



London Ambulance Service NHS Trust

Headquarters
220 Waterloo Road
London SE1 8SD

Mr Eric Roberts
Trade Union Side Secretary to the Staff Council
Unison Branch Secretary

5 July 2013

Dear Eric

A Time for Change

I am writing in furtherance of our ongoing discussions regarding the Service's modernisation plans.

We have now had further opportunities to discuss the plans in more depth. This has included a special meeting of the Staff Council on 11th June and meetings of the Joint Secretaries Group. Following publication of the Service's response to the consultation on 27th June 2013, a joint management and Union group also met today to discuss next steps.

I am pleased that you have found the consultation response to be thorough and that you believe that it notes all of the concerns raised by staff and UNISON. However, it is clear that there is still work to be done in partnership, to reach a final position. I fully acknowledge the views you have expressed previously, both in your letter dated 10th May and through the jointly agreed formal consultative arrangements. However, in order to assist our discussions going forward, I would now like to invite you to set out in detail UNISON's specific concerns, and any possible suggestions that the Union may have, in regards to the various elements of the plans.

Set out below is my understanding of UNISON's stated position in regards to key elements of 'A Time for Change', along with a number of questions which I hope will assist you in formulating a response. However, please feel free to add further detail or comment beyond the specific questions, and particularly where you may have alternative suggestions as to how the planned changes might be achieved.

I am confident that we can continue to work together in partnership, to bring about changes which will improve the Service we provide to the public, while also implementing practices which will improve the working lives of our staff. In order to facilitate this, it is imperative that we share a mutual understanding of our respective positions.



Staff Rosters

There is an understanding and acceptance that rosters and working patterns require regular review.

There is mutual agreement between UNISON and management that the roster review will be conducted in accordance with the jointly agreed 'Framework Agreement for the Review of Shift and Working Patterns for Operational Staff'. This will involve local level discussions with staff, staff representatives and managers.

A&E Support

In your letter of the 10th May, and in subsequent discussions, you have clearly indicated that this is the element of the plans over which UNISON has the greatest concerns.

Both UNISON and management have committed to following the national process for evaluating the revised A&E Support Job description, is being circulated separately. Job evaluation refresher training was, accordingly, arranged for 3rd July and it is intended that the panel itself can sit early in the week commencing 8th July.

You have indicated in the meeting on 2 July, however, that should the revised role be evaluated at band 3, even if this is the correct banding as confirmed by the nationally agreed banding process and according to the demands which will be placed on job holders, UNISON will not accept the crewing together of band 3 A&E Support staff with Paramedics on frontline ambulances, nor will it be accepted that 6 days' additional training is sufficient for A&E Support staff to perform the revised role.

I have the following questions with regards to UNISON's position on this matter:

- If the revised A&E Support role is evaluated at band 3, what would UNISON's specific objections be to these staff working on front line ambulances?
- What do UNISON believe is missing from the proposed additional training, which would prevent A&E Support staff from working on front line ambulances?

On a more general point regarding A&E Support staff and others, you have indicated that the Union would like to see 'a better career pathway' for all staff:

- Does the Union have any specific suggestions as to what this should look like for A&E Support staff going forwards?



Rest Breaks

In your letter of the 10th May, you have stated that 'UNISON does not accept nor agree the Draft Arrangements *'Rest Break Arrangements Operational Staff (Revised April 2013)'*

You have however, indicated that you are in favour of staff receiving rest breaks, referring to Section 10 of the NHS Terms and Conditions handbook, which you say "covers the *right* to rest breaks" [emphasis added]. You add that the management of rest breaks is for local agreement.

It appears there is common ground with the management position here. The need to allocate rest breaks, as is our statutory responsibility under the Working Time Directive, has been the key influencer in drawing up the draft arrangements. Given that the current arrangements are resulting in an unacceptable failure to provide rest breaks for most staff on most days, it is management's firm position that the arrangements need to change. The proposed arrangements fully comply with the Working Time Regulation's requirements, including the provision of compensatory time for missed breaks.

I have the following questions with regards to the Union's position on this matter:

- Which specific elements of the draft document currently prevent UNISON from agreeing the arrangements?
- What changes is UNISON seeking with regards to the rest break proposals?
- Are there specific circumstances, examples or scenarios in which the ability to request or take annual leave is unclear, in order that consideration may be given to including these as illustrations in any "question and answer" document to assist staff in understanding the arrangements?
- Does the Union have any alternative proposals as to how the Service can significantly rest break allocation?
- You have mentioned a concern relating to the staff suggestion noted in management's consultation response, regarding the inversion of the paid and unpaid elements of the break. Could you elaborate as to why you do not agree with this possible solution?

Annual Leave

In your letter of the 10th May, you have stated that 'UNISON does not accept nor agree the Draft Arrangements *'Annual leave Arrangements Operational Staff'*.

You have also indicated that the proposed arrangements regarding annual leave are difficult to understand. This is fully recognised by management and steps are being taken to draft a clearer



document, which will address staff queries over their ability to take leave. Further detail over your concerns would be most useful in taking this forward.

I have the following questions with regards to the Union's position on this matter:

- Which specific elements of the draft document currently prevent UNISON from agreeing the arrangements?
- What changes is UNISON seeking with regards to the annual leave proposals?

Active Area Cover

In your letter of the 10th May, you have stated that 'UNISON does not accept nor agree the Draft Arrangements *'Active Area Cover for Accident & Emergency Ambulance Crew staff'*'. You have indicated that the Union opposes 24 hour Active Area Cover due to concerns about the wellbeing, health and safety of staff.

It is management's position that a full risk assessment has been conducted in relation to the proposals, and they do not pose an unacceptable level of risk to staff. In particular, in response to objections UNISON has raised regarding staff being 'sat at the roadside' late at night, it has been highlighted that active area cover points are not fixed and as such, staff can choose to roam within the vicinity or find somewhere they feel safe to remain stationary. As you are aware, it is also the case that the nature of the cover points is that they are allocated at strategic demand points in the vicinity of anticipated emergency calls, and that as a result time spent on active area cover on any occasion is minimised.

While I am pleased that you have today indicated your belief that disagreements over the Active Area Cover arrangements could be quickly resolved, I have the following questions:

- In what way does UNISON believe that 24 hour Active Area Cover would be detrimental to the wellbeing, health and safety of staff?
- Does UNISON accept that increasing the operational hours of Active Area Cover will improve the service the Trust provides to patients, by reducing activation time?
- Does UNISON have any issue with the initial proposal to extend the hours of operation to midnight, and if so, on what basis?
- Are there measures which UNISON would suggest the Trust might take to further protect staff health and safety while undertaking 24 hour/ extended hours active area cover?

Interdependencies

In closing, I would again like to highlight that the individual plans within 'A Time for Change' cannot be taken forward in isolation of one another. In particular, without making changes in the areas outlined



above, it will not be possible to achieve sufficient efficiency improvements to support the elements of the proposals about which UNISON has indicated it is supportive. In particular, these include the consequent reduction in utilisation rates and the introduction of a clinical career structure.

In light of this and in order to achieve a final position which can be communicated to staff anticipating change, it is imperative that we work quickly to reach agreement in regards to all issues. I would therefore appreciate your timely response to the questions outlined above. In addition, any indication of the Union's priorities in taking forward joint discussions would be welcomed.

I will write separately with regards to the arrangements for further meetings and the establishment of working groups.

Yours Sincerely

Tony Crabtree
Acting Director of Workforce