



## Relief Policy

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Approved V2	19 December 2018	Joint SPF Chairs revisions to Section 7 following feedback to add clarity.

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Part of Trust's publication scheme	Yes

The East of England Ambulance Service NHS Trust has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups. This policy applies to all individuals working at all levels and grades for the Trust, including senior managers, officers, directors, non-executive directors, employees (whether permanent, fixed-term or temporary), consultants, governors, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with the Trust.

All Trust policies can be provided in alternative formats.



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## 1. Introduction

- 1.1. Relief staff are an important part of maintaining appropriate resource cover and consequently performance and patient safety within the Trust. The Trust have staff employed on a full time relief basis and staff who have an element of relief within their core rota.
- 1.2. The purpose of this policy is to ensure that East of England Ambulance Service NHS Trust (EEAST) has a consistent and equitable policy for the management of operational relief working, taking into account the needs of patient care across the whole of EEAST.
- 1.3. This policy ensures that EEAST adheres to all statutory requirements, NHS National Terms and Conditions and Trust Policies to ensure that the optimum working life balance can be maintained given the need of patient care.
- 1.4. This policy applies to all staff when working permanent relief and for all staff who work a core line with a relief element built into it.
- 1.5. The policy will only apply when working relief shifts, for staff working within Emergency Health Operations Centres some of these principles will not apply in full.
- 1.6. Managers, HR and UNISON representatives are committed to working in partnership and being responsible for providing advice and guidance to employees on the application of this policy. A jointly agreed with UNISON frequently asked questions guidance document will sit alongside this policy and will be regularly updated in partnership.

## 2. Travel

- 2.1. Excess travel is travel from a staff member's base location to an alternative place of work, excess mileage is the difference between the normal home to base return journey and the return of the new journey.
- 2.2. When on relief, staff will not be expected to travel in excess of 25 miles from their base station.
- 2.3. For staff living outside the Trust their base station will be the nearest Trust station within their agreed AGM area, this excludes standby points and stations where a non-suitable vehicle type is run out of (for example an RRV only station).
- 2.4. Travel time and distance will be calculated using AA route finder and the average route.

## 3. Eligible Mileage

- 3.1. Staff will be reimbursed for miles travelled in the performance of their duties which are in excess of the home to base station/agreed station.

- 3.2. Whilst this policy is non-contractual it does supersede any contracts that pre date this policy which make reference to relief staff not being able to claim excess mileage. Please note this only relates to contracts where excess mileage is not paid

### **Mileage claimable will be as follows**

- 3.3. Mileage from home to place worked minus the mileage from home (notional home) to base station/agreed station.

For example home is Middleton and base is Swaffham, the normal return mileage for this journey is 24 miles.

You work in Wisbech, the return mileage from Middleton (home) to Wisbech (place worked) is 32 miles so you can claim  $32 - 24 = 8$  miles.

You work in King's Lynn, the return mileage from Middleton (home) to King's Lynn (place worked) is 10 miles which is less than your normal home (notional home) to base station/agreed station return mileage of 24 miles, therefore no mileage claim is payable.

## **4. Scheduling**

- 4.1. A **minimum** of four weeks' notice of relief shifts on a rolling basis will be given. However a greater period of notice is strongly encouraged wherever possible to assist in the facilitation of work/life balance. The Trust also strongly encourages staff to book annual leave ahead of relief shifts being planned as it may not be possible to change relief shifts once planned.
- 4.2. For the purposes of planning the Trust would expect that staff are normally planned to their nearest location whenever possible.

### **For permanent relief staff:**

- 4.3. Rest days shall be allocated in advance on a 9 week rolling basis as per agreed rest day rota. Rest days should be consecutive and therefore not split.
- 4.4. The Trust reserves the right to change rest days outside the 9 weeks due to exigencies of the Service. Changes within the 9 week period would only be by mutual agreement. If annual leave has been requested and approved, where rest days fall either side of the annual leave booked this will not be changed unless by mutual agreement.
- 4.5. For the purposes of planning any agreed annual leave shall not be classed as rest days.

## **5. Allocation of relief shifts**

- 5.1. Shifts will be allocated in a fair and equitable way, including consideration of unsocial hours and the requirement for a minimum of 11 hours off between shifts. Relief shifts will be allocated using the principles outlined below.

### **5.2. Relief shift priority order**

#### **5.2.1. Core rota staff:**



- i. Within your own rota
- ii. At your own station taking into account the type, unsocial hours element and duration of shifts worked on your own rota
- iii. At your agreed station within your AGM area taking into account mileage restrictions, and the type, unsocial hours element and duration of shifts worked on your own rota
- iv. At your agreed station outside of your AGM area taking into account mileage restrictions, and the type, unsocial hours element and duration of shifts worked on your own rota
- v. At your agreed station within your AGM area taking into account mileage restrictions, but differing from the type, unsocial hours element and duration worked on your own rota
- vi. At your agreed station outside of your AGM area taking into account mileage restrictions, but differing from the type, unsocial hours element and duration of shifts worked on your own rota

#### **5.2.2. Permanent relief staff:**

- i. At your agreed/base station taking into account all elements of fair and equitable distribution including consideration of unsocial hours.
- ii. At your agreed station(s) within AGM area taking into account mileage restrictions
- iii. At your agreed station(s) outside of AGM area taking into account mileage restrictions

### **5.3. Consecutive relief shifts**

#### **5.3.1. Core rota staff when working on relief weeks only**

Consecutive shift planning will reflect the core rotas where possible, taking into account the relief week value. For example, in a rota that contains 4 consecutive night or day shifts it would be expected that during the relief week staff working on that rota could be allocated a similar pattern of consecutive shifts. Alternatively in a rota that does not contain 4 consecutive night or day shifts there would be no expectation for relief staff to work 4 in a row unless by mutual agreement.

The following maximums will apply to runs of shift, where the hour values relate to shift lengths inclusive of meal breaks;

- i.  $\leq 8$  hours: no more than 7 consecutive shifts
- ii.  $> 8 \leq 10$  hours: no more than 5 consecutive shifts
- iii.  $> 10$  hours: no more than 4 consecutive shifts of the same type
- iv.  $> 10$  hours: no more than 5 consecutive shifts if mixed e.g. DDNNN, DLLNN, DNNNN

#### **5.3.2. Permanent relief staff**

The following maximums will apply to runs of shift, where the hour values relate to shift duration inclusive of meal breaks;

- i.  $\leq 8$  hours: no more than 7 consecutive shifts
- ii.  $> 8 \leq 10$  hours: no more than 5 consecutive shifts
- iii.  $> 10$  hours: no more than 4 consecutive shifts, the same type or mixed, unless by mutual agreement

## 5.4. Weekend relief shifts

### ***5.4.1. Applicable to those whilst working relief in a core rota and those on permanent relief***

Taking into account **only** relief week working no more than 2 consecutive full weekends will be allocated on a rolling basis unless mutually agreed (i.e. you will not have a pre-planned shift finishing later than midnight on the Friday night and no planned shift starting until after 0600 on a Monday morning). This will mean a forced consistency of 1 weekend off in 3.

5.4.2. For core rota staff this means weekends during relief weeks only. So, if in your first relief week you work at the weekend and then on your second relief week you again work the weekend this section means that the third time you have a relief week you will be given the weekend off.

## 6. Shifts into rest days and annual leave

- 6.1. For all staff when working on relief no planned finish beyond 00:00 will be rostered into a rest day or annual leave day.
- 6.2. When a night shift is taken as annual leave the 00:00 will not apply. If for example you are booked to work 4x night shifts 18:00 to 06:00 and you take your last night off, you will still be expected to finish at 06:00 on your third night.
- 6.3. The day / period after a final night shift will be classed as a “Rest after Nights” and not a rest day for the purpose of planning or this policy.
- 6.4. The above may not be possible when short notice leave is booked, although where possible this should be considered.

## 7. Change of relief rota duty

- 7.1. Enforced shift changes should be minimised, however where these are necessary there is a minimum of 24 hours’ notice of change of shift required.
- 7.2. Local management teams will endeavour to minimise changes to shifts once they’ve been scheduled. However, certain circumstances require changes to be made to scheduled shifts (e.g. a member of core staff returning fit for duty). The following provides some guidance as to the actions needed by Local management teams and staff members to ensure that staff are aware of their shifts in good time to attend for duty:
  - Local management teams will endeavour to notify staff of any change
  - Core rota staff going into their relief week must check GRS prior to finishing their last shift of the core rota. Facilities including the EPCR system are available to facilitate this.
  - Change made at least 72 hours before duty;  
Local management teams to update GRS, staff to view GRS every 72 hours. Staff are not expected to check shifts on their rest days. If a shift is changed whilst the staff member is on a rest day and it is the first shift back, verbal contact between local management teams and staff is required.



- Change made between 24 and 72 hours before duty;  
Local management teams to update GRS and either text message or telephone staff with details of new shift.

### 7.3. Mutually agreed short notice change to shift times

- 7.4. Where it is necessary to ask staff if they are prepared to change their shift within 24 hours of the scheduled work period, such staff should receive an unforeseen change payment of £15 if they mutually agree to do so. The payment is not applicable to shifts which staff agree to work as overtime, or that they swap with other staff members.
- 7.5. Please note this is applicable to shift start and finish time and/or location. It does **not** apply to a change of vehicle type for example being asked to move from an RRV to DSA.

## 8. Annual Leave pertaining to relief weeks

- 8.1. Where annual leave is granted relating to duties which have been planned, the time off will be calculated as being the actual duty hours as planned.
- 8.2. Where annual leave is applied for in relation to a period where the planning has not yet taken place the time off will be calculated on the basis of a standard day (7.5 hours).
- 8.3. For core rota staff taking a complete relief week (Monday – Sunday) holiday hours will be the value of the specific relief week applied for.
- 8.4. For permanent relief staff a complete week equates to 37.5 hours (WTE).

## 9. Rolling hours

### 9.1. Permanent relief staff

Hours will be calculated on rolling basis using the same 13 week period as the USH calculation. The maximum accumulated shortfall or excess will not exceed +/- 23 hours except by mutual agreement. The rolling hours total must pass through zero at least once in every 13 week period.

## 10. Unsocial hours

### 10.1. Annex 5a

#### 10.1.1. Core rota staff

- 10.1.1.1. If the core rota has unsocial hours of 25%, then staff will receive 25% regardless of shifts worked in the relief week.
- 10.1.1.2. If the core rota has unsocial hours of 21% or less, then staff will follow a 13 week review process where the relief shift allocation has the potential to change the unsocial hours percentage value, to a higher percentage band.

### 10.1.2. *Permanent relief staff*

10.1.2.1. Subject to 13 week review or 25% in line with the core rota patterns within the area worked. Where permanent relief staff have an agreed alternative arrangement they should only be paid the unsocial hours reflecting that arrangement. If for example they have a fixed pattern of known shifts this can be assessed in the same way as a rota is and the USH attributed appropriately or if it is variable then a standard 13 week review would still be the most appropriate and accurate way in which to assess the correct payment.

## 10.2. NHS National Terms and Conditions Section 2

10.2.1 New entrants, those who change roles (including promotion) and those voluntarily moving to Section 2 of the National Terms and Conditions of Service Handbook will have their unsocial payments assessed and paid as described within that section.

## 11. Public holiday working

11.1 No more than 5 from 8 public holidays will be allocated on a rolling basis unless mutually agreed. For core rota staff this means public holidays during relief weeks.

## 12. PPE and Equipment

12.1 When staff are allocated relief duty they are required to be fully equipped (i.e. PPE and uniform) to commence duty at the start of the shift at the allocated station.

## 13. Definitions

### ***Base station***

Contractual place of work

### ***Agreed station***

For those living outside their AGM area or outside the Trust, the agreed station and base station is the nearest Trust premises within in their allocated AGM area to their home address.

### ***AGM Areas***

There are 19 AGM areas within the Trust further details in FAQ

### ***Agreed station area***

This is the AGM area in which a member of staff is working, staff may agree with mutual consent work at stations outside of their AGM area, however the principles of scheduling will apply in order as per section 5.

### ***Permanent relief staff***

Staff who have not been allocated a core rota (or line) and are required to work within an agreed area when on duty for the Trust

**Core rota staff**

Staff who have been allocated a core rota (or line) and for the majority of their working time will be at a fixed location on set shifts. Core rota staff will be required to have a relief element built into their core rota for which this policy will apply during that period of relief work.

**EHOC Staff**

AGM area rules will not apply to EHOC staff, staff would not normally be expected to carry out relief shifts at another EHOC location unless by mutual agreement.

**Type of shift**

Day (D), Late (L) or Night (N).



**Example Rest Day Rota**

For info an example relief rest day rota for staff outside of core rota

Week number	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
1 10 19 28 37 46	REST DAY	REST DAY					
2 11 20 29 38 47				REST DAY	REST DAY		
3 12 21 30 39 48						REST DAY	REST DAY
4 13 22 31 40 49	REST DAY	REST DAY					
5 14 23 32 41 50			REST DAY	REST DAY			
6 15 24 33 42 51						REST DAY	REST DAY
7 16 25 34 43 52	REST DAY	REST DAY					
8 17 26 35 44 53	ROLLING REST DAYS [see below]						
9 18 27 36 45 54						REST DAY	REST DAY

Week number	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
8	REST DAY	REST DAY					
17		REST DAY	REST DAY				
26			REST DAY	REST DAY			
35				REST DAY	REST DAY		
44		REST DAY	REST DAY				
53			REST DAY	REST DAY			

## Appendix A

### Monitoring Table

What	Who	How	Frequency	Evidence	Reporting Arrangements	Acting on recommendations	Change in practice and lessons to be shared
What key elements that need monitoring	Role or group who will lead on this aspect of monitoring?	What tool will be used to monitor/ check/ observe/ asses/ inspect/ authenticate that everything is working according to this key element	How often is monitoring needed How often should a report be completed? How should a report be shared?	What type of evidence will be presented	Who or what committee will the completed report go to and how will this be monitored. How will each report be interrogated to identify the required actions and how thoroughly should this be documented in e.g. meeting minutes	Which committee, department or lead will undertake subsequent recommendations and action planning for any or all deficiencies and recommendations within reasonable timeframes?	How will system or practice changes be implemented lessons learned and how will these be shared.
					<i>The lead or committee is expected to read and interrogate any report to identify deficiencies in the system and act upon them</i>	<i>Required actions will be identified and completed in a specified timeframe.</i>	<i>Required changes to practice will be identified and actioned within a specific time frame. A lead member of the team will be identified to take each change forward where appropriate. Lessons will be shared with all the relevant stakeholders.</i>

## Appendix B

# Equality analysis

## Title: Relief Policy

### What are the intended outcomes of this work? *Include outline of objectives and function aims*

The purpose of this policy is to ensure that East of England Ambulance Service NHS Trust (EEAST) has a consistent and equitable policy for the management of operational relief working, taking into account the needs of patient care across the whole of EEAST.

This policy ensures that EEAST adheres to all statutory requirements, NHS National Terms and Conditions and Trust Policies to ensure that the optimum working life balance can be maintained given the need of patient care.

### Who will be affected? *e.g. staff, patients, service users, general population etc*

This policy applies to all staff when working permanent relief and for all staff who work a core line with a relief element built into it.

The policy will only apply when working relief shifts, for staff working within Emergency Health Operations Centres some of these principles will not apply in full.

## Evidence

*The Government's commitment to transparency requires public bodies to be open about the information on which they base their decisions and the results. <sup>1</sup>*

### What evidence have you considered?

This policy is inclusive of all and meets the requirements of associated legislation (eg working time regulations). Where it is noted below that there will be no adverse impact by implementing this relief policy, this is based on relief shifts being allocated in line with the principles outlined in section 5, which is primarily based on existing rotas and work patterns which have been agreed with individual employees.

### Disability

There should not be an adverse impact on any employee with a disability. Through the related consultation process individual needs will be assessed. In addition, consideration of working patterns will be/will have been assessed and reasonable adjustments considered and actioned appropriately.

### Gender

There should be no adverse impact on gender; this policy covers both men and women who all have the right to request flexible working.

<p><b>Race</b> There should be no adverse impact on race; where racial groups may require a different working pattern the Trust’s Flexible Working Arrangements will provide a process to address this.</p>
<p><b>Age</b> There should be no adverse impact on age.</p>
<p><b>Gender reassignment (including transgender)</b> There should be no adverse impact on gender reassignment.</p>
<p><b>Sexual orientation</b> There should be no adverse impact on sexual orientation.</p>
<p><b>Religion or belief</b> There should be no adverse impact on religion or belief. In addition to the flexible working arrangements, provisions are made for employees within the Trust’s annual leave policy.</p>
<p><b>Pregnancy and maternity</b> There should be no adverse impact on pregnancy and maternity.</p>
<p><b>Marriage and civil partnership:</b> There should be no adverse impact on marriage and civil partnerships</p>
<p><b>Carers</b> There should be no adverse impact on carers.</p>
<p><b>Other identified groups</b></p>

<p><b>Engagement and involvement</b> <i>Was this work subject to the requirements for public engagement/consultation?</i> No.</p>
<p><i>How have you engaged stakeholders in gathering evidence or testing the evidence available?</i> The Trust’s recognised union, UNISON, has engaged in the process of drafting this policy.</p>
<p><i>How have you engaged stakeholders in testing the policy/strategy or programme proposals?</i></p>
<p><i>For each engagement activity, please state who was involved, how and when they were engaged, and the key outputs:</i></p>

<p><b>Summary of Analysis</b> <i>Considering the evidence and engagement activity you listed above, please summarise the impact of your work. Consider whether the evidence shows potential for differential impact, if so state whether adverse or positive and for which groups. How you will mitigate any negative impacts. How you will include certain protected groups in services or expand their participation in public life.</i></p> <p><i>Now consider and detail below how the proposals impact on elimination of discrimination, harassment and victimisation, advance the equality of opportunity and promote good relations between groups.</i></p>
<p><b>Eliminate discrimination, harassment and victimisation</b></p>

No evidence to suggest that there is any positive or negative impact on any protected characteristics, the policy is based on agreed rotas and working patterns.

### **Advance equality of opportunity**

No evidence to suggest that there is any positive or negative impact on any protected characteristics, the policy is based on agreed rotas and working patterns.

### **Promote good relations between groups**

No evidence to suggest that there is any positive or negative impact on any protected characteristics, the policy is based on agreed rotas and working patterns.

### **What is the overall impact?**

No evidence to suggest that there is any positive or negative impact on any protected characteristics, the policy is based on agreed rotas and working patterns.

### **Addressing the impact on equalities.**

No action required.

### **Action planning for improvement**

As a result of performing the analysis, the policy does not appear to have any adverse effects on people who share protected characteristics and no further action is recommended as this stage. The correct application of this policy is integral to this.

### **For the record**

#### **Name of person who carried out this assessment:**

Karen Barry  
Head of HR

#### **Date assessment completed:**

11 October 2018

#### **Name of responsible Director:**

Lindsey Stafford-Scott

#### **Date assessment was signed:**

6 November 2018