

Extra contractual rates – SE pay campaign update

Circulation – All Resident Dr BMA members in BMA South East Region – 9/12/24

Dear BMA Resident Doctor member,

We write to provide you with an update on our campaign to secure fair rates of pay for all grades of doctors undertaking extra-contractual work in the South East (SE) region.

Our Survey, Your Voices

We sent out a survey recently and already we have had a phenomenal level of member engagement with it. Thank you to all who have taken the time to complete the survey. Key Findings from SE Resident Doctor respondents:

- **93% are willing to withhold (or are already boycotting) all extra-contractual/locum work in support of our campaign.**
- 82% report that this pay is very important.
- 50% support full strike action if necessary (and almost 70% support action short of strike) on this issue.

As well as demonstrating that this is a key issue for us and there is great strength of feeling, we also noted that 40% of Resident respondents reported that breaks on bank shifts are not paid. The BMA is of the firm view that breaks on these shifts should preferably be paid (in line with your contractual work) but if not, these must be genuine, uninterrupted rests. **Are you getting a fair deal?**

This is your union, your views shape how we will now execute a campaign to address these problems and harness your clear support for this issue. It will help define local negotiating positions.

Doctors across England are already uniting locally to improve rates

Be assured that collective action works to improve rates. Doctors across the NHS have secured higher extra contractual rates through local organising. *University Hospital Sussex* is a classic example of that and in August 2023, they secured extra contractual rates at 98% of the old BMA rate card for consultants and autonomous SAS doctors. You can [read a blog about that here](#). Doctors at plenty of other Trusts have done the same. You may also be aware of several that have united to oppose rate reductions. *University Hospitals Birmingham* (UHB) recently tried to drop their extracontractual rates. Your BMA reps held an open



meeting to which hundreds of doctors came at short notice. Thanks to a strong and unified BMA response the trust has already [backed down on its attempt to cut the rates](#), and there is a trust-wide meeting of BMA members next week. Currently *Mid and South Essex* are uniting against an imposed rate reduction and have [withdrawn from this work](#) from 1st December. Active disputes are ongoing, showing the power of unity in demanding fair pay.

[Contact your BMA LNC chair](#), local LNC Resident rep or simply [sign up as a local rates activist](#) if you are interested in pursuing similar actions in your trust.

What is Your Time worth?

Our survey and LNC intel have shown us the rates that are being paid in our region for extra contractual work. We are aware that there is quite a lot of disparity even across neighbouring trusts. Some Trusts link payment for this work to annual DDRB rises and have seen year on year increases to these rates but many Trust rates have not been increased for a decade or more. Remember also that many colleagues already individually negotiate pay for this work far higher than published rates. **How do the rates you are paid at your Trust compare to those offered to your colleagues across the region?** When were they last increased? Is there any reason that you should be on a lesser rate than colleagues doing the same job elsewhere and comparatively far less than this work used to earn at your Trust? **Are you getting less than you deserve?** Put your rates into this [Bank of England RPI calculator](#). See how rate fixing has reduced the value of your pay. It's time to arrest this trend.

Challenges and why we need to act

Despite these successes, challenges remain. As you may have heard, Trusts across NHS South East have formed a 'South East Temporary Staffing Collaborative'. This collaborative has developed what they are calling a 'rate [framework](#)'. *Rates on this framework are not competitive and the clear aim is to try to force rate reductions.* This is a recipe to race to the bottom with rates. Together we can act to oppose this initiative; it is **time to level up not level down**. In a period of record high waiting lists and climbing costs of living, it makes no sense to disincentivise highly skilled, scarce staff groups with a pay cut. Also, it would be unfair if our recent, hard-won, national pay improvements were undermined by cuts to our earning potential elsewhere.

Our Plan of Activism

BMA South East's aims are to bring everyone's rate up and achieve a higher regional average, ideally, we aspire to push towards the highest rates in the region. Some trusts in the upper quartile of rates have paid these rates for years; they are affordable. We also seek to secure links to inflation, and to improve the terms under which you do this work.

Already the regional BMA have undertaken significant preparatory work as we seek to move our campaign from information gathering, to workplace organising and on to collective action, if necessary. BMA SE leaders are meeting this week to discuss next steps. But we will need all of you to help us as well as additional

activists on the ground to create departmental networks. We therefore need to [hear from you if you are passionate about organising](#) within your department on this campaign.

What Can You Do Individually?

Whilst our national BMA rate cards have now been withdrawn in England, that does not stop you from expecting a fair rate for your extra-contractual work. This work is 100% voluntary & over and above your standard working-week. There is no GMC consequence to saying no to additional work at low rates and no reason for guilt – you work hard and are entitled to fair pay for skilled work.

Actions You Can Take right now:

- **Value your time** – do not carry out extra contractual work if you are not being properly remunerated. Low fill rates for this type of work helps us make the case that current rates are inadequate. Contact your BMA LNC chair or local rep if you want to pursue a more proactive coordinated campaign of action with a group of colleagues in your department.
- **Discuss** the SE cartel framework rates with colleagues - motivate your peers, spread the word in departmental chat groups. Tell your departmental/divisional leads that these rates need to increase in line with inflation.
- Complete the [BMA SE rates survey](#) (if you haven't already done so)
- **Support** each other – there is no obligation to carry out extra work over and above your contract if the pay rate is inadequate. It is easier to refuse or register dissatisfaction as a group.
- **Register as an activist** on this campaign to be linked in with your local LNC.
- **Join your local WhatsApp groups** to discuss this proposal and talk to colleagues to plan a collective response. Your LNC reps can help with template letters if you want to boycott this work.
- Use our [reporting portal](#) to **log when you are paid any rates above 'published' Trust rates** as a result of any departmental activism.

Resident Doctors should not be taking pay cuts to fund the NHS deficit. We are calling on all our members to help us by refusing extra-contractual work that isn't adequately paid. Help us push rates where you work up to those paid to colleagues across the region.

Thank you for your continued engagement.

Together, we can achieve fair rates for our extra-contractual work.

BMA South East LNC Chairs & Regional branch of practice Chairs