

Please contact: Access to Information Team

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28 March 2023

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Dear

**Re: Your request for information under the Freedom of Information Act 2000**  
**Ref no: FOI-2942-LSC**

Thank you for your request dated 27 February 2023.

We can confirm that the ICB does hold part of the information you requested.

Please find our response to your questions below:

<p>Q1</p>	<p>Your Question:</p> <p>Could you please provide the following information for staff under the purview of Agenda for Change only?</p> <p>Please describe the on call and call out arrangements within your organisation for AfC staff and the payments made for on call and call out addressing the following questions. If you have a local policy/agreement in place you can provide a copy instead of responding to the questions.</p> <hr/> <p>Our Response:</p> <p><b>This is currently under consultation. It is expected that the new On-Call Policy will be completed, approved and finalised by June 2023. You may wish to request this information again at a later date.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.</b></p>
<p>Q2</p>	<p>Your Question:</p> <p>Are the on call/call out arrangements applied equally across all AfC staff regardless of job role/staff group (excluding medical and dental staff)?</p> <hr/> <p>Our Response:</p> <p><b>The on-call arrangements are going through the consultation process and will be applied equally across AfC staff once agreed and implemented.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.</b></p>

Q3	<p>Your Question:</p> <p>If no how many on call arrangements do you have?</p> <p>Our Response:</p> <p><b>Not applicable.</b></p>
Q4	<p>Your Question:</p> <p>For each on call agreement:</p> <p>Is on call paid via a % rate, a rate per hour and/or occasion?</p> <p>Our Response:</p> <p><b>Under consultation – proposed % rate based on on-call frequency requirement of each on-call agreement.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the ‘Principles of harmonised on-call arrangements’ as per the NHS Terms and Conditions of Service.</b></p>
Q5	<p>Your Question:</p> <p>How much is paid to staff for being on call?</p> <p>Our Response:</p> <p><b>Under consultation – proposed % rate based on on-call frequency requirement of each on-call agreement.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the ‘Principles of harmonised on-call arrangements’ as per the NHS Terms and Conditions of Service.</b></p>
Q6	<p>Your Question:</p> <p>How is call out paid, e.g. at overtime/emergency work rates at their existing rate of pay?</p>

Our Response:

**All staff on an Agenda for Change contract (A4C) who are deemed appropriate to participate in the on-call function will have on-call arrangements applied as per the NHS Terms and Conditions of Service (and this will apply equally to all A4C staff). All the proposed responses to the questions below (which will be detailed in the On-Call Policy once finalised) reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.**

**The on-call payment will reflect the guidance in the NHS Terms and Conditions of Service as follows:**

<b>Frequency of on-call</b>	<b>Value of enhancements as % of pay</b>
<b>1 in 3 or more frequent</b>	<b>9.5%</b>
<b>1 in 6 or more but less than 1 in 3</b>	<b>4.5%</b>
<b>1 in 9 or more but less than 1 in 6</b>	<b>3.0%</b>
<b>1 in 12 or more but less than 1 in 9</b>	<b>2.0%</b>
<b>1:20 but less than 1:12</b>	<b>1%</b>
<b>Less frequent than 1:20</b>	<b>By local agreement</b>

**The above does not apply to staff on very senior manager (VSM) contracts, including Chief Officers, whose on-call responsibilities and payments are incorporated within their job roles.**

**This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.**

Q7 Your Question:

How is time 'called out' measured, e.g. if staff can resolve/answer the query without returning to their work base is the time captured the same as those returning to their base?

Our Response:

**This is currently under consultation. It is expected that the new On-Call Policy will be completed, approved and finalised by June 2023. You may wish to request this information again at a later date.**

**This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.**

Q8 Your Question:

Are there any minimum payments for call out, e.g. a minimum of 15 minutes for a call out undertaken at home lasting 5 minutes, to recognise that the employee has been disturbed?

Our Response:

**This is currently under consultation. It is expected that the new On-Call Policy will be completed, approved and finalised by June 2023. You may wish to request this information again at a later date.**

**This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.**

Q9	<p>Your Question:</p> <p>Where staff are on call on a public holiday do they receive time off in lieu proportionate to their contractual leave (NHS Terms and Conditions) or is there another arrangement in place?</p> <p>Our Response:</p> <p><b>Under consultation but it is proposed that staff accrue a day off in lieu if working a Bank Holiday.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.</b></p>
Q10	<p>Your Question:</p> <p>Are staff paid mileage when called out to a place of work?</p> <p>Our Response:</p> <p><b>Under consultation but it is proposed that staff are paid mileage.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.</b></p>
Q11	<p>Your Question:</p> <p>Are staff eligible for travelling time during the call out period?</p> <p>Our Response:</p> <p><b>Under consultation but it is proposed that staff are eligible for travel time.</b></p> <p><b>This information (which will be detailed in the On-Call Policy once finalised) will reflect the 'Principles of harmonised on-call arrangements' as per the NHS Terms and Conditions of Service.</b></p>

### **Right of Appeal**

Should you require any further information or clarification regarding this response please do not hesitate to contact us. If you are dissatisfied with the response, you are entitled to request an internal review which should be formally requested in writing and must be within two calendar months from the date this response was issued.

### **To request an internal review**

You can request this by contacting the FOI team by email at [MLCSU.FOITeam@nhs.net](mailto:MLCSU.FOITeam@nhs.net) or by post to Jubilee House, Lancashire Business Park, Leyland, PR26 6TR, specifying why you require a review.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the CCGs FOI complaints procedure. The ICO can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
[www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

**On behalf of Kevin Lavery  
ICB Chief Executive**