

## GENERAL WHITLEY TERMS & CONDITIONS AND AGENDA FOR CHANGE

| GENERAL WHITLEY COUNCIL CONDITIONS OF SERVICE | AGENDA FOR CHANGE EQUIVALENT                         | NO EQUIVALENT WITHIN AFC HANDBOOK OR LISTED UNDER AFC SECTION 19: ANNEX O  | ADVICE TO REPS  |
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| Section 1: Annual Leave                       | Section 13: Annual leave and general public holidays | <p>Listed under Section 19: Annex O: Carry over of Annual Leave.</p> <p>No equivalent within AFC: GWC Section 1 (15) covering sickness during Annual Leave</p> | <p>Reps may wish to negotiate local arrangements whereby staff are entitled carry over up to five days annual leave per year.</p> <p>Reps may wish to incorporate these provisions into local arrangements</p>  |
| Section 2: Statutory and Public Holidays      | Section 13: Annual leave and general public holidays | <p>No equivalent within AFC: GWC Section 2 (21) Sessional Workers i</p>  | <p>Although Section 13.2 says that Christmas &amp; new year arrangements (formerly covered by GWC Section 2 (2.1 &amp; 3.1(Scotland) ) should be left to local arrangements, it is the intention of Staff Council to negotiate more explicit arrangements</p> <p>Reps may wish to negotiate local arrangements.</p> |

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| Section 3: Special Leave   |  | Listed under Section 19: Annex O   | Reps should ensure that the former Whitley arrangements are incorporated or improved upon.  |
| Section 6: Maternity leave   | Section 15: Maternity Leave & pay                                |  |   |
| Section 7: Equal opportunities in employment                                   | Part 5: Sections 30: General statement on equality and diversity |  |   |
| Section 8: Harassment at work  | Section 32: Dignity at work                                      |  |   |
| Section 9: Child Care  | Section 33: Caring for children & adults                         |  |   |
| Section 10: Equal Opportunities Retainer Schemes                               | Section 36: Employment Break Scheme                              |  |   |
| Section 11: Job Sharing in the NHS   | Section 34: Flexible working arrangements                        | No equivalent within AFC: GWC Section 11.4 Requirement for job share register  | Reps will need to ensure that within the trust policy on equality and diversity adequate provision is made for job sharing.   |
| Section 12: Special Leave for domestic, personal and family reasons            | Section 35: Balancing work and personal life                     |  |   |
| Section 13: Equal opportunities: Enabling Agreement on recruitment & selection | Section 31 Recruitment, promotion & staff development            |  |   |
| Section 22: Subsistence Allowances   | Section 18: Subsistence Allowances                               |  |   |
| Section 23: Travelling Expenses  |  | No equivalent within AFC   | Reps will need to ensure that trusts have policies in place that are no less favourable than former Whitley arrangements.   |
| Section 24: Crown cars, mileage allowances and associated provisions           | Section 17: Mileage Allowance.                                   | No equivalent within AFC:<br>GWC Section 24 (Part III): Loans for care purchase<br>GWC Section 24 (Part IV (29-32): Arrangements for private use | The current provision within AFC for mileage is an abbreviated version only. The remainder is left to local provision. It should also be noted that this is the minimum |

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|   |   | GWC Section 24 (33-34): Liability for compensation of authorised official passengers injured (33) & carriage of unauthorised passengers | provision only and Staff Council has agreed that these can be improved upon locally. Staff Council will be reviewing the whole of Section 17 in 2006. |
| Section 25: Expenses of candidates for appointment                                |   | No equivalent within AFC  | Reps will need to ensure that trusts have policies in place that are no less favourable than former Whitley arrangements                              |
| Section 26: Removal Expenses  |   | Listed under Section 19: Annex O  | Reps will need to ensure that trusts have policies in place that are no less favourable than former Whitley arrangements                              |
| Section 27: Reimbursement of telephone expenses                                   |   | Listed under Section 19: Annex O  | Reps will need to ensure that trusts have policies in place that are no less favourable than former Whitley arrangements                              |
| Section 28: Lecture Fees  |   | Obsolete  | Any lecturing duties should be covered through Job Evaluation.  |
| Section 32: Procedure for settling differences in regard to Conditions of Service |   | Excluded from AFC   | Should be covered by Trust Appeals Procedure  |
| Section 34: Organisational Change: appeals  |   | Listed under Section: Annex O   | Reps should have local policies in place for appeals up to Board level for matters pertaining to Organisational Change.                               |
| Section 38: Facilities for staff organisations                                    | Section 25: Facilities for staff organisations. |   | This section is to be reviewed in 2006.   |
| Section 39: Joint Consultation Machinery  | Section 26: Joint Consultation Machinery        |   |   |

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| Section 41: Health awareness for NHS Staff   |   | Listed under Section: Annex O    | Reps should ensure adequate arrangements for staff to have access Occupational Health Services, and that joint arrangements exist for health promotion plus health & safety in the workplace |
| Section 42: Disciplinary & disputes procedure  |   | Listed under Section 19: Annex O | All dispute procedures should be subject to local arrangements.  |
| Section 43: A National Statement for participation of NHS Employers in the new deal                        |   | Obsolete                         |  |
| Section 44: Working time Regulation  | Section 27: Working Time Regulations          |                                  |  |
| Section 45: Redundancy Payment   | Section 16: Redundancy Payments               |                                  |  |
| Section 46: Payment of Superannuation and compensation benefits on premature retirement through ill health |   | No equivalent within AFC         | Covered by NHS Superannuation scheme   |
| Section 52: Position of employers elected to Parliament  |   | No equivalent within AFC         | Reps may wish to incorporate arrangements into local agreements.   |
| Section 53: Membership of local authorities  |   | No equivalent within AFC         | Reps may wish to incorporate arrangements into local agreements.   |
| Section 54: Payment of annual salaries   | Section 7: Payment of annual salaries         |                                  |  |
| Section 55: Preparation for retirement   |   | No equivalent within AFC         | Reps may wish to incorporate arrangements into local agreements.   |
| Section 56: London Weighting   | Section 4: High Cost Area Allowances          |                                  |  |
| Section 57: Statutory Sick Pay   | Section 14: Sickness absence                  |                                  |  |
| Section 58: NHS Reorganisation 1974: Continuity of Employment  | Section 12: Contractual continuity of service |                                  |  |

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| Section 59: NHS Trusts – Continuity of Service                                    | Section 12: Contractual continuity of service                                      |                          |  |
| Section 60: Minimum Periods of Notice   |  | No equivalent within AFC | Covered by statute. Improvements on the legal minimum may be negotiated locally. |
| Section 61: Annual leave and sick pay entitlement on re-entry into NHS Employment | Section 13 (annual leave), Section 14 (sick pay, Section 12 Contractual Continuity |                          |  |
| Section 62: Reorganisation staffing arrangement                                   |  | No equivalent within AFC | Covered by HR Framework for commissioning a patient-led NHS.                     |
| Section 74: NHS Reorganisation – protection of pay & terms & conditions           |  | No equivalent within AFC | Covered by HR Framework for commissioning a patient-led NHS.                     |