



## Personnel Sub-Committee – 22 March 2011

### Out of Hours Policy

#### Purpose of report

The purpose of this report is to seek agreement for a new policy which outlines how the out of hours provision will be provided from 1 April 2011.

#### Attachments:

**Appendix 1:** Call Out Summary

**Appendix 2:** New Out of Hours Policy and Equality Impact Assessment

#### 1.0 Background

- 1.1 It was identified that stand by and call out allowances and overtime arrangements were being paid inconsistently across the council and had not been reviewed for some considerable time.
- 1.2 A project group was set up to:
  - Review stand by and call out arrangements across the council
  - Identify future options for these arrangements across the council which are cost effective, fit for purpose and consistent.
- 1.3 The council have a 'first filter' arrangement that covers all council services, which is accessed through a telephone number given out by the council night service voice message. This 'call centre' facility work to scripts provided by the council and sets out the parameters for escalating emergency calls to the relevant duty officer.
- 1.4 This service is provided by a company called Careline and costs £3862 per annum. The contract for this service was renewed in August 2009 and Careline continued to offer the best value for money. The current contract expires in August 2012.
- 1.5 In the 12 month period September 2009 until August 2010 the following information was discovered
  - 993 calls received by Careline, of these 398 resulted in reports being generated for the council to action.
  - 28 calls resulted in the duty Environmental Health Officer being contacted however there was no breakdown of whether the officer responded by telephone or a visit to the property.
  - Approximately 12 resulted in key holders being contacted
  - Approximately 4 resulted in the Building Control Manager being contacted
  - The remainder of the reports were either dealt with by Careline or by the council during working hours
- 1.6 Appendix 1 sets out the current on call payments, and the frequency of call outs.

#### 2.0 New Policy

- 2.1 The new policy has an agreed rate of £70.50 for any member of staff responding to an out of hours incident, including ICT and Building Control. Appendix 1 of the policy provides a comparison with current payments.
- 2.2 A list of officers in Environmental Services who have volunteered, if able, to respond

to major critical incidents that occur Monday to Thursday will be held by the Out of Hours Service.

2.3 The 'on call' period for Environmental Services has been identified as Friday, Saturday, Sunday and any bank and statutory holidays. During this period named individuals will be on a rota who must be fit for work, contactable and prepared to deal with or attend an incident. During the "on call" period a daily payment of £70.50 will be paid regardless of whether they are called out.

2.4 Extensive consultation with affected staff has taken place and agreement reached with UNISON.

**3.0 Legal Challenges**

3.1 No legal challenges are anticipated.

**4.0 Risk management**

4.1 There are no significant risks arising from this issue.

**5.0 Financial Management**

5.1 This decision will make an approximate saving of £15,000 per year.

**6.0 Recommendation**

6.1 It is recommended that the new Out of Hours policy is approved and implemented from 1 April 2011.

*(Reason - to reduce costs.)*

<b>Legal</b>	Power: Local Government Act 1972 - section 111				
	Other considerations:				
<b>Background Papers:</b>					
<b>Person Originating Report:</b> Tricia Orr, HR Advisor					
<b>Date:</b> 23 February 2011					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

## Call Out Summary

Service Area	What is covered in the call out arrangement	Total number of call outs in 12 month	How staff are currently compensated	Total cost of compensation in 12 month period	Compensation in accordance with new policy	Estimated annual cost for 12 months
Building Control	Dangerous structures	4 times	£35 per call out plus TOIL given for amount of hours worked	£140 (plus TOIL)	£70.50 per call out plus TOIL	£282
Environmental Services	Significant environmental health issues, incidents & complaints	28 times mainly Fri to Sun (plus 43 programmed out of hours investigation visits)	£70.50 per night	£25,732.50 (plus TOIL)	£70.50 per night Fri-Sun and BH's, £70.50 Mon –Thurs if called out plus TOIL	£12,550
ICT	Major problem with ICT system or standby required due to out of hours work at ENC or BCW	Very occasionally Approx 2	Varies – up to £75 per day	£150	£70.50 per call out plus TOIL	£141
Keyholders	Deal with alarms and emergencies at weekends	12 times	£55 per month to each key holder	£3,300	£70.50 per call out plus TOIL	£846
<b>Total cost</b>						



East  
Northamptonshire  
Council

# Out of hours policy



**Ensuring a consistent approach to  
stand by and callouts.**

# Document Version Control

<b>Author (Post holder title)</b>	HR Advisor
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## Change History

Issue	Date	Comments
0.1	19/11/08	

*NB: Draft versions 0.1 - final published versions 1.0*

## Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
CMT	
XChange	
Unison	
Personnel Sub-Committee	
Individuals	

## Distribution List

Internal	External
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## Links to other documents

Document	Link

## Additional Comments to note

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## 1.0 Introduction

1.1. This Policy and Procedure sets out how East Northamptonshire Council will manage call outs that fall outside of normal office hours.

1.2 It does not cover emergency incidents when the emergency plan is activated.

## 2.0 Statement of Intent

2.1. This policy and procedure outlines the Council's approach to managing an out of hours service to:

- Ensure employees are able to respond to incidents which, due to their nature, cannot wait until the next working day
- Ensure payments made for undertaking out of hours work are applied consistently and fairly across the Council.

## 3.0 Scope

3.1. This policy and procedure generally applies to certain employees within Environmental Services, Building Control and ICT services, other services may be included due to operational need.

## 4.0 Outcomes

4.1. The outcomes to be delivered by this policy and procedure and the links to the Council's corporate outcomes are as follows:

Policy and procedure outcomes	Links to corporate outcomes
<ul style="list-style-type: none"><li>. Fairness and consistency in applying Out of Hours payment</li><li>. Ensure customer and Council needs are met at all times</li><li>. Ensure compliance with the Working Time Directive</li><li>. Ensure compliance with statutory obligations</li></ul>	<ul style="list-style-type: none"><li>• Effective Management</li><li>• Members and staff with the right knowledge, skills and behaviours</li></ul>

## **5.0 Out of Hours Night Service**

- 5.1 The Council has a “first filter” arrangement that covers all Council services. This is accessed through a telephone number given out by the Council switchboard outside of normal working hours.
- 5.2 The first filter facility work to scripts provided by the Council and sets out the parameters for escalating out of hour incidents to the relevant duty officer.
- 5.3 This service operates whenever the Council offices are closed.
- 5.4 Managers are responsible for ensuring that the Out of Hours service has accurate names and telephone numbers for their employees who are on call out rotas and lists.
- 5.5 Heads of service will maintain an on call rota when it is necessary to ensure a response from the Council.
- 5.6 If a call is received via the 'first filter' arrangement at a time when there is no on call rota in place, attempts will be made to find an available employee to deal with the matter.
- 5.7 When an employee is 'on call', they must be fit for work, contactable and prepared to deal with or attend an incident.
- 5.8 If an employee is contacted when they are not 'on call' then they are not required to deal with the matter if they are unavailable or not suitably fit for work.
- 5.9 The requirement to be included in the 'on call' rota will be included in job descriptions and employment contracts.
- 5.10 It is the responsibility of the Head of Service to ensure that the 'first filter' organisation have up to date contact numbers.
- 5.11 Heads of Service are responsible for ensuring that staff are aware of, and adhere to, the Lone Working Policy.

## **6.0 Payments and Time off in Lieu**

- 6.1 A corporate approach has been adopted across the Council regarding payments and has been broken down into 2 payments: on call and call out.
- 6.2 When an employee is on call, a payment of £70.50 will be made to the employee for each 24 hour period they are on call irrespective of whether the employee is called out or not.
- 6.3 If an employee deals with a significant incident or situation when they are not on call they will receive a call out payment of £70.50.
- 6.4 These payments will be reviewed annually by the Corporate Management Team.

6.5 Claims for payments should be completed monthly (Appendix 1), authorised by the Head of Service and forwarded to Payroll by the 10<sup>th</sup> of the month.

6.6 Time off in lieu will be given for time spent dealing with incidents or situations that occur out of hours in accordance with the National Agreement on Pay and Conditions of Service (the green book). This time will be agreed with the Head of Service and recorded on the individuals time sheet.

## **7.0 Working Hours**

7.1 Where an employee is called out to undertake work, care must be taken that appropriate breaks are taken and that the employee does not exceed the Working Time Regulations. This will be covered by the use of toil as appropriate.

## **8.0 Environmental Services**

8.1 Environmental Services out of hours service covers the following:

- Response to significant environmental health issues, incidents and complaints;
- Programmed out of hours complaint investigation visits;
- Requests for assistance from emergency services.

8.2 The 'on call' period has been identified as Friday, Saturday and Sunday evenings/nights and any Bank and Statutory Holidays.

8.3 A list of officers who have volunteered, if able, to respond to major critical incidents that occur Monday to Thursday will be held by the Out of Hours Service.

## **9.0 Building Control**

9.1 Building Control Officers are required to be available to deal with dangerous structures.

9.2 Generally call outs for this service are rare, if a call out is made a payment of £70.50 will be made.

9.3 If there is a severe weather warning with risks to buildings due to high winds an on call cover may be applied. The Head of Planning Services with the Building Control Manager will be responsible for identifying high risk periods.

## **10.0 ICT Services**

10.1 The payment arrangement applies to members of the technical team who are notified if there is a problem that needs to be rectified as a matter of urgency due to operational requirements out of hours. The Head of ICT will authorise this payment.

10.2 The on call arrangement will apply where out of hours support is likely to be required, for example, if Wellingborough Borough Council is open when East Northamptonshire Council is closed over Christmas and ICT staff are required to be on stand by.

## **11.0 Monitoring of Policy and Procedure**

- 11.1 This policy and procedure will be reviewed once every 3 years except for the first year when a review will be undertaken after 12 months.





## EIA Initial Screening Form – policy

<b>1. Name of Policy:</b>	
<b>2. Name and Job title / role of person completing Initial Screening:</b>	Tricia Orr
<b>3. What is the main purpose of the Policy?</b>	To ensure that out of hours payments are standard across the council and that the legal obligations to provide an out of hours service are met.
<b>4. Who is the Policy aimed at?</b>	Staff
<b>5. How is the success of the Policy measured?</b>	Staff are able to respond promptly to out of hours incidents
<b>6. Are equality monitoring systems for the Policy in place?</b>	No <i>(If yes give details)</i>

**7. Use the following table to indicate using a ✓:**

- a) Where you think that the Policy could have a positive impact on any of the groups or contribute to promoting equality of opportunity or improving relations within equality groups.
- b) Where you think that the Policy could have a negative impact on any of the equality groups i.e. it could disadvantage them.
- c) Where you think that the Policy could have a neutral impact on any of the equality group i.e. no impact

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
<b>Gender:</b>				
Women/Girls			✓	
Men/Boys			✓	
Transgender people			✓	
<b>Sexual Orientation:</b>				
Lesbians, gay men and bisexuals			✓	
<b>Race/Ethnicity:</b>				
White British people			✓	
White non-British people (including Irish people)			✓	
Asian or Asian British people			✓	
Black or Black British people			✓	
People of mixed heritage			✓	
Chinese people			✓	
Travellers (Gypsy/Roma/Irish heritage)			✓	
People from other ethnic groups			✓	
People who do not have English as their first language			✓	

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
<b>Disability:</b>				
Physical impairment, e.g mobility issues which mean using a wheelchair or crutches.			✓	
Sensory impairment, e.g blind/having a serious visual impairment, deaf/having a serious hearing impairment.			✓	
Mental health condition, e.g depression or schizophrenia			✓	
Learning disability/difficulty, e.g. Down's syndrome or dyslexia, or cognitive impairment such as autistic spectrum disorder			✓	
Long-standing illness or health condition, e.g. cancer, HIV. Diabetes, chronic heart disease or epilepsy			✓	
Other health problems or impairments ( <i>please specify if appropriate</i> )			✓	
<b>Age:</b>				
Older People (60+)			✓	
Children and Young People (see guidance for definition)			✓	
<b>Religion/Belief:</b>				
Christian			✓	
Buddhist			✓	
Hindu			✓	
Jewish			✓	
Muslim			✓	
Sikh			✓	
Other religion (including holding no belief)			✓	

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Reason
<b>Other Potentially Affected Groups</b>				
Rural Isolation - People who live in rural areas e.g isolated geographically, lack of internet access			✓	
Socio-economic Exclusion – e.g. people who are on benefits, have low educational attainment, single parents, people living in poor quality housing, people who have poor access to services, the unemployed or any combination of these and the other protected strands			✓	
Any other potentially affected groups ( <i>please specify</i> )			✓	
<b>8. If you have indicated that there is a negative impact on any group:</b>				
a) Is that impact against legislation?	Yes	No		
b) What is the level of impact?	High	Low		
9. Could you minimise or remove any negative impact that is of low significance?	How?			
10. Could you improve a positive impact of the Policy?	How?			
11. If there is no evidence that the Policy promotes equality of opportunity or improved relations, could it be adapted so that it does?	How?			
Head of Service signature				
<b>Date of Initial Screening:</b>	23/02/2011			



**NOTE**

If a negative impact has been highlighted and it is possibly discriminatory and not intended and/or of high impact you must complete a Full EIA.

If not, you should still consider if completing a Full EIA would be helpful in making a thorough assessment.

**Full EIA Assessment Form**

13. Looking back at the Initial Screening Form, in what area(s) are there concerns that the Policy could have a negative impact?  (✓ all that apply)	
Gender:	
Sexual orientation:	
Race/Ethnicity	
Disability:	
Age	
Religion/Belief	
Rural isolation	
Socio-economic exclusion	
Any other affected groups:	
14. Summarise the likely negative impacts:	
15. What consultation on this Policy has already taken place with groups/individuals from equality target groups?	
16. What does it indicate about the negative impact of this Policy?	

17. What consultation will be conducted/is planned on this Policy with equality target groups?	
<b>18. Once this consultation activity has taken place, indicate the outcomes:</b>	
19. What consultation on this Policy has already taken place with staff - including those that have, or will have direct experience of implementing the Policy?	
20. What does it indicate about the negative impact of this Policy?	
21. What consultation will be conducted/is planned on this Policy with staff?	
<b>22. Once this consultation activity has taken place, indicate the outcomes:</b>	
23. What relevant research/data/reports concerning the equality target groups have been used in the planning of this Policy and what does it tell us about the negative impact?	
24. What research concerning the equality target groups needs to be conducted in relation to this Policy?	
<b>25. Once this has been carried out, what does it tell us about the negative impact?</b>	
26. If there are any research gaps, are there any experts/relevant groups that can be contacted to obtain views and evidence on the issues?	
<b>27. Once they have been contacted, what information have we found out?</b>	

28. Is it important that we conduct/commission specific research on this issue? Explain the research required:	
29. If we need to conduct /commission research what are the likely timescales and resource implications / costs involved?	
30. If you require further information, what will you do in the interim to address the negative impact?	
<b>31. List the changes that have been identified which will ensure that the negative impact is addressed:</b>	
<b>32. Have you introduced changes you planned, with any necessary training?</b>	Give details :
<b>33. Does everyone involved in the Policy know and understand what you have done?</b>	
<b>Now complete the action planning form which will detail the changes that need to be made to this Policy.</b>	

### Equality Impact Assessment Action Plan

Action identified	Key activity	How will we know this has been achieved? (measures, milestones and dates)	Officer responsible	Quarterly progress update

**Planned date for next EIA exercise**