

## The Scottish Government

Health Workforce and Performance Directorate  
Pay and Terms and Conditions of Service Division



Dear Colleague

### **PAY, TERMS AND CONDITIONS OF SERVICE FOR THE COMMUNITY DENTAL SERVICE AND SALARIED GENERAL DENTAL SERVICE IN SCOTLAND FOLLOWING THE CREATION OF THE NEW PUBLIC DENTAL SERVICE (PDS)**

#### **Summary**

1. This circular informs NHS employers of the introduction of new contractual arrangements for dentists in the Community Dental Services and the Salaried General Dental Services in Scotland who will become part of the newly created Public Dental Service (PDS).

2. These new arrangements have been agreed by the Management Steering Group of NHS Employers in Scotland (MSG), Scottish Government (SG), and the British Dental Association (BDA). Employers should be aware that current salaried GDS dental staff and community dental staff do not have the option to remain on their existing terms and conditions of service.

3. This circular introduces new terms and conditions for Community Dental Service and Salaried General Dental Service grades who will now be known collectively as PDS employees. The TCS document can be accessed through the attached link: <http://www.sehd.scot.nhs.uk/publications/DC20130919den tal.pdf> or alternatively on the MSG website at [www.msg.scot.nhs.uk](http://www.msg.scot.nhs.uk)

4. The new contractual arrangements for employees in the PDS come into effect from the date of this circular, the operative date for these new contractual arrangements is 1 April 2013.

5. Details of the new pay bands and ranges are shown in **Annex A, Table 1. Annex A, Table 2** sets out how employees are to be assimilated to the new pay bands and pay points. The new pay scales will be backdated to 1 April 2013. Boards are requested to implement the new pay arrangements as quickly as possible but **no later than 31 December 2013.**

SN.PDS.TCS09/2013  
BB009SEPT2013

19 September 2013

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#### **Addresses**

##### For action

Chief Executives, Directors of Finance, Directors of Human Resources, Clinical Directors, NHS Boards, Special Health Boards, NHS National Services Scotland (Common Services Agency) and Healthcare Improvement Scotland

##### For information

Members, Scottish Partnership Forum  
Members, Scottish Terms and Conditions Committee  
Members, Scottish Workforce and Governance Group  
Management Steering Group  
Dental Lead Officers

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#### **Enquiries to:**

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6. **Annex B** provides an overview of the main features and assimilation arrangements. Employers may find this document helpful as it highlights the key areas which require to be addressed, however, it should be read in conjunction with the full Terms and Conditions of Service document available from the attached link <http://www.sehd.scot.nhs.uk/publications/DC20130919dental.pdf>

7. A Question and Answer document, based on the FAQ document circulated as part of the BDA ballot pack to employees, is attached at **Annex C**. This document may help answer some of the more routine questions which may arise as a result of the introduction of the new remuneration, pay, terms and conditions package.

### **Action**

8. Employers are required to:

- note the new terms and conditions of service for employees covered by the new Public Dental Service.
- alert all eligible employees to the terms and conditions of service set out in the new contracts;
- put in place appropriate arrangements for transition to the new contracts;
- ensure that the implementation in accordance with the arrangements set out in the Terms and Conditions of Service is complete by the end of December 2013.

9. Employers are reminded that under the agreement reached with MSG, NHS Employers representatives and BDA Scotland, the new contract is the only contract that will be available for new appointments from the date of this PCS circular. Therefore anyone who is offered and takes up a Public Dental Service post on or after this date should be appointed on the basis of the new PDS contract.

### **Scottish Ministers' Approval**

10. Employers should implement this agreement, which has been approved by Scottish Ministers under Regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (SI 1991/537). A copy of the formal approval is attached.

11. Employers are asked to make their own arrangements for obtaining any additional copies of this circular. This circular can also be viewed on <http://www.show.scot.nhs.uk/sehd/pcs.asp>

### **Enquiries**

12. **Employees** should direct their personal enquiries to their employing NHS Board or Special Health Board.

13. **NHS Employers in Scotland** should direct their enquiries to the Scottish Government contact detailed on page one of this circular.

Yours sincerely

A handwritten signature in black ink that reads "Shirley Rogers". The signature is written in a cursive style with a period at the end.

**SHIRLEY ROGERS**  
Deputy Director  
Health Workforce

## **The Scottish Government**

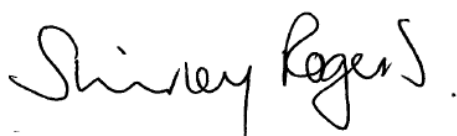
Health Workforce and Performance Directorate  
Pay and Terms and Conditions of Service Division



### **DIRECTION**

Scottish Ministers, in exercise of the powers conferred on them by Regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 and Section 105(7), paragraph 5 of Schedule 1 and paragraph 7 of Schedule 5 to, the National Health Service (Scotland) Act 1978, hereby gives to NHS Boards and Special Health Boards and NHS National Services Scotland (the Common Services Agency) the following Direction.

The new terms and conditions of service for dental staff in the Community Dental Services and Salaried General Dental Services shall become operative on 1 April 2013 as specified in the arrangements which were approved by Scottish Ministers in NHS Circular PCS(DD)2013/5 on 19 September 2013.



**SHIRLEY ROGERS**

Deputy Director  
Scottish Government  
Health Workforce Directorates  
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19 September 2013

## Pay

The new pay arrangements introduce three main pay bands; A (Dental Officer); B (Senior Dental Officer) and C (Clinical Managers; incorporating Specialist Dental Officers, Assistant Clinical Directors, Clinical Directors and Chief Administrative Dental Officers as shown in Table 1 below.

## Implementation

Pay changes apply from 1 April 2013. Employers have to the end of December 2013 to make arrangements for implementation and payment of arrears, where applicable. Table 2 below details the Pay Assimilation Arrangements.

**Table 1: New Public Dental Service pay scales from 1<sup>st</sup> April 2013**

		New pay point	New pay scale
<b>Band A</b>	<b>Dental Officer</b>	1	£38,095
		2	£42,328
		3	£48,677
		4	£51,851
		5	£55,026
		6	£57,142
<b>Band B</b>	<b>Senior Dental Officer</b>	7	£59,259
		8	£61,375
		9	£64,549
		10	£66,137
		11	£67,725
		12	£69,311
<b>Band C</b>	<b>Assistant Clinical Director</b>	13	£70,899
		14	£73,015
		15	£75,131
	<b>Specialist Dental Officer</b>	13	£70,899
		14	£73,015
		15	£75,131
		16	£77,248
	<b>Clinical Director/Chief Administrative Dental Officers ( Western Isles, Orkney and Shetland Health Boards)</b>	13	£70,899
		14	£73,015
		15	£75,131
		16*	£77,248
		17*	£79,364
		18*	£81,481

### Assistant Clinical Directors

Assistant Clinical Directors would be moved on to the new Band C pay scale and would be able to earn up to a maximum of pay point 15.

### **Specialist Dental Officer**

Dentists who are registered on a GDC specialist list, and who have been appointed to a defined specialist post within the Scottish Public Dental Service, would be moved onto the Band C pay scale, and would be able to progress to pay point 16.

### **Clinical Directors**

A service complexity weighting for Clinical Directors is introduced in line with existing NHS Scotland Health Board complexity levels as applied to all senior manager posts in NHS Scotland. This would apply as follows:-

#### **Standard service complexity (Max point 16) will apply to the following Boards:**

- Borders
- Dumfries & Galloway
- Grampian (as the 3 separate CHP units)
- Orkney
- Shetland
- Western Isles

This is the maximum point to which a Band C management dentist can progress to within these Boards.

#### **Medium service complexity (Max point 17) will apply to the following Boards:**

- Ayrshire & Arran
- Fife
- Forth Valley
- Highland
- Lanarkshire
- Tayside

This is the maximum point to which a Band C management dentist can progress to within these Boards.

#### **High service complexity (Max point 18) will apply to the following Boards:**

- Greater Glasgow & Clyde
- Lothian

This is the maximum point to which a Band C management dentist can progress to within these Boards.

Table 2: Assimilation to New Public Dental Service Pay Scales		Current Contract		Assimilation to New Pay Scales			
		Pay Points	Annual Salary for 2013/14 <sup>1</sup> (£)	New Pay Point	New pay rates 2013/14 (£)	Difference in annual basic pay	
						£	%
Band A	Dental Officer	0	£34,964	1	£38,095	£3,131	9.0%
		1	£37,792	2	£42,328	£4,536	12.0%
		2	£40,621	2	£42,328	£1,707	4.2%
		3	£43,450	3	£48,677	£5,227	12.0%
		4	£46,279	3	£48,677	£2,398	5.2%
		5	£49,107	4	£51,851	£2,744	5.6%
		6	£51,936	5	£55,026	£3,090	5.9%
		7	£54,766	6	£57,142	£2,377	4.3%
Band B	Senior Dental Officer/	0	£49,962	7	£59,259	£9,296	18.6%
		1	£53,917	7	£59,259	£5,342	9.9%
		2	£57,871	7	£59,259	£1,388	2.4%
		^		8	£61,375		
		3	£61,826	9	£64,549	£2,723	4.4%
		^		10	£66,137		
		4	£65,780	11	£67,725	£1,944	3.0%
		5	£66,652	11	£67,725	£1,073	1.6%
Band C	Assistant Clinical Director	0	£66,392	13	£70,899	£4,508	6.8%
		1	£67,419	13	£70,899	£3,479	5.2%
		2	£68,447	13	£70,899	£2,452	3.6%
		3	£69,474	13	£70,899	£1,425	2.1%
		4	£70,502	14	£73,015	£2,513	3.6%
		5	£71,530	14	£73,015	£1,485	2.1%
		^		15	£75,131		
		^		16	£77,248		
	Specialist Dental Officer	0	£66,392	13	£70,899	£4,508	6.8%
		1	£67,419	13	£70,899	£3,479	5.2%
		2	£68,447	13	£70,899	£2,452	3.6%
		3	£69,474	13	£70,899	£1,425	2.1%
		4	£70,502	14	£73,015	£2,513	3.6%
		5	£71,530	14	£73,015	£1,485	2.1%
		^		15	£75,131		
		^		16	£77,248		
	Clinical Director	0	£66,392	13	£70,899	£4,507	6.8%
		1	£67,419	13	£70,899	£3,480	5.2%
		2	£68,447	13	£70,899	£2,452	3.6%
		3	£69,474	13	£70,899	£1,425	2.1%
		4	£70,502	14	£73,015	£2,513	3.6%
		5	£71,530	14	£73,015	£1,485	2.1%
		6	£72,558	15	£75,131	£2,574	3.5%
		7	£73,602	15	£75,131	£1,528	2.1%
		8	£74,630	16	£77,248	£2,618	3.5%
		9	£75,657	16	£77,248	£1,591	2.1%
		^		17	£79,364		
		^		18	£81,481		
CADO (Western Isles, Orkney and Shetland Health Boards)	0	£58,309	13	£70,899	£12,590	21.6%	
	1	£61,935	13	£70,899	£8,964	14.5%	
	2	£65,561	13	£70,899	£5,338	8.1%	
	3	£69,186	13	£70,899	£1,713	2.5%	
	4	£73,602	15	£75,131	£1,528	2.1%	
	5	£74,630	16	£77,248	£2,618	3.5%	
	6	£75,657	16	£77,248	£1,591	2.1%	

## Public Dental Service

### Summary of Main Features and Assimilation Arrangements

(To be read in conjunction with the PDS Terms and Conditions of Service document)

#### Effective Date

1. Staff in the Salaried General Dental Service grades or the Community Dental Officer grades will transfer to the new Public Dental Service pay grades with effect from 1 April 2013.

#### Incremental Dates

2. Incremental dates for all staff transferring to the new pay arrangements will move to 1 April, the next such increment being due on 1 April 2014.
3. Where a member of staff is entitled to an increment on their old Salaried General Dental Service or Community Dental Officer pay scale after 1 April 2013 and before the date of actual assimilation of the new pay arrangements, they will move to the next increment on the scale in the normal way. If this point on the old pay scale is higher than they would have assimilated to on the new Public Dental pay scales as at 1 April 2013 they will retain the higher salary on the old scale on a protected basis until 1 April 2014 when they will move to the next increment on the new Public Dental pay scales in the normal way. If this move to the next increment on the new Public Dental pay scales does not result in an increase in pay, then the individual will move to the next highest increment on the new Public Dental pay scale as at 1 April 2014 and take on a new incremental date of 1 April.

#### Pay Arrangements

4. A member of staff's current pay for the purposes of assimilation to the new pay scales will be their annual full time equivalent basic pay on the effective assimilation date of 1 April 2013. The annual full time equivalent basic pay will include the 2013-14 pay uplift.
5. Where a member of staff's basic pay is already subject to protection at the point of assimilation the protected level of basic pay should be used in this calculation.
6. Where basic pay before assimilation is between the new minimum and maximum of the new pay scale, staff will assimilate to the next point above their current salary which ensures no less than a 1% increase.



## Hours of Work

- Hours of work will increase from 37 to 37.5 hours per week effective from 1 April 2013. However, the actual date of implementation of the increase in hours will be for each employing Board to decide but it will be no later than 31 December 2013. Part time staff may opt to either retain the same number of hours they currently work or have their part time hours altered to represent the same percentage of full time hours as at present i.e. the WTE would remain the same.

## Annual Leave and Public Holidays

- The new rates of annual leave are as follows:

<i>Length of service</i>	
On appointment	27 days + public holidays
After five years' service	29 days + public holidays
After ten years' service	33 days + public holidays

- Any additional annual leave and public holidays set out in the terms and conditions of service will begin to accrue from the effective date of assimilation of 1 April 2013.
- It is recognised in some Board areas that whilst the overall entitlement for annual leave and public holidays will remain the same, the balance between annual leave and public holidays will change with the number of public holidays decreasing from 10 to 8 per annum. Given that there were public holidays in the period from 1 April 2013 to the date of actual implementation, local transitional arrangements will be applied as appropriate.
- Any member of staff who is in receipt of a higher level of annual leave will continue to receive this on a protected basis. The new rates of annual leave will apply to all new appointments.

## Allowances

- Where a member of staff is in receipt of an allowance which is in excess of the rates set out in the new terms and conditions, protection of that allowance will apply on a mark-time basis until such times as the rate of the allowance under the new arrangements catches up with the protected allowance.

### Appraisal and Job Planning System

13. To support the application of good standards of performance across the PDS, a new appraisal and job planning system written expressly for the new service will be introduced. All Public Dental Service dentists in Scotland will be covered by the new system.

### Competencies framework

14. A set of job/role competencies for each grade in the PDS has been produced to support the creation of new job descriptions within the appraisal system. All dentists working for the PDS will work to these competencies, ensuring consistent quality across all NHS Boards

## QUESTIONS AND ANSWERS

### **1. Why has it been necessary to create a single Public Dental Service, and what does this mean for dentists?**

The Community Dental Services and the Salaried General Dental Services have both contributed considerably to the care of people in Scotland over many years. Currently, many clinical dental staff in Scotland have split or joint posts straddling both services. Combining both services into a single service will allow consistency of approach and flexibility in service delivery.

- For patients, it will ensure a consistently high level of care and safeguard service provision for patients with special care needs.
- For employees, it will harmonise the terms and conditions across the two staff groups and smooth out inconsistencies. It offers career structures, better role definition, enhanced training opportunities and will put an end to grade drift. NHS Boards can use skill mix change within the service to ensure appropriately trained staff are available to meet the local needs of varying client groups and to introduce a uniform approach to NHS patient charges for clients across Scotland.

### **2. What exactly has been negotiated, and who negotiated the new arrangements?**

The Scottish Government Health and Social Care Integration Directorates (SGHSCID), the Management Steering Group of NHS Employers in Scotland (MSG) and the BDA's Scottish Salaried Dentists Committee (SSDC) have negotiated new terms, conditions and pay for all community and salaried dentists in Scotland. This follows the introduction of a new contract in England and Wales in 2008, and recommendations set out in the 2006 report on The Review of Primary Care Salaried Dental Services in Scotland. The result is a modernised set of pay and terms and conditions to support the creation of a single Public Dental Service in Scotland.

### **3. Can individuals choose whether to move onto the new contract or remain with their old contract?**

No. The modernised single service and associated pay and terms and conditions will be applied to all dentists working in the new service.

### **4. Will this mean individual employees will have to work differently or treat different types of patients?**

The Public Dental Service will operate under the existing general dental services regulations [National Health Service (General Dental Services) (Scotland) Regulations 2010]. Following implementation, all clinical staff will be required to follow procedures for prior approval and submission of GP17 forms. These administrative processes will be new to some staff particularly in relation to treatment of patients who have special care needs. Practitioner Services Division have agreed to work closely with clinical dental directors to prepare staff for implementation and to support staff during the transition.

### **5. Will the transition arrangements be monitored or reviewed?**

The Scottish Joint Negotiating Forum comprises representatives of the SGHSCID, MSG and BDA. Its purpose is to discuss, consult and negotiate on all matters affecting Primary Care

Salaried Dental Services in Scotland. The Chief Dental Officer has asked the SJNF to convene a stakeholder group to review the operating arrangements at six months post-implementation. The group will be asked to make recommendations to the Chief Dental Officer in order to inform any regulatory changes that may be required and to make recommendations on future changes to improve processes.

## **6. When will the new pay rates be applied?**

Pay increases will be backdated to 1 April 2013, but the date of actual payment will depend on how quickly each individual NHS Board applies the new arrangements. To ensure as much consistency as possible this circular advises NHS Boards that they will need to have implemented the new arrangements by 31 December 2013. The backdating of pay to 1 April 2013 will ensure that no-one actually loses out.

## **7. What is the pay increase due under the new pay system?**

Full details are available in the **Pay Assimilation Table at Annex A to this Pay Circular**. Everyone moving to the new system will receive a pay increase. The percentage applied may vary between grades and pay points.

## **8. Some pay increases are higher than others. Why is this?**

The new pay arrangements align pay rates in Scotland with those applied in England and Wales. This 'pay modernisation' is not designed necessarily to deliver pay increases.

- Everyone will move **up** to their new pay point in the new system, leading to the different rates of pay increase.
- Everyone will benefit from a pay increase.
- The new pay bands will also be increased, giving greater earnings potential for everyone either immediately, for those already at their pay maximum in the old pay system, or in the longer term, for those lower in the pay scale.

## **9. Does this affect the cost of living pay increase which was awarded in April this year?**

No. The cost of living increase is completely separate. All pay increases detailed in the new pay deal are **in addition** to the cost of living increase received in April.

The assimilation table in **Annex A** to this circular uses the pay points introduced on 1 April this year and then plots where each point would map on to in the new pay bands.

## **10. Will employees who are due to receive a pay increment under the old pay system lose out if their incremental pay date moves to 1 April 2014?**

No-one will lose out on the value of basic pay increments that would have been due between now and 1 April 2014.

- Transitional arrangements will be available to anyone who would have seen a pay increment applied between 1 April 2013 and the date the new pay is applied to retain their old increment pay value if it is higher than the proposed new pay. A further

increment under the new pay system would then be applied as normal on 1 April 2014.

- If by 1 April 2014 new pay is not higher than pay would have been under the old system, a further assimilation process would apply (that is moving up one further step in the new pay system) to ensure that the benefit of the move to the new system is fully received.

**11. The new package includes working an extra 30 minutes. Will the pay package sufficiently compensate for the increase in hours worked?**

Everyone is required to work 37.5 hours, up from 37, as part of the new terms and conditions. This aligns dentists' working hours with other NHS staff, particularly dental nurses and other staff working for the new dental service. No-one will lose out. Even with the additional half hour, everyone will see an increase in pay.

**12. Will the extra 30 minutes' working also be backdated to 1 April?**

No. The extra 30 minutes' working will only apply from the date the new arrangements are actually applied in each board.

**13. When will the extra 30 minutes need to be worked?**

This will be determined between staff and managers, depending on existing local working arrangements.

**14. Will employees who work part-time work the additional time?**

Part-time employees have the option of retaining their current part-time hours contract as it is, or to have this amended to reflect the proportional increase based on the extra 30 minutes. For example, an employee currently working 20 hours per week can continue to work 20 hours per week or increase their hours to 20 hours 16 minutes. In either option, pay will still increase under the new system.

**15. Are there any restrictions on employees annual incremental progress toward the pay maximum under this new system?**

Pay progression will continue until the new pay maximum is reached, subject to existing restrictions where under-performance has been identified.

**16. Can employees continue to receive a fee for attending events for which they are paid a speaker fee?**

Under present NHS rules, any fee earned for activity performed in relation to an employee's role in the NHS, which is carried out during normal working hours, must be paid back to the NHS. This does not apply for any activity carried out outside contracted work hours.

**17. Have allowances been reviewed and will this mean any changes to employees currently in receipt of an allowance.**

A review of allowances has taken place but no existing allowances have been removed, and everyone receiving them will continue to do so. These will be in addition to the new rates of pay. In areas where an NHS Board may have been paying an allowance higher than the nationally agreed rate, protection on a mark-time basis would be applied.

**18. Will the current out-of-hours (OOH) payments change?**

OOH payment rates have not changed, but Boards have been provided with directions by the Scottish Government on running OOH services which may impact on how these are operated, and therefore on how individuals are paid.

**19. If an employee gets 34 days' annual leave already, does this new contract mean they will have to lose a day and only receive 33?**

No. Locally-negotiated agreements with additional local leave for dentists would still apply on a protected basis for existing staff only.

**20. Can employees holding a term-time only contract retain them?**

Yes. All flexible contractual arrangements previously negotiated can be retained, with adjustment as necessary for the additional 30 minutes' working time for the week.

**21. Can Clinical Directors and Chief Administrative Dental Officers (CADOs) disagree with the level of complexity for their service?**

The service complexity levels applying to Clinical Director/CADO pay have been set in line with existing NHS Scotland criteria for NHS Boards. They are therefore not open to be challenged within the terms of the new arrangements for the Public Dental Service.

**22. Can employees on the GDC specialist list question not being assimilated on to the Band C pay scale if they feel that they should be a Band C specialist dentist?**

Employees should collect evidence to enable them to clearly demonstrate to their employer that they fulfil the competencies for a Band C Specialist Dentist in their specialty. It is for their Board to determine whether they require specialist services in a specialty before creating a post at that specialism. Simply being on a specialist list does not mean Band C specialist pay will be applied.

**23. What will happen at NHS Boards where there is not a formal appraisal or job planning system in place?**

All NHS Boards must provide an annual appraisal and job planning system under the terms of the new contract. The new contract includes newly-designed appraisal forms and supporting documentation that must be applied as part of the new contract.

**24. If an NHS Board appears happy with the current annual appraisal system they have in place must they change it?**

The new appraisal system has been designed specifically for the new Public Dental Service, and must be adopted by all Boards.

**25. Who is responsible for conducting a specialist review for a specialist dentist if the clinical manager is not a specialist?**

Arrangements must be made by the clinical manager to obtain this input into the process.

**26. Can an employee's appraisal or job planning exercise be completed by a non-clinical manager?**

No. Appraisals can only be completed by dental managers with the appropriate clinical qualifications. If an employee has concerns these should be raised with their line manager in the first instance.

**27. The new arrangements include needing to complete Job Plans. Is this a good thing?**

A. Yes. All major clinical contracts include job planning as they give clinicians much greater control over what exactly they do, and when, within their available time. It also helps define important functions such as administrative time, out-of-hours commitments, training needs and personal development.

**28. Where have the job competencies come from?**

They were developed in 2008 from work published by the Committee for Postgraduate Dental Deans and Directors (COPDEND) [www.copdend.org.uk](http://www.copdend.org.uk)

**29.. How should disagreements around the job competencies for an employee's post be resolved?**

Employees should discuss further with their Clinical Director and HR to try to resolve this issue through mediation using local Board HR policies.

**30. What steps can employees take if they are assimilated from Dental Officer to Band A, but they think their job requires the competencies of a Band B Senior Dental Officer?**

There is no automatic re-grading mechanism within the new terms and conditions. If they believe that their current role is graded incorrectly, they should raise this with their line manager in the first instance.

As with all other vacant or new posts in NHS Scotland, higher graded posts will be advertised when available, and existing staff members can apply if they can demonstrate they have the required competencies for the posts at the higher band.