Joint Negotiating Forum
On-call Sub-Group

The Royal College of Midwives

N.I On-call Agreement

Presentation to RCM Work Place Representatives Conference

Brighton

16th November 2011

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AIM

To develop new arrangements for remunerating Agenda for Change staff while undertaking on-call

&

To make recommendations to the Joint Negotiating Forum on the introduction of these new on-call remuneration arrangements

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Arrangements apply to all relevant staff

excluding

Medical and Dental Staff

&

Senior Executive Staff.

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12 ON- Call Principles

Equal pay

Commitment/availability payment

Frequency

Work done

Time of in Lieu (TOIL)

Compensatory rest

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12 ON- Call Principles (cont)

Travel to work

Public holidays (PH)

Sleeping in

Pensions

Agenda for Change interim regime

Transition

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Definition of On-Call

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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- A number of on-call arrangements
- locally or centrally determined on call rotas.
- The appropriate Manager will be responsible for the organisation of the on-call arrangements and for ensuring these are sufficient to meet the needs of the service.

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Tasks

- Scope current arrangements
  - Up to 90 Systems – Whitley/NJC, local, hybrid and AfC
  - 3,500 Staff
- Measure the cost envelope
  - £5.5m – for availability payments (payments for work done unquantifiable)

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OPTIONS CONSIDERED

- Considered Section 2 of the NHS Handbook
- Considered variations of Section 2 of the NHS Handbook
- Ruled both out on the grounds of equal treatment of staff across grades
- Single rate for on-call availability considered the most fair option

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The new arrangements cover situations where staff are required: -

a) To be part of an on-call arrangement covering time outside normal rostered duties
b) To be part of a standby arrangement
c) To Sleep in on work premises

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- Proposal is for an on-call availability allowance per period of on-call – to recognise availability to provide cover.
- Part-time staff get similar rate per period of on-call as full-time staff.
- Staff must be ready, contactable, able to undertake work
- Regular monitoring to ensure
  - appropriate level of service required
  - system is fair & cost effective.

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- Week divided into 9 periods of **at least 12 hours**
  - 5 weekday periods Monday to Friday inclusive – starting at the end of one working day and ending at the start of the next for that service.
- Weekends - split into four equal 12 hour periods - start and finish times set by the normal working hours for the service.
- Public Holiday - similar to weekends - split into two equal 12 hour periods.

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On-Call Availability Allowance

- Proposal - an availability allowance of £23 for each on-call period of **at least 12 hours**.
- On-call allowance to be reviewed annually in line with annual pay awards.

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Payments for Work Done while on-call

- A minimum payment of 2 hours, including travelling time, for the first call out
- Subsequent calls (outside this two hour period) and within the same period of on-call - actual call out time rounded up to the nearest 15 minutes

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Payment for Work Done off site

(by telephone or other electronic means)

- A minimum payment of 1 hour for the first call.
- Subsequent calls, outside the 1 hour period and within the same period of on-call, actual time rounded up to the nearest 15 minutes.

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STAND BY ARRANGEMENTS

- staff presence on premises - staff rest except when required to carry out emergency work
- outside of the rostered working
- minimum wage hourly rate of £5.93 (£6.08 from October 2011) for hours of standing by

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Payments for Work Done while on- Stand By

- A minimum payment of 1 hour for the first call
- actual time for subsequent calls (outside the 1 hour period) rounded up to the nearest 15 minutes
- Staff will not receive the standing by minimum hourly rate (£5.93) and payments for work done for the same hours within the stand by period

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SLEEPING IN ARRANGEMENTS

- sleeping-in" arrangements – staff sleep on work premises but are seldom required to attend an incident during the night.
- "sleeping in" periods cover 11 pm to 7 am

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SLEEPING IN ALLOWANCE

- £30 will be paid for each sleeping in period
- Annual review in line with annual pay awards
- Hours of wakefulness *within the sleeping in period* minimum hourly rate of £5.93
  (£6.08 from October 2011).

Payment for Work Done during the sleeping in period

- A minimum payment - 1 hour for first call
- Subsequent calls, *outside 1 hour period and within the same sleeping in period*, actual time rounded up to the nearest 15 minutes
- sleeping in allowance not payable to staff on rostered night duty

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WORKING TIME REQUIREMENTS

- In all cases if a call-out occurs any time after midnight and before 6 a.m. staff, if rostered to work the following day, must agree the appropriate compensatory rest with their line manager to ensure compliance with Regulations 10/11 of the Working Time Regulations (Northern Ireland) 1998.

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TRANSITION ARANGEMENTS

- 6 month transition period 1 October 2011 to 31 March 2012
- During the transition period relevant staff will continue to receive a payment equivalent to that of their former scheme

  (based on actual on-call periods undertaken during the transition period)
- until such times as the new rates exceed the former rates or 31 March 2012 whichever is sooner.

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Pension Position

On-call

- Availability payment – pensionable
- Payments for work done
  - whole time staff - non pensionable
  - part-time staff - pensionable at plain time rates up to whole time hours

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Pension Position

Sleeping in

- Availability payment – pensionable when work is done
- Availability payment – non-pensionable when no work is done
- Payments for work done - pensionable at plain time rates up to whole time hours