

## Negotiations and Bargaining

### Report to Health SGE 6 February 2013

This report contains an update on the following items:

1. Defending Agenda for Change
2. NHS Pay
3. NHS Staff Council

#### 1. Defending Agenda for Change

##### a. South West Cartel – Postcode pay – no way!

Organising activity has continued in the region, focussing for the last two months on raising awareness of the proposed changes to AfC. The consultation responses do indicate a growing level of knowledge among members of both the campaigning work UNISON is doing and the attacks on AfC.

Consultations in the 19 Cartel Trusts flagged up growing levels of support for future action if employers did not stick to a revised AfC agreement.

UNISON has continued to undertake joint parliamentary work with BMA and RCN on this issue. A joint briefing session held in the House of Commons in December led to helpful letters from an all-party group of MPs being sent to all CEx/Chairs of the 19 Cartel Trusts, questions raised in the House and an agreement to request intervention from the Health Minister. Dr Dan Poulter MP has – as a result – written to all 19 Cartel Trusts encouraging adherence to the national Agenda for Change agreement if the revisions are accepted. UNISON is ensuring that MPs are kept up to date.

The Cartel's business case is expected soon. It is anticipated that this will cover a range of broad QIPP issues and identify those areas where collaboration could lead to cost savings. UNISON is also preparing for the possibility that the document will identify potential workforce savings and may recommend that Cartel members move quickly to try and make further changes to AfC (i.e. not stick to the revised agreement). In addition to lobbying the member Trust Boards ahead of any discussions, UNISON is lining up a robust response to the official business case.

##### b. Other defending Agenda for Change issues

The Defending Agenda for Change course is now being rolled out in all regions in England.

Active threats to AfC (including in N Tees and Hartlepool which had started a dismiss and re-engage programme) have largely been in stasis since UNISON agreed to consult on proposals to revise the agreement.

## 2. NHS Pay

### a. PRB evidence round on 'market-facing' pay

The Pay Review Body (PRB) undertook an additional evidence round in 2012 to make recommendations about additional changes required to introduce 'market-facing' pay in the NHS. The NHS PRB reported to the Department of Health in July but it was not until December that their report was released by the Department of Health. The PRB did not recommend any additional freedoms outside those contained in Agenda for Change. The Government accepted the PRB recommendations which also identified further work for the Staff Council in relation to reviewing the current use of High Cost Area Supplements.

### b. 2013-14 PRB evidence round

Government policy on public sector pay is that the 2013-14 uplift is limited to 1% overall but have given the PRB a remit to advise on distribution. NHS employers have been using cost-pressure arguments to make a case for a further pay freeze for NHS staff. In December, UNISON gave verbal evidence to the Pay Review Body on the issue to argue strongly against this position and to warn of the consequences to workforce stability in the event of continued threats to pay, terms and conditions.

### c. 2014-15 PRB evidence round

UNISON is starting preparatory work required for the submission of evidence to the Pay Review Body for the 2014-15 evidence round. This will include the biennial UNISON survey. Occupational Groups will be asked to submit relevant information and case studies relating to their staff groups for the evidence.

## 4. NHS Staff Council and Executive

Discussions on the future of Agenda for Change (AfC) continue to be a key feature of the NHS Staff Council/Executive agenda, in particular the Equality Impact Assessment of the proposed agreement. Equal pay expert Sue Hastings has been working with the staff side to conduct an Impact Assessment of the proposals and it is hoped that this will be accepted by the employers' side as a joint document. On advice, the staff side has also proposed that – should the proposals be accepted - the Staff Council provides advice to local employers on the Equality Impact Assessments they will need to conduct in relation to each proposed change.

In addition to receiving reports on AfC issues from the partnership bodies in Scotland, Wales and N Ireland, the Staff Council has continued to work on the following "mainstream" areas of business:

- **NHS T&C Handbook Annex A** – this has been updated to include the new NHS organisations in England created by the Health and Social Care Act 2012.
- **Job Evaluation** – Consolidated nursing profiles are out for consultation for comment by the end of February 2013; JEG discussions on potential changes to AfC and future role in ensuring the scheme is maintained locally; JEG recommendations on technical

amendments to the JES Handbook to reflect the Health and Social Care Act 2012 and other structural changes; JEG training schedule for 2013 tabled.

- **Injury Benefit scheme** – Formal consultations are in place on the legislative changes required to give effect to the reforms to IB (closed Jan in Scotland; 12 Feb England/Wales); The IB Review Group has produced an implementation pack consisting of advice and guidance to support implementation of the new arrangements and changes to the T&C Handbook, which will go to the Staff Council for ratification once the regulatory changes are in place; Work underway to embed the IB arrangement in VSM/Medical contracts.
- **Mileage** – UNISON has continued to raise issues around the impact of the revised mileage rates on staff driving significantly more than 3,500 miles each year but the employers side is unwilling to enter further staff council negotiations on this without re-opening the whole mileage agreement. (This was put in place in 2010/11 for implementation in July 2013). UNISON is working jointly with RCN, Unite and other staff side organisations on advice for reps and branches on the implementation of the new scheme and in particular to produce negotiating advice around the 3,500 mile threshold issue.

The full Staff Council is due to meet on 26 February. UNISON's delegation will continue to meet prior to all Staff Council and Exec meetings.

*Ends*