

UPDATE RE SCOTTISH TERMS AND CONDITIONS COMMITTEE 3 APRIL 2020

This note provides information on the guidance which has been agreed or is being discussed by STAC since the last update was issued on 27 March, as well as the more general work of the Secretariat to support NHS Scotland's COVID-19 response.

Returning to Work in the NHS

[DL\(2020\)6](#) covering a number of issues including pay, family related leave and pensions for staff who want to return to assist with the COVID-19 emergency was issued on 3 April. The advice in this letter aligns NHS Scotland with the same provisions in NHS England.

School Closures and Carers Leave

[DL\(2020\)7](#), issued on 3 April, develops the guidance initially contained in [DL\(2020\)5](#) around issues which are likely to come up for staff with caring responsibilities.

Fixed-Term Contracts

STAC recognise the benefits of using fixed-term contracts during the COVID-19 outbreak, and wants to encourage Boards to use them. But we are also conscious of the potential administrative burden of the provision in the Use of Fixed-Term Contracts PIN which requires staff coming to the end of their contract to be placed on the redeployment register. For the duration of the COVID-19 outbreak, therefore, a Variation Order has been agreed which suspends this requirement. The VO issued on 3 April.

Sick Leave During Coronavirus

Following the issuing of the Variation Order on 27 March which confirmed that, where staff fall sick with Coronavirus (COVID-19), they will be entitled to six months sick leave on full pay, regardless of length of service, further questions were raised about how this relates to the recording of such absences as Special Leave connected with COVID-19. A further letter offering clarification on this point was issued on 3 April.

Staff Wellbeing and Support

STAC Secretariat has generated some guidance highlighting the key duties of Employers in protecting the wellbeing of staff and providing the right support, which will be especially important during the COVID-19 outbreak. As this covers areas usually addressed by SWAG, discussions are currently taking place around the most effective way to quality assure the guidance prior to issue.

Annual Leave During Coronavirus

The exceptional circumstances brought about by COVID-19 mean there will be a number of issues around annual leave for the coming year. STAC Secretariat are currently discussing guidance which will address these questions.

Medical, Nursing and Midwifery: Student Support Guidance

STAC Secretariat has provided input to the information put out by Chief Nursing Officer Directorate which aims to provide help and advice for any medical or nursing students wanting to volunteer to assist with NHS Scotland's response to COVID-19. This guidance was published on 2 April and can be found [here](#).

Additional Hours for Part-Time Staff

The national response to COVID-19 will mean many part-time staff end up doing additional hours. Queries had been raised as to whether a special rate would be available for this but, following discussion, STAC felt this would be unfair to full time staff. The view of the Secretariat, therefore, is that the existing provision set out in paragraph 3.3 of the AfC Handbook should apply i.e. additional hours are at plain time rates until those hours exceed 37.5.

STAC / SWAG / SPF Discussions

The normal work of all of NHS Scotland's national partnership groups has been halted for the time being but the Chairs of STAC, SWAG and SPF have been having a weekly teleconference to ensure that any crosscutting issues are discussed. Meetings so far have been reactive, but the Chairs will be looking to take a more strategic approach as we move forward.

STAC Website – COVID-19 Reference Page

A "Coronavirus (COVID-19)" page has been added to the STAC website with the intention of providing a single access point for all the HR advice being issued to NHS Scotland in relation to COVID-19. The page can be found [here](#).



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If any member of STAC has any questions about STAC's response to the Coronavirus, please direct these to Colin Cowie in the first instance at colin.cowie@gov.scot.