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Review of NHS On-Call 2010

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Background

To ensure that NHS organisations have on-call payment arrangements that are consistent with the principles of *"equal pay for work of equal value".*

That the health services in the 4 UK Countries can fully realise the benefits from Agenda for Change

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Background

- A review was led by a sub group of the NHS Staff Council established in 2008.
- The key findings of the groups report were accepted by the NHS Staff Council on 8th July 2010.
- The report is available on the NHS Employers web site www.nhsemployers.org

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Terms of Reference for the sub-group

To conduct a thorough review of current on call and stand by arrangements taking into account:

-variety and use of national local, and hybrid arrangements;

- full range of settings in which on call arrangements are in place across all 4 UK countries;

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Terms of Reference for the sub-group

- arrangements for staff who “sleep in” as part of their working arrangements;

- arrangements in healthcare laboratories;

- current arrangements for inclusion of travelling time within on-call agreements;

- the effects of the UK Working Time Regulations.

Data Analysis

A questionnaire was designed to obtain local information on current on-call arrangements.

- This was sent to local partnerships in organisations across all 4 countries who had agreed to participate in the data collection.
- All types of organisations were covered.

Data Analysis

Information was supplied in a number of ways.

- Completed questionnaires covering all the organisations on-call payment systems. This included supporting information contained in local written agreements.
- A combination of questionnaires with a range of supporting documentation.

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Data Analysis

- Information about the costs of on-call sometimes broken down by staff group/department.
- Data was analysed in partnership and collated against a set of jointly agreed criteria.
- Organised according to standard NHS NHS Occupational Codes

Data Analysis

25 Organisations participated from across the UK in the following sectors:

- acute;
- ambulance;
- learning disability;
- mental health;
- special health authorities;
- PCTs;
- Northern Ireland Trust;
- Scottish Health Board;
- Welsh Health Board.

Types of on-call working

Arrangements generally fell into 3 broad categories:

- on call from home;
- on call from the work place;
- sleeping in.

Existing AfC On Call - protected until March 2011

Frequency of On-Call	Value of Supplement as Percentage of Basic Pay
1 in 3 or more frequent	9.5%
Between 1 in 4 and 1 in 6	4.5%
Between 1 in 7 and 1 in 9	3.0%
Between 1 in 10 and 1 in 12	2.0%
Less frequent than 1 in 12	By local agreement

New Proposals – to be agreed by March 2011

Definition of On-Call

On-call systems exist as part of arrangements to provide appropriate service cover across the NHS.

A member of staff is on-call when, as part of an established arrangement with his/her employer, he/she is available outside his/her normal working hours – either at the workplace, at home or elsewhere – to work as and when required.

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Principles

1. Equal Pay

- Equal pay for work of equal value.
- Schemes agreed by local partnerships.
- Should provide consistent payments to staff at the same band available at the same on-call frequency.

Principles

2.Commitment or availability payment

- Payment reflects the availability for being called
- 3 distinct types of on-call availability:

1. at home ready to be called out or to undertake work at the work place;

2. at work ready to undertake work; or

3. sleeping in at a workplace.

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Principles

Payment for these different types of availability – options to consider:

- flat rate available for all staff;
- flat rate by grade;
- percentage of salary.

This payment will reflect the frequency of commitment.

Principles

3. Frequency

That part of the week covered by on call should be divided up into appropriate periods for the purpose of calculating the frequency of on call availability.

AFC interim regime may provide a useful model.

Principles

4. Work Done

Payment including work done at home should be made at the appropriate hourly rate as in line with the NHS Terms & Conditions of service handbook.

5. TOIL

Staff should have the option to take TOIL rather than pay as in line with paragraph 3.5 NHS Terms & Conditions of service handbook.

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Principles

6. Compensatory Rest

Individuals will receive compensatory rest for work done as in line with section 27 of NHS Terms & Condition of service handbook.

7. Travel to work

As per current arrangements should be paid at rate agreed for work done.
Local Partnerships will need to identify if there is a minimum and/or maximum time claim identified.

Principles

8. Public Holidays

Covering Public Holidays attract a day in lieu in accordance with paragraph 13.4 NHS Terms & Conditions of service handbook, irrespective of work done.

Work done on a public holiday would attract payment at the appropriate rates as identified in paragraph 13.4 of NHS Terms & Conditions of service handbook.

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Principles

9. Sleeping in

This does not refer to individuals who are on call from the workplace and are able to sleep between periods of work.

10. Pensions

Local Partnerships will need to seek advice from the NHS Pensions Agency on any questions relating to the NHS Pensions Scheme and on call payments.

Employer responsibility to determine which payments are pensionable – according to the criteria set by NHS Pensions.

Principles

11. AFC interim regime

The arrangements in the AFC interim regime are consistent with those principles

12. Transition

Local Partnerships will need to agree transitional arrangements for the management of staff from current to future on-call payment systems.

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Principles

These could include:

•introduction of increased payments in one or more stages over a fixed period of time;

•introduction of reduced payments in one or more stages over a fixed period of time;

•postponement of increased and/or reduced payments for a fixed period of time;

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Principles

- movement to reduced payment over a period on a *"mark time"* basis; or

- payment of a one-off lump sum to staff if their on-call payments are reduced.

Guidance is provided for each of these 12 Principles.

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On Call

Frequently asked questions

A Frequently asked questions (FAQ) paper has been produced which has been agreed by the NHS staff council.

This is available on the AFC web site.

These will be updated as required.

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On Call

Questions?