



Branch Newsletter

October 2008
Issue No 19

Respite v resource ?

PARAMEDIC 'IGNORED HEART PATIENT'

A Paramedic has been criticised for not cutting short a 'Break' to help a woman who had suffered a heart attack.

Catherine Cowie 50 died two days after collapsing in Fraserburgh Scotland.

An Ambulance technician was on scene within 4 minutes, but the Paramedic did not attend with her because he was on a break.

Mrs Cowie's daughter has said she was "completely disgusted" with the response of the Paramedic and intends to make an official complaint.

Some cardiac drugs can only be administered by a Paramedic. The Scottish Ambulance Service said, staff could not be disturbed during 'Breaks'.

However the service said that, they could chose whether or not to attend calls during break periods.

Mother of three, Mrs Cowie collapsed in her Fraserburgh home, which is about 300 yards from the Ambulance Station where the Paramedic was based on the 17th September, and died two days later in Aberdeen Royal Infirmary.

Her relatives intend to make a formal complaint about how she was treated. Mrs Cowie's daughter said; "at the end of the day, if they've got that uniform on... what would you do? Sit and have a cup of coffee or go and save someone's life. I'm completely disgusted".

A spokesman for the Scottish Ambulance service said, "An Ambulance Technician was on scene administering treatment to the Patient within four minutes, followed very quickly by a further two more Technicians".

"Ambulance Technicians are highly skilled in the delivery of emergency medical care and save lives every day, in this case they stabilised the Patient and transported her to the Aberdeen Royal Infirmary".

He explained; "under the rules of the U.K. Governments Agenda for Change NHS Modernisation Programme, Ambulance crews are entitled to a break during their shift, and cannot be disturbed during that period".

"All Ambulance Services in the U.K. must comply with these rules, unless Staff chose individually to be interrupted during their break"

The Scottish Government said, it expected the Scottish Ambulance Service to learn lessons from the incident. ?

Scottish Labour's Health spokeswoman, Cathy Jamieson said, " I am calling on the Scottish Government to investigate the circumstances surrounding this tragedy to establish whether the presence of a trained Paramedic could have saved Mrs Cowie's life". ??

Ambulance Crews are being asked to do their jobs under increasing pressure. Demand for Ambulance services went up by 12% last year, but there was no corresponding increase in budget.

Ministers need to provide the resources to ensure that Ambulances are properly crewed.

It is not good enough for a vehicle to get to an emergency quickly if it does not contain a Paramedic.!

***** End *****

Note the latest incident above, as reported from Live BBC News Channel at September 22nd. As can be seen it mirrors a rather disturbing trend of news reporting over a number of incidents arising from a conflict of interests surrounding the statutory requirements for meal breaks against its allotted resource, and subsequent deployment.

The comments from the Scottish Government, and Labour Health spokesman as 'partners' to the original agreement, digress from supporting the situation, preferring to imply that there is some extended explanation to be revealed, of which the duty to explain, lays firmly with the Ambulance service. Is it a case of when confronted with the results of the agreements, the 'partners of the partners' have a problem of publicly owning them ?

As an aside, it was announced this month by Hr Director Seamus Elliott that there would be a further 150 Student Paramedics progressing through training by the end of the financial year, as per this Trust's 07/08 Annual Report.

E M Communications

Below is a very topical Legal Briefing reproduced from the October edition of the UNISON 'In Focus' Magazine. It sets out the parameters for Workplace environments, for example :- Employers responsibilities within H & S, examples for claims, time limits, with subsequent advice on how UNISON's solicitors will act on the members behalf to identify the most appropriate avenue of compensatory claim beneficial to that members situation. Please take note of the importance for the reporting procedures, and in the first instance contact your Branch Secretary, or relevant Divisional Secretary for advice. Many Thanks E M Communications



Legal Briefing

If Violence strikes in the workplace

Violence at work is a big problem, unfortunately thousands of UNISON members experience work related violent incidents each year, with many of those sustaining injury.

In addition to the support that is available locally, members are also entitled to free legal assistance to try to secure compensation. The matter will be supported as long as the case enjoys reasonable merits.

A civil court claim is usually brought against the members employer. These are not easy claims— it has to be shown that the Employer was negligent (at fault). Under the Health and Safety at Work Act, employers must protect the health, safety, and welfare of their employees.

This is further enforced by the Management of Health and Safety at Work Regulations, through an obligation on employers to carry out Risk Assessments, (Regulation 3).

Employers must treat workplace violence like any other risk, assessing, and managing it, and taking the appropriate steps to eliminate it, or, if that's not reasonably possible, minimising the risk, as far as possible.

If it can be proved that no reasonable system was in place to prevent the violence, the claim may succeed. Allegations that have been successfully pursued for UNISON members include:-

- Lack of proper security at work
- Inadequate levels of staffing
- No, or inappropriate training
- Inadequate Risk Assessments

Strict time limits apply. The case must be lodged with the court within three years of the incident in order to proceed.

Unison's Solicitors will pursue a claim for damages for their injury and other losses that flow, such as Loss of earnings.

Although money cannot fully rectify the position following a violent injury, damages do at least represent recognition and recompense for what members have been through, and should put members back in the same financial position they would have been had it not occurred.

Such cases also improve workplace Health & Safety, pressuring the employers to put measures in place to prevent such events in the future.

Unfortunately even when proper systems are in place, members can still be the victim of violence at work. Where there are no, or insufficient merits for a claim, members can look to the Criminal Injury Compensation Authority for recompense. Awards are made to victims out of Public funds as an expression of public sympathy and support.

Double recovery is not available, so if a claim is successful through the courts, no further compensation will be awarded by the CICA.

An application can be made where someone has sustained a 'criminal injury, an injury directly caused by violent crime.'

UNISON's Legal Assistant scheme covers work related CICA claims. A shorter time limit applies— two years from the date of the incident. Another eligibility issue is that in most cases, the authority expects the matter to be reported not only to the members employer, but also to the Police, even if no criminal case would be result, for instance, due to the assailants vulnerability/ mental state, and will refuse awards if this has not happened.

Where this may not apply, and an official report to an employer may not be enough, is where the assault was by a child, or patient in a school, hospital, Psychiatric unit, or prison, but even then the authority can take a hard view. It is therefore important to report these incidents to the Police.

Awards under the scheme are not as comprehensive as civil damages. There is a minimum award of £1000. so the injury must be sufficiently serious to be able to claim. Awards are available for both physical and mental injury, but the amount payable is assessed on a tariff basis, (ie a standard award is given for each 'type' of injury, and where more than one injury occurs, only a limited percentage of additional tariffs will be awarded.

Financial losses, known as special expenses, are only given in very serious cases where the applicant has lost earnings, or their earning capacity has been reduced for more than 28 weeks.

Despite these restrictions, it is important that if a claim cannot be brought through the civil courts, members who are injured through violence while simply carrying out their work do, with UNISON's assistance, receive compensation from the state to acknowledge what they have been through.

Secretary's Corner

I recently attended a meeting of the Regional Health Committee in Cambridge, a group that is represented by nearly all of the Health Branches in the Eastern Region. Part of the day was spent discussing communications, and I was extremely pleased when our branch was congratulated on its efforts to communicate the amount of information that we do, this over a very large and difficult geographical area. We were also singled out as having one of the best, if not the best websites in the region, in some peoples view better than the National and Regional sites, and our Newsletter also stands out as being one of the best around. Therefore I must say enormous thanks on behalf of the Branch to both Darren and Eric for giving up so much of their own time, and the huge amount of work and effort that they put in to making both the Website and the Newsletter the success that they are.

We are always looking at ways that we can improve on our communications, so if anyone has any bright ideas that we could consider, please let me know.

Following the success of last years PTS Seminar, UNISON's Ambulance Sector will be holding another event this year, (see further details in this edition). UNISON is the only union representing Ambulance staff that holds an event of this kind, this is clear indication that UNISON values the work that our NES colleagues undertake, and that they are considered as being just as important to our workforce as everyone else.

Now that the final pieces have been agreed on the Annual Leave and Relief Policies, it is anticipated that a series of briefing sessions will take place around the trust in the very near future, keep an eye out for further details. These briefings will be for all members of staff and management to attend, but I would especially urge all Staffside representatives to make an effort to get along, so that they are well versed in the content of these documents. A lot of work and some very forthright discussions have taken place on the Mealbreak policy so far. The group will be meeting again in early October in an attempt to negotiate a position that will enable the policy to go out to staff for consultation.

The work that the T & C's harmonisation group has been undertaking has been delayed slightly due to requiring the Finance department on costing up some of the proposals. That input has now been established, and work by this group will continue.

And finally we appear to have reached the milestone, that is the first anniversary of 'Secretary's Corner,' (yes it really has been a whole year). I hope that the information that I have tried to convey has been useful and has not always just been the ramblings of a madman. Don't forget to come along and say 'Hi' when we get around to our station visits this month, mines white with one sugar !

Kevin Risley Branch Secretary.



2008 NHS Pay Award for Medical Staff

There has been some confusion as to whether our former Beds & Herts PTS Staff would be getting this years NHS Pay Award.

It would appear that Staff had originally been told by a manager that they would not get it as 'there was no entitlement to it'. This was challenged by some of the staff who were then told that they would be.

However the staff remained somewhat uncertain, and concerned that this would be changed again.

As a result I have contacted medical Services and put the question direct to their HR Manager, and the refreshingly timely response was "Yes" the Staff Tupe'd over from Beds and Herts would be receiving their April 2008 uplift, and that it was the company's intention to include this uplift in the September 2008 salary, including the backdated pay.

I have also been assured by Medical Services that they are aware that this is a 3 Year Pay Award, and will ensure that the former Beds and Herts Staff receive the Pay uplifts in line with the NHS Agenda.

National Patient Transport Services Seminar-28th November 2008

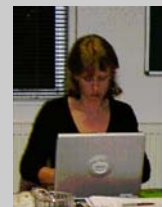
The UNISON Ambulance Sector Patient Transport Services (PTS) seminar held in Dudley in February 2008 brought together UNISON PTS and Ambulance branch activists and members to focus on the issues facing PTS across the UK.

The Seminar determined that it would be advantageous to hold regular national meetings on PTS issues to keep up to date on developments and continue to share good practice.

Following the success of this first event another seminar has been organised for its Non-Emergency services membership. This event will take place at the UNISON National Office in London on the 28th November 2008, and in particular this seminar will seek to finalise a UNISON tool kit designed to assist branches in protecting and developing PTS services and members. As well as the PTS Branch officer's place, the branch has agreed to fund a number of delegate places. These places will be allocated ensuring a delegation that is representative of the branch, and adheres to the principles of the UNISON rule book regarding proportional representation at Conference. If you are interested in attending this event then Please call or e-mail one of the following:-

Jackie Robinson (Divisional Secretary Beds & Cambs) on- Jackie.robinson2@nhs.net or 07890357493 or Frank Ward (Divisional Secretary Herts & Essex) on frank.ward@essesamb.nhs.uk or 07767754590. The deadline for all applications will be Friday 17th October 2008 to allow sufficient time for abstraction Arrangements to be made.

Jackie Robinson Divisional Secretary



UNISON Membership Survey 08

UNISON Membership Survey

The third annual UNISON Survey is being sent out to 6000 of its members, randomly selected from all regions and sectors.

The Survey asks members their views about being a member, membership services, communications, and general views of the Union.

The information gathered will be used to help improve our services and communications with members, so it is important that members who receive this survey do respond.

The Survey is completely confidential. The Data is independently processed by 'Reference Point Limited' and individual responses will not be released to UNISON.

The Survey takes about 15 minutes and can be completed online or on paper.

As always, if there is a point to be made make it to the right people in the right place, at the right time.! SO POST IT NOW !>>>> >>>

E.M Communications



Branch Contact Details

Our branch website provides the most up-to-date information on Unison's work within the Trust. Visit it at: www.eeas-unison

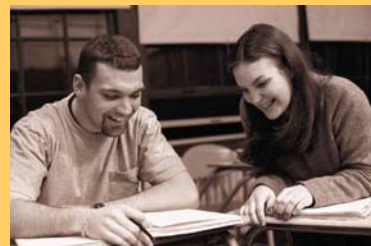
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Violence prevention Conference London Nov 3rd

Workers serving the Public are subject to high levels of risk of physical assault, verbal abuse, and increasingly non-verbal abuse, such as internet, text, e-mail etc. while going about their daily duties.

'Protecting those who Serve' - 'Preventing Violent and Abusive attacks' are two subjects at a London Conference organised in association with the Unions. UNISON and USDAW, look at prevention measures.



The organisers say the Conference, gives Delegates from all public facing organisations, either public or private sector, the chance to meet together to discuss the issues, share experiences, hear expert speakers, learn from best practice case studies and to engage with a range of experts who can help transform the day's lessons into reality. They add that the event which includes speeches, which will be of benefit to themselves, their colleagues, and their respective organisations.

The Conference will be held in London on November 3rd at QE11 Conference Centre London.

Note- There is a Fee per Delegate, discounted for Trade Unions. Please contact Dave Edwards (Norwich Office) for further information on 01603-411717 in the first instance, followed by your Divisional Branch Secretary for the organisational arrangements.

Are you at risk ?

No one should be put at unnecessary risk at Work. UNISON believes that work related deaths, injuries, ill health, & 'accidents' are not acceptable.

Your employer has a responsibility to ensure that your work does not cause you harm. Not only is it the right thing to do-it's the Law.

Employers must:-

- Identify Hazards that may harm their staff
- Identify those staff at risk
- Estimate the chance of harm occurring
- Identify ways to avoid or reduce the risk
- Record the Assessment and keep it under review & up to date.



THAT IS A RISK ASSESSMENT. ! To find out more about risk assessments- speak to your safety rep or go to www.unison.org.uk/safety, or to join UNISON call 0845-355-0845.

Whilst on- I am looking for dedicated staff who would be interested in becoming a H&S rep for their workplace. You could make a big difference by taking an active part in providing and maintaining a safe healthy working environment. If you would like to become a valuable member of the Staffside H & S Team, and make a difference, just give me a call. Mobile 07736110725 Mobex 5816 Preferred e-mail alan@archamberlain.co.uk Work e-mail alan.chamberlain@eaamb.nhs.uk
Take care out there. **Alan Chamberlain Staffside Health & Safety**

E-news Service Available now-

e-news is our new service that offers members up-to-date information via emails as soon as decisions are taken.

After registering your email address, you can be sure to receive the most relevant and factual information about changes occurring within the Trust and learn about what action UNISON will be taking on them.

For more information about e-news and to register your email address, visit www.eeas-unison.com/e-news



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