

Framework agreement: amendments to the 2016 junior doctors' contract

Outline Implementation Timetable

This implementation timeline should be read in conjunction with the published [framework agreement](#). The framework agreement sets out both the pay investment that will be made and the amendments to the 2016 junior doctors' contract following negotiations between NHS Employers, the British Medical Association (BMA) and the Department of Health and Social Care (DHSC).

We are working with software providers to ensure the appropriate software updates are made to give effect to the relevant provisions.

Updated terms and conditions for the 2016 contract and implementation support materials will be published in due course.

For queries:

Employers can contact doctorsanddentists@nhsemployers.org, and may find [NHSE's FAQs](#) useful.

Junior doctors who are BMA members can contact: support@bma.org.uk or on 0300 123 1233, and may find the [BMA's FAQs](#) useful.

Date	Proposed implementation
1 April 2019 (backdated)	<p><u>Annual pay uplifts</u></p> <ul style="list-style-type: none"> • Annual 2% uplift applied during the period 2019/20 to 2022/23. Backdated to 1 April in 2019/20 • ESR response: system updates in place by September 2019
7 August 2019 (first Wednesday in August)	<p><i>Amended 2016 contract is introduced (version 5)</i></p> <p><u>Pay and transitional arrangements</u></p> <ul style="list-style-type: none"> • Trainees who are currently in receipt of 'Section 2' transitional pay protection under Schedule 14 will have their pay protection extended until 2025 • Pay protection for changing specialty clause is updated to reflect the agreed method of calculating pay protection for those moving into hard-to-fill specialties <p><u>Leave</u></p> <ul style="list-style-type: none"> • Leave for life changing events

Safety and rest limits

- Breaks for night shifts
- Weekend frequency exemption for nodal point 2
 - FY2 rotas using the weekend frequency exemption will be risk assessed at the point of commencement in August. Where no significant risks are identified that would render the service unworkable, rotas will be amended to a maximum frequency of 1 in 2 weekends, using local rota change processes, in line with the Good Rostering Guide.
 - Where significant risks are identified that would render the service unworkable, the existing rotas will remain in place until no later than December 2019.

Employers notified of 12-month timeframe to commence the process to alter existing rotas and will need to start consultation with trainees to reduce:

- The maximum number of consecutive shifts rostered or worked over 8 consecutive days reduced from 8 to 7
- The maximum number of consecutive long day shifts rostered or worked reduced from 5 to 4

Arrangements to alter existing rotas to meet this provision should commence as soon as is reasonably practicable but, in any event, must have concluded by 5 August 2020.

Locum work

- Locum clause clarification

Facilities

- Too tired to drive home provisions
- Payment for accommodation when non-resident on-call

GP Trainees

- Supernumerary status of GP trainees
- Additional mileage/expenses for GP trainee home visits

The parties have committed to clarify what additional mileage expenses can be accessed by GP trainees who may be required to undertake home visits in their own vehicle to enable employers to process claims. The parties will work to resolve this as soon as possible, within a future iteration of the updated terms and conditions. Any claims unresolved at the point of resolution will be processed immediately and payment will be backdated. As such, trainees should continue to submit claims, as their payment will be backdated.

	<p><u>Guardian fines</u></p> <ul style="list-style-type: none"> • Rates of guardian fines <p><u>Exception reporting</u></p> <ul style="list-style-type: none"> • What can be exception reported • Pre-authorisation for additional hours of work <p><u>Work scheduling</u></p> <ul style="list-style-type: none"> • Personalised work scheduling meetings and off-site educational supervisors • Exception reporting for missed personalised work scheduling meetings <p><i>Due to the short notice with the implementation of this provision. For trainees commencing on 7 August, it may not be possible to arrange a meeting with their educational supervisor within the 4-week time frame. In this situation the trainee must arrange a meeting with the clinical lead as soon as its practicable to do so.</i></p>
Oct 2019	<p><i>Amended 2016 contract is introduced (version 6)</i></p> <p><u>Safety Limits</u></p> <ul style="list-style-type: none"> • Maximum of 72 hours work in any consecutive 168-hour period <p><i>To enable employers to implement this provision it has been necessary to wait for software system updates to be made (DRS and Allocate systems). This existed as an optional functionality in the Allocate system for some time, so we are aware that many employers may have already implemented this provision. All other employers are encouraged to implement this provision as soon as is practicable and, in any event, concluded by December 2019.</i></p> <ul style="list-style-type: none"> • Rest after night shifts • Maximum 1 in 3 weekend frequency <p><i>Recommended to be reflected in rotas from October 2019 and to be included in all rotas no later than February 2020. In some cases, the introduction of this provision will require recruitment to fill the gaps left on the rotas, which may not be possible by February 2020. Please see FAQs for detail on what to do in situations where an employer identifies that it is not feasible for a rota to function at a frequency of 1:3 weekends or less.</i></p> <p><u>Work scheduling</u></p> <ul style="list-style-type: none"> • Mandatory training requirements to be sent with generic work schedule • Generic work schedules to be sent to include the local trust induction required to be undertaken prior or at the start of the placement <p><i>Recommended to issue for October 2019, or at the trainee's next scheduled rotation.</i></p>

	<p><u>Exception reporting</u></p> <ul style="list-style-type: none"> • Review process for exception reports locally <p><u>Agreed sections of the Good Rostering guidance</u></p> <ul style="list-style-type: none"> • LTFT principles • Cover arrangements and leave
Dec 2019	<p><i>Amended 2016 contract introduced in November (version 7)</i></p> <p><i>Amended 2016 contract introduced in December (version 8)</i></p> <p><u>Pay and transitional arrangements</u></p> <ul style="list-style-type: none"> • Pay protection clause for those on 2002 terms and conditions is updated to reflect pay protection arrangements for those moving onto the updated 2016 TCS (<u>in version 8</u>) <p><i>Trainees still employed on 2002 TCS will be expected to transition at the earliest opportunity and no later than 5 February 2020. Full details were published in version 8 of the 2016 TCS, and are applicable from October 2019.</i></p> <ul style="list-style-type: none"> • Weekend frequency allowance (<u>in version 7</u>) • An enhanced rate of pay for shifts that finish after midnight and by 4am (<u>in version 7</u>) <p><u>Guardian of safe working hours (in version 7)</u></p> <ul style="list-style-type: none"> • Administrative time and support <p><u>Guardian fines (in version 7)</u></p> <ul style="list-style-type: none"> • Breaches that attract a financial penalty <p><u>Flexible Pay Premia (in version 7)</u></p> <ul style="list-style-type: none"> • Academic FPP <p><u>Less Than Full Time (in version 7)</u></p> <ul style="list-style-type: none"> • LTFT Allowance <p><u>Exception reporting (in version 7)</u></p>

	<ul style="list-style-type: none"> • Response time for educational supervisors <p><i>Software systems to be updated for Dec 2019 and payment for validated reports made in the next available payroll. The submissions of reports in Dec 2019 after go-live may not be resolved in time for Jan 2020 payroll and may be carried into Feb. It is recommended that these are processed earlier, where possible.</i></p> <ul style="list-style-type: none"> • Payment for exception reports • Conversion of untaken time off in lieu (TOIL) into pay • Automatic acceptance of exception reporting outcomes <p><u>Agreed sections of the Good Rostering guidance (in version 7)</u></p> <ul style="list-style-type: none"> • NROC <p>Leave <u>(in version 7)</u></p> <ul style="list-style-type: none"> • Prospective cover for study leave <p><u>Work scheduling</u></p> <ul style="list-style-type: none"> • Host and lead employer responsibilities (guidance) <p><u>Flexible training (in version 8)</u></p> <ul style="list-style-type: none"> • Champion of flexible training <p><i>Supplementary guidance published January 2020 to give clarity on appointment and implementation in non-hospital settings and scenarios where the role could span multiple sites.</i></p>
5 August 2020	<p><u>Code of practice</u></p> <ul style="list-style-type: none"> • 8/6-week notification provisions, with supporting caveats <p><i>Changes to be in place by June 2020, for doctors rotating from 5 August 2020, requiring notifications at 8 and 6 weeks prior to this date, and all future rotation dates applicable.</i></p>
October 2020	<p><u>Introduction of the fifth nodal point</u></p> <ul style="list-style-type: none"> • 1 October 2020 the value will be £3,000 [£52,036] • 1 October 2021 the value will increase to £6,000 [£56,077] • 1 April 2022 the value will increase to £7,200 [£58,398]

Additional provisions

- Enhanced shared parental leave and child bereavement leave introduced from 1 April 2019.