

## **NHS Wales**

### **Advisory Notice- Consultants and SAS doctors**

#### **Payment for additional and amended/displaced hours**

Welsh Government, NHS Wales and BMA Cymru Wales would like to express their support and thanks to all consultants and SAS doctors for their contribution in tackling the pandemic.

We acknowledge that demand on clinicians has increased as a result of the backlog of work which has been displaced by Covid 19.

In order to respond to the increased clinical demands and the need to increase routine clinical capacity out of hours, additional temporary provisions are being made available for Health Boards and NHS Trusts to access at their discretion to support and facilitate the delivery of additional and displaced routine activity. For clarity, in circumstances where the requirements set out in this Notice are met, each Health Board and Trust will pay at the rates set out below.

These provisions are available where there is a requirement to provide additional clinical activity or to move routine clinical work to evenings and weekends in order to maximise capacity.

Where Consultants and SAS doctors are carrying out additional clinical work or are carrying out displaced routine work on evenings and weekends which is not in line with their agreed, pre-COVID-19 Job Plans the rates below are applicable.

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. 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 resulting from the COVID-19 crisis.

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

These pay arrangements will commence on 1 July 2021 and will apply until 31 March 2022. It is noted that previous arrangements were in place up until 31 March 2021 and the rates included in that notice may be applied between 1 April 2021 and 30 June 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 additional/amended hours worked as a result of responding to the COVID-19 pandemic together with work undertaken which has been displaced 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, Associate Specialists and Specialists**

The enhanced rates paid for all additional/amended hours worked as a result of responding to the COVID-19 pandemic or for undertaking work which has been displaced outside Monday- Friday 7am-7pm (including all on call hours actually worked) (or recognised by a sessional time reduction under the Specialty Doctor, Associate Specialist and 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 or the backlog of clinical 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 or the backlog (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**