



## **East Herts Council**

# **Standby Duty and Out of Hours Call Out**

## **Policy Statement**

**Policy Statement No 39 (Issue No 3)**

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## **Introduction**

- 1.1 Services may require employees to be available outside working hours to respond to incidents / emergencies which, due to their nature, cannot wait until the next working day.
- 1.2 The purpose of this policy is to compensate individuals for the inconvenience of being at their employer's disposal outside of working hours and for the limitations this imposes on them.
- 1.3 Rates of pay are standardised across the council in recognition of the principle that employees' own time outside of working hours is of equal value.
- 1.4 Officers carrying out standby or out of hours duties are required to remain contactable, available and fit for duty. Officers must therefore refrain from being under the influence of alcohol or any other substances that would impair their ability to work safely.
- 1.5 Officers on standby or out of hours duties are not required to stay at their home address but should be within a reasonable proximity of the district boundary and ensure that telephone contact coverage is maintained.

## **2.0 Out of Hours Working**

- 2.1 The Caretaking team are currently the only team in the council working on a standby rota.
- 2.2 The Caretaking team run an out of hours rota whereby one Caretaker is always available on standby outside of the Wallfields' opening hours to respond to alarm call outs for Wallfields. A normal week of standby duty for the Caretaking team is 103 hours as follows:

<b>Day</b>	<b>Hours to/from</b>	<b>Hours</b>
Mon/Tues	20.00-7.00	11.00
Tues/Weds	20.00-7.00	11.00
Weds/Thurs	20.00-7.00	11.00
Thurs/Fri	10.00-7.00	11.00
Fri	20.00 - 0.00	4.00
Sat	0.00 – 0.00	24.00
Sun/Mon	0.00 - 24.00 + 7.00	31.00

2.3 Certain officers in the council, for example in Planning and Licensing also take part in out of hours working as part of their role, but are not required to be on call as they only make proactive planned visits. Officers in these teams do not receive additional payments as the out of hours working is taken into account in their job description and therefore basic salary. Officers in this team can claim time off in lieu (TOIL) in line with current policy for any visits made outside of hours, inclusive of travelling time.

### **3.0 Emergency Planning Activities**

3.1 A number of members of staff have chosen to be trained as emergency planning volunteers so that they can be called upon to assist the council in the event of an emergency. They are not required to be on call so do not receive any payment for this but if they are available and fit for duty at the time of an emergency they will be asked if they can assist.

3.2 If emergency planning volunteers are called out to attend an emergency outside of normal office hours they will be reimbursed for their time with either overtime or TOIL. It will be the decision of the employee whether they wish to take overtime or TOIL.

3.3 The Deputy Chief Executive and all Heads of Service are required to take part in an on call rota to act as the first responder in relation to out of hours emergencies. This is a contractual requirement for which there is no additional remuneration. In line with this policy they too must remain contactable, available and fit for duty while on call, and therefore refrain from being under the influence of alcohol or any other substances that would impair their ability to work safely.

### **4.0 Payment**

4.1 A corporate approach has been adopted across the council, with the same level of payment being awarded to all staff undertaking standby and out of hours duties (excluding emergency planning volunteers). The rate per hour as of 1 April 2020 is £2.02 and this is doubled for Public Holidays.

4.2 Payments will be increased each year by the same percentage increase as the NJC agreed annual pay award.

- 4.3 If employees are required to be on standby / out of hours duties on Public Holidays they will be paid an enhanced rate of hours for that day, as detailed in the table above.
- 4.4 Officers can claim overtime (or TOIL if requested by the employee) for any alarm call outs they are required to attend, inclusive of travelling time.
- 4.5 The standby / out of hours duty payments that employees receive form part of the employee's pensionable pay.
- 4.6 Where staff are unable to provide planned standby / out of hours cover (for example, through sickness or annual leave), staff are required to swap duties with a colleague. Staff will not be paid for standby / out of hours duty whilst on annual leave or off sick. Staff must make every effort to take annual leave at a time when they are not on standby / out of hours duty.
- 4.7 However, if staff wish to continue to undertake standby duties whilst on annual leave, for example they are staying at home and will be contactable and available to take calls/ attend call outs, then this is permissible, subject to approval from the relevant manager.

**5.0 Job Descriptions, Person Specifications and Written Particulars of Employment (not applicable to emergency planning volunteers)**

- 5.1 Job Descriptions – It must be stated in all appropriate job descriptions that it is a requirement of the job to perform out of hours duties.
- 5.2 Person Specifications – It must be stated on all appropriate person specifications that the employee must be available to work out of hours in line with service requirements.
- 5.3 Written Particulars of Employment – It must be stated that the employee will be required to participate in an out of hours rota.

**6.0 Administration**

- 6.1 Payment for Standby and Out of Hours duties should be claimed on an overtime claim form that should be completed by the employees, passed to the relevant manager for authorisation and forwarded to Payroll for payment by the 6th of the month following the month claimed. The manager who authorises the

payment and associated overtime / TOIL must be an authorised signatory. This will ensure that payment is only made to those employees who have carried out this service.

## **7.0 Policy Review and Amendment**

7.1 This policy shall be reviewed after three years, or sooner in line with legislation and best practice to reflect the best possible level of support and management.