



Interim Rest Breaks Management Arrangements A&E Operational Staff in Dorset

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1. Introduction

- 1.1 There is a need, brought about by the implementation of Agenda for Change, for staff in Dorset to progress to a 37.5 hours average working week by excluding rest breaks. It is anticipated that the arrangements described in this Standard Operating Procedure will be interim in nature and assist all staff in the Trust to move toward a harmonized position.
- 1.2 The intention has been to introduce, from 1 October 2006, a rest break system where Operational Ambulance staff in Dorset are stood down from duty for thirty minutes during their shift to take an unpaid rest break.
- 1.3 No individual on Agenda for Change Terms & Conditions, can be compelled to work during a period for which they are not in receipt of any form of payment. Thus if an individual so chooses, they may opt to be unavailable during their 30 minute unpaid break, they cannot be interrupted, nor can that individual be compelled to remain at their place of work. However, it must be accepted that if significant numbers choose to opt out then this local agreement will become unworkable.

2. Purpose

- 2.1 The purpose of this Standard Operational Procedure is to provide clarity and guidance on how Operational Ambulance staff rest breaks will be managed.

3. Process

- 3.1 Shifts which are currently 12 hours in duration will receive two rest breaks.
- 3.2 One rest break will be paid and one rest break will be unpaid.
- 3.3 Shifts of shorter duration (10, 9 or 8 hours will contain one 30 minute unpaid rest break.)

4. When

- 4.1 Each twelve hour shift will contain a rest break window which will extend from the commencement of the third hour until the end of the fifth hour.
- 4.2 The second rest break window will start 3 hours from the expected end of the break, regardless if the first break if the first break is interrupted.
(i.e. if you are given a break starting at 1000 it would be expected to end at 1030 and therefore the second rest break window will start at 1330 irrespective of any interruption in the first break.)
- 4.3 It is the responsibility of Control staff to manage and allocate rest breaks and inform the crew.

Agreement has been reached on a station by station basis when it is most appropriate for staff to take their unpaid rest breaks.

5. Interrupted Breaks

- 5.1 Interruptions should only occur for potentially life threatening calls. Staff who are activated by control staff, or who self activate (during their unpaid rest break) will be classified as having been interrupted. In such circumstances, the crew will be deemed as having been interrupted and a payment of £15.00 will be claimed.
- 5.2 If the interruption occurs within the first 20 minutes of the break it can be *restarted and retaken in its entirety. If an interruption occurs in the final 10 minutes of the break then only the time remaining at the point of the interruption can be completed.

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6. Exceptional Circumstances

- 6.1 If your unpaid break is not taken in its entirety during the shift you are eligible to claim £15.
- 6.2 In exceptional circumstances and by agreement of the worker, where a rest break cannot be taken the unused entitlement should be claimed as a period of equivalent compensatory rest. Line Managers should ensure that provision is made to allow compensatory rests to be taken normally within two weeks.
- 6.3 Protected rest breaks are provided for staff who have worked consecutively for 6 hours or more. Or who have had less than 20 min of their break at the end of the sixth hour.
- Crews will be allowed to invoke the protected break 6 hours post commencement of duty if they have not already taken an allocated rest break at a suitable facility.
- 6.4 Protected breaks can be paid or unpaid in nature subject to which type of break is due, or has already been taken.

7. Communication

- 7.1 Where there is disagreement between crew staff and control, then parties should not enter into argument, and this document should be referred to for guidance, its contents being binding on all parties. Where there is obvious willful breach of this guidance, staff affected are encouraged to submit an adverse incident report and or grievance, using normal channels.

8. Conclusion and Review

- 8.1 These working arrangements are recommended to staff and will be reviewed at the Local Consultative Committee meeting.
- 8.2 This policy has resulted from collaboration between management and Staffside Representatives.