

6th January 2021



GMB Discussion Paper on Section 2 Issues

The introduction of section 2 into the ambulance service within the 2018 pay award has led to a number of issues within the service. Some of these are due to inconsistent implementation, others maybe down to interpretation by both staff and employers.

It is clear that the introduction of section 2 into the ambulance service has caused major concerns and frustrations amongst our members. It has introduced financial uncertainty at a time when members mental health and wellbeing is being put to the test.

GMB believes it is time that the joint unions representing ambulance staff challenge the introduction, implementation and interpretation of this scheme by ambulance employers and would welcome your thoughts and support on this issue.

GMB National Ambulance Committee have collated current issues as we see them in the hope of starting discussions with a view to resolution.

1. Retrospective Application

Annex 5 USH is a prospective scheme with all staff being paid for USH within the month which they are worked. This has been the case within the service since the introduction of AfC in 2004.

Prior to this ambulance staff received no USH payments for work outside normal working hours since the introduction of the salary agreement of 1986. This may explain why it is such an important issue to our members.

However, this is not the case in section 2 which has been implemented as a retrospective scheme by all ambulance employer's which has effectively made staff moving onto it lose at least a month's USH payment as it requires at least one month in hand with staff being paid at the end of the following month.

This of course could have been avoided if following discussions in partnership it was agreed to implement the scheme prospectively. This is clearly possible and is referenced in section 2 para 21 of the AFC handbook which states the agreement may be used retrospectively or prospectively. It will be for local partnerships to decide which option best meets operational requirements.

As far as I can ascertain no discussions have taken place either locally or nationally regarding prospective application of the scheme and it has been used as a way of clawing back at least one month's USH payments off staff that move onto the scheme.

2. Annual Leave

The 2018 agreement has caused major issues with pay during annual leave not being what would be expected.

This is happening because all Ambulance Trusts appear to have made a unilateral decision to pay an average of USH pay rather than what the staff would have earned if in work.

This has had the effect of members not receiving correct payments if they take nights or weekends off as the average pay works out as a lot less than the enhancements for such work.

3. Career development

It is now becoming clear that staff on an annex 5 contract are unwilling to develop their career in order to avoid being moved onto section 2. This has resulted in a massive increase in the use of secondments to posts that cannot be filled with only those staff that joined post September 2018 applying due to them being on section 2 already.

This is an equalities issue as longer serving more experienced staff are put off from developing their role or career due to loss of term and conditions.

4. Other issues

- There is emerging evidence of members on section 2 being scheduled to work mainly social hours to effectively save on costs with annex 5 staff being rostered onto mainly nights and weekends.
- Some services are not paying enhancements for the whole of the night shift despite more than 50% being in the USH period as they discount the meal break.
- Members on return to work packages following injury or illness are rushing back to full duties due to loss of USH payments when on alternative duties. This seems to be in breach of para 14.14 of the AfC handbook which states that rehabilitation periods will be with no loss of pay.