



Changes to unsocial hours payments – tell us what you think

Changes have been proposed to the way pay is calculated if you are off sick. **Ambulance staff** receive payments for unsocial hours under Annex E of the Agenda for Change (AfC) agreement. Employers think the recent changes to AfC sickness payments automatically change Annex E. UNISON does not. UNISON is asking for your view on proposals to reduce Annex E payments during sickness.

This means that if ambulance staff are sick during a shift that includes unsocial hours they would lose their unsocial hours uplift for those hours. This will also affect their pension.

UNISON wants to hear your views on changes to Annex E if this affects you.

UNISON's view

It is UNISON's view, and that of the other NHS unions, GMB and Unite, that the Annex E arrangements form the basis of a regular supplement, rather than the hour by hour enhancement described in the retrospective scheme. This means that if the employers wanted changes this would have needed specific negotiations and agreement before it was included in the recent agreement to change sick pay for other NHS staff. We do not accept that the changes made to the Handbook have automatic implications for unsocial hours payments made under Annex E.

The employer's view

The employers maintain that the principle of removing unsocial hours for periods of sickness absence should apply to staff paid under Annex E and have now proposed a methodology for how this deduction could be made.

Your UNISON representatives do not agree that this deduction can happen automatically but have agreed to consult members on the proposal. This has led to the employer's delaying the implementation date to give us time to consult you about what you think.

Your view

All three unions in the ambulance service (UNISON, GMB and Unite) have agreed to jointly consult members on this proposal.

We want to see an England-wide approach to this issue rather than allowing local flexibilities. But if we do not agree to this proposal, employers could impose deductions to payments during sick pay.

Background

In February, the NHS Staff Council agreed a package of England-only changes to Agenda for Change which included changes to the calculation of pay during sickness absence. These included the following change to sick pay:

“pay during sickness absence will be paid at basic salary level....It will not include any other allowances or payments linked to working patterns or additional work commitments, eg unsocial hours payments.”

It was also made clear that no changes would be made to current arrangements for the lowest paid staff (on pay spine points 1 to 8) or those with work related injuries.

The NHS Terms and Conditions of Service Handbook was updated to reflect these changes.

The employers believe that the change to the national agreement must also apply to the Annex E arrangements. They argue that the changes made to Section 2 and 14 of the Handbook automatically affect unsocial hours payments made under Annex E and that if Annex E had been excluded there would have been an explicit reference along with the other categories of exemptions.

Annex E provides for a “prospective” system of unsocial hours payments, which are mainly used in the ambulance sector in England. Under this system a percentage supplement is made to pay, reflecting the working pattern and proportion of unsocial hours covered. This differs from the “retrospective” system that applies to most NHS set out in Section 2 of the Handbook, which applies an agreed “per

Unsocial hours – a definition

Under current Agenda for Change provisions, USH is considered to be any time worked before 7am and 7pm Monday to Friday, and any time worked on Saturdays, Sundays, or bank holidays, for staff in pay bands 1 to 7. For staff in pay bands 8 and 9 it is any time worked before 7am or after 10pm Monday to Friday, any time worked before 9am or after 1pm on Saturdays and Sundays and any time worked on bank holidays.

hour” enhancement to plain time hourly rates.

When should you vote?

Your branch will be talking to you over the next few weeks about what the employers have proposed and how this might affect you. They will be asking you to vote on whether you accept or reject the proposals. The consultative ballot will run for six weeks and will close on 23 August, so there is plenty of time for you to make your views known. Please make sure you vote as this will help us when we are in talks with the employers.

Where can you get more information?

A detailed briefing has been produced by the NHS Staff Council together with a set of FAQs. These are available from your branch, and there is information on the UNISON website (unison.org.uk).

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