



## **Standby Call Out Procedure**

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

### **Overarching Policies:**

Working Arrangements and Flexibility

### **Procedures:**

### **Other Documents:**

Police Staff Council - Pay and Conditions of Service Handbook

Working Time Directive

### **Process**

#### **1 PURPOSE**

- 1.1 This procedure is designed to clarify options available to individuals and departments when considering use of an On-Call rota, to assist in meeting identified organisational needs and objectives in situations that cannot be planned for.
- 1.2 This procedure follows the principles laid out within the North Yorkshire Police Staff Conditions of Service Handbook and under the Working Time Directive.

#### **2 GENERAL PRINCIPLES**

- 2.1 These principles apply to all Police Staff members of North Yorkshire Police who work a standby/on-call system.
- 2.2 Those Police Staff members who are required to remain close to home on standby (or be contactable by mobile) should be paid a standby allowance whilst on standby.
- 2.3 An individual cannot be required to take part in a standby/call out rota, unless this is part of their contract, otherwise they undertake this on a voluntary basis.

- 2.4 This allowance will reflect the responsibility that the post holder accepts when making themselves available for the duration of the on-call period and compensates them for the inconvenience to their domestic arrangements.
- 2.5 Police Staff on standby-by are required to refrain from consuming alcohol during this period to ensure they are fit and able to travel to work and undertake duties required.
- 2.6 This allowance covers the requirement to be available to deal with work issues as soon as practicable, either away from or at the workplace.
- 2.7 If an individual is in receipt of standby allowance and has agreed to be on call on a Rest Day or a Bank Holiday, that person can be required to work on that Rest Day or Bank Holiday during that standby period, in respect of their call out rota.
- 2.8 For the purposes of this procedure a period of standby duty is defined in 4.2 below.
- 2.9 Mileage in respect of an employee who is called out will be permitted from their home address to their normal place of work. Mileage should be claimed at casual user rate using the appropriate form available on the Payroll subsite.
- 2.10 All employees claiming motor vehicle allowances in respect of call out must ensure they have appropriate insurance cover in place prior to commencing the journey. There is no requirement to use the individuals own vehicle for actual work purposes during the call out.
- 2.11 Standby Allowance paid in respect of standby arrangements is pensionable.
- 2.12 The initial response when answering a call out should be as soon as practicable in accordance with published locally agreed protocols. However, attending work should be done within normal driving conditions and in accordance with all legislation.

### **3 PAYMENT WHEN CALLED OUT**

- 3.1 An employee who is called out shall be paid at the rates as set out below which are in accordance with Part 2, Section 2.6.1 of the PSC handbook for all time spent working. The normal restriction on overtime payments for staff above SCP29 shall not apply when a member of staff is on standby and called out / required to work.

For the purposes of callout, periods of work of 15 minutes or more should be aggregated and complete periods of 15 minutes paid at the appropriate rate.

- 3.2 Weekend working allowance and Night working allowance shall not be payable in respect of hours worked on call.
- 3.3 Managers are required to ensure that individuals working six or more hours are provided with a 30-minute meal break and this will be unpaid.
- 3.4 Where an individual has been scheduled for bank holiday leave on a day which would otherwise have been a working day, but is also on standby, then if they are called out they will be entitled to the overtime rates set out in PSC Handbook T&C's Part 2, Section 2.6.1 for each completed 15 minutes of duty time necessarily spent working less any meal break taken. They will also

receive a BHIL equal to the number of hours worked which can be converted to Bank Holiday TOIL for the equivalent time spent on duty.

#### **4 RATE OF STANDBY ALLOWANCE**

- 4.1 The payment for each such period of standby duty is agreed nationally and is published on the current Police Staff Salary card which can be found on the payroll subsite.
- 4.2 A period of standby duty is defined as either of the following:
- the period from the end of normal office working hours to the beginning of normal office working hours the next day
  - A twelve-hour period at weekends or on a public holiday.

##### **Example 1 – Individual Contracted For Shift Work Over 7 Days Per week**

From end of contracted shift e.g. 10pm to start of contracted shift the following day e.g. 8am equals 1 period. (If the span of hours exceeds 12 hours this will become 2 periods on a weekend.)

##### **Example 2 - Individual Contracted For Monday – Friday Standard Hours**

|                              |   |          |
|------------------------------|---|----------|
| Monday to Thursday 1700-0830 | - | 1 period |
| 4.30pm Fri - 4.30 am Sat     | - | 1 period |
| 4.30am Sat - 4.30 pm Sat     | - | 1 period |
| 4.30pm Sat - 4.30 am Sun     | - | 1 period |
| 4.30am Sun - 4.30 pm Sun     | - | 1 period |
| 4.30pm Sun - 4.30 am Mon     | - | 1 period |
| 4.30am Mon - 8.30 am Mon     | - | 1 period |

- 4.3 During a period of sickness whether self-certified or certificated, or when taking annual leave, claims for on-call allowance which is part of a person's contract shall be payable.
- 4.4 However where such agreement is purely on a voluntary basis and the individual reports sick, either self-certified or certificated or takes annual leave, on-call allowance will not be payable.

#### **5 COMPENSATORY REST**

- 5.1 All hours actually worked due to a callout will be recorded on the Duties System by the individual as these times will be included as part of working time calculations.
- 5.2 Checks must be maintained by the supervisor to ensure:
- that the average amount of hours worked in a 17-week reference period does not exceed 48 hours.
  - That the minimum compensatory weekly rest of 90 hours is available to an individual.
  - That a minimum of one full Rest Day has been taken per individual each week or two full rest days per a 14- day period.
  - Reasonable rest periods must be given after working on-call through the night if it is likely to affect an early start the following morning. This will be done through local agreement with your line manager.

## **Responsibilities**

**Individual Police Staff** – will adhere to this procedure by:

- refraining from consuming alcohol during the period when they are on standby to ensure they are fit and able to travel to work and undertake duties required
- ensuring they have appropriate insurance cover in place prior to commencing a journey, in respect of call out, for which they subsequent claim motor vehicle allowances
- recording all hours actually worked due to a callout on the Duties System

**Line managers/Supervision** – will adhere to this procedure by:

- ensuring that individuals working six or more hours are provided with a 30-minute meal break (unpaid)
- maintaining checks to ensure that the individual is provided with compensatory rest as appropriate

## **Definition of Special Terms**

**North Yorkshire Police** – collectively the Police, Fire and Crime Commissioner and the Chief Constable in their respective corporate capacities as the employer of staff (or, in the case of the Chief Constable in so far as Police Officers are concerned, deemed or de jure employer).

**North Yorkshire Police Personnel** – Collectively, Police Service Personnel and Commissioner's Staff as defined below.

**Police Staff** – collectively, Chief Constable's Staff and Commissioner's Staff.

**Chief Constable's Staff** – All staff in the employment of the Chief Constable.

**Commissioner Staff** – All staff in the employment of the Police, Fire and Crime Commissioner.

**Line Manager** – Immediate line manager with responsibility for managing the member of staff.

**PSC** - Police Staff Council