

The Scottish Government

Health Workforce

Pay, Practice and Information Governance Division



Scottish Government
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Dear Colleague

CHANGES TO SECTION 15 OF THE AGENDA FOR CHANGE HANDBOOK

1. Section 15 of the Agenda for Change Terms and Conditions Handbook covers leave and pay for new parents. The UK Staff Council has made a minor revision to this section and the Scottish Terms and Conditions Committee has agreed to make the same revision to the Scottish Handbook.

2. Annex A details the revision, and an updated version of the Scottish Handbook will be placed on the [Management Steering Group website](#).

Action

3. NHS Boards and Special Health Boards should note this change to Agenda for Change terms and conditions.

4. This circular is available online at:
www.publications.scot.nhs.uk.

Yours sincerely

JANE HAMILTON

Deputy Director, Health Workforce

Pay, Practice and Information Governance Division

5 June 2023

Addressees

For action

Chief Executives,
Directors of Finance,
Directors of Human Resources:
NHS Boards and Special Health
Boards, NHS National Services
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**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 5 June 2023 – PCS(AFC)2023/4 – in respect of Section 15 of the Agenda for Change Handbook are hereby approved for the purposes of the said Regulations.

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5 June 2023

Section 15: Leave and pay for new parents

Continuous service

15.106 For the purposes of calculating whether the employee meets the qualification set out in paragraph 15.14, 15.15 or 15.17 to have had 12 months of continuous service with one or more NHS employers, NHS employers include health authorities, NHS Boards, NHS Trusts, and the Northern Ireland Health Service and are set out in Annex 1. The following breaks in service will be disregarded (but do not count as service):

For the avoidance of doubt, absence on maternity leave, adoption leave, or shared paternal leave (paid or unpaid) as provided for under this agreement counts as continuous service.

- i) a break in service of three months or less will be disregarded;
- ii) employment under the terms of an honorary contract;
- iii) employment as a locum in a general practice setting for a period not exceeding 12 months;
- iv) a period of up to 12 months spent abroad as part of a definite programme of postgraduate training on the advice of the postgraduate dean or college or faculty advisor in the speciality concerned;
- v) a period of voluntary service overseas with a recognised international relief organisation for a period of 12 months, which may exceptionally be extended for 12 months at the discretion of the employer which recruits the employee on their return;
- vi) absence on an employment break scheme in accordance with the provisions of Section 34 of this Handbook;
- ~~vii) absence on maternity leave, adoption leave, or shared parental leave (paid or unpaid) as provided for under this agreement;~~
- vii) for doctors and dentists in training, time spent outside of NHS employment (employers not listed at Annex 1) in an Out of Programme (OOP) placement approved by the Postgraduate Dean;
- viii) for doctors and dentists in training, time spent employed in the health service of a UK Crown Dependency as part of an approved training programme.

15.107 Employers may at their discretion extend the period specified in paragraph 15.106.

15.108 Employment as a doctor in training in a general practice setting in accordance with the provisions of the Trainee Practitioner Scheme, shall not be regarded as a break in service and shall count as service.

15.109 Employers have the discretion to count other previous NHS service or service with other employers.