

Emergency Duty Team, Children and Young People's Services

Contractual Working Arrangements for Employees

Effective from September 2025

The purpose of this document is to outline the contractual working arrangements in place for individuals who are employed as Social Workers within the Council's Emergency Duty Team. These arrangements are effective from 1 September 2025.

Current Shift Patterns in EDT

- Weekday shifts will be 7 hours duration from 4.30pm – 12am.
- Weekday overnight shift and on call cover will be 7 hours duration from 7pm – 2.30am Monday to Thursday with an on-call period from 2:30 – 9am, and from 6pm – 1.30am on Fridays with the on-call period from 1:30 – 9am.
- Weekend day shifts will be 8.5 hours duration from 9am – 6pm.
- Weekend evening shift times will be 7 hours duration from 4.30pm – 12am.
- Weekend overnight shift and on call cover will be 7 hours duration from 4.30pm – 12am, with the on-call period from 12am – 9am.

All shifts include a 30-minute unpaid break in line with the provisions of the Council's Working Time Policy Statement.

Arrangements Applicable to Full-time Employees (37 hours per week)

- A full-time employee is contracted to work 1,929 hours per annum.
- There is an element of time allocated within an employee's weekly contractual hours for supervision, team meetings and training, including AMHP training/CPD. This equates to 75 hours per year per employee and the breakdown of time is as follows: team meetings - 24 hours; supervision - 14 hours; general training - 12 hours; AMHP training/CPD - 25 hours.
- Deducting the 75 hours allowed for training, supervision etc, this leaves a total of 1,854 hours available per annum / 142.6 hours per 4-weekly rota cycle (13 occasions per annum).
- A full-time employee will work over the four-week rota a combination of shifts as follows:
 - Week 1 – 31 hours (2 x 7-hour shifts plus 2 x 8.5-hour shifts)
 - Week 2 – 31 hours (2 x 7-hour shifts plus 2 x 8.5-hour shifts)
 - Week 3 – 21 hours (3 x 7-hour shifts)
 - Week 4 – 28 hours (4 x 7-hour shifts)
 - **Total hours per 4-week rota cycle = 111 hours (out of a possible 142.6 hours available)**

- This leaves 31.6 contractual hours remaining for each full-time employee per each 4-weekly rota (410.8 hours per annum).
- In addition to the published rota, full-time employees will be required to work the equivalent of an additional 3 x 7-hour shifts per 4-weekly rota cycle. This equates to 21 hours per 4-weekly cycle / 273 hours per annum which are to be worked flexibly across the year. Further details are provided below regarding the operational management of these flexible contractual hours.
- The above calculation leaves a residue of 10.6 hours per rota cycle which equates to 137.8 hours per annum which is to be used for the on-call element of the role.
- Once a full-time employee has worked more than 137.8 hours in the year on-call additional payment can be claimed by the employee for any hours worked during the on-call period.

Arrangements Applicable to Part-time Employees (18.5 hours per week)

- A part-time employee is contracted to work 964.5 hours per annum.
- There is an element of time allocated within an employee's weekly contractual hours for supervision, team meetings and training, including AMHP training/CPD. This equates to 75 hours per year per employee and the breakdown of time is as follows: team meetings - 24 hours; supervision - 14 hours; general training - 12 hours; AMHP training/CPD - 25 hours.
- Deducting the 75 hours allowed for training, supervision etc, this leaves a total of 889.5 hours available per annum / 68.4 hours per 4-weekly rota cycle (13 occasions per annum).
- A part-time employee will work over the four-week rota a combination of shifts as follows:
 - Week 1 – 14 hours (2 x 7-hour shifts)
 - Week 2 – 14 hours (2 x 7-hour shifts)
 - Week 3 – 14 hours (2 x 7-hour shifts)
 - Week 4 – 14 hours (2 x 7-hour shifts)
 - **Total hours per 4-week rota cycle = 56 hours (out of a possible 68.4 hours available)**
- This leaves 12.4 contractual hours remaining for a part-time employee per each 4-weekly rota. This equates to 161.2 hours per annum (12.4 hours x 13 periods).
- Part-time employees will receive a pro rata equivalent of a full-time employee's on-call pot of hours. A full-time employee will receive 137.8 hours per annum for the purpose of on-call cover, therefore a part-time employee will receive **68.9 hours per annum**.

- This leaves 92.3 hours remaining which part time employees will be required to work as flexible contractual hours over the course of the year.
- 92.3 hours per annum equates to 13 x 7-hour shifts (91 hours) which should be worked flexibly across the year. Further details are provided below regarding the operational management of these flexible contractual hours.
- The residue 1.3 hours (1 hour 18 minutes) could be added to the on-call hours pot if required. This would mean the on-call hours pot per annum would be 70.2 hours.
- Once a part-time employee has worked more than 68.9 hours (or alternatively 70.2 hours - see above) in the year on-call additional payment can be claimed by the employee for any hours worked during the on-call period.

Operational Management of Additional Shifts

- Employees will be expected to work back their flexible contractual hours by adding their name to gaps on the rota in agreement with the Team Manager.
- This approach provides a more flexible arrangement for team members to manage their work life balance.
- A record of each team member's contractual hours being worked back will be recorded on individual spreadsheets which will be maintained by the individual employee and operationally managed by the Team Manager and the Contact & Support Officer.
- The operational arrangement will be reviewed regularly to ensure shifts are being covered and to identify any issues which may arise.
- Once the balance in an employee's 'flexible contractual hours pot' reaches zero in any given year an individual will be able to claim for any additional shifts worked as overtime hours.

On-Call Issue

i) Legal Position

There are generally two different types of on-call working as follows:

1. the first type relates to working arrangements where the individual is required to be present at their normal workplace for the length of the on-call shift, waiting to carry out their duties. In this situation, the whole time spent on-call is recognised as working time.

2. the second is where the individual is free to do whatever they want during the on-call shift but, when required to work, must do so. In this scenario, this could mean the individual spends the shift at home or goes out to a restaurant etc. and could be anywhere but at work. For this type of on-call working, only time spent carrying out work tasks is classed as working hours.

In addition to the above categories, there is also a hybrid type of on-call arrangement where the individual is free to do whatever they want during the shift, subject to certain restrictions. Examples of restrictions could be the individual must be able to drive at all times and is therefore unable to consume alcohol; the individual must be contactable by phone at all times. There may also be geographical restrictions imposed by the employer, for example a requirement for the individual to be able to attend the workplace within a certain period of time, or to live in a location within a set distance of the workplace at all times. The more restrictions in place, the more likely the individual will be considered to be at the employer's disposal and the time spent on-call deemed to be working hours.

Based on how the EDT service operates, it would appear that the second type of on-call working arrangement applies. Whilst we accept there are some restrictions on EDT employees, such as the requirement to answer their phone and the requirement to be able to drive at all times, it is also the case that individuals are largely free to do whatever they wish whilst on-call. This approach is mirrored elsewhere across the Council in terms of how on-call arrangements operate.

In view of the above and based on the legal advice provided, management's position is that the current arrangements within EDT in relation to on-call remain valid and it is not necessary to revisit the shift rotas in terms of calculating employees' contractual hours.

ii) **Contractual Arrangements**

- The requirement to participate in providing on-call cover forms part of the existing terms and conditions for all EDT Social Workers.
- Being on call is not a shift for the purpose of the contractual hours calculation but if an employee takes a call or undertakes a visit when acting as the on-call Social Worker, any hours worked will be classed as working time.
- There is a 'pot' of hours available to each employee for on call purposes which will be utilised for any time spent working during the period of on-call.
- A 'reducing balance' arrangement is in place. This arrangement means that once an employee's on-call pot of hours reaches zero balance any additional hours worked during the on-call period can be claimed as overtime.

- On call hours will be recorded on a spreadsheet which the Team Manager and the Contact & Support Officer will manage.
- When covering the on-call period, individuals will be expected to log on at 8am to check work in-trays and complete any other required work tasks.

Further Information

For further information regarding the operation of EDT rotas please speak with the Team Manager in the first instance.