintained in relation to the relevant external labour market, during the transitional period (see Table 20 in Annex R). “

Has been deleted.

Section 46: Assimilation and protection

Paras 46.46 to 46.48 has been deleted.

Paras 46.49 and 46.50 have been renumbered 46.46 and 46.47.

Annex R: Guidance on the application of nationally agreed recruitment and retention premia

This annex has been deleted and replaced with a new Annex R reflecting the agreement set out in this circular. A copy of that new Annex is attached at the end of this circular.

Annex W: Support for professional fees for staff in bands 5 to 8A (England only)

This annex has been deleted and is now designated as “unallocated”.

Annex A2: Guidance on frequently asked questions

The following section of the Q&A:

“Implementation annexes: Annex R: Guidance on the application of nationally agreed recruitment and retention premia

Paragraph 13

Footnote number 1

Are trusts that employ maintenance crafts persons and qualified maintenance technicians required to pay the specified amount of national recruitment and retention premia or can this be varied to a lower rate or not paid at all?

The amount specified in Annex R should be paid to all staff so designated. RRP cannot be paid at less than the agreed national rate (£3,205). The nationally agreed rate can be increased “where it is necessary to ensure no loss under the rules in paragraphs 4 to 7 in Annex R (paragraph 13). The minimum level of RRP in Annex R should be paid until it is otherwise varied by the Staff Council.

Implementation annexes: Annex R: Guidance on the application of nationally agreed recruitment and retention premia

Paragraph 13

Footnote number 1

Will the recruitment and retention premium for qualified maintenance crafts persons and technicians be updated?

Yes – the value of the premium is £3,205 from 1 April 2009. (See also paragraph 17 in Annex R).

Implementation annexes: Annex R: Guidance on the application of nationally agreed recruitment and retention premia

Paragraph 18 in Annex R: National Long-Term Recruitment and Retention Premia

Footnote number 2

How long do the national long-term RRPs for posts in the list in Table 20 in Annex R continue?

On assimilation the minimum level of premium for posts listed in Table 20 should be set locally. During the transition period the level of premium should be at least sufficient to ensure that staff do not require pay protection (paragraph 9 in Annex R). After the transition period local partnerships will need to review the value of any continuing RRP in accordance with the provisions in Section 5. This does not apply to RRPs for qualified maintenance craft persons, qualified maintenance technicians and chaplains in Annex R.”

Has been deleted.

Annex R

Withdrawal of nationally agreed recruitment and retention premia and transitional arrangements

1. In the transitional period following the introduction of Agenda for Change, a list of jobs was agreed for which there was prima facie evidence from both the work on the job evaluation scheme and consultation with management and staff representatives, that a premium was necessary to ensure the position of the NHS was maintained during the transitional period. The jobs concerned are listed in Table 20 below.

Table 20

Type of post
Chaplains
Clinical coding officers
Cytology screeners
Dental nurses, technicians, therapists and hygienists
Estates officers/works officers
Financial accountants
Invoice clerks
Biomedical scientists
Payroll team leaders
Pharmacists
Qualified maintenance craftspersons
Qualified maintenance technicians
Qualified medical technical officers
Qualified midwives (new entrant)
Qualified perfusionists

2. For staff requiring full electrical, plumbing or mechanical crafts qualifications, a single level of premium was specified (£3,277 as at 1 April 2010).
3. For chaplains, the premium was set locally at a level not less than the level of any accommodation allowance already in payment.
4. The Hartley Employment Tribunal determined that the NRRP in payment to maintenance craft workers was justified until 31 March 2011, but must cease after that date unless a review demonstrated continuing justification. The Tribunal also determined that any transitional protection would need to be justified.
5. The NHS Staff Council commissioned the Institute for Employment Studies (IES) to undertake an independent review of all the NRRP. The review recommended that all NRRP should cease after 31 March 2011 or be converted to a local RRP where appropriate.

Transitional arrangements

6. All NRRP should cease for new starters from 1 April 2011 or be replaced by a local RRP where considered appropriate. NRRP currently in payment should be protected for a transitional period of two years as follows:
- Year one: 100% - 100% of payment at current value
 - Year two: 50% - 50% of the payment at current value.

On 1 April 2013 all payments will cease.