

Advisory Notice Consultants and SAS doctors pay during COVID-19

Welsh Government, NHS Wales Employers and BMA Cymru Wales would like to express their support and thanks to all consultants and SAS doctors during this ongoing COVID-19 crisis.

We are aware that consultants and SAS doctors are again being asked at short notice to take on considerable extra or new clinical duties which are not in line with their agreed, pre-COVID-19 Job Plans in order to respond to the increased clinical demands of the ongoing coronavirus pandemic. We acknowledge that demand on clinicians has also increased as a result of the backlog of work which was displaced by COVID-19, rising numbers of inpatients in hospital during the winter period, and the need to cover for colleagues who may be unwell or self-isolating.

This may mean temporary changes to working hours and rota patterns, as well as out of hours working. Any changes must be agreed in advance and in collaboration with the clinician concerned, although it is acknowledged that due to operational challenges there may be instances where immediate responses are required such as a session over-running.

SPA time continues to be essential and should continue at the agreed level in the original job plan. Where temporary job plans are agreed these should include SPA time at an agreed level.

Where SPA activity can be undertaken or delivered remotely, it may be possible for this to be performed off site with prior agreement. Appropriate expected outcomes will need to be agreed for such work, as with other aspects of a consultant's commitments. This will support compliance with the physical-distancing requirements within workplaces and with Welsh Government guidance to work from home when possible. As with any SPA time delivered at home, there may be a requirement to return to the workplace should that be required and clinicians should therefore remain contactable and available to respond should this be necessary.

We wish to make it clear that clinicians who temporarily agree changes to their working patterns will be doing so without any variation to the Amendment to the National Consultant Contract in Wales or the Specialty Doctor and Associate Specialist terms and conditions of service, or any nationally agreed Terms and Conditions. These continue to apply and no clinician should suffer financial detriment for their flexibility.

Such arrangements should continue for no longer than is necessary to respond to the extraordinary clinical demands posed by the COVID-19 crisis.

This notice confirms a doctor's right to return to their previously agreed, pre-COVID-19 Job Plan, which is to be held in abeyance for the duration of the emergency arrangements.

These pay arrangements will commence on 1 November 2020 and will apply until 31 March 2021. As an alternative to receiving pay under these arrangements, with prior

agreement by their line manager, clinicians may request to take time off in lieu on the same basis i.e. time and a half/ double time.

Consultants

All amended hours worked as a result of responding to the COVID-19 pandemic together with work undertaken which has been displaced by COVID-19 outside Monday- Friday 9am-5pm (including all on call hours actually worked) will be paid at the following rates.

Monday – Friday 5pm – 9am: 1.5 x individual's standard hourly rate (including commitment awards)

Friday 5pm – Monday 9am: 2 x individual's standard hourly rate (including commitment awards)

Bank Holidays – 2 x individual's standard hourly rate (including commitment awards)

Specialty Doctor and Associate Specialists

The enhanced rates paid for all amended hours worked as a result of responding to the COVID-19 pandemic or for undertaking work which has been displaced by COVID-19 outside Monday- Friday 7am-7pm (including all on call hours actually worked) (or recognised by a sessional time reduction under Schedule 8 of the Specialty Doctor and Associate Specialist terms and conditions of service for out of hours work) will be increased to the following rates:

Monday – Friday 7.00pm – 7.00am: 1.5 x individual's standard hourly rate

Friday 7.00pm – Monday 7.00am: 2 x individual's standard hourly rate

Bank Holidays – 2 x individual's standard hourly rate

Part-time (Consultants/SAS)

If a Part-time clinician is asked and agrees to increase their normal hours of work, they will be paid for the additional hours worked during the period Monday – Friday 9am-5pm for consultants and 7am – 7pm for SAS doctors at their standard normal hourly rate. At all other times hours worked will be paid as set out above.

Stand-by/additional non-resident on call (Consultants/SAS)

It is not anticipated that "stand-by" non-resident on call patterns will need to be established to deal with Covid-19 work. However, clinicians undertaking additional on-call (e.g. increased frequency of an on-call rota, or supplemental stand-by on-calls) to support COVID-19 work (including the effects of Covid 19 such as increased absence) will be paid as follows:-

1. Direct clinical care will be paid in line with the rates above for the hours actually worked, and
2. For the non-resident element of these duties an 'on call allowance' of 50% of the clinician's normal hourly rate will be paid for the period during which the clinician is available.

Any individual agreements made prior to this Advisory Notice will still stand and can only be varied by both parties through agreement.