



NATIONAL AMBULANCE STRATEGIC PARTNERSHIP FORUM JOINT STATEMENT ON BEAR SCOTLAND PAYMENTS

This position statement has been written following discussions between Ambulance HR Directors and the Trade Unions through the National Ambulance Strategic Partnership Forum (NASPF). It sets out an agreed position in relation to Bear Scotland payments after 1st April 2021 and applies to English Ambulance Trusts only.

BACKGROUND

In 2017, the NASPF reached an agreement on how overtime arising as a result of unavoidable/enforced events (primarily shift overruns) would be included in the calculation of statutory holiday pay. These payments should have been in place in individual ambulance Trusts from Quarter 1 2017/18. These payments have generally been known as 'Bear Scotland' payments.

IMPACT OF FRAMEWORK AGREEMENT ON THE CALCULATION OF HOLIDAY PAY

In March 2021 an agreement was reached through the NHS Staff Council in relation to the inclusion of overtime in holiday pay calculations for the period April 2019 to March 2021. This provides for a corrective payment to be made to staff where agreed eligibility criteria are met.

These payments will include both voluntary and enforced overtime in the calculation of holiday pay.

This agreement makes it clear that corrective payments should take into account any payments already made to staff which relate to the inclusion of overtime in holiday pay calculations. This will include 'Bear Scotland' payments.

As a result when corrective payments are calculated locally by your ambulance trust, any 'Bear Scotland' payments made

to you for the period April 2019 and March 2021 will be offset against this payment.

Ambulance Trusts have committed to making corrective payments between July and August of this year. Separate FAQs covering the implementation of this have also been issued by the NASPF.

BEAR SCOTLAND PAYMENTS FROM 1ST APRIL 2021

The Framework Agreement only covers the period up until the end of March 2021. Ambulance Trust employers accept that a solution for including voluntary and enforced overtime in the calculation of holiday pay must be put in place for their employees from 1st April 2021 and is committed to working in partnership to find a consistent solution across the sector.

However, it is jointly recognised that finding a workable solution is very complicated because there are significant constraints in the way that the current national payroll system is configured. This means that it cannot automatically make these payments and until national changes have been made to the system a workaround will need to be discussed and agreed.

Any forward facing solution will include both voluntary and enforced overtime in the holiday pay calculation, so it will incorporate current Bear Scotland payments. This means that any Bear Scotland payments made now would have to be reclaimed once a full solution is implemented.

The process of making Bear Scotland payments is a manual one and there are benefits in releasing the capacity involved in calculating these payments to enable Trusts and payroll teams to focus on a full forward facing solution and on making the corrective payments by the end of August.

Agreement has therefore been reached with NASPF to pause existing Bear Scotland payments from 1st April 2021. It is expected that this pause will be applied across all English Ambulance Trusts.

Payments already made to staff after this date will remain but will be offset when the forward facing solution is implemented.

Employers and Trade Unions are clear that this cannot be an open ended pause and as a result a commitment has been given to work in partnership to deliver an agreed method for the inclusion of all overtime in holiday pay calculations by 30th September 2021. If this date is not met, the Bear Scotland payments will be reinstated and backdated to 1st April 2021.

Whilst in the main Bear Scotland payments are not substantial, there could in exceptional cases, be financial hardship from their cessation. Individuals should approach their Trust HR teams if they consider this is the case and the matter can then be considered under local arrangements.

