

Grŵp Iechyd a Gwasanaethau Cymdeithasol
Health and Social Services Group



Llywodraeth Cymru
Welsh Government

Chief Executives – NHS Health Boards/Trusts

Directors, Workforce & Organisational Development – NHS Health Boards/Trusts

Directors of Finance – NHS Health Boards/Trusts

Director of NHS Wales Employers

Our Ref: Pay Letter M&D(W) 10/2024

4th November 2024

Dear Colleague

Summary:

This pay circular informs employers of amendments to the National Health Service Hospital Medical and Dental Staff and Doctors in Public Health Medicine and the Community Health Service (England and Wales) Terms and Conditions of Service [‘the TCS’] and the Amendment to the National Consultant Contract in Wales [‘the Amendment’]. These amendments are effective 1 January 2024.

Action:

Paragraph 3.8 of ‘the Amendment’

The Terms and Conditions currently state:

That this will be remunerated at three times the sessional payment at Point 6 of the Consultant salary scale, excluding commitment awards and Clinical Excellence awards. In such circumstances, there will be an agreed compensatory rest period the following day.

For these purposes, a session will comprise four hours and apply between 5pm and 9am weekdays and across weekends.

This has been amended to remove reference to Commitment Awards as follows:

That this will be remunerated at three times the sessional payment at Point 6 of the Consultant salary scale, excluding any Clinical Excellence awards. In such circumstances, there will be an agreed compensatory rest period the following day.

For these purposes, a session will comprise four hours and apply between 5pm and 9am weekdays and across weekends.

Paragraph 134 of the ‘TCS’

The Terms and Conditions currently state:

If a consultant post has been vacant for at least a year and has been unsuccessfully advertised at least twice, an employing authority may advertise the post up to the maximum of the salary scale excluding Commitment Awards. When such a post is filled, other consultants whose principal commitment is in the

same hospital and specialty as the principal commitment of the advertised post, shall be entitled to be advanced up to the maximum of the salary scale from the date that their new colleague takes up post i.e. on the same basis.

This has been amended to refer to pay point 4 on the reformed consultant pay scale as the appropriate maximum as follows:

If a consultant post has been vacant for at least a year and has been unsuccessfully advertised at least twice, an employing authority may advertise the post up to Pay Point Four on the Consultant Pay scale. When such a post is filled, other consultants whose principal commitment is in the same hospital and specialty as the principal commitment of the advertised post, shall be entitled to be advanced up to the same pay point from the date that their new colleague takes up post i.e. on the same basis.

Paragraph 123b of the 'TCS'

The terms and conditions currently state:

Except as provided for below, all locum service in other cases of three or more continuous months' duration (as defined in paragraph 213) in the same or a higher grade shall count towards incremental credit at the rate of one half on regular appointment to that grade.

This has been amended to change the current valuation for the purposes of incremental credit upon appointment to a regular consultant post of half a year per year for locum consultant experience to one year per year of experience:

Except as provided for below, all locum service in other cases of three or more continuous months' duration (as defined in paragraph 213) in the same or higher grade shall count towards incremental credit as though it had been service in a regular post.

Paragraph 113.a. of the 'TCS'

The terms and conditions currently state:

Payment shall be made to a locum engaged to fill a consultant post at the rates set out in Appendix I. The higher rate is payable to a retired consultant, who before his or her retirement was paid at the maximum point of the salary scale. In this context, a retired consultant is a practitioner who does not hold any regular paid appointment under these Terms and Conditions of Service and whose last regular appointment as a consultant (whether paid or honorary) came to an end either: i. when the practitioner was at or over the minimum age at which the practitioner could receive an age retirement pension under his or her scheme; or ii. as a result of compulsory redundancy, irrespective of the age at which this occurred. b. A locum consultant may receive domiciliary consultation fees. c. Such a locum must have full registration.

This has been amended to the following:

Payment shall be made to a locum engaged to fill a consultant post at the rate equivalent to Point 2 of the Consultant scale.

Clinical excellence Awards (CEA)

It has been agreed:

If a consultant is no longer in receipt of a CEA, they will be placed back on the pay scale taking into account all time served as if they had only been in receipt of basic pay, inclusive of any commitment awards held prior to 1 January 2024.

If a consultant is no longer in receipt of a CEA but had not previously been in receipt of commitment awards, they will be assimilated on to the consultant pay scale in accordance with Chapter 12.

Whilst in receipt of a CEA or CIA, a consultant will continue with pay progression on the pay scale as normal.

Phasing out ZC83

ZC83 will cease to exist from the 1st November 2024.

Employers are asked to note and action the phasing out of ZC83 'Other locum consultant' pay point by the end of March 2025 as outlined in Annex A of this pay circular.

Enquiries

1. **Employees** must direct personal enquiries to their employer through their local workforce/Medical HR teams, Welsh Government cannot advise on individuals' personal circumstances.
2. **Employers** should direct enquiries to HSSWorkforceOD@gov.wales
3. Copies of this circular can be downloaded from the [HOWIS](#) website.

Yours sincerely



Emma Coles

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Annex A: Phasing out of ZC83

Following the introduction of the new consultant pay scale as of 1 January 2024 and the All-Wales Flexible Pensions Policy, it has been determined by the Medical and Dental Business Group that pay point ZC83 Other Locum Consultant is no longer required and will be phased out.

This annex provides information for NHS employer organisations on the correct transfer of post-holders on this pay point to other pay scales that are more appropriate.

Consultants who have retired and returned

ZC83 was designed as a single-point scale for consultant doctors who had retired from NHS employment and subsequently returned. At the time, most consultants who did so lost any commitment awards they had earned. Some consultants on this pay point will have remained on the ZC83 rate (equivalent to point 6 of the old consultant pay scale) without accruing additional commitment awards since this time, despite sometimes significant years of service post-return.

Where the consultant *has not* accrued commitment awards since retire and return, their years in service since doing so will be calculated and counted as additional experience beyond year 5 of point 4 of the current consultant pay scale. For example, if they have worked an additional 9 years since retiring and returning, they will be moved to year 2 of point 6 of the scale. They will then continue to progress up the consultant pay scale as normal.

Where the consultant *has* accrued commitment awards since retire and return, the employer must check that the level of accrual is in line with the years of service since returning, unless other arrangements exist by agreement with the individual consultant. Where other arrangements do not exist, and the level of accrual is not in line with the years of service, they will be treated as above regarding consultants who have not accrued commitment awards. Where they have accrued commitment awards correctly, they will be moved to the equivalent point of the new consultant scale using the transfer table issued in pay letter M&D(W) 02/2024, albeit using current pay values.

Other post-holders on ZC83

Where ZC83 has been used for purposes other than a consultant who has retired from NHS employment and subsequently returned, transfer to another pay point or scale will depend upon a range of factors. Employers should consider the most appropriate solution for the individual, the role they are fulfilling, their skills and experience, and whether they are on the specialist register.

Where they are on the specialist register, a permanent consultant position is likely the most appropriate solution. In this instance, attention should be paid to changes elsewhere in the circular regarding recognising experience in locum consultant posts upon appointment to a substantive consultant position.

Where the individual is not on the specialist register, consideration should be given to the use of additional guidance (forthcoming) on the transitional arrangements for long-term locum consultants into specialist posts where appropriate. Where this is not appropriate or practical, other arrangements, such as additional supplements to the ZC82 pay point, may be considered.

Date of application

Where transfer to another pay scale is required, the date of applicability of the transfer should be 1 November. Between 1 January 2024 and that 1 April 2024, the value of the ZC83 pay scale has been uplifted to £123,000. Between 1 April 2024 and the effective date of transfer, the ZC83 pay scale has been uplifted to £130,380. Backpay should be made accordingly up until the point of transfer.