



ADUR & WORTHING COUNCILS

HR Policies - Out of Hours Policy

Report by the Director for Digital & Resources

Executive Summary

1. Purpose

- 1.1 The report seeks approval of the Adur & Worthing Councils Out of Hours - Standby and Call Out Policy
- 1.2 The Councils currently do not have a policy on the management and remuneration of their Out of Hours provision.
- 1.3 The purpose of the policy is to ensure that the Councils have the capacity to respond to situations, events and urgent issues outside of working hours and for the limitations that this imposes on employees.
- 1.4 The policy sets out the remuneration and expectations of those on an Out of Hours rota.

2. Recommendation

- 2.1 The Joint Staff Committee is recommended to approve the Out of Hours - Standby and Call Out Policy with an implementation date of 1st January 2020.
- 2.2 The Joint Staff Committee is asked to delegate authority to the Head of Human Resources (in consultation with the Chief Financial Officer and the Head of Legal Services, where relevant) in order to make minor and non-consequential amendments to the Policy at any time.

3. Context

- 3.1 The purpose of this new policy is to ensure that there is a fair and transparent approach to paying employees who carry out Out of Hours duties.
- 3.2 The policy applies to all employees of both Adur and Worthing Councils that carry out Out of Hours duties.
- 3.3 There are currently a number of informal arrangements in place to cover the Out of Hours provision with some staff being paid and some carrying out duties as a gesture of goodwill.

4. Issues for consideration

- 4.1 The current level of risk due to the Councils not having a policy and formal arrangements in place to ensure that the required Out of Hours provision is covered.
- 4.2 The reputational and legislative risks of not having a formal Out of Hours provision and cover for the Adur and Worthing Communities.
- 4.3 Within the policy there are 3 levels of remuneration for the Standby element of the payment. These are determined by the level of accountability/decision making and whether the employee would be expected to attend on site or not.

5. Engagement and Communication

- 5.1 Unison have been consulted with and they consulted with their members providing them with two weeks to provide any feedback.
- 5.2 Following that period of consultation Unison agreed the policy on 7th November 2019.
- 5.3 The policy has been shared and discussed with Heads of Service to obtain their views on the contents and affect on their services.

6. Financial Implications

- 6.1 The current cost of out of hours allowances is £54,000. The policy proposes a rationalisation of the current arrangements and the cost will be met from within the existing budgets.

7. Legal Implications

- 7.1 Section 112 Local Government Act 1972 provides the Council with the power to appoint staff on the terms and conditions that they consider fit.

7.2 This Policy sets out the arrangements that will govern out of hours working. The Joint Staff Committee is the correct Committee to consider this Policy.

Background Papers

- Adur & Worthing Councils Out of Hours - Standby and Call Out Policy available at Appendix 1
- Out of Hours Equality Impact Assessment (EIA) available at Appendix 2

Officer Contact Details:-

Heidi Christmas

Head of Human Resources

Worthing Town Hall

01903 221183

heidi.christmas@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic

2.1 Matter considered and no issues identified.

2. Social

2.1 Social Value

2.1.1 Positive impact due to the formal and consistent approach recommended to the provision of Out of Hours services to the Adur and Worthing communities.

2.2 Equality Issues

2.2.1 The Equality Impact Assessment for this policy is attached as Appendix 2.

2.3 Community Safety Issues (Section 17)

2.3 Matter considered and no issues identified.

2.4 Human Rights Issues

2.4 Matter considered and no issues identified.

3. Environmental

3.1 Matter considered and no issues identified.

4. Governance

4.1 Positive impact due to the formal and consistent approach recommended to the provision of Out of Hours services to the Adur and Worthing communities.