

## Agenda for change

### Set 1: January 2005

Terms and conditions of service handbook	Question	Answer
Section 2: Working or Providing Emergency Cover Outside Normal Hours: paragraph 13.	On what date does the four-year period of protection of current on-call arrangements start?	It starts from 1 October 2004 – the effective date for new pay and conditions except hours of work (see paragraph 46.6)
Section 3: Overtime Payments: paragraphs 1 and 4.	Under A for C when does overtime start for a part-time member of staff.	For staff working a portion of the standard 37½ hours, overtime starts when these staff work over 37½ hours (paragraph 3.3). Where standard hours are as in Tables 8 and 9 in Section 46 overtime starts when the hours in the right-hand column in each table are exceeded.
Section 13: Annual Leave and General Public Holidays: paragraphs 1 and 4	Does paragraph 13.4 provide an entitlement to equivalent time off at plain time rates plus the appropriate payment on top of the standard entitlement to 8 general and public holidays (see table 6)?	No – paragraph 13.4 preserves the right to 8 general and public holidays. It does not provide additional entitlements.
Section 46: paragraph 9	Do staff continue to receive pay increments on their Whitley basic pay past 1 October and 1 December 2004 and until they are assimilated to A for C pay?	Yes – and the basic pay on the effective assimilation date is to be calculated as in paragraph 46.9.
Section 46: paragraph 2	Is the effect of the second sub-clause to give staff who defer their decision until the outcome of the review the right to backdating to 1 October 2004	No – providing these staff give their employer reasonable notice their effective date of assimilation and the effective date for A for C pay and conditions will be the effective date of the new unsocial

		hours arrangements.
Section 46: paragraph 8	Do we recover money overpaid as a result of a gap between implementing specific parts of A for C and the final assimilation to the whole package?	<p>Where partners agree locally to implement the new A for C overtime rates at the same time as assimilation the following method should be applied:-</p> <p>A calculation commencing October 1 should take the total earnings for an individual under the original conditions and a similar calculation for total earnings that would have applied had Agenda for Change been operational.</p> <p>a) Total earnings from October 1 2004 to personal assimilation date under original conditions.</p> <p>b) Total earnings under A for C conditions from 1 October 2004.</p> <p>c) (b) minus (a) = positive or negative figure.</p> <p>Subject to this calculation a positive figure will be returned to the employees as arrears.</p> <p>A negative figure would not be recovered (unless it is as a result of any cause other than the implementation of A for C).</p>
Section 46: paragraph 17	Are there any special arrangements for the assimilation of staff who are approaching retirement age?	Paragraph 46.17 provides rules for staff whose basic pay before assimilation is below their new minimum. There are no other special provisions for staff approaching retirement age who assimilate according to the provisions in Section 46 including the provisions for protection.
Section 46: Assimilation and Protection: paragraphs 18, 19, 20 and	Will Student Training Allowance (STA) be taken into account when assimilating staff onto A	For assimilation purposes the value of any STA received by staff in the year prior to the effective

Table 7.	for C?	<p>date of the agreement will be the amount taken into account for assimilation purposes. There may be cases where staff have previously regularly taken students but during the year prior to the effective date of the agreement were prevented from doing so. Such circumstances may include absence due to maternity or carer leave, career break, secondments, union representatives preparing for A for C implementation, or where the individual agreed, at the request of their employer, to undertake other duties which did not attract a STA. In such cases the intention is not to penalise staff on assimilation and staff in the circumstances above should therefore have the value of any allowance received, in any one year, during the period 1 October 2001 to 30 September 2003 included for assimilation purposes. Finally when assimilating part-time staff who received STA the whole-time value of the allowance should be added to the whole-time value of the basic pay and other relevant payments and then pro-rated.</p>
Section 46: paragraph 30	When does overtime start for staff moving down from their current contracted hours to the new Standard hours in Agenda for Change.	Overtime starts when staff begin working more than their new standard hours set out in Table 8 in Section 46. For example, for someone working more than 41 hours before A for C this would be when they work more than 40½ hours from 1 December 2004.

Section 46: paragraph 31	When does overtime start for staff moving up from their current contracted hours to the new Standard hours in Agenda for Change?	Overtime starts when staff begin working more than their new standard hours set out in Table 9 in Section 46. For example, for someone working more than 33 hours before A for C this would be when they work more than 33 hours from 1 December 2004.
Annex E: paragraph 1	Do the provisions for unsocial hours payments in Annex E apply just to staff working on ambulances or to all staff?	Paragraph 2.8 makes clear that the arrangements in Annex E should apply to Ambulance staff (i.e. those who would have been subject to the provisions of the Ambulance Whitley Council had they been on national contracts). Other staff working in Ambulance Trusts (i.e. control staff, nurses etc) would be subject to the provisions of their old Whitley Council. Annex E can also apply to EI sites, subject to paragraph 2.11.
Annex R: paragraph 13	Will the recruitment and retention premium for qualified maintenance craftspersons and technicians be uprated?	Yes – the value of the premium is £2,808 from 1 April 2004. (See paragraph 17 in Annex R for uprating in April 2005).
Annex T: paragraph 3	Does the provision for movement into pay band 6 apply to staff groups other than midwives?	This provision is not restricted to midwives. This will apply to a small number of other occupational groups, such as some allied health professionals, who may already be working in situations where this could apply and more may do so in future as roles develop. We will consider the provision of joint guidance on this issue based on the actual experience of implementation.

