

Pay and terms and conditions

The vast majority of staff employed by NHS organisations receive NHS or equivalent pay and are on NHS terms and conditions of service. Terms and conditions of service include such details as holiday and sick leave entitlement and contractual redundancy benefits. For staff directly employed by NHS organisations these are set out in the NHS terms and conditions of service handbook and for NHS employed medical and dental staff in their relevant terms and conditions of service

These documents may cover more than strictly contractual terms and conditions issues and therefore they may not all automatically transfer under TUPE. Please contact your HR department or trade union representative for further advice.

How will my pay and terms and conditions be affected if I transfer?

If you are transferred to a local authority under TUPE your contractual pay and terms and conditions are protected. TUPE protects your existing NHS pay and terms and conditions at the point of transfer, and this can include any pre-agreed contractual future entitlements (e.g. a three year pay deal negotiated pre-transfer). This, however, does not cover any future changes in NHS terms and conditions of service (e.g. annual pay increases) negotiated **after** the transfer date, unless there is a specific agreement with your new employer that they will apply. Your rights should be similarly protected at the point of transfer where the principles of COSOP (see legal details as set out above) apply to a transfer. You can expect your employer to discuss the matter with you and, if you are a trade union member, with your union representatives.