

# **THE MORAY COUNCIL LOCAL AGREEMENT ON REVISED TERMS AND CONDITIONS FOR HOME CARE STAFF 2010.**

## **1. INTRODUCTION:**

The following sets out the agreement for the revised terms and conditions of employment for Home Care Staff working for the Moray Council.

## **2. AIMS:**

The revised terms and conditions of employment are intended to allow provision of support to service users to be equally available over a 7 day period whilst ensuring more equitable allocation of workload to staff.

## **3. AGREEMENT:**

As previously agreed the types of contractual arrangements for Home Care staff will be:

Team Leaders and Home Carers (Contractual Hours),  
Relief Workers (paid as and when required and available to work).

## **4. CONTRACTS:**

**Team Leaders** will be paid for 20 contractual hours per week which will include 3 hours duties for the purpose of arranging team activity.

### **Working Hours**

There will be 4 different contractual hour contracts available. These will be 10 hours, 16 hours, 20 hours and 25 hours. The level of contractual hours will be dependent on the needs of the service within the individual teams in each local area. Hours will be worked on a rota basis of morning/lunch visits and afternoon/evening visits.

If the needs of the service changes in any particular area, for any reason, 4 weeks' notice will be given to Home Carers in that area to reduce or increase the contractual hours to the most appropriate contract whilst meeting the needs of the service. There may be circumstances where the effective date of any change is within this 4 week notice period where mutually agreed with the employee.

### **Contractual Hours**

It is the responsibility of the Home Care Management Team to ensure allocation of work meets the contracted hours of each member of staff and to ensure equity and fairness in the allocation process. It is the responsibility of each member of staff to ensure their availability in order to work their contracted hours each week. Where a client's circumstances change such that the employees hours do not match their contractual hours, then other home care work will be offered within the area to make up this deficit. There is a contractual obligation on employee's to accept this work.

A record will be kept in each local office of work offered and work declined and the reasons for this. Where an employee unreasonably refuses an offer of work to ensure their contractual hours are met, a review of their contractual hours will be undertaken. A lower number of contractual hours may result.

### **Grades and Rate of Pay**

Team Leaders are placed at Grade 5. Home Carers are placed at Grade 3. All Home Care staff participating in unsocial working will receive enhanced pay in accordance with The Moray Council Terms and Conditions set out in the Single Status agreement, 01 December 2006.

### **Payment of Salary**

Home Care Staff will continue to be paid 4 weekly. Payment of additional enhanced or overtime hours will be paid 4 weekly in arrears.

### **Availability and Unsocial Working**

The core hours of business will be between the hours of 7am and 11pm. Staff will be expected to work either morning to lunchtime or teatime to evening. Home Care staff will no longer be required to work from morning to evening.

Rolling rota systems will be introduced to ensure equity of workload and ensure service users support needs are met over a 7 day period. Home Carers will be required to work evenings and every second weekend to meet the needs of the service.

### **Emergency Call Out**

Home Care staff who attend a request to work on a call out basis out with their normal working hours (7am to 11pm) will be paid on the basis of the applicable rate as agreed by the SJC and applied within the Council i.e. a set payment will be made for each occasion (restricted to one payment within each

period of 2 hours). Where the call out is in excess of an hour, payment will also be made at the appropriate rate for the whole period of the call out.

### **Relief Contract**

Carers with restricted availability who cannot participate in the rota patterns will be employed as Relief Workers.

Relief workers will be offered hours as and when the need arises and as they are available to work. Relief workers will not be offered regular work. Any unsocial hours of work will be paid at the appropriate enhanced hourly rate.

### **Payment For Time Spent Travelling Between Service Users**

Transit time and mileage from home to the first service user of the day and from the last service user of the day to home is not reimbursed. The only exception to this will be if a Home Carer is asked to attend a service user who is out with their normal area of work. In this instance, transit time and mileage will be paid from the border of the normal area of work to the service user / transit and mileage will be paid from the Home Carers home to the service user and back again. This must be agreed and authorised by a Care Organiser. Transit time and mileage between home and service users on any subsequent journeys to service users on the same day will be permitted.

### **Overnight Duty**

Occasionally Home Carers may be required to undertake over night duties and will be paid at the appropriate rate.

Home Carers undertaking overnight sleeping duty will be paid a sleep-in allowance.

### **Statutory Public Holidays**

Home Carers who work a Public Holiday will be paid at treble time. There will be no entitlement to time off in lieu.

### **Training**

All Home Carers will be required to undertake training as identified by the Home Care Management Team and the Social Work Training Team. It is a mandatory requirement to attend training unless non attendance has been substantiated and agreed with a Care Organiser.

### **Team Meetings**

It is a mandatory requirement to attend Team Meetings unless non attendance has been substantiated and agreed with a Care Organiser.

### **Overtime Payments**

Payment will be made at overtime rates for all hours worked in excess of 37 per week. Overtime can only be worked if authorised in advance by a Care Organiser or Home Care Manager and will only be in exceptional circumstances.

### **Additional Hours**

In the instance where additional hours may be offered, notice will be given as detailed below. The Home Care Management Team will ensure that additional hours are allocated in a fair and equitable manner and a system of recording additional hours offered will be held locally in each office.

A minimum of 24 hours notice of a request to work should be given.

A minimum of 5 days notice of a request to work additional weekends should be given.

In exceptional circumstances, less notice may require to be given due to the needs of the service.

### **Holiday Payment**

Holidays will be calculated based on contractual hours as per the rota system. Holidays will only be recorded on the days that the Home Carer is on rota to work. Holidays will be recorded in hours and not days. Home Carers holiday cards will be kept in hours therefore the allocated number of days holidays per year will be converted to hours as per the contractual hours.

Where additional hours are worked on a regular basis, holiday entitlement will be adjusted accordingly and any payments due will be made on a quarterly basis.

### **Sickness Payment**

Sickness will be calculated on the basis of contractual hours.

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