

# Revised Conditions of Service FOR NURSES AND MIDWIVES

Agreed by Nurses and Midwives  
Whitley Council

1. *The Nurses and Midwives Whitley Council have agreed upon the following revised conditions of service for nurses and midwives, which, from February 23, 1962, supersede the corresponding recommendations of Nurses and Midwives Salaries Committees of England and Wales and Scotland as amended by previous agreements of Nurses and Midwives Whitley Council.*

## I. INTERPRETATION OF TERMS USED

2. (a) Provisions of this agreement apply equally to male staff where appropriate.  
(b) Except where context indicates to contrary, provisions of this agreement which refer to nurses and midwives shall be read as applying to other staff within purview of Council who are not qualified nurses or midwives.
3. "Reckonable employment" means employment within purview of Nurses and Midwives Whitley Council, other than as:—  
student nurse or student mental nurse; post-registration student or student mental nurse; pupil nurse; pupil midwife; student nursery nurse.
4. "Break in service" is period spent otherwise than in employment within purview of Council, except that following absences shall not be regarded as breaks in service:—
  - (a) Period of less than three calendar months between termination and resumption of employment within purview of Council;
  - (b) Period spent in training for further nursing, midwifery or public health qualification;
  - (c) period spent in nursing services of the Crown or in World Health Organisation.
5. In relation to transfers or movements between one post and another:—  
"post in higher grade" means post in grade with salary maximum higher

- than that of former grade;  
"post in equivalent grade" means post in grade with salary maximum equal to that of former grade;  
"post in lower grade" means post in grade with salary maximum lower than that of former grade.
6. "Existing salary" means salary (exclusive of London weighting, overtime or allowances) reached on scale of former grade on day of transfer or movement including any increment which would have fallen due on that day; or on first day of absence, in case of transfer or movement after absence from reckonable employment which does not constitute a break in service; *provided that*, in latter case, if salary scale of former grade has been improved during absence, "existing salary" shall be salary which would otherwise have been in payment on first day of absence if improved scale had then been in force.

## II. POINTS OF ENTRY TO SALARY SCALES

### A. First appointments and reappointments

7. (a) Except as in (b) below, nurse or midwife taking up first appointment to reckonable employment shall enter salary scale for grade at minimum or at appropriate age point on scale, as the case may be.  
(b) Such nurse or midwife with previous nursing or midwifery service outside purview of Council, e.g., in industrial nursing, may, at discretion of employing authority, receive credit for such service in a comparable or higher grade.
8. (a) Nurse or midwife who resumes reckonable employment after break in service shall not be entitled to return at salary point she had reached before break. It is left to discretion of employing authority to decide on merits of case to what extent incremental credit shall be given for service in equivalent or higher grade before break.  
(b) Where, on reappointment, full credit is not given for such service, it shall be within discretion of employing authority, on the completion of one year's continuous service following break, to give credit where appropriate for whole or part of balance with effect from beginning of second year of employment. If, before end of first year after resuming employment, nurse or midwife transfers without break in service to service of another employing authority in equivalent grade, this further discretion shall be exercisable by second employing authority.  
(c) In no case, however, shall nurse or midwife receive higher salary than maximum of salary scale for grade in which she is employed.
9. Nurse or midwife who resumes reckonable employment after absence which does not constitute break in service shall be regarded as having transferred or moved to post in lower, equivalent or higher grade, as case may be, and commencing salary shall be determined in accordance with appropriate provision of Sub-section B or Sub-section C, whichever is applicable. Her incremental date shall be determined in accordance with paragraph 23, subject where resumed employment is in higher grade, to provisions of paragraph 20 or 21.
- B. Transfers within the same field of nursing or midwifery
10. This sub-section applies to transfers without break in service from one post

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in reckonable employment to another within same field of nursing or midwifery, whether or not both posts are with same employing authority. It also applies to such transfers after absence which does not constitute break in service, in which case provisions of paragraph 9 apply as regards incremental date. For re-employment in reckonable employment after break in service, see paragraph 8.

11. **Transfer to a post in a lower grade—Adverse change in grade or status**
- (a) Nurse or midwife who transfers to post in lower grade either—  
(i) of her own volition, or  
(ii) at request of employing authority because she is not considered suitable for retention in higher post  
shall be placed on salary scale for new post at point appropriate to her previous service in equivalent or higher grade.
- (b) Nurse or midwife who is transferred by employing authority to post in lower grade in circumstances other than those in (a) above shall mark time on salary she was receiving in former post, until salary in new post would have reached that point had she been treated according to (a) above. If salary she was receiving in former post is above maximum of lower scale, she shall retain that salary on personal basis without further increments.
- (c) Nurse or midwife for whom lower salary scale becomes appropriate by reason of permanent change in size or status of establishment in which she is employed or in number of staff whom she supervises shall enter lower salary scale at salary she was receiving immediately before change and proceed by appropriate increments to maximum of scale. If salary she was receiving is above maximum of lower scale, she shall retain that salary on personal basis without further increments.
- (i) In case where nurse or midwife has given 25 years' service as nurse and/or midwife, employing authority shall have discretion (exercise of which would be regarded as reasonable) to continue her employment on salary scale of her post immediately before date of change in size, status or number of staff whom she supervises.
- (ii) Nurse or midwife who retains personal salary scale under (c)(i) above shall, if not already at maximum of that scale, continue to receive increments until maximum is reached and shall remain on that personal salary scale for as long as she continues in her existing post and there is no further change in circumstances or until such time as personal salary scale for post becomes more favourable to her.
12. **Transfer to a post in an equivalent grade**  
Nurse or midwife who transfers to post in equivalent grade shall enter salary scale for new post at existing salary, and shall receive any allowances appropriate in new post.
13. **Transfer to a post in a higher grade (promotion)**  
(a) Any transfer to post in higher grade in same field of nursing or midwifery for which nurse or midwife holds appropriate qualification, whether or not with same employing authority, shall be regarded as promotion and dealt with in accordance with (b) or (c) below. Nurse or midwife whose salary scale is favourably affected by some permanent change in size or status of hospital in which she is employed or in number of staff whom

she supervises shall be regarded as promoted in accordance with (b) below from date of change.

**(b) Promotion other than after holding acting rank**

- (i) Nurse or midwife promoted shall, unless (b)(iv) below applies, enter new scale at existing salary plus appropriate promotion increase provided that if salary or salary scale had been retained on personal basis under provisions of paragraph 11(b) or (c) while in former post, she shall transfer to new post at that salary or with that salary scale and shall receive no promotion increase, or, if more favourable, she may enter new scale at her correct salary point in her old grade, plus appropriate promotion increase.
  - (ii) Appropriate promotion increase shall be an amount equal to first increment of new scale, provided that maximum of new scale shall not be exceeded.
  - (iii) Incremental progression on new scale shall be by normal increments (see paragraph 25 as to off-scale points).
  - (iv) If salary calculated in accordance with (b)(i) above is less than minimum of new scale, nurse or midwife shall enter new scale at minimum and her incremental date shall be as provided in paragraph 20 provided that, if actual increase on promotion to minimum of new scale exceeds appropriate promotion increase by amount which is less than first increment on new scale, nurse or midwife shall be given option of retaining her existing incremental date and receiving, on first incremental date after promotion, a partial increment equal to first increment on new scale less amount by which actual increase on promotion exceeded appropriate promotion increase. Where option is taken, nurse or midwife shall proceed thereafter by normal increments of scale. Nurse or midwife wishing to exercise option shall notify intention in writing within four weeks of being informed that such an option is open to her.
  - (v) No nurse or midwife shall enter salary scale for higher grade at point higher than that which she would have reached if all her service in reckonable employment (other than service in grades mentioned in paragraph 18 under appropriate age therein) had been service in higher grade.
- (c) Promotion after holding acting rank**
- (i) Where, at date of substantive promotion, nurse or midwife is holding acting rank in post to which she is promoted, the period of continuous acting service up to that date shall be credited in accordance with (c)(iv) below.
  - (ii) Where at any time during two years before substantive promotion, nurse or midwife has held paid acting rank in post to which she is promoted which does not fall to be credited under (c)(i) above, the aggregate of such intermittent periods of paid acting rank within the two years shall also be credited.
  - (iii) Where nurse or midwife holding acting rank is subsequently promoted to different post in her "acting" grade with same employing authority or to similar or different post in that grade with another employing

authority, it shall be within discretion of employing authority to give credit in whole or in part for acting rank service in accordance with (c)(iv) below.

(iv) Where credit is given for acting rank service, point of entry to new salary scale on date of substantive promotion shall be point nurse or midwife would have reached if she had been promoted on notional date determined by length of service for which credit is given, and incremental date shall also be that which would have applied had she been promoted on notional date.

**C. Movement between one field of nursing and midwifery and another**

14. This sub-section applies to movements without break in service from post in reckonable employment in one field of nursing or midwifery to such post in another field of nursing or midwifery (e.g., from general hospital to psychiatric hospital\* or vice versa, from hospital to domiciliary nursing or vice versa) whether or not the two posts are with same employing authority. It also applies to such movements after absence which does not constitute break in service, in which case provisions of paragraph 9 apply as regards incremental date. For re-employment in reckonable employment after break in service, see paragraph 8.

**15. Movement to a post in a lower grade**

A nurse or midwife who moves to post in lower grade shall be placed on salary scale for new post at incremental point appropriate to her previous service in equivalent or higher grade, whether or not that service was in new field of nursing or midwifery.

**16. Movement to a post in an equivalent or a higher grade**

- (a) Nurse or midwife who moves to post in equivalent or higher grade shall enter salary scale for new post, either
    - (i) at minimum of scale, and her incremental date shall be as provided in paragraph 21, or
    - (ii) if more favourable, at existing salary, retaining former incremental date.
  - (b) Incremental progression on new scale shall be by normal increments (see paragraph 25 as to off-scale points).
  - (c) Nurse or midwife shall receive allowances appropriate to her in new post.
- (d) Movement to post in higher grade in another field of nursing or midwifery shall not be regarded as promotion for the purposes of paragraph 13.

**III. INCREMENTAL DATES AND ANNUAL INCREMENTS**

- 17. Nurse or midwife who at February 23, 1962, has incremental date of April 1 shall retain that incremental date, subject to provisions of following Paragraphs.
- 18. For staff first appointed to post in reckonable employment in grade and at appropriate age mentioned below, incremental date shall be first day of month next following their birthday. This incremental date shall be retained throughout

\* In Scotland, mental or mental deficiency hospital.

their reckonable employment so long as there is no break in service and subject to paragraphs below.

Grade	Age on Appointment
Nursing Assistant	Under 21
Nursing Auxiliary	Under 21
Staff Nursery Nurse	Under 20
Nursery Assistant, Class I	Under 20
Nursery Assistant (day or residential nursery)	Under 19
Nursery Assistant, Class II	Under 19

19. Nurse or midwife whose first appointment to reckonable employment is in any other grade, or is in grade mentioned in paragraph 18 at age higher than appropriate age mentioned in that paragraph, shall have as incremental date first day of month next following anniversary of first appointment. This incremental date shall be retained throughout service in reckonable employment so long as there is no break in service and subject to paragraphs below.

20. Nurse or midwife who is promoted in accordance with paragraph 13 and placed on minimum of the salary scale for higher grade shall have as incremental date first day of month next following the anniversary either of substantive promotion, or, if promoted in accordance with paragraph 13(c), of notional promotion, subject in either case to proviso to paragraph 13(b)(iv).

21. Nurse or midwife who moves to post in higher grade in another field of nursing or midwifery and who is placed on minimum of salary scale for new post in accordance with paragraph 16(a)(i), shall have as incremental date first day of month next following the anniversary of movement.

22. (a) Periods of absence on paid sick leave, whether on full or half pay, and periods of special leave with pay shall count as service for incremental purposes. Periods of unpaid sick leave or special leave without pay shall not automatically count but employing authorities shall have discretion to decide whether whole or any part of such period shall be counted for incremental purposes.

(b) Where period of absence is disallowed for incremental purposes, next incremental date shall be determined as in paragraph 23(b).

23. (a) Increments shall only be payable on completion of 12 months' service counting for incremental purposes.\* Except as provided at (c) below, periods excluded from reckonable employment by paragraph 3, and absences mentioned in paragraph 4 which do not constitute a break in service, shall not count for incremental purposes.

(b) When a period is not counted for incremental purposes, in accordance with paragraph 22 or 23(a) above, any reckonable service before break in respect of which increment has not already been paid shall be counted in determining date on which first increment falls due following resumption of reckonable service. This date shall then become new incremental date.

(c) State Registered Nurse or qualified mental nurse leaving to take up training to become qualified mental nurse or State Registered Nurse (as case may be), or qualified mental nurse trained in nursing of mental disorder or mentally subnormal leaving to take up training in nursing of mentally subnormal or mental disorder

\* Except that any increment which would have been due on April 1, 1962, had the Conditions of Service superseded by this agreement remained in force, shall be paid.

(as case may be) and subsequently returning to former employment in same or higher grade, shall be given credit for period of training up to four years.†

24. Increments may be withheld on receipt of adverse report; nurse or midwife shall have right to see report and right of appeal to employing authority. If increment is withheld, it may be restored at any time thereafter at discretion of employing authority.

25. "Off Scale" points

Where nurse or midwife is receiving salary at an off scale point, a normal increment shall be amount appropriate to incremental point of salary scale nearest to her salary (the higher point if salary is exactly half-way between two incremental points), or amount sufficient to bring salary to maximum, whichever is the smaller.

IV. PAYMENT OF STUDENT NURSES BETWEEN QUALIFICATION AND REGISTRATION, AND OF PUPIL NURSES ON ENROLMENT

26. Payment of nurses between passing the Final Examination and Registration  
 Payment as staff nurse shall be made retrospective to date of passing final State Examination, i.e., date of publication of examination results, provided that nurse had then attained age of 21 years and that she became State Registered within three months of date on which result was announced. In meantime she shall continue to receive appropriate student's allowance.

27. Payment of student nurses who qualify while under age for Registration

(a) Student nurses training for registration as fever nurses and, in Scotland, all student nurses, who pass Final State Examination before attaining age of 21 years, shall receive, while employed on duties of staff nurse, an allowance in addition to appropriate training allowance at rate of half the difference between training allowance and minimum of salary scale for grade of staff nurse; provided that additional allowance shall not be granted to nurse who has not attained age of 19 years.

(b) In case of resident nurses in receipt of additional allowance, amount to be charged for board and lodging shall be the charge for student grade plus half the difference between that charge and charge for a resident nurse in grade of staff nurse.

(c) Where nurse receiving additional allowance is non-resident, charge at half normal rate per annum shall be made for provision of meals on duty and use and laundering of uniform.

(d) A nurse in receipt of allowance under terms of this paragraph shall, as from date of admission to Register on attaining age 21, be placed on minimum of appropriate scale, charge for residence and for meals on duty, etc., to non-resident staff being that prescribed for grade.

28. Payment of Enrolled Nurses

An Enrolled Nurse.—

(a) admitted to Roll after January 1, 1949, by virtue of experience shall be paid as such only from date of enrolment.

Note.—In determining point of entry into salary scale account shall be

† In Scotland term *State Registered Nurse* includes *Registered General Nurse*, while terms corresponding to "mental disorder" and "mentally subnormal" are respectively "mental diseases" and "persons suffering from mental defect."

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taken of all continuous nursing service immediately before enrolment, and, in addition, employing authority shall have discretion to count any nursing service before any break in service.

- (b) admitted to Roll after training as pupil nurse shall be paid as such from date of qualifying for enrolment.

## V. HOURS OF DUTY

29. Normal working hours for all whole-time nurses and midwives employed in hospitals and institutions shall be 88 per fortnight, day or night, exclusive of meal times, subject always to requirements of the service. In cases of epidemic or emergency when exceptional demands are made upon staff, arrangements should subsequently be made for additional off-duty time. For students and pupils 88-hour fortnight should be inclusive of lectures and tutorial classes.

30. All whole-time nurses and midwives, including students and pupils in hospitals and institutions shall have at least one complete day off duty a week.

31. Aggregate period of night duty worked by hospital nurses and midwives should not normally exceed six months in any period of twelve months, except in case of staff appointed to night duty posts. For student nurses maximum period should not normally exceed three months in any period of twelve months and for pupil midwives two months in either part of training.

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32. In case of nurses and midwives employed in public health and domiciliary services and staff employed in nursery services, no specific provision is made about hours of duty.

33. Subject always to requirements of the service, domiciliary nurses and district nurse midwives should be off duty and free from call for at least 24 consecutive hours a week and for one week-end of 36 hours in each period of four weeks in addition to daily off-duty times.

34. Subject always to the requirements of the service, district midwives should be given in three weeks out of every four at least two consecutive nights and intervening day off duty a week and in fourth week a long week-end of 60 hours consecutive free time.

## VI. COMPUTATION OF BEDS FOR SALARY PURPOSES

35. (a) For purpose of determining salary scale of senior staff whose salaries are governed by number of beds, only staffed patient beds shall be taken into account.

(b) These are ascertained from annual statistical returns of hospital authorities, relevant figures being those shown under following heads:—

*In England and Wales:* Form S.H.3, Part 1A—"available staffed beds" together with "temporarily unavailable staffed beds."

*In Scotland:* Form Stats./H.S.10—"occupied beds" together with "staffed but unoccupied beds."

Figures used should normally be those as at previous December 31.

(c) Provisions on page 10 of N.M.C. Circular No. 8, in paragraph 11 of N.M.C. Circular No. 10 and in paragraph 10 of N.M.C. Circular No. 13 otherwise remain in operation pending any further agreement of Whitley Council.