

To:

South East ICB Chief Executive Officers
South East NHS Trust Chief Executive Officers
South East NHS Trust Chief People Officers
South East NHS Trust Chief Medical Officers
NHS England South East
NHS Employers South

19 July 2024

Extra contractual rates for medical staff - NHS Trust collaborations

Dear Sir/Madam

We write to you as the accountable officers, leading human resources professionals and medical directors (CMOs) for the systems and NHS Trusts operating within the South East region.

As you will be aware, both Consultants and SAS doctors have agreed pay deals and withdrawn their BMA rate cards in line with the national agreement.

However, we are aware that there is some collaborative work by systems on price-caps and bank arrangements, including setting rates across system footprints, that has often been occurring behind closed doors and away from your respective Trust BMA local negotiating committees (LNCs) for some time.

We therefore wanted to take the opportunity to remind you of the wording from the [consultant pay deal](#) with the Government: 'Where ICBs and other groups of employers collaborate on arrangements for securing extra contractual consultant work, this should be done in consultation with those employers' Joint Local Negotiating Committees.'

Where this isn't already happening, our LNCs are prepared to enter local discussions on extra contractual rates and would be happy to work with employers to agree rates that offer fair reward for this work, and which are suitably attractive to ensure take-up by medical staff. We all want the service to be adequately staffed.

Principles shared by LNCs across the south east for these agreements will be:

- Any agreed rates will need to be mindful of the cost of living and inflation.

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- Any agreed rates should rise annually in line with any pay (DDR) uplifts. They should also be regularly reviewed (benchmarked against other Trusts).
- Time off in lieu instead of hourly pay and or in conjunction with hourly pay should always be an option.
- Weekends and evenings (after 7pm) should attract a higher rate.
- Waiting List Initiative (WLI) rates should be the same as bank rates.
- Autonomous SAS doctors should be paid at the same rates as Consultants.

Whilst we hope that we can work in partnership to agree fair rates across the South East, the BMA reserves the right to re-introduce the BMA rate card for Consultants and SAS doctors if there is a future national or local industrial dispute.

We believe that it is in the best interests of both the hard-working doctors across the region and employers to reach an agreement in this area, to deliver fairness and peace of mind for doctors and affording credibility to NHS Trusts' offers to doctors when they undertake this (entirely voluntary) extra work. A fair agreement on these rates will be in the interests of our patients and help to reduce waiting lists across the region.

We look forward to working with you.

Yours sincerely,

Mr Hugh Townsend
Head of BMA South East

Mr Ram Moorthy
Chair, BMA Southern Region
LNC Forum

Dr Andrew Moloydyski
Chair, BMA Oxfordshire
Region LNC Forum

Sent on behalf and with the approval of all 28 BMA Local Negotiating Committees (LNC) Chairs across the South East.