



Agenda for Change

London Ambulance Service NHS Trust working in partnership with UNISON, GMB, Amicus and TGWU

1 December 2006

Issue 35

Introduction of rest breaks for operational staff

Following the discussions of the joint secretaries of the staff council and wider consultation within the areas / sectors, agreement has been reached in regard to rest breaks for operational staff. An agreed policy document has been presented to the Agenda for Change project board today; this has been ratified and now will be implemented as Service policy.

New rest break arrangements for operational staff will come into effect from 06.00 hours on Monday 11 December 2006.

The new arrangements aim to provide staff working in A&E, Patient Transport Service, Control Services and Resource Centres with a formal uninterrupted rest break during each shift that they work. It is acknowledged that this policy is being introduced at one of the busiest periods of the year and this will be a significant challenge. However, it is intended that all staff will benefit from an uninterrupted rest break and as the new rest break arrangements settle in we expect compensatory arrangements being utilised only by exception.

A policy detailing how the new arrangements will work has been published on *the pulse* under 'Policy & Procedures>HR Policies and Procedures' and is available from your local manager.

The following Q&As aim to address some of the key issues about rest breaks.

How will these new arrangements be different to what we do now?

The fact is, in the past we have not given staff a formal rest break. Under the new arrangements staff will be allocated a formal break, part of which will be uninterrupted. If they are interrupted during the paid part of their break, which will only happen in exceptional circumstances, they will be compensated for this.

With the introduction of formal rest breaks, staff will be working a 37.5 hour week exclusive of their break as set out under Agenda for Change. This is a change to current practice where they work 39 hours inclusive of breaks, and have received overtime for the extra 1.5 hours worked.

How long will my break be?

If your shift is from six up to 10 hours long, you will be allocated a single rest break of 30 minutes. The first 20 minutes will be unpaid and you won't be interrupted during this period. The final 10 minutes of the break will be paid time and may be interrupted in exceptional circumstances for the most serious calls – those categorised as 'red one' – where no other suitably qualified Service resource is available to respond.

Rest Breaks

Agenda for Change

If you are working a shift of 10 hours or more, your rest break will be 45 minutes. The first 30 minutes of the break will be unpaid and uninterrupted. The final 15 minutes of the break will be paid time and may be interrupted in exceptional circumstances for 'red one' calls where no other suitably qualified Service resource is available.

When will I be allocated my break?

The rest break period for shifts of six hours but less than eight hours will start after the first hour of duty and will be completed 30 minutes before the end of the shift.

For shifts of eight hours but less than nine hours, the rest break window will be in the middle four hours of the shift.

Shifts of between nine and 10 hours in duration will be allocated a rest break in the middle five hours of the shift.

The rest break window for shifts of greater than 10 hours will start from four hours into the shift and will be completed two hours before the end of the shift.

All rest breaks will be allocated and completed within these times.

How will I be allocated a break?

The Emergency Operations Centre or the Urgent Operations Centre will allocate your rest break by telephone when on station, or by radio at other locations. This will include the digital radios as they are rolled-out across the Service. The time that your rest break is allocated and completed will be recorded electronically for audit purposes.

What if I don't want to take it at the point it is allocated?

You must accept your break at the time it is allocated to you. This is to facilitate the management of the system so that all on-duty staff get a break during the appropriate rest break window and cover is maintained throughout the shift.

Where can I take my break?

Unless you request otherwise, A&E staff will take their break at their base station – this will be designated by the vehicle call sign. If you are undertaking pre-planned training or a secondment, the location of your training or secondment will be considered your base station.

Patient Transport Service staff will be allocated their rest break at one of their contracted hospitals, unless another location is agreed. Due to the nature of their work, PTS central services staff may not always be able to return to their station to take their rest break and in such circumstances they may take their break at another suitable location.

Urgent care staff will take their break at their base station, unless they request otherwise.

More than one crew may be allocated a rest break on station at the same time to ensure that all staff can benefit from a rest break.

You can request to take your break in other locations and if you are doing so, Service policy regarding dress code and alcohol still applies.

If you are leaving your vehicle unattended during your break, you must ensure it is secure, and that it is parked safely, lawfully and where it is not causing an obstruction.

Agenda for Change

What if my base station isn't available for any reason?

If your base station is temporarily out of commission, for example because redecoration or maintenance work is underway, an alternative location will be agreed at a local level by the complex management team and staff side representative.

If this occurs, no additional subsistence payments or claims will be payable. However, if you are not advised of this change in advance, your complex management team will consider all options and may authorise any legitimate subsistence claims.

What if I am working away from my base station?

If you are required to move from your base station to another station (for example, single staff or relief staff), the alternate station will be considered to be your base station for that shift. As above, if no notice is given of this change, your complex management team may authorise any legitimate subsistence claims.

At what point does my rest break start?

Your rest break will start from the time it is confirmed that you have arrived at your station, or from the point you are stood down if you are taking your break at another location.

Do I need to be contactable during my break?

For the first part of your break you are off duty, and therefore will not be interrupted.

In the second period, A&E staff must be available to the control room to accept a call since you can be interrupted in exceptional cases for the most serious calls – those categorised as 'red one' – where no other suitably qualified Service resource is available to respond.

Being available means being on station or being on your vehicle if you are taking your rest break away from your station.

What is the dress code during my rest break?

If you have asked to take your rest break in a public location, you should cover recognisable uniform – for example, wear a jacket over your fleece or shirt.

What happens if I am on my break and there is a cardiac arrest around the corner?

During the unpaid part of your rest break you are off duty and cannot be contacted for a call. We will find another resource to respond to the call, whatever its priority.

If, however, you are on the paid part of your rest break we can interrupt you in exceptional circumstances to attend red one calls - ie the most serious calls such as cardiac arrests.

Who will provide cover while I am on my break?

The control room will send the nearest on-duty resource to attend calls while you are on your break.

What happens if my break gets interrupted?

It is intended that all staff will be allocated a break within the appropriate rest break windows and that these breaks will not be interrupted. However, there will be compensatory arrangements in the event that this cannot be achieved within the paid period. The unpaid period of your rest break will not be interrupted.

If the paid period of an allocated rest break is interrupted, you will receive a compensatory payment. This will be a single payment of £10; this payment will replace the previous arrangement for subsistence allowances and will be jointly reviewed on a yearly basis.

Agenda for Change

If a rest break is not allocated within the rest break windows specified for a shift, you will be given compensatory time at the end of your shift. In these circumstances the paid part of your rest break will be at the start of the break followed by the unpaid element, which means you will be able to go home early. If you are working a shift from six up to ten hours you will go off duty 20 minutes before the rostered end of your shift, and if you are working between 10 and 12 hours you will be able to leave 30 minutes before your shift is scheduled to end.

What happens if I am approached by a member of the public asking for help and I am on my break?

If this happens when you are on break and you respond it will be treated as a running call. You must inform EOC/UOC that you are responding and a CAD number will be allocated as this will record the interruption to your break.

What happens if I am interrupted during my compensatory time at the end of my shift?

In exceptional circumstances, where you have not been given a rest break during your shift and are then interrupted whilst you are taking your compensatory time at the end of your shift, you will be subject to other compensatory arrangements.

If you are interrupted during your paid compensatory time (ie to attend 'red one' calls when no other suitably qualified Service resource is available), you will receive a compensatory payment of £10. If you then continue to work through your unpaid compensatory time, you will be paid at normal overtime rates of time and a half. If the call you are attending continues beyond the rostered end of your shift, you will also receive overtime (at time and a half) from the point that your shift is scheduled to end.

In these circumstances, no further compensatory time will be given. These arrangements will replace current subsistence allowances that are paid if no break is given.

If I am returning to station during the compensatory time I will be X-Ray so can I still volunteer for a call in response to a general broadcast?

Yes, you can offer to respond to the call but the decision to allocate the call to you will remain with control.

By letting people leave early, aren't you just going to see performance fall even further at shift changeover times?

The intention is that all staff will get a break during the allocated rest break windows for their shift, thus minimising the impact on our service at shift changeover times.

However, there is a separate piece of work being carried out to look at the start and finish times of all shifts bearing in mind that we experience a drop in the speed of our response to patients at shift changeover in the morning and evening.

The compensatory time element of the rest break arrangements will be factored in to this work.

How do I claim compensation if my break is interrupted?

The control room will log all rest break allocations and will authorise any payments for interrupted breaks. This information will be allocated to a specific call sign. It will be recorded electronically, and will be accessible to all staff in a read only format on the common server and can be found at X:\Rest Break Report.

Agenda for Change

Station administration staff will confirm any breaks authorised by the control room – they will confirm crew names from the LA1 (emergency journey summary form) and signing on sheets. Administrators will be responsible for recording the claim on behalf of individual staff members and will inform the Payroll department. Initially this will be done through completion of the traditional subsistence form (form LA236), but this will eventually be withdrawn and a new field will be introduced to the LA191 S monthly overtime return for this purpose.

Who do I contact if I've got a query about being paid for interrupted breaks?

If you have a query about payments for interrupted breaks, you should raise the issue with a member of your local management team in the first instance.

Why weren't we given the opportunity to vote on these changes?

The rest break arrangements form part of staff's terms and conditions under Agenda for Change. Staff were given the opportunity to vote for Agenda for Change as a package prior to its implementation, and the majority vote nationally was in favour of the proposed pay and conditions system. Individual elements of the Agenda for Change package are not balloted on.

Isn't this just a cost-cutting exercise to help get the NHS out of debt?

There are a number of reasons for bringing in the new rest break arrangements, and cost-cutting is not one of them.

Under Agenda for Change terms and conditions, staff should be working a 37.5-hour week exclusive of breaks, rather than a 39-hour week inclusive of breaks. The new arrangements align the working week with these requirements.

The new system also conforms to health and safety legislation, under the European Working Time Directive, that requires staff to be offered a rest break when they work any one period in excess of six hours.

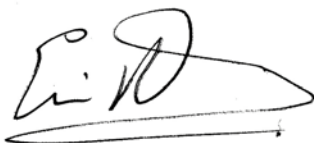
Above all, we have a duty to ensure staff get a break during their shift, bearing in mind the demanding nature of ambulance work – both on the road and in the control rooms and resource centres.

Are there any other exceptions to this agreed policy which will mean I won't get a rest break?

The on-call Gold Senior Manager has the authority to temporarily suspend the rest break policy for a short period of time. If this occurs a senior staff side representative will be consulted. It is anticipated that this is only likely to happen if a major incident is declared or during particularly busy periods such as New Year's Eve.

Where can I find out more about these new arrangements?

The rest break policy is available on *the pulse* under 'Policy & Procedures>HR Policies and Procedures'.



Eric Roberts
Operational Rest Breaks Working Group Joint Chair
(Trade Unions on behalf of UNISON, GMB,
Amicus, TGWU)



Steve Sale
Operational Rest Breaks Working Group Joint Chair
(Management-side)