

STATEMENT FROM THE STAFF SIDE OF THE NHS PAY NEGOTIATING COUNCIL

(AMICUS, GMB, TGWU, UCATT, UNISON)

At the meeting of the Pay Negotiating Council (PNC) held on 30th January 2006, the staff side received a response from the NHS employers to the pay claim presented at the PNC meeting on 20th December 2005. The employers' written response is attached as an appendix to this statement.

The PNC is a new structure for negotiating pay for groups of NHS staff not covered by the Nurses and Other Health Professionals Pay Review Body (PRB), and replaces the former Whitley Councils.

The employers' response was to state that they were unable to make a formal pay offer until they were aware of the recommendation of the PRB. The PRB is due to report in February. They said further, that the staff covered by the PNC should receive the same pay increase as received by staff covered by the PRB.

The staff side of the PNC reacted with anger and disappointment to this response. In essence, the employers were saying that they were not prepared to negotiate pay at the PNC and that the PRB process should, in effect, determine the pay increases for all NHS staff.

The employers also said that they were not prepared to agree a national uplift or an extension to building craftworkers of National Recruitment and Retention Premium (NRRP). This, in effect, proposes a pay cut for those on NRRP.

They said that other elements of the staff side claim, such as a 35 hour week and the abolition of Band 1 were not negotiable at the PNC, and should be referred to the Staff Council.

The staff side are of the view that the employers are in breach of Section 40 of the NHS Terms and Conditions Handbook that constitutes a collective agreement on the role and constitution of the PNC.

Their actions in refusing to negotiate could be construed as a unilateral de-recognition of the unions party to the PNC for the purposes of negotiating pay, terms and conditions.

The unions representing staff covered by the PNC are in no doubt that this breach of the agreement has come about as a result of direct interference by Government, which is seeking to cap all public sector pay at 2% increase for 2006. The employers organisation has proven to be 'toothless' in resisting this political interference.

The staff side has therefore resolved to take the following action.

1. To brief union members employed in the NHS and covered by the PNC of the employers failure to negotiate.
2. Issue an appropriate press briefing on the position in which the PNC staff side finds itself.
3. To lobby Government with the objective of unblocking negotiations at the PNC, if necessary by approaching Ministers.
4. To refer the breach of the Agenda for Change agreement by the employers to the Staff Council at the next meeting.
5. To ask individual unions that are members of the PNC to consider the position and report back to the staff side.
6. To draw up a strategy for pursuing all elements of the pay claim, including the improvements to terms and conditions.
7. The Executive members of the Staff Side to coordinate action on these points.

Issued by PNC Staff Side Executive February 2006

PAY NEGOTIATING COUNCIL EXECUTIVE MEETING 24 JANUARY 2006

NHS Employers/Management Side Position

The following statement represents the position of NHS employers in England and the Health Departments in England, Scotland, Wales and Northern Ireland.

- It is not possible for us to make a formal 'pay offer' to the PNC until we know the outcome of the Review Body Recommendations: but
 - We confirm we would expect staff covered by the PNC to receive the same uplift to basic pay as staff covered by the NOHPRB because of the integral nature of AfC systems.
- We confirm that our current view is that the pay uplift for all staff in the Agenda for Change group in 2006/07 should be in line with inflation.
- That as of 17 January the value of an inflationary uplift would be 2%
- That we do not wish, at this time, to increase (or reduce) the current list of national recruitment and retention premia as set out in para 4.14 of the agreement until assimilation is completed.
- Once assimilation has been completed we would expect that the justification for these payments will be reviewed in partnership over a period of time.
- Pending review, the existing national premia may be up rated in line with the national award by agreement of the local partners where considered necessary.
- To confirm that we are now only seeking a pay agreement for the year 2006/07

Other Issues in Staff Side Claim

We note that the following issues have been included in the staff side pay claim for 2006/07.

- Abolition of pay band 1 and flat rate payments for staff bands 2 and 3
- Leapfrogging - renegotiation of Para 46.28 of the terms and conditions handbook
- Training and Development – dedicated funding for learning and development for staff in lower pay bands
- Agenda for Change Facilities Agreement – an agreement to be incorporated into the Terms and Conditions of Service Handbook
- 35 hour week – reduction in working week from 37.5 to 35 hours over time.
- NHS employers/ Management side consider that these issues are potentially of wider application to NHS staff, and as such are matters for the NHS Staff Council.

January 2006