

Recommendations of the Mediator
on the
Implementation of the Benchmarking Report in respect of the
removal of the bar point for Registrars (NCCD's) who have not
completed Higher Specialist Training

Kieran Mulvey
Mediator

14th March 2005

Recommendation of the Mediator

on the

**Implementation of the Benchmarking Report in respect of the removal of the
hurdle for Registrars (NCED's) who have not completed Higher Specialist
Training.**

Heading: 21st November 2009

Parties: IVO – representing NCED's
HSPA Dept. of Health and Children/Dept. of
Finance

Background:

The parties disagree on the dates and arrangements for the replication of the above P.S.D.B. Recommendation. As local negotiations were unsuccessful both sides agreed to the appointment of a Mediator, who would, in the event of non-agreement between the parties would be authorised to issue a Recommendation to the parties.

Position of the TMO: (Summary)

1. The dates outlined in the P.S.B.R., as for all other parties, should apply in the same way as for the NCTD's covered by the P.S.B.R. recommendations.
2. Thus, all doctors covered by the Recommendation both in service currently or who have to state their health fitness should be paid the full terms of the recommendations with retrospective application.
3. Those Registrars who were in service at the time of publication of the Benchmarking Report and are currently in service should progress immediately before the pay bar from 1st December 2001.

Position of Management (Summary)

The management side accept the findings of the Benchmarking Report. They disagree with the view of the TMO as to when the increases should apply. The management side proposed the following, commencing during the normal process:

- 1) To lift the bar with effect from 1st June 2005.
- 2) With regard to the matter of progression through the hierarchical scale for the personnel involved, management propose such staff moving to point 4 of the scale, on 1st June 2005 and progressing through the scale (i.e. 2 points of the scale in accordance with normal operational arrangements i.e. staff who are currently on the bar point for 6 months or more would reach the new maximum net rate from 1st June 2007.

Management was of the view that the approach they proposed was both fair and balanced and was in accordance with the spirit of the Benchmarking Report.

Recommendation on the dispute involving Non-Consultant Hospital Doctor Grades

In the arbitration report of the Benchmarking Report dealing with the above grades the Benchmarking Body recommended: (June 2002):

"that the pay-scale for Registrars who were not completed Higher Specialist Training, which currently equates to the third point of the Registrar salary scale, should be removed and all jobs held at this grade should be able to progress to the maximum point of the scale"

(Section 9.8 P.87)

The Benchmarking Body made no specific reference to the issue of the applicability of this recommendation and this has caused a point of contention between the medical

Unions. Therefore, that the most equitable way forward in resolving the issue in dispute in this case and in terms of the time spent, financial cost, and in a bid to reconcile the differences of the two in the hearing of this case that the following recommendations should be considered in a positive way by both sides

- (i) Registrars in service on the date of the issue of the Report and currently in service should advance incrementally resulting from the removal of the pay point as follows,

Registrars on Point 2 of the scale in 1998 should progress to Point 4 on 1st July 2004

to,

Point 5 on 1st July 2005

to,

Point 6 on 1st July 2006

- (ii) A lump sum of £5,000 should apply in case of retrogression to those Registrars who were in service on the date of the issue of the Benchmarking Report (June 2002) and who are currently in service on January 2005.

- (iii) Free Recruits who have entered the Health Service in 2003 and 2004, and who are now covered by the above terms of the Benchmarking Report should advance incrementally from the appropriate year of entry on any date. In the case of those entering in 2004 a lump sum of £2,000 should

apply in lieu of termination. In the case of those who opt in 2004 a lump sum of £1,000 should apply in lieu of resignation.

- (c) All NCFD staff should be placed on an appropriate incremental point for salary purposes from 1/1/05 and should attract the benefits of the increased CNS, plus the Benchmarking Award, in June 2005.
- (d) All retrospective awards should be paid by May 1st 2005 and preferably from a single pay centre.

Kieran Mulvey
Mediator

15th March 2005