

Question:

Early Implementation of HSC (AfC) (2) 2024

Response:

REQUEST FOR INFORMATION: FREEDOM OF INFORMATION ACT 2000 RE: EARLY IMPLEMENTATION OF HSC (AFC) (2) 2024

I refer to your request for information under the Freedom of Information Act 2000 regarding Early Implementation of HSC (AfC) (2) 2024

I am writing to advise you that the Department has considered your request and can advise the following:

- 1. The date on which the Department of Health decided or authorised the removal of the 2nd gateway cap for the assimilation of non-NHS service when determining starting salary.**

The decision to remove Gateways was a national one, brought about by the implementation of AfC Refresh from April 2018 as agreed at NHS Staff Council.

The department does not hold information on when that final decision was reached. As AfC TUS was in a period of Industrial Action during the Refresh period, communication of some of the necessary outworkings of Refresh were delayed. The Department's communication to Trusts was via Circular HC (AfC) (2) 2024.

- 2. Confirmation of whether HSC Trusts were authorised or advised to apply this change prior to the formal publication of Circular HSC (AfC) (2) 2024 on 20 February 2024.**

The department does not hold this information.

- 3. Copies of any guidance, briefing notes, emails, circular drafts, or other correspondence issued to HSC Trusts between 1 January 2023 and 20 February 2024 relating to the proposed removal of the 2nd gateway cap, and recognition of non-NHS service when setting starting salaries.**

Please attachments Tab 1-4 including the link below

[NHS Terms and Conditions of Service Handbook | NHS Employers](#)

- 4. Please confirm whether it was considered acceptable or permissible for Trusts to apply the change in advance of the final circular being issued, and if so from what date.**

The department does not hold this information.

- 5. Please provide any advice or guidance issued to Trusts about the implementation date of the change, including whether it was intended to apply retrospectively from April 2023 or another date.**

As outlined in point 3. Section One of the Handbook refers to Pay Structure

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Please note the following exemption has been applied

Section 40(2) – Personal information

This exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the UK GDPR.

A copy of the annex can be requested from WPD

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