

## TRAFFORD COUNCIL

**Report to:** Employment Committee  
**Date:** 25<sup>th</sup> March 2019  
**Report for:** Approval  
**Report of:** Sara Saleh, Corporate Director of People

### Report Title

**Unsocial hours allowance changes.**

### Summary

**This paper details proposed changes to allowances for staff in relation to working evenings, weekends, and/or nights and on-call.**

### Recommendations

**To note and approve the suggested changes to the allowance payment structure.**

Contact person for access to background papers and further information:

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Relationship to Policy Framework/Corporate Priorities	The information provided within the report aligns with the Council's corporate priority of 'Low Council Tax and Value for Money'
Financial	There are likely to be small savings made with a move from sleep-in shifts to on-call which is a lower payment.
Legal Implications:	Compliant with legislation, including equal pay principles.
Equality/Diversity Implications	The change means that we are paying staff within Supported Living more fairly for working unsocial hours.
Sustainability Implications	Not applicable
Staffing/E-Government/Asset Management Implications	Not applicable
Risk Management Implications	Not applicable
Health & Wellbeing Implications	Not applicable

## 1. Background

- 1.1 As part of the Council's pay strategy we have in place various additional payments called 'allowances' to remunerate staff when they undertake additional commitments outside of Monday to Friday 9am to 5pm working. In 2009/10, the Single Status Agreement harmonized terms and conditions across the former manual workforce and the Council's pay and grading structure was reviewed and jobs were evaluated and placed into a new pay structure at that time. As part of the single status agreement implementation proposals, a range of out of hours allowances were created nearly 10 years ago.
- 1.2 The allowances have remained largely unchanged since their implementation, however from time to time service changes mean that we need to review aspects of them to ensure that we have the flexibility to remunerate staff appropriately and support the needs of the service in today's economic climate.

## 2. Rationale for change

- 2.1 The Health and Social Care Sustainability programme was established to ensure that the Council can continue to deliver appropriate care, now and into the future by identifying potential alternative delivery models, seeking opportunities for increasing income and driving efficiencies across our services. The Supported Living Service, which provides accommodation for people with learning disabilities, was identified as an area of service provision for review where potential changes could be made which would benefit service users and the Council alike.
- 2.2 A concern was highlighted in the review that not all of the buildings and the physical model of provision were fit for purpose because of changing needs of our residents and in some cases there were issues about the location and age of the properties.
- 2.3 Following the review of the Supported Living Service, a programme of re-assessment was undertaken to determine whether the service users required either a different kind of service, such as nursing care, or a different type of property, for example one with level access. As part of the review proposals, buildings were evaluated to consider how individuals' long terms needs could be met.
- 2.4 Further to the review findings and the reduction from 6 to 4 houses, there were also some changes to the staffing complement, rotas and night staffing. As a result of the changes, an issue relating to the payment of unsocial hours allowances came to light and the requirement to consider how best to pay staff working on-call.

## 3. On-call payment

- 3.1 Due to changes in the levels of assessed needs of service users in the 4 remaining houses, staffing arrangements at night required a different approach. Previously the houses had waking night staff with staff also working sleep-in shifts, which could wake and help, when required by the waking night staff. However the model has been changed so that the reliance on sleep-in shifts has reduced and has been replaced by on-call provision. This is the case for 3 of the houses, however 1 house has a lower level of need and so does not require waking night staff, instead they will have sleep-in staff and on-call support.
- 3.2 There are 4 Senior Support Workers and the Service Manager on the on-call rota. Current Council provision means that on-call is paid as a percentage of basic pay, based on the frequency of commitment (varying between 2% and 8%). In most circumstances, staff who work an on-call rota are at the same or a similar grade band so they attract the same additional income from working on-call.
- 3.3 However in the Supported Living Service, the staff are on different grade bands (Service Manager and Senior Support Worker) but work in the same service. For this reason, the service felt strongly that on-call should be paid at a sessional rate, rather than a percentage to ensure fair and equal pay for both Service Manager and Senior Support Workers.
- 3.4 The rate proposed is £25 per on-call shift (8pm to 8am) with payments in line with normal arrangements if actually called out. The staff involved and unions were consulted and agreed that this was a fair approach.

#### **4. Allowances for working evening, weekends and/or nights**

- 4.1 Current arrangements for staff who work evenings, weekends, and/or nights on a rota basis allow for six different levels of payments based on frequency of work outside of standard weekday working. Payments are paid as a percentage of basic pay and vary between 3% and 20% (attached at appendix 1 for information). This is for unsocial hours worked as part of contractual hours.
- 4.2 However when an employee works additional shifts as overtime, they had been attracting the same percentage enhancement as they get for their contracted hours. For example when a night worker who gets a 20% enhancement works an extra day shift they were being paid an additional 20% on top of the basic pay for the shift. Whereas when a day worker who gets 6% enhancement works an extra night shift they were only getting a 6% enhancement which isn't equitable.
- 4.3 It was identified that the allowances payment structure needed more flexibility to allow for such scenarios. It was proposed that when a night worker undertakes an extra day shift they should receive a 6% enhancement (which the current system allows), however when a day shift worker undertakes an

extra night shift 20% would be too much (as it is for regular night working), instead it is proposed that they should get 10% uplift.

- 4.4 The current wording on unsocial hours allowances needs to be amended slightly to accommodate this. It is proposed that the criteria related to the 10% allowance is amended as follows '*More than 20% hours worked ad hoc/flexibly including weekends and evenings and nights.* The unions were consulted and agreed that this was a fair approach
- 4.5 When staff work overtime, the percentage that the shift attracts will be detailed on the claim form which is sent to the HR Shared Service for processing, to ensure employees are paid correctly for this additional work.

## **5. Implementation**

- 5.1 The revised information on remuneration for unsocial hours is detailed at Appendix 1. The changes are in bold underlined so they can clearly be seen. Once approved, this will replace the current information on the HR pages of the intranet.

## **6. Recommendation**

- 6.1 Employment Committee are recommended to support the changes to allowances.

## Unsocial hours allowances

Employees who work unsocial hours in the evenings, nights, weekends and bank holidays receive additional allowances for this work.

Payments are made when claim forms are submitted for the hours worked. Administration of the allowances is complex and further advice is available from the HR Service.

You are likely to be entitled to unsocial hours payments if you:

- work unsocial hours on a rota pattern
- work unsocial hours occasionally
- work 'sleep-ins'
- are on a standby rota and/or work on-call

### Rota pattern - allowances for working evening, weekend and/or nights

If you work unsocial hours on a rota basis then there are six levels of unsocial hours allowance payments. The criteria for each level are detailed in the table below.

Level	Criteria – Rota Pattern	% allowance on basic pay
1	a) 10 % of day shifts worked at weekends/bank holidays <b>OR</b> b) 100% day shifts worked includes an element of evening work (defined as working hours between 8pm and 10 pm)	3%
2	a) 10 % of day shifts worked at weekends/bank holidays AND 100% shifts worked includes an element of evening work (defined as working hours between 8pm and 10 pm) <b>OR</b> b) 20 % of day shifts worked weekends/bank holidays	6%
3	20 % of day shifts worked at weekends/bank holidays AND 100% day shifts worked includes an element of evening work (defined as working hours between 8pm and 10 pm)	9%
4	More than 20% hours worked ad hoc/flexibly including weekends and evenings <b><u>and nights</u></b>	10%

5	a) 50% shifts worked days, 50% shifts worked nights, including weekends and bank holidays <b>OR</b> b) Hours worked 100% at night, excluding weekends <b>OR</b> c) More than 50% of time at worked at weekends	14%
6	a) Hours worked 100% at night, including weekends <b>OR</b> b) Hours worked 100% across evenings, weekends and nights including at least 50% time at night	20%

## Occasional working at evenings or weekends

If you occasionally work unsocial hours but you do not work them on a set rota pattern then:

For jobs up to and including spinal column point 28, overtime will be paid for unsocial hours worked.

OR

For jobs above spinal column point 28 Time Off in Lieu (TOIL) will be given for unsocial hours worked.

## Working 'Sleep-ins'

A standard 'sleep-in' allowance is payable upon receipt of a claim.

## On call/ Standby rota staff

If your job requires you to be on a call out rota or a standby rota then you will receive the following allowances:

- On Call rota of 4 or more nights/weekend days per month: 2% allowance on basic pay.
- On Call rota of 7- 10 nights/weekend days per month: 4% allowance on basic pay.
- On Call rota of 11- 13 nights/weekend days per month: 6% allowance on basic pay.
- On Call rota of 14 or more nights/weekend days per month: 8% allowance on basic pay.

If you are actually called out whilst on call, then you will receive either TOIL or an overtime payment, depending on your particular grade and circumstances.

**In the Supported Living service a sessional payment of £25 will be paid for on-call shifts (8pm to 8am).**