

**Report To:** Policy and Resources Committee      **Date:** 24 May 2011  
**Report By:** Head of Organisational Development, Human Resources and Performance      **Report No:** HR/06/011/AR  
**Contact Officer:** Barbara McQuarrie/Angela Rainey      **Contact No:** 01475 712845  
**Subject:** Standby & Disturbance Allowance Review

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## **1.0 PURPOSE**

1.1 The purpose of this report is to recommend a rationalised Standby and Disturbance Allowance Scheme for all Council employees covered by Local Government Employee (LGE) Conditions of Service.

## **2.0 SUMMARY**

2.1 The subject matter forms part of the Council's Corporate Workforce and Development Strategy, Theme 2 – Employees - our most valuable resource. The aim of the review is to modernise and harmonise our terms and conditions of employment relating to standby and disturbance allowances.

2.2 There has been a national agreement on the payment of standby and disturbance allowances in place since 1979. These have been varied within the Council due to the implementation of various local agreements over the years within Service areas of the Council.

2.3 Although standby and disturbance terms and conditions were originally to be reviewed as part of the single status agreement, it was agreed with the trade unions at the time that a review would be carried out after the implementation date of single status. The purpose of the review was to harmonise the terms and conditions surrounding standby and disturbance.

2.4 Arrangements surrounding standby and disturbance form part of the Single Status Agreement, under Part 3 of the National Agreement on Pay and Conditions of Service (commonly referred to as the Red Book). Part 3 can be modified locally through negotiation between the Council and Trade Unions.

2.5 There are currently around 131 employees voluntarily participating Council-wide in standby and disturbance arrangements.

2.6 The objective of the review was to harmonise existing practices and payments relating to standby and disturbance. The revised scheme, however, does bring a small cost reduction of £1.2K out of an estimated spend of £263K Council-wide.

## **3.0 RECOMMENDATIONS**

3.1 That the Committee agree the revised Standby and Disturbance Allowance Scheme as per Appendix 1.

Head of Organisational Development,  
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## 4.0 BACKGROUND

4.1 Standby and disturbance payments have been in existence since 1979 by means of a national agreement. Over the years, these payments have been varied due to the implementation of various local agreements to address service delivery needs.

It was agreed that a review on the current standby and disturbance payments and related practices would be undertaken after the introduction of single status. The outcome of the review is a revised Standby and Disturbance Allowance Scheme as per Appendix 1.

4.2 As part of the review on standby and disturbance payments and practices, a working party was put together which consisted of representatives from Service areas operating standby and disturbance procedures.

4.3 There are currently an estimated 131 employees participating in either a formal or informal standby and disturbance operation within 5 different Service areas. At this moment in time, standby and disturbance is voluntary and is not part of an employee's contract of employment. It is not the intention to change this position but the Council may wish to consider changing this in the future.

4.4 Due to the nature of payments for standby and disturbance, e.g. travel costs, it was necessary to prepare estimated costs for the financial year 2009/2010 for each of the five Service areas. To make a comparison, costs were estimated using the revised Standby and Disturbance Allowance Scheme. Based on the proposals being put forward to the Committee it is estimated that there would be a small reduction to the Council of £1,245 per annum. The estimated costings follows the principles of the review in that the costs of any revised scheme would be as close to neutral as possible.

4.5 Following the review by the Working Party a report was submitted and agreed by the CMT after which full consultation was undertaken with all trades unions. The trades unions have given their comments on the revised scheme and where appropriate amendments have been made to incorporate any changes. The Standby and Disturbance Allowance Scheme being submitted to Committee today has been re-issued to the trade unions.

## 5.0 PROPOSALS

5.1 It is being proposed that the revised Standby and Disturbance Allowance Scheme is considered by the Committee.

## 6.0 IMPLICATIONS

6.1 Finance: If the revised Standby and Disturbance Allowance Scheme is agreed, it is anticipated that there will be a small savings of £1.2k, over a budget of £263k currently spent by Services.

### Financial Implications – One off Costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments

### Financial Implications – Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments

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- 6.2 Human Resources: All human resources aspects have been taken into account within the report.
- 6.3 Legal: Legal Services have been consulted on the revised Standby and Disturbance Allowance Scheme.
- 6.4 Equalities: the purpose of the revised scheme is to rationalise terms and conditions associated with standby and disturbance which reduce any potential risks of inequality to the Council.

## **7.0 CONSULTATION**

- 7.1 Consultation has taken place with all trade unions.
- 7.2 Finance Services have been fully consulted.

## **8.0 LIST OF BACKGROUND PAPERS**

- 8.1 Appendix 1 – Standby and Disturbance Allowance Scheme

*Organisational Development, Human Resources and Performance*

# **STANDBY AND DISTURBANCE SCHEME**

Version 1

Produced by:

*Policy Development Unit,  
Organisational Development, Human Resources and Performance*

Inverclyde Council  
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May 2011



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**DOCUMENT CONTROL**

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## **1 PURPOSE AND SCOPE**

### **1.1 Aims**

- 1.1.1 There will be occasions when employees may be required to be available on a stand-by / call-out arrangement due to the nature of the Service. The purpose of this document is to outline the standby / call-out scheme, set criteria for participation, outline responsibilities, and payments.

### **1.2 Scope**

- 1.2.1 The scheme applies to all Local Government Employees (LGE) and supersedes all other previous arrangements and payments. The scheme has been agreed collectively between the Council and the relevant Trade Unions.

## **2 PROCEDURES RELATING TO STANDBY / CALL-OUT**

### **2.1 Identifying and Defining Standby / Call-out**

- 2.1.1 The Head of Service, in conjunction with the appropriate Corporate Director, will identify those groups of employees who require to participate in standby / call-out arrangements. Organisational Development, Human Resources and Performance (OD, HR & Performance) should be advised of these identified groups to ensure the employee's contract of employment reflects this position.
- 2.1.2 Employees may be involved in a standby / call-out arrangement on a contractual or non-contractual manner. The definition applying will be:

#### **Contractual**

Certain employees are contractually required to be available outside of their standard working hours, including at weekends and public holidays. In most instances, this will be organised through a rota system.

#### **Non-contractual**

In order to ensure service delivery, employees may agree to be available to be called upon to undertake agreed duties once their standard working hours have been completed. No employee will be obliged to operate on a stand-by arrangement if their job does not contractually require this. If however, an employee has voluntarily agreed to participate in a stand-by rota then they must keep to that commitment unless appropriate notice (i.e. minimum 4-weeks notice) has been given. Where appropriate, management should also apply this notice. If the stand-by arrangement is voluntary, the Corporate Director or their nominee should approve the participation in the stand-by rota.

- 2.1.3 An employee on stand-by is required to remain continuously and immediately available outside their normal working hours for a period as prescribed by the rota already agreed. Employees are not necessarily expected to remain at home during their period of stand-by, but must be contactable and be able to respond to call-out requirements within a reasonable response time, as determined by the Service needs. If an employee is provided with a mobile phone as a requirement of the

stand-by arrangement, they should carry this with them at all times, leave it switched on and check it regularly.

- 2.1.4 Employees must ensure that they are fit to attend work should they be required and notify their Line Manager immediately should they become unfit during a period of stand-by.
- 2.1.5 Employees must not consume alcohol; and/or drugs not specifically prescribed for them by their GP during their period of stand-by cover.
- 2.1.6 Employees must remain within a reasonable distance, as determined by Service management, of the workplace if they are participating in stand-by arrangements.

## 2.2 **Payments**

### **Formal Standby**

- 2.2.1 Where the criteria detailed in paragraph 2.1 above has been met, an employee graded at Team Leader (grades J, K, and L) level and below will be entitled to the following payments:

#### Payment for Stand-by:

For each completed week of stand-by duty actually performed;	£80.76
Plus, where a public holiday has been worked on standby an additional payment of:	£15.16
For broken periods of stand-by occurring on Monday-Friday:	£8.05 per night
For broken periods of stand-by occurring on a Saturday:	£17.13 for 24 hrs
For broken periods of stand-by occurring on a Sunday or Public Holiday:	£23.34 for 24 hrs
An employee required to work standby on a public holiday shall be granted a day off with pay at a later date whether called out or not on a public holiday.	

The commencement of each 24 hour period of standby duty will be determined by the Service.

#### Payment for Disturbance and Call-Out:

Employees undertaking standby duty, who are contacted or called out will be paid:

For each occasion on which the employee is contacted and which results in the exercise of skills for which the standby duty is required, either at the employee's home or elsewhere: (Only one such payment within each period of 2 hours, commencing with the start of the standby session can be paid).	£12.90
Plus, where that or subsequent disturbance or call out is in excess of 1 hour, the employee will be entitled to further payment for the whole of the period of disturbance or call-out at the appropriate overtime rates. Overtime rates will only be applicable once the 37-hour working week has been reached.	

- 2.2.2 For employees graded above Team Leader level (grade N and O), there is a requirement to work the hours required for the post and therefore, standby



payments will not be applicable. The only exception to this clause will be where there is a requirement to provide specialist knowledge that cannot be done at another level and where that knowledge is an essential requirement to Council service provision. Corporate Management Team (CMT) approval is required before posts can be authorised to fall under this exception. The standby and disturbance payments outlined in paragraph 2.2.1 will apply in these circumstances once authorisation has been given by the CMT.

### ***Informal Standby***

- 2.2.3 For employees who are not on standby but have been disturbed which results in the exercising of skills in an emergency, a one-off payment of £17.74 will be made. Only one such payment within each period of 2 hours, commencing with the start of the standby session will be paid. Where the call out is in excess of one hour, the employee will be entitled to further payment for the whole of the period of the disturbance or call out at the appropriate overtime rates. Overtime rates will only be applicable once the 37-hour working week has been reached.
- 2.2.4 Where an employee is not on standby but receives a telephone call at home disturbing them during an unsociable period (defined as between Midnight – 6.00am) and has been required to exercise skills or provide advice on an appropriate alternative contact then a one-off payment of £17.74 will be made. Only one such payment within each period of 2 hours will be paid.

### ***Miscellaneous***

- 2.2.5 In responding to an emergency call-out, employees will be entitled to a flat travel rate of £3.50 per call-out, where it has been deemed necessary to use their personal vehicle or for reimbursement in the use of approved public transport. All employees who are using their personal vehicle must hold a motor insurance certificate which proves they are able to use their vehicle for “business use”.
- 2.2.6 Overtime rates will only be applicable once the 37-hour working week has been reached. Part-time and job share employees who participate in standby require to do 37-hours before overtime rates apply.
- 2.2.7 Where overtime rates cannot apply as the 37-hour working week has not been reached, employees may be entitled to atypical allowances for unsociable hours as defined under paragraph 1.3 of the Conditions of Service.
- 2.2.8 Stand-by and call-out arrangements do not operate within the Council’s Flexi Scheme.
- 2.2.9 If sickness intervenes no payment for stand-by will be made.
- 2.2.10 Payments will be revised and updated in line with national conditions.

## **2.3 Compliance with the Working Time Directive**

- 2.3.1 Both management and employees are responsible for ensuring compliance with the Working Time Regulations, i.e. hours of work, compensatory leave where

applicable, etc. This should be done in line with the Council's 'Working Time Regulations Guidance' which is available from OD, HR & Performance.

- 2.3.2 Management should ensure that no employee is constantly on stand-by. For example, an employee participating in a weekly stand-by rota for 1 out of 3 weeks would be considered suitable. Of course exceptions to this recommendation will apply in cases such as road gritting and other types of emergency, legislative requirements, etc.

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