

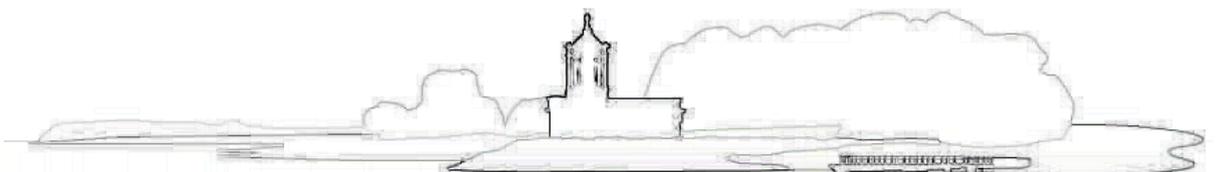


Rutland County Council

STANDBY AND CALL OUT POLICY

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1. INTRODUCTION AND PURPOSE

- 1.1 It is essential that the Council has a structured Standby and Call Out arrangement in place to deal with a diverse variety of issues that can arise outside of normal working hours. This will enable the Council to maintain services and respond to its statutory duties and responsibilities effectively and efficiently.
- 1.2 The purpose of this policy and procedure is to ensure:
 - (a) The Council has the capacity to respond to situations, events and urgent issues outside of normal hours.
 - (b) Appropriate staff are available to provide standby cover. This policy stipulates under what circumstances payments will be made and what the payments will be.

2 SCOPE

- 2.1 The Standby Payment and Call Out will apply to employees on grades up to and include P05. It does not apply to employees on Chief Officer Terms and Conditions. These procedures apply to the periods when an employee, either as part of their contract of employment, or, at the Council's discretion, are on standby to be available to attend work outside of normal working hours.
- 2.2 Payment for hours worked if 'called out' are in accordance with the overtime provisions up to and including scp 28.
- 2.3 It is an organisation decision which services required standby arrangements – the provision will therefore be removed if there is no longer a business need to provide out of hours cover or other arrangements are to be put in place, eg. via third party.

3. DEFINITIONS

- 3.1 A standby period will cover hours outside the Council's official opening times and outside an employee's contractual working pattern. Standby can be categorised as follows:

- 3.1 Regular Standby

- (a) This is to provide cover outside of normal working hours. It will only operate where there is a consistent and sustained requirement to provide services outside of normal working hours. Being on standby will therefore be an established feature and requirement of the role and a contractual requirement.

- (b) In order to enable employees to make the necessary arrangements and to ensure that there is clarity of roles and responsibilities, the standby rota

should be prepared as far as possible in advance. The contact numbers for the employees on the rota and the procedures for accessing tools, vehicles, entry into buildings etc. should be well established and known in advance.

(c) Employees on standby will be required to ensure that they are available to carry out the duties and tasks required and which necessitate the employee being on standby or called out. It may impact on an employee's social arrangements and necessitate an employee restricting their activities to those which will not compromise the requirement to respond quickly and effectively. The needs of the service will determine the requirement for a regular standby system and as such the need may cease from time to time. Payments made for being on standby should not be relied upon as guaranteed earnings as they will be subject to review and could cease.

3.2 Emergency Standby

The requirement for Emergency Standby may arise at short notice, for example, in response to severe weather conditions. The unpredictable nature may necessitate the drawing up of a rota at short notice. It is important to ensure that contact numbers for those expected to be working are kept up-to-date.

4. STANDBY APPROVALS

- 4.1 Arrangements for regular standby must be outlined at the point of recruitment and will be advised to the employee in writing setting out the terms and requirements of the standby provision and payment methods.
- 4.2 Arrangements for Emergency Standby must be approved by a Director.

5. STANDBY PAYMENTS

- 5.1 Payments will be made on a recurring basis (except Emergency Standby) based on a set annual amount incorporated into monthly pay.
- 5.2 The payment model is aligned to a combination of (a) frequency of standby and (b) the level of accountability/decision making.

5.3 Payment Model -

Frequency & Decision making level Frequency ♦	Level 1 Low level decision making / passing on request for service to appropriate provider	Level 2 Lead co-ordination required but not required to attend on site OR Required to attend on site and make key decisions	Level 3 Critical decision making needed more often than not requiring attendance on site
Average of 10 weeks per year (ie. 1 in 5 or more rota)	£400	£600	£1000
Average of 13 weeks per year (ie. 1 in 4 rota)	£500	£750	£1250
Average of 17 weeks per year or more (ie 1 in 3 rota)	£600	£1000	£1500

Level 1 – Clear course of action or referral to another person/provider. No immediate decision making or advice required. Applicable to staff up to and including Scale 6; payment would be made for any call out in accordance with current enhancement provisions.

Level 2 – Required to resolve the issue/call and make judgements and decisions. Co-ordination of others/tasks – internal and external; may be required to attend on site. No payment is made for call-out. Scale S01 and above

Level 3 – Critical decision making/co-ordination of agencies/services, likely requiring attendance on site; emergency response and management of the incident/emergency duty cover. Requires specific experience, knowledge; management of higher risk.

5.4 Payments will cease in the event of sickness absence which prevents the employee from undertaking their standby rota based on the frequency as outlined above.

5.5 Emergency Standby Standby will also be placed on the Level of accountability required and paid at a weekly rate on claim ie. Level 1 = £40 per week; Level 2 = £60 per week; Level 3 = £100 per week.

- 5.6 Payments made under this procedure will be taken into account for the purposes of calculation of holiday pay and are superannuable.
- 5.7 Payments made under this procedure shall not be taken into account for the purposes of sick pay.

6. MANAGER RESPONSIBILITIES

- 6.1 It is the line manager's responsibility to ensure that standby rotas are covered by employees with the appropriate skills and knowledge and at the appropriate level, for example, it would not be appropriate for a senior manager to be on standby if the work required could be undertaken by a post that reports to the senior manager etc. It would also not be appropriate for an employee who is unlikely to have the knowledge or skills to deal with certain situations that may arise to be on a standby rota.
- 6.2 The line manager must ensure that:
- Standby rotas are prepared in advance of any standby period
 - The contact details are available
 - Risk assessments for the duties are up-to-date
 - The necessary approval has been given by the Head of Service
 - Hours worked are in accordance with the Working Time Regulations, Section 11 (other than in exceptional circumstances)

7. EMPLOYEE RESPONSIBILITIES

- 7.1 Employees are on standby on the basis that they will be expected to deal with incidents that may arise within the scope of their job role and/or competency. Employees on standby must not consume alcohol or take medication/drugs which could impact on the ability to respond to a call out or in the event of a call out to perform the work.
- 7.2 An employee is expected that they will be able to arrive at work within a reasonable time of being called out. This time will be set according to the needs of each service. An employee may leave their home but must still remain contactable and have transport available to enable a return to work within the prescribed period.
- 7.3 An employee must contact their manager as soon as possible if they become ill or are unable to comply with their responsibilities during a period of standby. This will enable the manager to make alternative arrangements.
- 7.4 Personal arrangements should not ordinarily be made if this prevents an employee from undertaking their standby cover. However, it is accepted that there may be circumstances arise that cannot be changed. If this arises, the employee should request leave as soon as possible from their manager. Leave may not be approved unless and until suitable cover arrangements are

made. An individual should not therefore make any arrangements relating to annual leave prior to receiving approval of the leave dates requested.

8. CALL OUT

8.1 The standby payment covers, for example, requirement to undertake telephone calls whilst on standby and having related discussions. However, in addition to the standby payment, compensation for call out will be made under the following circumstances:

- If due to being on a standby duty rota an employee is required to return to work, or
- The employee has been called out on an ad hoc basis, for example, to respond to an alarm call or to assist with the Council's Business Continuity plans or Emergency plan

8.2 Payment for being called out to work will only apply to employees at or below the overtime limit of SCP 28 contained in the national agreement. Staff who are called out will receive a minimum payment of 2 hours at the appropriate rate. Where work continues beyond the initial 2 hour payment period the employee will be paid for the number of hours worked at the appropriate rate

8.3 Employees who are called out, on Scale S01 and up to and including P05, may claim TOIL at plain time.

9. CLAIMING FOR MILEAGE

9.1 If mileage is incurred in travelling to work following a call out it should be claimed in accordance with the procedure for claiming travel or mileage. If, following call out an employee returns directly home, they would be entitled to claim mileage for this journey. In circumstances where the call out occurs within 3 hours of normal starting time and as a result they employee remains at the place of work and enters normal working hours, there is no entitlement to claim mileage for the return journey home.

Note: If a Rutland County Council vehicle has been used to get to and from a call out, there is no entitlement to claim mileage.

10. WORKING TIME REGULATIONS

10.1 The Working Time Regulations state that it is necessary for an employee to have an uninterrupted break of 11 hours between periods of work. Standby time is not 'working time' within the definition of Working Time Regulations. Only time for call-out (and travelling to and from the location) applies for this purpose. However, exceptions can be made for emergencies that may occur and emergency call-outs would fall into this category provided that the rest

period could be taken at a later date (a weekend would count for this purpose).

10.2 It is important for managers who operate a call out system in their area to monitor and regularly review:

- The frequency and length of call-outs
- The extent of planned and unplanned out of hours worked in order to ensure that no employee is being required to undertake additional work which may be detrimental to their health and wellbeing
- Fairness in the application of the Standby and Callout Policy and Procedures

10.3 Employees working on shift patterns should not normally be placed on formal standby rotas on their rest days. If an employee is required to attend an emergency call out situation then the ability of the employee to attend for work on the following day must be assessed. The employee's line manager should determine any appropriate time off in lieu to compensate for this.

11. RISK ASSESSMENTS

11.1 In the case of employees called out to carry out their substantive duties it is expected that managers would already have risk assessments in place for such duties. Although some call outs may be of an unpredictable nature, for the majority of situations it should be possible for managers to already have identified potential risks and have up-to-date risk assessments in place ie. lone working. Employees should have access to the risk assessments and should have received appropriate training in connection with any potential risks.

11.2 Employees should be aware of any potential risks and hazards that could arise while dealing with a call out. For example, an employee being called out due to a leaking roof, although not expected to repair the roof could be at risk due to slips or falls due to wet floor surfaces, personal injury due to a ceiling collapse or electrocution from water damaged electrical appliances.

12. EQUIPMENT AND TOOLS

12.1 Managers should ensure that the relevant equipment and tools are available for collection in the event of a call out.

A large print version of this document is available on request



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