Rota Standards & Guidance for Best Practice

Cross referenced (internal/external)
- Terms and Conditions of Service 2016
- Policy Statement and Standards for Annual Leave
- Family - Friendly Working
- The Working Time Regulations 1998
- Annual leave Policy

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Section 1 – Introduction

1.1 The Action Group has a commitment to employee welfare.

1.2 The Action Group recognises that there is a need to balance delivering a flexible, person centred service to our users and being able to meet the needs and requirements of our workforce.

1.3 Many service users require continual support during morning, afternoon and night time periods over a 24hr period, 7 days a week, 365 days of the year. The Action Group supports staff (employees) on a rota basis to cover these periods.

1.4 Good rota practice relies on clear communication between management and staff. Also an ethos based on strong team work.

1.5 The Action Group requires a work force that is reliable and dependable and is able to respond flexibly to the day to day needs and preferences of Service Users.

1.6 As with all of us there will be times when our lives do not follow the same routines, Service Users are no different therefore rotas must be flexible to meet these needs. An example of this might be when Service Users attends an event that is due to finish later than the usual finish time.

1.7 The Action Group takes its responsibilities to its workforce very seriously. These rota standards outline how The Action Group meets its obligations under various employment legislation. They also provide guidelines on best practice rota management to ensure that there is consideration given to both user and staff needs.

Section 2 – Working Time Regulations 1998

2.1 Managers are required to ensure that individual working arrangements are not in breach of the Working Time Directive Regulation of the maximum working week which it describes as an average of 48 hours or more over any 17 week period. This also includes sleepover hours.

2.2 Staff have the right to opt out of the above rule (average 48 hour working week) if they wish to do so, giving signed agreement. A form for this purpose is available from the HR department.

2.3 Where a member of staff has opted out from the above rule the line manager must review this on a regular basis within supervision and this must be minuted.

2.4 The Action Group is guided by the Working time Regulations to ensure staff working conditions are fair but also allow for continuity of service.

2.5 Managers must consider and allow for daily and weekly rest breaks in their rota planning.

2.6 The working time regulations state it is best practice to ensure staff have:
   - One uninterrupted 20 minute rest break during a working day
   - 11 hours rest between working days
   - An uninterrupted 24 hours any without any work each week – or an uninterrupted 48 hours without any work each fortnight
2.7 We recognise in some services it is not possible to allow 20 minutes physically away from a service user, if they cannot be left alone. In these circumstances guidance will be provided as to how staff can take breaks as required. Individual service user risk assessments will inform decisions regarding staff breaks providing it is deemed safe for the service user to be alone at any given time.

2.8 Staff who work in HMO services must support one another to have a break where appropriate.

2.9 There is an expectation staff understand that sometimes a break will mean the service user they are supporting is present.

2.10 Breaks can included within travel time

2.11 There will be times when it is not possible to meet the required rest breaks listed in 2.6 due to essential care and support requirements. In these cases, The Action Group can claim an exemption from these aspects of the Working Time Regulations and provide compensatory rest to staff instead.

2.12 Compensatory rest means that time is given to the worker in between shifts that is equal to any missed rest period as per 2.10 above. For example, if a worker only has nine hours of rest between two working days, then they are entitled to at least thirteen hours of rest (usual eleven hours plus the additional two which were previously missed) before their next shift on the third day.

2.13 The requirements of compensatory rest therefore mean that any staff member who undertakes a sleepover consisting of two full support sessions with a period for sleeping at a service user home in between, will, as best practice, be entitled to at least 22 hours of rest before their next shift.

Section 3 - Training in Rota Management

3.1 All managers will be provided with training on rota management as part of their induction. Training may include, but is not limited to, mentoring by Development Manager or colleague, shared examples of best practice or more formal training organised by the Learning and Development Team. This may involve training in Microsoft Word, Excel or Carista.

Section 4 - Communication of rota to Support Worker and Service User.

4.1 Rota management is most effective where managers and staff are both flexible.

4.2 Rotas must be issued at least 2 weeks in advance however it is acknowledged that it is best practice for rotas to be released 4 weeks in advance to ensure a healthy work life balance for all employees which The Action Group is striving for.

4.3 Rotas should be presented in an accessible format so that they are easily understood by service users, staff and other managers.

4.4 Due to the nature of service delivery all rotas are subject to change at short notice.
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4.5 When compiling a rota the manager must consider the length of a shift taking into account the intensity of the work. This would include thinking about the work involved, the opportunities to take breaks, any factors which may increase the stress experienced by the worker or user of services.

4.6 In the event a staff member experiences difficulty they must seek support from their line manager.

Section 5 - Changes to Rota

5.1 All changes to rotas should be communicated in with as much notice as possible.

5.2 Where there is any change to a service user’s rota, the manager must ensure that the changes are communicated to the service user in an accessible manner that they understand.

5.3 In some circumstances changes to rotas must also be notified to relatives/carers as soon as possible.

5.4 Where there are significant changes to an individual staff rota, such as changing days off, or substantial differences to start and finish times, the changes should be discussed first with the individual.

5.5 All rota changes must be communicated via email to staff and followed up with a telephone call to ensure the staff member has received the information. Changes should be communicated clearly with service user by their preferred communication method.

5.6 As soon as a change is required the manager should act promptly to give the staff member as much notice as possible being respectful of their life outside work.

5.7 Staff will not be able to make changes to published rotas without the agreement of the Team Manager/Assistant Team Manager.

Short notice changes

5. 8 Sometimes it is inevitable that staff will be asked to cover a shift with very little notice however this will only happen after every other option has been exhausted.

5.9 The Action Group expects that staff will demonstrate effective team working and support one another to swap and cover shifts when necessary and in short notice situations e.g. absence or emergencies.

5.10 All changes must be authorised by the Team Manager, Assistant Team Manager or Manager or call and the team rota updated to reflect the change.

5.11 There will be exceptional circumstances when it is difficult to provide advanced warning for changes that are 'non-negotiable' due to emergency situations (e.g., hospital admissions, sickness from day services, extreme weather etc.). In such circumstances the Team Manager will need to negotiate with support staff to change their shifts. The Action Group recognise that there is an element of good will from staff to help out in these circumstances, it is therefore
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important that there is mutual support from managers in helping staff during their own exceptional circumstance e.g. family bereavement.

5.12 In the event support is cancelled even at short notice the manager will look to relocate the worker which may include coming to the office to do admin.

5.13 The Team Manager/Assistant Team Manager will authorise any additional hours as either overtime or TOIL.

Section 6 - TOIL (Time Off In Lieu)

6.1 Definition: TOIL an ongoing balance of hours that represents what an employee works compared to their contracted hours. The TOIL balance can be either positive or negative. An employee’s cumulative TOIL figure is composed of rota TOIL and Unplanned TOIL.

6.2 Definition: rota TOIL is the difference between an employees contracted hours, and the hours they are scheduled (rota’d) to work on any particular week. Rota TOIL can be either positive or negative.

6.3 Definition: Unplanned TOIL is where there is an immediate, and unplanned change, to an employee’s rota on a particular day, such as a service user cancelling a support session, or a service user requiring additional (unplanned) support to go to hospital. An employee’s manager must be notified of any Unplanned TOIL immediately.

6.4 Due to the nature of service delivery staff may work slightly more or slightly less hours than contracted however over the course of a month this will normally even out.

6.5 When TOIL accumulates it is expected to be taken back with the agreement of your line manager

6.6 You may be told by your manager when to take TOIL or if you are in negative TOIL (i.e. you owe hours to The Action Group) you will also be rota’d on shift to make this time up.

6.7 Managers will authorise each week’s rota which will compare staff contracted hours against support hours delivered in order to manage any TOIL accrued either positive or negative. If you do not inform your manager of any unplanned toil this will not be able to be recorded and may in some circumstance not be able to be allocated to your record

6.8 Managers and staff have a dual responsibility that staff TOIL is managed effectively. A record of TOIL must be kept, with TOIL figures agreed and noted (by both manager and employee) in Supervision.

6.9 As a general guide and good practice full time staff will not accrue a level of TOIL higher than 10hours.

6.10 Where a member of staff accrues a level of TOIL greater than their contracted weekly hours the development manager must be informed in order to ensure there is a plan in place to address this.

Section 7 - Staff Requests
7.1 Each team will have a system in place that permits staff to request time off rota.

7.2 It is the Managers responsibility to explain to staff how to submit annual leave or rota requests.

7.3 It is reasonable that from time to time employees will want to request specific shifts or days off. Such requests must be made to the Team Manager, to be considered. There is no guarantee however that requests can always be met.

7.4 There must be transparency in the requests system which is managed on a first come basis first served.

7.5 Depending of the size of a team, if there are requests already granted for leave/days off for a period it is reasonable to assume that the additional requests may be denied. The varying factors which might make it possible is if there is low / no sickness, no annual leave, or training already allocated to others.

7.6 If a leave request can’t be approved, staff should work with their colleagues to try to switch leave dates.

7.7 All changes must be authorised by the Team Manager/Assistant Team Manager.

7.8 When submitting a request to your line manager it is best practice to do this via email.

7.9 Requests for leave should be submitted at least 21 days in advance of the requested date. It is understood that there will be some exceptions to this rule.

7.10 Any request for leave of less than 21 days’ notice has a greater risk of being rejected.

7.11 Authorising Managers must notify the member of staff of the decision within 7 days of receiving the request. A request for annual leave should not be considered as approved until confirmation has been received from the authorising manager even if it exceeds 7 days. Please see the annual leave policy for more detail.

7.12 Staff are encouraged not to book and make payment for any holidays or travel arrangement until leave it confirmed by their manager. If a staff member’s leave request is denied they may lose the money they paid for a holiday which is booked for a period they are required to work.

Section 8 - Split Shifts

8.1 Split Shifts are defined as at least a 3 hour gap on the rota (between other work) where no work has been scheduled.

8.2 In general, split shifts should be avoided except where it is essential for service delivery, or is convenient for particular staff to do so.

8.3 Any gap of less than 3 hours between support is classed as part of the staff members working day and managers are responsible for allocating the worker with a specific activity e.g. admin, travel, daily rest break
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8.3 Staff are able to claim reasonable travel time and travel expenses where they are working a split shift (i.e. the travel time and cost going home between shifts).

Section 9 - Travel Time

9.1 Travel time is allocated by the Team Manager

9.2 Travel time can only be allocated and claimed for travel that is required to be undertaken throughout the working day – except where a staff member is working a split shift.

9.3 Travel to and from a worker’s home is not classed as “work travel” and therefore cannot be claimed for.

9.3 In the event there has not been adequate travel time allocated then the staff member must highlight this to their line manager as soon as possible.

Section 10 - Days Off

10.1 Days Off will be scheduled around the needs of service users. Where staff have specific requests these should be made via the staff request system.

10.2 Managers will aim to schedule days off together where possible

10.3 Managers will attempt to provide weekends off evenly throughout the team. Where staff have a specific request for a weekend off they should use the staff requests system. For important events or occasions annual leave should be requested.

10.4 Over Christmas and New Year service delivery remains of paramount importance. Although managers will attempt to meet specific requests at this time of year it is expected staff will work either Christmas or New Year.

Section 11 - Sleepover Fatigue

11.1 Sleep in (or sleepover) shifts are those worked during the night where the employee is required to be present but able to sleep.

11.2 If the support worker has a disrupted sleepover where they feel that they have not had sufficient rest over night that impacts on their ability to work safely the next day, they should contact their manager/on-call. The manager and the support worker – where possible and within reason – will attempt to cover/arrange a reduced work schedule for the day.

Section 12 - Staff Training

12.1 The learning and development department will give notice of planned training events to managers wherever possible at least 4 weeks in advance.
12.2 Training hours will be entered into the rotas as part of that employees contracted hours for that week. Attendance at pre booked training is working time and is not optional.

12.3 Working hours should then be planned around this training, ensuring that the working pattern does not compromise the employee’s ability to participate fully in the training event.

12.4 The Action Group strive to ensure that its work force is competent to deliver a high standard of support to service users.

12.5 Team Managers must not rota people to attend training or other meetings prior to or following a waking night shift.