

Scottish Terms and Conditions Committee

Ref: STAC(TCS07)2020

30 June 2020

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

CC: Members, Scottish Partnership Forum
Members, Scottish Terms and Conditions Committee
Members, Scottish Workforce and Governance Committee

Dear Colleague,

STAFF IN THE SHIELDED CATEGORY

We write to advise you that STAC are currently developing guidelines for employees who are required to shield as a consequence of underlying medical conditions. The regulations are currently unclear in regard to what the arrangements should be for annual leave for this group of staff, therefore we are seeking legal advice in order to ensure all staff are treated fairly and consistently. In regard to the arrangements for these employees to work from home the position is as follows:

1. Shielded employees will continue to receive full pay on the basis of payment as if at work. Shielded bank workers will continue to receive payment based on the average income over a 12 week reference period preceding the point at which it became clear they should not be working, as per [STAC/TC05\)2020](#).
2. Shielded employees will be expected to work from home where possible. Shielded employees will be expected to undertake work according to their skills and capabilities. Support, training and the appropriate equipment will be made available as necessary. The employee will continue to receive their pay relevant to their current pay band unless they have volunteered to undertake work at a higher band. In these circumstances, the employee will be paid on the higher band for the period they are undertaking these duties. If the work is at a lower band the employee will continue to be paid on their current band. Shielded employees will be entitled to enhancements where the work pattern for work at home varies from their standard pattern. If this results in a lesser pay than their standard pattern, then they should continue to be paid as if at work for their standard pattern.

Further guidance on annual leave will be circulated when available.

Yours sincerely



Calum Campbell
Interim Chief Executive
NHS Lothian
STAC Management Side Co-Chair



Colin Poolman
Professional Officer
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STAC Staff Side Co-Chair