

NHSBT

**NATIONAL UNSOCIAL HOURS
REMUNERATION COLLECTIVE AGREEMENT**

(Updated 01 April 2020 to detail current values)

Joint Agreement

between

NHS Blood and Transplant

and

NHSBT Staff Partnership Committee

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NHSBT UNSOCIAL HOURS REMUNERATION COLLECTIVE AGREEMENT

1. Introduction

NHSBT is required to deliver services around the clock. Employees may be required to work in the evenings, at night, over weekends and on public holidays. This is classified as working Unsocial Hours. Under the national NHS terms and conditions of service the NHS Staff Council has agreed that percentage enhancements should be paid for such hours.

NHSBT has developed this Collective Agreement, in partnership and is incorporated as part of employee terms and conditions of employment. The agreement acknowledges the distinctly different working arrangements in operation across the organisation. Employees working outside normal hours will be remunerated under this agreement with effect from 1 April 2011.

This document includes NHS terms and conditions – where NHS Terms and Conditions are changed at a National level this agreement will be updated to reflect these changes but there will not be any further consultation within NHSBT.

This document has been updated in April 2020 following the April 2020 Pay Award.

2. Definitions of the 3 different Unsocial Hours Categories

Within NHSBT employees work a variety of different working patterns and arrangements which fall into 3 categories:-

A) Unpredictable - Employees who work unpredictable shifts each week, which require them to work hours deemed to be Unsocial Hours e.g. Donor Carers.

B) 24/7 - Employees who are required to work a predictable shift pattern that covers a 24/7 period. *This rate is closed to new starters or staff who change roles on or after 01 September 2018. New starters or staff who change roles working 24/7 shifts will be paid on the Unpredictable rates detailed in Section 2 of NHS Terms and Conditions of Service Handbook and Section A above.*

C) Predictable - Employees who work a predictable shift, either fixed or rotating, which includes some, but not all, hours which are worked Unsocial Hours.

A Unpredictable - Employees who work unpredictable shifts each week, which sometimes require them to work hours deemed to be Unsocial Hours. This category includes all employees whose working patterns do not fall within the definition of 24/7 or “Predictable”

Employees in this group will be paid enhancement rates determined by Section 2 of the NHS Terms and Conditions of Service Handbook. The rates table is as follows:-

Pay band	Week days 8pm to 6am and Saturdays	Sundays and Public Holidays
1	Time plus 47%	Time plus 94%
2	Time plus 41%	Time plus 83%
3	Time plus 35%	Time plus 69%
4-9	Time plus 30%	Time plus 60%

- B 24/7 - Employees who are required to work a predictable shift pattern that covers 24 hours and 7 days a week. *This rate is closed to new starters or staff who change roles on or after 01 September 2018. New starters or staff who change roles working 24/7 shifts will be paid on the Unpredictable rates detailed in Section 2 of NHS Terms and Conditions of Service Handbook and Section A on page 3.***

Employees in this group will be remunerated under the Prototype agreement, which is detailed in Annexes 5 and 6 of the NHS Terms and Conditions of Service Handbook. The calculation for the enhancement paid is defined in the NHS Terms and Conditions of Service Handbook. The unsocial hours are defined as:-

Employees in Pay bands 1 - 7

- On a week day between 7pm and 7am
- On a Saturday (midnight to midnight)
- On a Sunday and Public Holiday (midnight to midnight)

Employees in Pay bands 8 and 9

- On a week day between 10pm and 7am
- On Saturday and Sunday before 9.00am and after 1.00pm
- On a Public Holiday

Average unsocial hours	Percentage of basic salary	
	Pay Bands 1 – 7	Pay Bands 8 & 9
Up to 5	Local agreement	Local agreement
More than 5 but not more than 9	9%	9%
More than 9 but not more than 13	13%	10%
More than 13 but not more than 17	17%	10%
More than 17 but not more than 21	21%	10%
More than 21	25%	10%

The pay enhancement is based on the average number of hours worked within the defined Unsocial Hours periods and will be paid as a fixed percentage addition to basic pay. This payment is pensionable and will count for sick pay and annual leave payments.

These employees may also claim an additional payment of the standard Section 2 enhancement for hours actually worked on a Public Holiday (midnight to midnight).

The Prototype agreement is operated on a prospective basis because the rota/work pattern is known in advance. Employees in receipt of the prototype enhancement may be eligible for a £15 payment if they are asked to change their shift within 24 hours of the scheduled work period. The payment is not applicable to shifts that employees agree to work as overtime, or that they swap with other employees. In order to claim this payment, you must contact HR Direct on 27700 to obtain a claim form. The completed claim form should be sent to the SBS Payroll department for payment.

As stated in NHS terms and conditions once the average percentage has been agreed it will not normally change because of small week to week variations in shifts worked. However, the percentage will be recalculated if there is a significant change in working pattern. Where a significant change occurs, it is the responsibility of the manager to notify the Workforce Specialist Services Team immediately so that over/under payments do not occur.

It is good practice to review the rotas every 6 months and subsequently check that the percentage still reflects the rotas being worked. Rotas should be sent to the Workforce Specialist Services Team for review.

C Predictable - Employees who work predictable shifts either fixed or rotating that require them to work Unsocial Hours.

This agreement provides that for standard hours worked:-

- On a week day between 8pm and 6am
- On a Saturday (midnight to midnight)
- On a Sunday and Public Holiday (midnight to midnight)

Employees will receive NHSBT determined percentage enhancements for standard hours worked during the defined Unsocial Hours times. These enhancements will be as follows:-

	Week days 8pm to 6am and Saturdays	Sundays and Public Holidays
All pay bands	Time plus 50%	Time plus 100%

All other parameters and definitions in Section 2 of the NHS Terms and Conditions of Service Handbook will apply. These include:-

- Where a continuous night shift or evening shift on a weekday (other than a public holiday) includes hours outside the period 8pm to 6am, the enhancement will be applied to the whole of the shift if **more than** half the time falls in the Unsocial Hours period.
- The enhancement for Unsocial Hours working will be included in the absence payment calculation for annual leave pay. However, will not be included in the absence payment calculation for sickness unless your absence is relating to an injury at work.

In each of the above 3 categories, the payments are pensionable and will not be included for the calculation of overtime but will count towards maternity, and adoption pay.

3. Changes of Unsocial Hours Categories

Where an employee, at the request of NHSBT, changes their unsocial hours category, which attracts a different rate of unsocial hours payment, the change must be for one calendar month or more. For any periods of less than one calendar month, this is deemed to be a short term change and employees will remain on their current arrangement.

4. NHSBT Exceptional Enhancement payments for shift changes

This NHSBT exceptional payment, made outside of NHS terms and conditions, has been agreed to address the operational difficulties resulting from employees being reluctant to change their shift at the request of management, on any particular day, where this will lead to a reduction in their Section 2 or NHSBT Predictable enhanced payments. These payments are for **exceptional** circumstances only and will apply across all departments who operate shifts.

Where an employee is required, due to an exceptional management requirement, to work a shift attracting no enhanced payment, payment will be made for the lost shift enhancement, according to the originally planned shift. E.g. an employee scheduled to work an evening or night shift who is required to attend during the day.

Examples of when this may occur are as follows:

- Management requiring an employee to attend training
- Management requiring an employee to cover a different shift for operational reasons.

This list is not exhaustive.

The payment will be made as if the scheduled (or rostered) shift had been worked as originally planned.

Shift changes for which this exceptional payment is expected must be agreed in advance and before the change is agreed with the employee. Agreement and authorisation for payment, of these shifts will be by the Departmental Manager.

A summary of all shifts due for payment under this agreement must be submitted monthly on form ESR –FRM-109 Exceptional Shift Change form which can be found on People First. The form should be completed listing all employees and shifts in the department where payment is due. The form must be authorised by the Departmental Manager and submitted to SBS Payroll for payment.