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Mellors Way
Nottingham Business Park
Nottingham
NG8 6PY

Rachel Harrison,
GMB National Secretary
and
Steve Rice
GMB National Ambulance Committee
Chair

12 July 2023

Dear Rachel and Steve,

Concerns regarding Section 2 Agenda for Change for Ambulance Staff

Thank you for your letter of 15 June 2023 setting out the GMB position in relation to the application of Section 2 Agenda for Change for Ambulance Service Staff.

As set out in your letter, the National Ambulance Strategic Partnership Forum (NASPF) agreed to form a joint working group in 2021 in relation to consistent application of Section 2 in Ambulance Services. I am aware there was a delay in this group forming and taking this work forward. The working group was established however and commenced in April 2022 supported by a set of Terms of Reference which confirmed the purpose of the group was "*to gain assurance that the provisions of Agenda for Change, Unsocial Hours Payments are being applied consistently across our sector and in accordance with the provisions as outlined in Section 2 of the NHS Terms and Conditions Handbook*". The Terms of Reference also clarified that the group was established solely to seek consistency in the application of Section 2 payments and did not have remit to dispute or challenge to change the National Agreement to move from Annex E to Section 2 payments as nationally and collectively agreed as part of the 2018 NHS Terms and Conditions under Agenda for Change.

I recognise that progress of the working group has been slower than anyone would have wished for or anticipated, however progress has been made through partnership working, and the group has to date mapped the application of Section 2 across the Ambulance sector and has currently identified 5 specific areas (out of 26 scenarios considered) where application is not consistent across the sector, with an aim therefore to try to resolve these inconsistencies. Unsurprisingly these areas are mainly where the national conditions are more open to interpretation.

Ambulance Employers are very keen to continue with the work of the working group aiming to ensure consistent application in accordance with the provisions of Section 2 in

the NHS Terms and Conditions Handbook. We recognise we can best resolve concerns in partnership, through dialogue, and I would respectfully ask you to reconsider your position to continue to engage with Trade Union colleagues and Employer representatives through the working group in the best interest of staff in our sector. Your input is extremely valuable and greatly welcomed.

I am unable to comment on the position you set out in your letter in relation to the GMB never agreeing to Section 2 when the National Agreement was reached as part of the 2018 pay award. Whilst I appreciate your position on this matter, the NASPF does not have any authority over a national agreement that was reached via the NHS Staff Council, of which you are an integral part. This means that as Employers we are not in a position to agree to the requests you make in your letter which would place us in breach of the national terms and conditions. I would respectfully suggest that you raise these concerns directly with the Staff Side Co-Chair of the NHS Staff Council and/or NHS Employers organisation representatives.

With kind regards

Yours sincerely



Kerry Gulliver
Director of Human Resources and Organisational Development
East Midlands Ambulance Services NHS Trust
Chair of National Ambulance HR Directors Group
Employer Side Co-Chair of the NASPF

Copies to:

Sharandeep Bandesha – Staff Side Co-Chair of the NASPF
Tom Abell – Chief Executive and Co-Chair of the NASPF