

On Call Agreement for Staff employed on Agenda for Change Terms and Conditions of Employment

1. INTRODUCTION

- 1.1 This agreement applies to all Plymouth Hospitals NHS Trust employees covered by Agenda for Change, Whitley or locally agreed on call arrangements, and is effective as of 1 January 2014.
- 1.2 The purpose of this agreement is to harmonise on call arrangements and ensure equal pay for work of equal value. This will ensure that;
 - Employees who are required to be available for work outside of their normal working hours will be classed as being on-call and will be entitled to an **availability payment**. This payment recognises their availability to provide cover.
 - Such employees will also be entitled to **payment for work done** when:
 - they are called out and attend a place of work, or
 - they are called and provide detailed professional advice by telephone, or
 - they are called and provide advice by remote log on to the Trusts IT systems.

2. AVAILABILITY PAYMENT

- 2.1 There will be an hourly payment of £1.05 per hour for all staff on weekdays and £1.20 per hour weekends and bank holidays. The availability payment is payable for the inconvenience of being contactable and available for work during a given time period. For each on call service there will be an agreed acceptable response and attendance time which will be determined by the needs of the service.
- 2.2 Start and finish times of sessions will be determined by managers and will be specific to the needs of the service and shift pattern arrangements.

3. PAYMENT FOR WORK DONE WHEN CALLED IN

- 3.1 It will be the responsibility of managers to determine what level of cover is required to provide an on call service.
- 3.2 Where a member of staff on an on call rota is called in whilst providing on call cover, staff are entitled to either:
 - Time off in lieu (TOIL)
 - The individual's standard hourly rate calculated at time and a half (x1.5), or double time (x2.0) on public/bank holidays

3.3 Payment will start from the time the staff member arrives at their work location and end when they finish work, subject to a minimum period of 30 minutes, with the full period worked being rounded up to the nearest 5 minutes.

4. PAYMENT FOR WORK DONE BY PHONE

4.1 For all periods up to 22:00 and after 07:00, the availability payment will also cover brief telephone responses, but not detailed professional advice over the phone, or resolving problems through a series of telephone calls as this will be considered as work done.

4.2 Any telephone call between the period of 22:00 and 07:00 will count as a period of work done and paid accordingly subject to a minimum payment of 15 minutes, with the full payment period rounded up to the nearest 5 minutes.

4.3 Where a second telephone call is received within the initial 15 minute period, both calls will be considered as one period of work.

5. TRAVELLING TIME

5.1 Where a member of staff is called to attend their work base, they will be paid the travelling time from their home to their work base up to 30 minutes in each direction (or the actual travelling time if that is less). Where a member of staff needs to attend a site which is not their work base, they will be paid the travelling time from home to that site. Travelling time will be paid at an individual's standard hourly rate.

5.2 For each on-call service, the acceptable response and attendance time will be determined by service needs.

6. TRAVELLING EXPENSES

6.1 Travelling expenses incurred as part of carrying out on call work will be payable as per the guidance set out in the Trusts guide to expense and allowance rates.

7. PENSIONABLE STATUS OF PAYMENTS

7.1 Availability payment

- Regular payments made in recognition of being on-call, where there is a specific rota commitment are pensionable for both whole and part-time members of the NHS Pension Scheme.
- It is recognised that there must be some degree of flexibility within an on-call rota but in order to pension this payment, a scheme member must have a definite commitment to the rota for which they are paid on a regular basis, i.e. weekly, monthly or annually.

7.2 Payments for work done

- For whole-time members, payments for work done whilst on-call are non pensionable as they are classed as overtime.
- For part-time members, payments for work done whilst on-call are pensionable at plain time rates, up to the whole time weekly hours.

Further guidance on pensionable pay can be found at www.nhsbsa.nhs.uk/pensions.

8. TELEPHONE EXPENSES

- 8.1 Arrangements for contacting staff on-call, which may include Trust mobile phones, private home phones, private mobile phones, and pagers, will be reviewed locally to minimise cost but maintain convenience. Only additional expenses necessarily incurred by staff will be reimbursed, subject to verification.

9. TIME OFF IN LIEU (TOIL)

- 9.1 An employee can be offered or choose to take TOIL at plain time instead of payment. This should be taken at a mutually convenient time and within 3 months of being originally worked. If this is not possible payment should be made at the appropriate rate. TOIL cannot be taken for part of the on-call period, therefore either TOIL or payment applies.

10. COMPENSATORY REST

- 10.1 Arrangements for compensatory rest will be clearly defined for each on-call service, whether on-call workloads are high and compensatory rest is routinely necessary, or on-call workloads are generally low and compensatory rest is only occasionally required.
- 10.2 In line with the European Working Time Directive, managers should make reference to the NHS Terms and Conditions of Service (Agenda for Change) when agreeing compensatory rest. This will ensure:
- A rest period of not less than 11 consecutive hours in each 24-hour period; unless agreed otherwise and subject to an equivalent period of compensatory rest.
 - Employees will normally not be expected to work on average more than 48 hours per each seven-day period, calculated over 17 weeks. In exceptional circumstances the reference period may be extended, by agreement with locally recognised unions, to a maximum of 52 weeks.

11. Transitional arrangements

- 11.1 The original implementation date of the 1 October 2013 has been extended to the 1 January 2014.

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Freedom of Information Act Disclosure log - Reply Extract

You asked

I am looking to access a copy of your Trust on call policy/procedure please.

Reply

Please find the Plymouth Hospitals NHS Trust on call agreement attached.

Attachments included: Yes