



# Branch Newsletter



Jan 2010  
Issue  
No 35

Michael Kirkham



## Paramedic Injury Award

**“I have gone** from a strong person who could do anything, to someone who struggles to pick up a small box from the floor” These are the words of a Paramedic who has been awarded £200,000 for becoming permanently disabled after falling while attending an emergency call.

Michael Kirkham, originally from Newcastle under Lyme Staffordshire, but now living in Brixham Devon, has had to take early retirement since his bulky work equipment caught on a door handle in March 2003.

The Grandfather, who worked for the Ambulance service for 23 years, had complained to his bosses about the safety risks of carrying 60lbs of emergency equipment in huge bags, which were brought in to replace rucksacks.

The injuries that he sustained forced the 58 year old to use an electric wheelchair when outside the home, and become reliant on his wife for 24 hour care.

He suffered constant pain in his back and neck and was unable to walk. Dave Prentice, UNISON’s General Secretary said;

“We are pleased that Michael Kirkham has received compensation that will make his life easier, but the money will never make up for all the stress and suffering, he has had to retire from a career he loved and is now permanently disabled, his life has changed forever.

The Ambulance service should have listened to the safety complaints of its employees, rather than risk their health. They should not have waited until a dedicated worker lost his health, before making changes.

Michael Kirkham said; “I am pleased that my case has caused the ambulance service to change the bags and avoid further injury, it has been soul destroying to see my health deteriorate. I have had to retire after trying to get back to work for 18 months, and am now disabled. For a while I used a mobility scooter, but now I get around with a stick. The accident put a lot of pressure on my marriage as I could not do anything for a long time. If I had not received help from UNISON and Thompsons Solicitors, I would be in a much worse position now” Martyn Gwyther from Thompsons said; Mr Kirkham’s life has been turned upside down by this accident.

A previously fit and healthy member of the community who worked hard saving other people’s lives is now reliant, in part, on his wife to care for him. This is a prime example of an employer failing to listen to its staff’s health and safety concerns, and failing to provide suitable equipment for the job. Also a Community Paramedic for West Midlands Service NHS Trust, Mr Kirkham was first on the scene for emergency calls made through the Doctors surgeries. On the day of the accident, the bag caught on the door handle of a patients front door, causing him to fall heavily. He was diagnosed with a chronic shoulder injury and needed 4 weeks off work before struggling to return to normal duties. A few months later he began to lose feeling in his arm and suffered constant pain in his back and neck. His condition was initially so bad, he was unable to use his left arm, or even walk short distances, being housebound in the early stages. West Midlands Ambulance Service admitted liability and settled the claim out of court.

## Annual General Meeting

Members are advised that this years Branch Annual General Meeting will be held between 1830 and 2130 hours on Tuesday 9th February 2010 at the Cambridge Professional Development Centre, Foster road Trumpington Cambridgeshire CB29NL. A light Buffet and refreshments will be available upon arrival at 1830 Hours. Further information including the agenda, proposals, direction to the meeting venue can be found on the Branch Website [www.eeas-unison.com](http://www.eeas-unison.com)- or by contacting Divisional Secretary Jackie Robinson on- 07890357493 or [jrobinson@eeas-unison.com](mailto:jrobinson@eeas-unison.com). Posters advertising the AGM will also be circulated to all sites falling within this Branch’s geographical and employer group boundaries and any assistance with ensuring that they are prominently displayed would be appreciated.

Jackie Robinson Divisional Secretary



## Secretary's Corner

**Welcome back** to another New Year, in

fact a new decade. Has it really been 10 years since all the Millennium fuss when the world as we know it was to come to an end due to the change of year date.

As we enter 2010 I would like to take this opportunity to do something that does not happen nearly enough, and that is to say a huge and sincere thank you to all the unsung heroes of this trust, those that come in, do a fantastic job, but hardly get a mention, let alone the recognition they deserve. So to all those Secretaries, Receptionists, PA's, HR, and Finance departments, Vehicle mechanics, Car Drivers, Medicom Scheduling Staff, and anyone else that falls into that category— **THANK YOU** and **WELL DONE**, this UNISON branch appreciates and values the contribution you make.

Following on from our recent discussions and managements commitment to improving partnership working, and industrial relations, things have moved on a pace since our last Newsletter.

We have held a couple of workshops to consider ways of improving the relationship and the way we do business. We have put together a proposal and some draft terms of reference which will go before the branch committee and the Trust's executive team, hopefully for signoff, so that we can move on to the next stage. We have also been invited to attend the newly formed Senior leadership team, which we have accepted. The group consists of all the associate directors and heads of departments who are tasked with day to day running of the organisation. Our position on that group has the same equal status as anyone else around the table with full engagement and voting rights. I have attended a couple of these meetings now and they have so far proven positive.

We have re-established the informal monthly meetings between myself and Hayden Newton, and we are considering ways that we can link in more closely with the operations team so that the views and needs of the staff are taken into consideration when decisions need to be made. I am hopeful that if management continues with this commitment, we may once again be in a position whereby the staff and the recognised Trades Union will have a genuine input into the direction that the Trust will take in the future, as opposed to the unacceptable situation that we have had to endure for the past few years.

Most of you will be aware by now of the somewhat sudden announcement of the departure from the trust, of Director of HR Seamus Elliott. Having worked with Seamus for about 7 years now, there have been times when we have worked together very well and equally as many times that we have been in disagreement on certain issues. However my experience of working with Seamus was that he conducted himself as a professional, a gentleman, and someone truly committed to engaging with staff side in the day to day running of the trust, although never shy in putting forward his point of view, I never once saw him lose his temper, and he always managed the staff in his own department in a proper and supportive manner. I believe he will be a loss to the trust, and on behalf of myself and the Branch Committee, I would like to wish him Good Health and every success for the future. Please don't forget a date for your UNISON Diary, The Branch AGM on Tuesday 9th February 2010 at the Cambridge-shire Professional Development Centre, All members will be most welcome.

**K Risley Secretary**

## The Revised Code of Practice on Time off for Trade Union Duties & Activities

The revised Acas Code of practice on Time Off for Trade Union Duties and activities will come into effect early in 2010.

The revisions that will have the most impact for trade Union representatives will be those relating to the provision of work / and or workload reductions for reps when time off for Trade Union duties / activities is required, Union reps being allowed (where resources permit) access to email, intranet and the procedures that should govern the use of such facilities. The confidentiality of electronic communications between Unions representatives and their members, the policies governing the payment of union representatives for time off taken to carry out Trade Union duties.

To coincide with these revisions, the TUC will in early December be re-launching its bargaining to Organise Resources. The revised materials will be available from the TUC Website at [www.tuc.org.uk/b2o](http://www.tuc.org.uk/b2o). Also look out for alerts on the TUC and Union Reps Website. [www.tuc.org.uk/b20](http://www.tuc.org.uk/b20) **Dave Edwards**

## Training Reminders for 2010

**Now** that the New year has arrived, hopefully so have the results of the Station Ballots for the station Representatives.

If you are a new representative, welcome, if you have been re-elected, then the chances are that you may have been in post for some time. You should have attended the Stage 1 and 2 courses at some point but, if you have been a rep for more than 4 years, it is a good idea for you to attend one of the new 'Stewards Refresher Courses' that are specifically designed for those of you who may need bringing up to date. These may be attended even if you have done other courses. I will be sending out to you the course program and a course calendar so that you can see when and where the courses will be held, and you can pick which ever one is best for you. Happy NewYear. Ian Cook Education Co-ordinator

## UNISON Education & Training



**I bring news** of further success in respect of the benefits arising from branch activists being provided with structured and appropriate training. All activists, be they Stewards or H&S reps, must undertake basic level (Stages 1 & 2) Training appropriate to their role in order to best represent their members interests, and whilst it is recognised that obstacles such as abstraction, availability and location exist, it is essential that we find ways to work around them in order to facilitate an educational pathway for activists. Failure to do so can only result in poor service and support for members and activists alike, so it is always good to hear of cases where an activist's training has been used to good effect, and Mildenhall Rep Gary Applin is one such example. Gary completed his core activists training levels at an early stage then sought further development by undertaking an Employment law course and has recently represented a member on a Terms & Conditions of employment issue. Gary quickly identified that existing case law could be applied in relation to his members case, which enabled him to challenge the Trust and achieve a successful outcome for the member. So I would like to take this opportunity to congratulate Gary on behalf of the branch and wish him further success in the future. It has to be said that it is not only members who benefit from this knowledge, the branch as a whole will benefit because it provides us with a specialist source of information we can turn to. Gary is one of a number of branch activists and officers who have extended their skills and knowledge base, and the branch supports appropriate development once the basic requirements have been achieved. **J. Robinson**

# Non compliance means more Trusts will jump the red lights



**As the situation** looks at present, 2010 will see more Chief Executives than ever booking their slots on Panorama facing up to the greater expectations from Foundation Status arising from the NHS Reforms.

Put together a new title, and you have another new label for NHS Trusts, (Foundation Status) the word Foundation implies something more solid than before, and the word Status speaks for itself, for this new title to be able to function where presumably the last one didn't, the board room also needs new faces, and new titles of course to address the 'new challenges and focus' of the future. The problem is that the results of this are beginning to appear on the Media at an increasing alarming rate, with the crestfallen C/ Ex stood on the forecourt stating for the umpteenth time that "lessons have been learnt, procedures are being reviewed, it's a learning curve, we must draw a line under this and move on," symptomatic with already having thrown in the privatisation towel, simply because they had not addressed their own internal management problems for decades gone by.

The government already unabashed by the amount of Trusts either unready or unwilling to apply for this coveted award have sought to lower the bar and frogmarch the rest in, including Ambulance Services. UNISON has consistently and openly expressed many reservations about Foundation Trusts their ulterior motives and the role of the regulator Monitor from the outset,

The adverse publicity surrounding this new title, their compliance assessments, and the subsequent disclosures occurring in a relatively short time after the S.H.A. Assurance process and 'Monitor's Assessments had taken place, now begins to very publically more than justify UNISON's position and tells a different tale from the advertised product. Its also very telling that none of these revelations ever come as a surprise to the Staff, working within these units, but suffer as a result.

As with the Targets systems, a significant part of the F.T. application and regulation process is done on a self certification / self assessment compliance, but now we have the Health Secretary suggesting that we need a 'Task Force' patrolling the corridors in the guise of 'independence checking on independence' !

The Healthcare Commissions promise's more cuts for next year, (for cash-cuts, read short-cuts). Ambulance Services are, more than any other Trusts, very high profile media targets, the press preferring to dwell on the results as opposed to probing the underlying (funding) causes.

With our an invitation to the New Year F.T. Party the entire E.E.A.S. Stakeholders are looking to see an open informed decision where we will not be so easily conned into clambering onto the 'Yes' Band Wagon' as is so obviously happening with many of the recent participants, seen hung out to dry on decisions based clearly on misplaced ambition as opposed to demanding that their organisations always needed to be the subject of robust internal and external compliance procedures, with or without the aid of Foundation Status.

**NOTE.** The NHS regulator Monitor is in its sixth year, its Executive Chairman Dr William Moyes is announcing his retirement, and judging by his remarks to an audience of foundation trusts he has obviously not had an easy 'Political or helpful ride' being caught between the conflicts of Key regulators, Ministers and the Government. Dr Moyes outgoing speech is an enlightening, refreshingly open and honest picture from the centre, of where we are and what the agenda of Foundation Trust's are all about.— The standard of Leadership and lack of accountability from trust Boards.

The need for engaging Staff and Managers, Governors needing to assert themselves who must be strong enough to call the Trust board to account. Privatisation, Effective clinical leadership, funding and greater Staff Productivity, to name but a few;

Dated 9th September 2009 it is a useful opener to gain a better understanding of the political games behind Foundation Status, the problems encountered so far and prospects for the future, ringing in, many 'Old,' as well as New Year Bells— entitled- "Leadership in Challenging Times" it can be found on the Website together with more general information as well as upgrades to the compliance framework. Please go into- [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk) for a glimpse into the future, as well as a rolling analysis of the current Foundation Trust performers. **Happy Yew Year E. M Communications**

## A Victory for NHS Patients as the Judicial review put 'cap' back on Foundation Trusts

**A victory** for NHS Patients is how UNISON described today's decision by the high court to uphold the limit on the amount of income Foundation Trusts can get from treating private patients. The court found that the regulator 'Monitor failed to produce accurate guidelines on what Foundation Trusts Hospitals need to declare on income derived from providing services to Private patients.

UNISON argued in court that the private income gap was being incorrectly applied, thereby undermining the public service provision by Foundation Trusts.

Dave Prentice, General Secretary of UNISON said:-

Today is a victory for the NHS Patients.

The bill introducing NHS Foundation Trusts allowed them to treat private patients, but included a safety net of a cash limit. That limit was designed to ensure that private patients could not buy their way up to the front of the queue at the expense of the NHS Patients.

UNISON brought this case because it was clear that the independent regulatory body, Monitor failed to produce accurate guidelines over the private income cap.

This allowed Foundation Trusts to look for loopholes to enable them to treat more private and fewer NHS Patients.

This was clearly against the founding principles of the National Health service, that treatment is based on need, not the ability to pay.

The Judicial Review was issued on February 1st 2008. On the 18th June 2008 Monitor issued a consultation document about modifying its approach to the cap. On 26th November 2008 Monitor published its decision to change its definition of private patient income. UNISON proceeded with the Judicial Review on the grounds that the new definition was still too narrow and remained unlawful. For more information visit -

[unison.org.uk/resources/employmentrights.asp](http://unison.org.uk/resources/employmentrights.asp). also the UNISON Guide to Foundation Trusts can be found on - <http://www.unison.org.uk/foundation/index.asp>

## Microsoft Office Software

The NHS Staff are entitles to a substantial discount on M S Office. Details via this link; In addition Microsoft is offering cheap MS Software and self help and familiarisation support to NHS Employees Details of the Microsoft offer is available at— [www.microsoft.com/nhs](http://www.microsoft.com/nhs)<file:///c:/Documents%20and%20settings/aridpath/local%20settings/tempory%20internet%20files/content-look/SBOKOKTO/www.microsoft.com/nhs> UNISON has a similar offer for staff, and it only costs about £14.00. Its well worth having.

**Happy New Year John Toomey Regional Organiser**

## UNISON Branch Officer Listing 2009

Please note where a Branch Officer has taken on other roles these are also listed below

Chairperson	Ross Stanton	07733225887	ross.stanton@eastamb.nhs.uk zolaisgod@hotmail.co.uk
International Officer & Equalities Officer			
Secretary	Kevin Risley	07866573149	Kevin.risley@eastamb.nhs.uk
Treasurer	Steve Beckley	07765423849	Stephen.beckley@eastamb.nhs.uk S.W.beckley@homecall.co.uk
Divisional Sec Norfolk & Suffolk	Barry Jarvis	07725065539	Barry.Jarvis@eastamb.nhs.uk
Divisional Sec (Essex)	F Ward's Ex post	(For Temporary Cover for this post- See Changes )	
Divisional Sec Beds & Herts	Jackie Robinson	07890357493	Jackie.robinson2@nhs.net jrobinson@eeas-unison.com
Branch Health & Safety Officer	Alan Chamberlain	07736110725	alan.chamberlain@eastamb.nhs.uk alan@archamberlain.co.uk
Communications Newsletter	Eric Miller	07787644678	eric_miller@talk21.com Tele/ Fax 01603-737176
Herts County Young Members Officer and Membership Officer	Stuart Reeves	07772479434	sreeves@eeas-unison.com sreeves@btinternet.com
Education Co-ordinator	Ian Cook	07932680885	Ian.cook@eastamb.nhs.uk ickcook@aol.com
Welfare Job Shared with	Alan Chamberlain	07736110725	alan.chamberlain@@eastamb.nhs.uk alan@archamberlain.co.uk
	Carole Taylor	07745549287	carole.taylor@eastamb.nhs.uk
Non Emergency Services	Carole Taylor	07745549287	carole.taylor@eastamb.nhs.uk
Disabled Members & Norfolk County H & S lead	Dave Edwards	07884327916	dave.edwards@eastamb.nhs.uk redfire@googlemail.com
Information Communication & Technology/Website	Darren Meads	07534900247	dmeads@eeas-unison.com
Pensions Retired Members Officer	Ian Mc Kenna	07870544241	ian.mckenna@eastamb.nhs.uk iantracey@mckenna2003.fsnet.co.uk
LGBT Members	Craig Borrett	0771680070	craig@hotmail.com
Women's Officer Job Shared with	Carole Taylor NSC	07745549287	carole.taylor@eastamb.nhs.uk
	Lesley Hilton BHE	07989786661	lesley.hilton@sky.com
Beds County lead Rep	Lesley Hilton	07989786661	Lesley.hilton@sky.com
Cambs County Lead Rep also Life-long Learning Rep (Temp Divisional Cover Cambs) ULR Rep	Tim Killick	07730703569	tkillick@eeas-unison.com
Essex County Lead Rep (Temp Joint cover Divisional with John Lee for Essex) until AGM.	John Davey	07713259924	johndavey@essexamb.nhs.uk
Suffolk County lead Rep	Tim Ingall	07920442315	tim@driftway.plus.com
Essex County H & S lead	Peter Kelly		peter.kelly@essexamb.nhs.uk Peter.kelly@talktalk.net
Black members Officer	anand pillai	07904450087	anand.pillai@eastamb.nhs.uk Anandm.pillai@ntworld.com
John Lee Labour Link Officer (Temp Joint Cover Essex Division) until AGM.		07719660747	John.Lee@essexamb.nhs.uk

## Newsletter Contributions

A word of thanks to all of you that have contributed directly or indirectly to this UNISON Newsletter or its content during 2009. As with any other organisations, the Newsletter is there for those members up and down the organisation to contribute their articles or views in an open manner. We value and encourage your contributions as a way to provide balance. Therefore we would more than welcome your criticisms as well as any ideas you may have for future improvements for the Newsletter, as invariably it is the person that hesitates, goes away and thinks things through, then comes back and always asks the awkward questions, that in the end creates the true contribution and value to any organisation that will subsequently be the better for it.

Happy New Year E. M. Communications

## UNISON in PUBLIC Sector Pay & Pensions Cap fury...

Dave prentice General Secretary of UNISON the UK's largest Public Sector Union today reacted angrily to the 1% two year Pay and Pensions Cap on Public Sector workers, announced in the pre-budget report, saying:

I am not going to sign up to this, I know how our members feel, they feel angry and betrayed. It is just not on to make Nurses, Social workers, Dinner ladies, Cleaners and Hospital porters pay the price for the folly of the bankers.

The people who earn the most should pay the most. Instead we have the disgraceful spectacle of the bankers threatening to leave the country if they do not get their massive bonuses. Where is their loyalty? In tough times the rich should show leadership, not run off to the nearest Tax haven. We have no idea what the inflation rate will be at 2011 and beyond, nor do we know what the future price will be of essentials such as food and fuel. We are on the same side of the street as our members and I won't set them see their living standards eroded. Capping Pension contributions will reduce the already small public sector pensions even further. The average pension in local government is just £4000 a year and less than £2000 for women. This predicted £1bn savings could end up being paid out as benefits to those very same workers to keep them out of the poverty in retirement. We know that for every £1 a public sector worker earns they spend 70p in their local community, any squeeze on their pay will put a stranglehold on local businesses and services, cutting off much needed income. We know that if our public services are cut just when our communities need them most, the manufacturing industry will also go into crisis. Manufacturing is depended on public procurement to keep going. Attacking public service jobs and pay is misguided it will make the recession worse. It will undo all the good work that has been done towards giving our communities world class services.

### Your 2010 UNISON Diary

Any branch member that has yet to receive their annual diary, please contact Divisional Sec Jackie Robinson on jrobinson@eeas-unison.com or 07890357493 providing details of your name and workplace so that one can be sent out to you.



A UNISON Branch publication.  
© 2010 UNISON East of England  
Ambulance Branch.

Views expressed herein are not necessarily those of the East of England Ambulance Service NHS Trust.