

## Agenda for Change

### Set 2: March 2005

Terms and Conditions of Service Handbook	Question	Answer
Section 2: paragraphs 2.4 to 2.12	Does the rate of unsocial hours start at 7pm as in A for C or 8pm as in e.g. the Whitley nurses' agreements?	Where the A for C unsocial hours system is used the hours are 7am to 7pm. Where Whitley arrangements are in use the hours are those described in the relevant handbook. Paragraph 2.4 allows the Whitley provisions to be used subject to the provisions of the following paragraphs. Where Whitley provisions are used the arrangements are described in the relevant Handbook. The system available to ambulance staff employed by ambulance trusts and available to EIs is in Annex E. The relevant times of the day are in paragraph 2.
Section 12: paragraphs 12.1 and 12.3.	When calculating entitlements to annual leave should I take account of a single period of previous service or should I aggregate several periods?	An employer must include all NHS reckonable service when calculating annual leave entitlement (12.3). 12.2 gives discretion to employers to decide what previous (non-NHS) employment can count towards annual leave entitlement.
Section 13: paragraph 13.1	What happens to my two public holiday days when Easter is in March (as it is this year) and when, therefore, I have already had two days for Easter in the current twelve-month period, ending March 2005?	The new Agenda for Change annual leave and general public holiday entitlements are set out in Section 13. In normal circumstances all staff are entitled to 8 general public holidays in a twelve-month period. Sometimes (as will happen this year) Easter will fall in March. This may mean that in some organisations there will, in effect, be two Easter holidays in the same twelve-month period. In such circumstances the local

		partners will need to decide on the appropriate action to take. Pragmatically this might mean anticipating the two public holidays falling in the next twelve-month period.
Section 14: paragraph 4	Are on call allowances and on-call payments included in pay during sickness absence.	Paragraph 14.4 allows regularly paid supplements to be included in pay during sickness absence. This will include on-call allowances and on-call payments where these are normally paid at regular intervals. An allowance which is paid only occasionally – will not count.
Section 19: Annex O	What happens to MUFTI allowances in Agenda for Change?	We have been asked for advice on “MUFTI” allowances. There is no national provision for this within Agenda for Change. “MUFTI” is not part of the evaluation scheme and is therefore not an allowance replaced by the scheme. It is our view that any discussion on the provisions of MUFTI allowances are for local partnerships. The partners to any such discussion should give careful consideration to the equal pay implications of any mufti provisions that they might contemplate.
Section 46: paragraph 5	Are new staff to be recruited to the new conditions including new standard hours of 37½ from 1 December 2004.	Yes – subject to the provision in paragraph 46.5 allowing recruitment on pre-Agenda for Change terms. In accordance with this paragraph the protection provisions apply including those on hours of work tables 8 and 9. Where a staff group is increasing hours under A for C (e.g. radiographers) if recruiting new starters at 37½ hours causes problems the local parties would have to agree in partnership how to proceed.
Section 46: paragraph 42	Do PRP payments continue	Such schemes cease at the date

	under A for C?	of assimilation. Any new scheme must be such that all staff in the organisation, or unit or work area concerned have fair access to it.