

Dear Colleague

APPLICATION OF TRANSITIONAL POINTS TO NEW STARTS AND DEFINITION OF “UNIT OR EQUIVALENT WORK AREA”

Summary

1. This CEL provides guidance to the service on the definition of the phrase “unit or equivalent work area” as it appears within Paragraph 46.15 of the Agenda for Change Terms and Conditions. This section covers the use of “transitional points” for new starts in a given area. The definition has been discussed and agreed in partnership by the Scottish Terms and Conditions Committee. A copy of the full agreed guidance is attached as an Annex to this circular.

Action

2. NHS Boards, Special Health Boards and NHS National Services Scotland (Common Services Agency) are asked to consider any issues arising from this guidance in reviewing their use of transitional points.

3. Employers are asked to make their own arrangements for obtaining additional copies of this Chief Executive Letter (CEL) which can be viewed at:

www.sehd.scot.nhs.uk

Yours sincerely

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CEL 47 (2008)

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Addresses

For action

Chairs, NHS Boards and Special Health Boards
and NHS National Services Scotland (Common
Services Agency)
Chief Executives, 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
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For information

Members, Scottish Partnership Forum
Members, Scottish Terms and Conditions
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1. Introduction

When assimilating staff and commencing new staff in accordance with the AfC Terms and Conditions of Service paragraphs 46.9 to 46.16, transitional points were used as directed.

The placement of existing staff onto the appropriate transitional point was in accordance with paragraph 46.12 of the AfC Terms and Conditions of Service.

For new starts paragraph 46.15 of the AfC Terms and Conditions of Service was applied. This states:

“46.15 During any period when the special transitional points are in use in respect of any member of staff in a given unit or equivalent work area, new appointees to the same pay band in that unit or work area, who would normally join at the minimum pay for the job, should be appointed on the lowest special transitional point currently in use.”

In the absence of an NHSScotland definition of “unit or equivalent work area” NHS employers defined this on a local basis. This has led to a variety of definitions being used, some of which have been broader than others. It was agreed that a sub-group of STAC would consider this matter further with a view to recommending a definition.

This work has now been completed and NHS employers are asked to review the definition of “unit or equivalent work area” which they adopted in the use of transitional points for new starts against the recommended definition below. If it is the case that a broader definition than that described in paragraph 3 below was adopted, this should be reviewed in partnership at a local level and the following definition adopted with effect from 1st October 2004.

2. Definition

A given “unit or equivalent work area” is defined as being:

- A hospital site
- A Directorate, if such Directorates operate as an entity over more than one site
- A CHP, although an NHS employer may determine that a sub-locality is required if a CHP is exceptionally large. It is anticipated that this will only be necessary in systems such as Glasgow, Lothian and Lanarkshire.

- Then by sub-job family within the above units or equivalent work areas with sub-job family being as defined within AfC.
- Corporate Directorates will be considered to be an entity by function; for example, Human Resources, Finance, Corporate Services etc.

It will be for local systems to consider, in partnership, any issues arising from this guidance in relation to their own particular organisational structures and to determine equivalents to the above where this is necessary. An implementation plan for retrospective review of local practice should be agreed.

3. Additional Issues

3.1 Accelerated Progression for New Entrants to Pay Band 5

In implementing this guidance, cognisance will also have to be taken of paragraph 1.8 of the AfC Terms and Conditions of service relating to the accelerated progression of new entrants on pay Band 5.

3.2 Expiry Dates for Special Transitional Points

Cognisance will also have to be taken of paragraph 46.14 of the AfC Terms and Conditions of service relating to the dates upon which the three transitional points expired.

3.3 Staff Approaching Retirement Age

The Scottish Terms and Conditions Committee also agreed that paragraph 46.17 of the Agenda for Change Handbook, which outlines how transitional points should be applied to staff who at the point of assimilation are approaching normal retirement age, has not been implemented as was intended and further guidance on this has been issued in [PCS\(AFC\)2008/7](#).

4. Timescale

It is recognised in reviewing this definition that this will result in a significant workload for local Payroll departments at a time when the assimilation process and payment of arrears to staff are in progress. Therefore, it would be the aim for systems to implement this particular guidance by 31st March 2009.