

The Scottish Government

Health Workforce

Pay, Practice and Partnership Division



Scottish Government
Riaghaltas na h-Alba
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Dear Colleague

CHANGES TO THE AGENDA FOR CHANGE HANDBOOK: ANNEX 21

1. As part of the Review of Agenda for Change in Scotland, it was agreed that Annex 21 of the Agenda for Change Handbook would be considered in partnership to identify any changes which needed to be made in order to ensure it is fit for purpose, going forward.

2. This work has now been undertaken by the Scottish Terms and Conditions Committee and an updated and revised Annex 21 has been agreed for NHS Scotland. The changes are detailed at Annex A and a clean version of the new section is included at Annex B. These changes will be included in the master version of the Scottish Agenda for Change Handbook which is available on the [Management Steering Group website](#).

3. These provisions are effective from 1 October 2024.

Action

4. NHS Boards and Special Health Boards should note these changes to Agenda for Change terms and conditions.

5. This circular is available online at:

www.publications.scot.nhs.uk.

Yours sincerely

JANE HAMILTON

Deputy Director, Health Workforce

Pay, Practice and Partnership Division

14 October 2024

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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For information

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Members, Scottish Workforce and
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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 14 October 2024 – PCS(AFC)2024/6 – in respect of changes to Annex 21 of the Agenda for Change Handbook are hereby approved for the purposes of the said Regulations.

JANE HAMILTON

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14 October 2024

CHANGES TO THE AGENDA FOR CHANGE HANDBOOK: ANNEX 21

(The following changes to Annex 21 have been agreed by the Scottish Terms and Conditions Committee)

Annex 21: Arrangements for pay and banding of trainees

1. The NHS has a wide range of people described as trainees, working and studying within its services. The arrangements set out below describe how those trainees employed by the NHS should be ~~dealt with~~ supported. These provisions deal with individuals who join the NHS as a “new entrant”, as well as the position of existing employees who take up a trainee role.
 2. The application of Annex 21 to any role within a Board must be agreed and monitored in partnership and a local process should be implemented to ensure that this is in place. In circumstances where a local partnership is unable to reach agreement, the existing STAC referral process could be utilised.
 3. It is recognised that when someone commences in a new role a period of training and development within that role is inevitable and necessary. Annex 21 must not be used in situations where an individual is commencing within a standard Job Evaluated role, with the normal arrangements for training and development that would be required within that role. It must only be used where it is agreed in partnership that the post meets the criterion contained within 4 (i) or (ii), below, and in circumstances where ‘formal’ training¹ is required.
24. Trainees fall into ~~three~~ two broad categories:
- (i) trainees studying and/or working in the NHS, who are already in possession of qualifications at a high level. Such staff are often studying for a higher level qualification and undertaking a role that can be assessed using the NHS Job Evaluation Scheme. ~~An example of this category is a trainee psychologist;~~
 - ~~(ii) trainees who are undertaking a short period of learning on the job, usually less than 12 months. Typically, these staff enter whilst already in possession of the basic skills and knowledge to undertake the role. This type of trainee can also be evaluated using the NHS Job Evaluation Scheme. If profiles for this role exist, the lowest banded profile will be appropriate. During the period of traineeship the post holder should not move through the KSF foundation gateway when this is in use in an organisation. An example of this type of trainee is a trainee secretary;~~
 - (iii) trainees who enter the NHS and undertake all their training whilst an employee. Typically, these staff develop their knowledge and skills significantly during a period of time measured in years. Given the significant change in knowledge and skills during the training period the

1. Formal or accredited training generally means organised teaching or learning and can be delivered through classroom-based teaching, online learning, a study programme, structured on the job learning or equivalent. Some kind of assessment will generally be required.

use of job evaluation is not appropriate. Pay should be determined as a percentage of the pay for qualified staff **as set out in paragraph 6.**

5. It is not possible to provide a prescriptive list of posts/roles to which Annex 21 should be applied, as there has to be the ability to adopt different approaches within Boards, dependent upon local workforce challenges and any other relevant factors. It is therefore important that the partnership arrangements described in paragraph 2 above are in place to ensure that any decisions made in terms of application are done on a partnership basis. However, the kinds of roles covered would include:
 - (i) Trainee Psychologist.
 - (ii) Trainee Paramedic, Trainee Advanced Paramedic, Trainee Ambulance Technician (Higher Level), Trainee Biomedical Science Roles, Trainee Pharmacy Technicians.
36. For trainees covered by paragraph 2(iii), where periods of training last for between one and four years, pay will be adjusted as follows:
 - (i) up to ~~12 months~~ **one year (365 days)** prior to completion of training: 75 per cent of the pay band maximum of the fully qualified rate;
 - (ii) more than one **(366 days+)** but less than two years prior to completion of training: 70 per cent of the pay band maximum of the qualified rate;
 - (iii) more than two but less than three years prior to completion of training: 65 per cent of the pay band maximum for the qualified rate;
 - (iii) more than three years from completion of training: 60 per cent of the pay band maximum for the qualified rate.
7. The above is defined as the standard period of training. Where circumstances arise within the training period which may necessitate an extended period of training (e.g. sick leave, repetition of learning modules) this will be the subject of discussion between the employee and employer in terms of approval of this extension in the normal manner.
48. Starting pay for any trainee must be no less than the ~~rate of the main (adult)~~ **rate of the National Minimum Scottish Living Wage**. Where the calculation above results in the **National Minimum Scottish Living Wage** being payable for year two and beyond, an addition to pay should be made on top of the minimum wage. The addition should be equal to the cash value of the difference between the percentages of maximum pay in the year of payment and the previous year. For example, the supplement in payment in year two **of a four year training period** would be the value of 65 per cent of the pay band maximum minus 60 per cent of ~~maximum the pay for the band maximum~~.
9. Where an existing substantive employee of the employing NHS Board moves to undertake a training role and this would result in a reduction in earnings, the following arrangements will apply. The individual will remain on their existing band and earnings level, including any incremental progression and pay award

uplifts, until the conclusion of their training period. The earnings level will include rostered shift allowances/unsocial hours and will be agreed in advance with the trainee. Normal rules such as PAIAW will apply.

10. In circumstances where the trainee's earnings (as per paragraph 6 above) become greater than the protected earnings applied in line with paragraph 9 above, the trainee will revert to the appropriate salary/earnings, as per paragraph 6.
511. On assimilation to ~~the~~ a substantive pay band following completion of training, the trainee should ~~enter either on the first~~ be placed on the next pay point of the appropriate pay band ~~or the next pay point above their training salary~~ which provides an increase in salary, taking into account their earnings as a trainee at completion of their training.
12. If there are exceptional situations within Boards where Annex 21 may be in use for Modern Apprenticeship roles, this should continue on an interim basis. Any future guidance or framework for Modern Apprentices will be considered for implementation as this becomes available.

Annex 21: Arrangements for pay and banding of trainees

1. The NHS has a wide range of people described as trainees, working and studying within its services. The arrangements set out below describe how those trainees employed by the NHS should be supported. These provisions deal with individuals who join the NHS as a “new entrant”, as well as the position of existing employees who take up a trainee role.
2. The application of Annex 21 to any role within a Board must be agreed and monitored in partnership and a local process should be implemented to ensure that this is in place. In circumstances where a local partnership is unable to reach agreement, the existing STAC referral process could be utilised.
3. It is recognised that when someone commences in a new role a period of training and development within that role is inevitable and necessary. Annex 21 must not be used in situations where an individual is commencing within a standard Job Evaluated role, with the normal arrangements for training and development that would be required within that role. It must only be used where it is agreed in partnership that the post meets the criterion contained within 4 (i) or (ii), below, and in circumstances where ‘formal’ training¹ is required.
4. Trainees fall into two broad categories:
 - (i) Trainees studying and/or working in the NHS, who are already in possession of qualifications at a high level. Such staff are often studying for a higher level qualification and undertaking a role that can be assessed using the NHS Job Evaluation Scheme.
 - (ii) Trainees who enter the NHS and undertake all their training whilst an employee. Typically, these staff develop their knowledge and skills significantly during a period of time measured in years. Given the significant change in knowledge and skills during the training period, the use of job evaluation is not appropriate. Pay should be determined as a percentage of the pay for qualified staff as set out in paragraph 6.
5. It is not possible to provide a prescriptive list of posts/roles to which Annex 21 should be applied, as there has to be the ability to adopt different approaches within Boards, dependent upon local workforce challenges and any other relevant factors. It is therefore important that the partnership arrangements described in paragraph 2 above are in place to ensure that any decisions made in terms of application are done on a partnership basis. However, the kinds of roles covered would include:
 - (i) Trainee Psychologist.
 - (ii) Trainee Paramedic, Trainee Advanced Paramedic, Trainee Ambulance Technician (Higher Level), Trainee Biomedical Science Roles, Trainee Pharmacy Technicians.

¹ Formal or accredited training generally means organised teaching or learning and can be delivered through classroom-based teaching, online learning, a study programme, structured on the job learning or equivalent. Some kind of assessment will generally be required.

6. For trainees covered by paragraph 2(ii) above, where periods of training last for between one and four years, pay will be adjusted as follows:
 - (i) up to one year (365 days) prior to completion of training: 75 per cent of the pay band maximum of the fully qualified rate;
 - (ii) more than one (366 days+) but less than two years prior to completion of training: 70 per cent of the pay band maximum of the qualified rate;
 - (iii) more than two but less than three years prior to completion of training: 65 per cent of the pay band maximum for the qualified rate;
 - (iv) more than three years from completion of training: 60 per cent of the pay band maximum for the qualified rate.
7. The above is defined as the standard period of training. Where circumstances arise within the training period which may necessitate an extended period of training (e.g. sick leave, repetition of learning modules) this will be the subject of discussion between the employee and employer in terms of approval of this extension in the normal manner.
8. Starting pay for any trainee must be no less than the rate of the Scottish Living Wage. Where the calculation above results in the Scottish Living Wage being payable for year two and beyond, an addition to pay should be made on top of the minimum wage. The addition should be equal to the cash value of the difference between the percentages of maximum pay in the year of payment and the previous year. For example, the supplement in payment in year two of a four year training period would be the value of 65 per cent of the pay band maximum, minus 60 per cent of pay band maximum.
9. Where an existing substantive employee of the employing NHS Board moves to undertake a training role and this would result in a reduction in earnings, the following arrangements will apply. The individual will remain on their existing band and earnings level, including any incremental progression and pay award uplifts, until the conclusion of their training period. The earnings level will include rostered shift allowances/unsocial hours and will be agreed in advance with the trainee. Normal rules such as PAIAW will apply.
10. In circumstances where the trainee's earnings (as per paragraph 6 above) become greater than the protected earnings applied in line with paragraph 9 above, the trainee will revert to the appropriate salary/earnings, as per paragraph 6.
11. On assimilation to a substantive pay band following completion of training, the trainee should be placed on the next pay point of the appropriate band which provides an increase in salary, taking into account their earnings as a trainee at completion of their training.
12. If there are exceptional situations within Boards where Annex 21 may be in use for Modern Apprenticeship roles, this should continue on an interim basis. Any future guidance or framework for Modern Apprentices will be considered for implementation as this becomes available.