



# Casual Worker Policy

<b>Document Reference:</b>		POL151
<b>Document Status:</b>		Final
<b>Version:</b>		V1.0
<b>DOCUMENT CHANGE HISTORY</b>		
<b>Initiated by</b>	<b>Date</b>	<b>Author (s)</b>
People Services	April 2024	Temporary Staffing Manager
<b>Version</b>	<b>Date</b>	<b>Comments</b>
V0.1	1 May 2024	Policy reviewed with Head of Resourcing and Head of HR Policy
V0.2	24 May 2024	Policy reviewed with Head of Resourcing and Deputy Head of HR
V0.2	10 June 2024	Policy reviewed and updated at HR Policy Subgroup
V0.3	4 July 2024	Approved at SPF
V1.0	29 July 2024	Approved at CRG

## POL151 – Casual Worker Policy

<b>Document Reference</b>	People Services
<b>Recommended at Date</b>	SPF 4 July 2024
<b>Approved at Date</b>	CRG 29 July 2024
<b>Valid Until Date</b>	31 July 2025
<b>Equality Analysis</b>	Completed 10 June 2024
<b>Linked procedural documents</b>	Recruitment and Selection Policy Dignity at Work Policy
<b>Dissemination requirements</b>	All Trust employees by intranet
<b>Part of Trust's publication scheme</b>	Yes

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.

## Contents

Paragraph	Page
1. Introduction	4
2. Purpose	4
3. Scope	4
4. Definition	5
5. Duties	5
6. Recruitment procedure	7
7. Responsibilities under Casual Worker Arrangement	9
8. Pay	11
9. Sick pay	12
10. Maternity/Adoption/Shared Parental/Paternity Pay	12
11. Continuous NHS service	12
12. Offering work	12
13. Regular casual working	13
14. Complaints	13
15. Termination	13
16. Return of Trust property	15
17. Policy review	15

## Appendices

Appendix A	Equality Impact Assessment	16
Appendix B	Monitoring Table	20

## 1. Introduction

- 1.1 EEAST recognises that casual work can be mutually beneficial for both the worker and for EEAST. For the casual worker it can offer flexibility and a greater degree of work/life balance. For EEAST it can offer greater flexibility in covering ad hoc gaps in rotas, the ability to manage sickness absence gaps or fluctuations in demand.
- 1.2 This policy provides the framework and guidance for the recruitment, utilisation, and deployment of casual workers across EEAST, in line with NHSE's guidance on the development of an effective temporary staffing workforce.

## 2. Purpose

- 2.1 Casual worker arrangements support EEAST to meet performance targets and deliver the highest level of patient care, whilst also reducing agency costs. However, it is important that these arrangements are managed and used appropriately.
- 2.2 This policy aims to provide clear guidance to managers and casual workers on when work will be offered, and to:
  - ensure that there is a consistent approach when engaging and managing casual workers,
  - ensure that casual workers have the correct skills and up to date training in order to meet the needs of their role,
  - support in reducing the use of agency workers to a minimum level,
  - improve monitoring systems and governance processes.

## 3. Scope

- 3.1 This policy applies to all individuals (casual workers) engaged under a Casual Worker Arrangement and working directly for EEAST on an 'ad hoc' basis. The Casual Worker Arrangement pertains to individuals undertaking work for

## POL151 – Casual Worker Policy

EEAST as a casual worker and must be in place prior to any work being undertaken. The Casual Worker Arrangement is legally binding between the individual and EEAST and covers each period of engagement (i.e., shift or shifts undertaken for EEAST).

- 3.2 This policy does not apply to existing EEAST employees (substantive or fixed term) working / wishing to work additional shifts under a separate overtime agreement.

### 4. Definition

- 4.1 Casual workers provide work on an ad hoc (as and when) basis. This means that there is no obligation for EEAST to provide work nor for the worker to accept any work offered. These staff are defined as workers and not employees.

### 5. Duties

- 5.1 **Managers** responsibilities are to:

- manage the use of casual workers in line with this policy,
- administer the application of this policy fairly for all casual workers in their department,
- ensure casual workers receive a local induction as and when required,
- monitor the health, performance and conduct of casual workers who are undertaking a shift and deal with concerns appropriately (See Section 14),
- ensure casual workers are aware of the minimum daily and weekly rest breaks requirement under the Working Time Regulations (WTR),
- work with HR Representatives and the Operational Temporary Staffing Manager to review ad hoc reports on casual workers undertaking regular shifts who should be considered for substantive appointment.

- 5.2 **Recruitment Teams** responsibilities are to:

## POL151 – Casual Worker Policy

- ensure all necessary recruitment checks for casual workers have been undertaken in compliance with the NHS Employment checks,
- issue the Casual Worker Arrangement.

### 5.3 **Operational Temporary Staffing Manager's (Emergency Operations (EO) and Emergency Operations Centre (EOC) only)** responsibilities are to:

- ensure all casual workers are fully compliant with this policy and governance requirements,
- coordinate the efficient and effective deployment of casual workers within EEAST and ensure a uniform service provision,
- undertake regular audits to ensure all casual workers are compliant with their training and professional requirements,
- provide support to managers when concerns about the performance and / or conduct of a casual worker have been raised,
- ensure the leavers process is appropriately managed,
- provide advice and guidance to managers and casual workers as appropriate,
- establish and ensure regular communications with the wider temporary staffing community,
- provide HR representatives and managers with ad hoc reports on casual workers undertaking regular shifts who should be considered for substantive appointment.

### 5.4 **Resource Planning Department (within EO and EOC)** responsibilities are to:

- maintain a database of casual workers in the rostering software,

## POL151 – Casual Worker Policy

- maintain contact with casual workers in relation to the availability of shifts and ensure that shifts are allocated in a fair and equitable manner,
- maintain information relating to the utilisation of casual workers and the number of shifts worked by each individual whilst ensuring compliance with the relevant General Data Protection Regulations in force at the time. Feedback information to line manager as required,
- monitor the hours worked by casual workers to ensure compliance with the WTR.

### 5.5 **Casual Workers** responsibilities are to:

- ensure understanding of the Casual Worker Arrangement, seeking clarification on any points not understood, and complying with the Arrangement as well as this policy,
- complete all statutory and mandatory training relevant to the role before undertaking any shift,
- ensure ongoing compliance with core competency training and any relevant professional skills requirement. Casual workers who are non-compliant will not be able to book / undertake shifts,
- ensure compliance with the daily and weekly rest breaks in accordance with the principles of the WTR.

#### 5.5.1 **Casual workers within EO and EOC** additional responsibilities are to:

- advise the Resource Planning Department of their availability to undertake shifts as a casual worker. This can also be done via Skillstream app,
- inform the Resource Planning Department as soon as possible if they are unable to report for duty (See Section 7.6).

## 6. **Recruitment Procedure**

- 6.1 Once a requirement for a casual worker has been determined, the recruiting manager should raise a vacancy

## POL151 – Casual Worker Policy

request on Trac and seek approval from the budget holder, Finance and Vacancy panel. It is essential that due consideration is given to viable alternative options such as:

- reviewing current staffing, including offering additional work to part time employees,
- considering whether the work can be reallocated / delayed,
- offering additional hours and time off in lieu to full-time employees without compromising WTR.

6.2 On receipt of the approval, the recruitment team will ensure that the role is advertised internally and / or externally via the Trac / NHS Jobs website. The following patient-facing operational roles are exempt from the Trac approval process and will be advertised as per requirement: Paramedics, Emergency Medical Technicians (EMT) and Emergency Care Assistants (ECA).

6.3 Normal recruitment processes and NHS employment checks will be undertaken in line with EEAST's policies and management toolkits.

### 6.4 Trust leavers requesting a Casual Worker Arrangement

6.4.1 Any EEAST employee who is leaving EEAST and wishes to obtain a Casual Worker Arrangement should contact the Recruitment team for the correct process to follow.

### 6.5 Casual Worker Arrangement

6.5.1 Casual workers will be engaged on a Casual Worker Arrangement which must signed by HR/Recruitment and the worker prior to any work being offered / undertaken.

6.5.2 The Casual Worker Arrangement provides details of the working arrangements, including (but not limited to) pay (hourly rate), details of the NHS pension scheme, when to expect pay for hours worked.

6.5.3 A template of a **Casual Worker Arrangement (POL151-01)** can be located under 'HR Forms' on the intranet.



## **6.6 Newly Qualified Paramedics (NQPs)**

- 6.6.1 If you are a Newly Qualified Paramedic (NQP), due to the nature of your Casual Worker Arrangement you will not receive preceptorship support or be allocated a preceptor.
- 6.6.2 NQPs wishing to discuss preceptorship support should contact the Operational Temporary Staffing Manager for further advice.
- 6.6.3 NQPs will not be planned to work solo on a Rapid Response Vehicle (RRV) within their first six months of being qualified as a paramedic, and then only if their RRV training has been recorded appropriately on GRS.

## **7. Responsibilities under Casual Worker Arrangement**

### **7.1 Induction / Statutory Mandatory Training on joining EEAST**

- 7.1.1 All casual workers are required to complete EEAST's induction, and Statutory and Mandatory Training relevant to their role before being offered / undertaking any work. This will be paid at the hourly rate specified in their Casual Worker Arrangement.
- 7.1.2 Casual workers may be able to demonstrate Statutory and Mandatory training compliance from other sources (i.e., full time employment with another NHS organisation). Any external training would need to be verified by EEAST's Learning and Development Department.
- 7.1.3 Casual workers who were previously employed at EEAST may not be required to complete the full induction if they left EEAST within the last 12 months, in accordance with guidelines from the Training and Education Team. However, they will be required to complete a local induction.

### **7.2 Subsequent Statutory Mandatory Training**

- 7.2.1 Casual workers must complete ongoing training relevant to the work / shift being undertaken. These will be available within EEAST and must be completed when due before any

## POL151 – Casual Worker Policy

further work is offered or undertaken. Payment for attendance will be made at the hourly rate specified in their Casual Worker Arrangement.

- 7.2.2 Casual workers who fail to maintain their training requirements will not be able to book / undertake shifts until fully compliant.

### 7.3 Professional Skills Updates / Emergency driving

- 7.3.1 Casual workers undertaking shifts must ensure that their professional skills / registration / qualifications are maintained, where this is a requirement for the role being undertaken.
- 7.3.2 If a casual worker is required to drive under emergency conditions as part of their duties with EEAST, and they cannot evidence emergency service clinical shifts worked within a 3-month period, an emergency driving assessment will be required before further work can be offered or undertaken. Although available within EEAST, this will be unpaid in relation to remuneration and expenses.

### 7.4 Uniform

- 7.4.1 Full uniform and ID card will be provided, where required, as part of your role with EEAST.
- 7.4.2 Uniform and ID cards will be ordered, where required, by the Training and Education department whilst attending EEAST's induction.
- 7.4.3 For anyone else not attending a full induction, uniform requirements should be agreed at your local induction.

### 7.5 Reporting for Duty

- 7.5.1 Casual workers are expected to report to the relevant manager / management team of the work being undertaken. For operational staff, this will be the Resource Planning Department.

### 7.6 Cancellation by the Casual worker

## POL151 – Casual Worker Policy

- 7.6.1 Within EO and EOC, if a casual worker is unable to attend work, they should make contact with the Resource Planning Department to cancel the shift that they have booked. This will allow for alternative cover arrangements to be made to ensure service is not adversely affected.
- 7.6.2 Repeated cancellations / late notice cancellations of shifts will be referred to the Operational Temporary Staffing Manager for further review and recommended action.

### 7.7 Cancellation by EEAST

- 7.7.1 Cancellation of an allocated shift should be avoided wherever possible.
- 7.7.2 Every effort will be made to notify the casual worker at the earliest opportunity and to offer a suitable alternative whenever possible. The casual worker will be under no obligation to accept the alternative shift.
- 7.7.3 For further clarification please refer to the Casual Worker Arrangement.

## 8. Pay

- 8.1 Casual workers will be paid for work undertaken on an hourly basis as detailed in the Casual Worker Arrangement. Any unsocial hour's enhancement will be paid, where applicable, in accordance with Agenda for Change (AfC) Terms and Conditions (Section 2).
- 8.2 Casual Workers must submit a timesheet for all shifts worked on a monthly basis. This must be submitted by the payroll cut-off date to arrange payment on the next month's pay run.
- 8.3 Annual leave entitlement under WTR, will be calculated at a percentage of hours worked in a pay period and paid in line with AfC Terms and Conditions.
- 8.4 Payslips will be available electronically, through Electronic Staff Records (ESR) Self Service. Casual workers are encouraged to regularly download any copies of payslips and

P60's as these will not be accessible once your Casual Worker Arrangement has ended.

## **9. Sick Pay**

- 9.1 Casual workers will not be entitled to contractual sick pay however, they may be eligible to receive Statutory Sick Pay (SSP). For further clarification please refer to the Casual Worker Arrangement.

## **10. Maternity / Adoption / Shared Parental / Paternity Pay**

- 10.1 Casual workers will not be entitled to occupational maternity / adoption / shared parental or paternity pay however, may be entitled to the relevant statutory pay. For further clarification please contact the Operational Temporary Staffing Manager (within EO and EOC) or relevant manager in the area of work.

## **11. Continuous NHS service**

- 11.1 Any work under a Casual Worker Arrangement will not count as / towards continuous NHS service.

## **12. Offering work**

- 12.1 There should be a justifiable service need or requirement for offering work to a casual worker, which may include one of the following situations:
- there is a vacant shift with funding available and the work cannot be covered from within the existing workforce,
  - the service will be at risk, including patient safety, or targets for delivery are compromised,
  - there is an unexpected increase in the volume of work (i.e., due to a flu crisis, pandemic or heat-wave),
  - when there may be adverse effects on the health and safety of staff.
- 12.2 The budget holder will be responsible for authorising the availability of work for casual workers.

## POL151 – Casual Worker Policy

- 12.3 With regards to EO and EOC, once a requirement for a casual worker has been determined, the request (i.e., vacant shift) will be published on Skillstream by the Resource Planning Department at a minimum of 8 weeks prior to the shift start date.
- 12.4 Within EO and EOC, a casual worker can offer to cover a vacant shift by:
- using the Skillstream app (up to 48 hours prior to shift start),
  - contacting the Resource Planning Department (from 48 hours prior to shift start).
- 12.5 With regards to non-operational roles, the request for temporary work (i.e., vacant shift) will be managed by the relevant manager.
- 12.6 Casual workers should discuss local arrangements for non-operational roles with the relevant manager.

## 13. Regular casual working

- 13.1 Casual workers who work regular hours should be considered, and if appropriate, offered an employment contract e.g., part-time, or full-time.

## 14. Complaints

- 14.1 Any concern / complaint about a casual worker undertaking shifts within EO and EOC should be reported to the Operational Temporary Staffing Manager who will look into the matter as appropriate and inform the relevant senior manager where required and as necessary.
- 14.2 Any concern / complaint about a casual worker within other departments should be reported to the relevant department manager, who will look into the matter as appropriate and inform the relevant senior manager where required and as necessary.

## 15. Termination

## POL151 – Casual Worker Policy

- 15.1 The Casual Worker Arrangement between EEAST and the casual worker may be revoked without notice by either party at any time.
- 15.2 **Termination of Casual Worker Arrangement:**
- 15.2.1 Casual workers who wish to terminate their Casual Worker Arrangement, should notify in writing the relevant manager (for EO and EOC this would be the Operational Temporary Staffing Manager).
- 15.2.2 The Temporary Staffing Register and ESR will be regularly reviewed and casual workers who have not undertaken any work for a period of 6 months, will have their Casual Worker Arrangement automatically terminated. If there are no shifts available for a period of time, the 6-month period may be extended. In such instance, the casual worker should contact the relevant manager or the Operational Temporary Staffing Manager for further advice.
- 15.2.3 Where a casual worker has not undertaken a shift for 5 continuous months of inactivity, they will receive a letter from the relevant manager (for EO and EOC this will be the Temporary Staffing Manager) informing them that their Casual Worker Arrangement will be terminated in one month from the date of the letter if inactivity continues. A **Casual Worker 5-month Inactivity template letter (POL151-02)** is available under 'HR Forms' on the intranet.
- 15.2.4 For EO and EOC casual workers only, they will also receive an automatic notification at the end of 2, 3 and 4 months of continuous inactivity, prior to the letter being sent at Section 15.2.3.
- 15.2.5 Casual workers who fail to comply with the standards, policies, or protocols of EEAST or who fail to fulfil the full requirements of the work being undertaken, may be removed from the Temporary Staffing register in line with the *'Procedure for Managing Concerns and Incidents involving Temporary Staff (Casual Workers and Agency Workers) within EO and EOC'*.

## **16. Return of Trust Property**

- 16.1 On the termination of a Casual Worker Arrangement, all Trust property must be returned; this includes but is not limited to any ID badges, uniform, mobile phones, IT equipment, data, or documents.
- 16.2 Casual workers must make the necessary arrangements to return all Trust property to the relevant manager, or point of contact, by their last working day or as agreed with the relevant manager.
- 16.3 Failure to return Trust property will be seen as a financial and / or security risk and managed strictly in accordance with the Casual Working Arrangement and / or as deemed appropriate.

## **17. Policy review**

- 17.1 This policy will be reviewed initially after one year, followed by on a three yearly basis, or will be amended in the light of new employment legislation and / or relevant case law.

## Appendix A

## Equality Impact Assessment

EIA Cover Sheet			
Name of process/policy	Casual Worker Policy		
Is the process new or existing? If existing, state policy reference number	New (POL151)		
Person responsible for process/policy	HR / Resource Planning Department		
Directorate and department/section	People Services		
Name of assessment lead or EIA assessment team members	EIA Panel		
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members		
The assessment is being made on:	Guidelines		
	Written policy involving staff and patients	X	
	Strategy		
	Changes in practice		
	Department changes		
	Project plan		
	Action plan		
	Other (please state)		



Equality Analysis																							
<p>What is the aim of the policy/procedure/practice/event?</p> <p><b>This policy aims to provide clear guidance to managers and casual workers on when work will be offered, to ensure a consistent approach when engaging and managing casual workers, that they have the correct skills and up to date training, to support reducing the use of agency workers to a minimum level, and to improve monitoring systems and governance processes.</b></p>																							
<p>Who does the policy/procedure/practice/event impact on?</p> <table border="0"> <tr> <td><b>Race</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Religion/belief</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Marriage/Civil Partnership</b></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td><b>Gender</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Disability</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Sexual orientation</b></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td><b>Age</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Gender re-assignment</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Pregnancy/maternity</b></td> <td><input checked="" type="checkbox"/></td> </tr> </table>						<b>Race</b>	<input checked="" type="checkbox"/>	<b>Religion/belief</b>	<input checked="" type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input checked="" type="checkbox"/>	<b>Gender</b>	<input checked="" type="checkbox"/>	<b>Disability</b>	<input checked="" type="checkbox"/>	<b>Sexual orientation</b>	<input checked="" type="checkbox"/>	<b>Age</b>	<input checked="" type="checkbox"/>	<b>Gender re-assignment</b>	<input checked="" type="checkbox"/>	<b>Pregnancy/maternity</b>	<input checked="" type="checkbox"/>
<b>Race</b>	<input checked="" type="checkbox"/>	<b>Religion/belief</b>	<input checked="" type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input checked="" type="checkbox"/>																		
<b>Gender</b>	<input checked="" type="checkbox"/>	<b>Disability</b>	<input checked="" type="checkbox"/>	<b>Sexual orientation</b>	<input checked="" type="checkbox"/>																		
<b>Age</b>	<input checked="" type="checkbox"/>	<b>Gender re-assignment</b>	<input checked="" type="checkbox"/>	<b>Pregnancy/maternity</b>	<input checked="" type="checkbox"/>																		
<p>Who is responsible for monitoring the policy/procedure/practice/event?</p> <p><b>HR / Resource Planning Department</b></p>																							
<p>What information is currently available on the impact of this policy/procedure/practice/event?</p> <p><b>This is a new policy implemented to ensure a consistent approach when engaging and managing casual workers, however casual workers shift information is available via GRS. Having reviewed and updated the policy during a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.</b></p>																							
<p>Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? <b>No</b></p>																							
<p>Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of</p>																							

## POL151 – Casual Worker Policy

the following protected characteristics? Yes/No, if yes please provide evidence/examples:

<b>Race</b>	<input type="checkbox"/>	<b>Religion/belief</b>	<input type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input type="checkbox"/>
<b>Gender</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>	<b>Sexual orientation</b>	<input type="checkbox"/>
<b>Age</b>	<input type="checkbox"/>	<b>Gender re-assignment</b>	<input type="checkbox"/>	<b>Pregnancy/maternity</b>	<input type="checkbox"/>

Please provide evidence:

**This policy is designed to be inclusive of all casual workers.**

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics?

Yes/No, if so, please provide evidence/examples: **No**

<b>Race</b>	<input type="checkbox"/>	<b>Religion/belief</b>	<input type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input type="checkbox"/>
<b>Gender</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>	<b>Sexual orientation</b>	<input type="checkbox"/>
<b>Age</b>	<input type="checkbox"/>	<b>Gender re-assignment</b>	<input type="checkbox"/>	<b>Pregnancy/maternity</b>	<input type="checkbox"/>

Please provide evidence:

**Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.**

### Action Plan/Plans – SMART

Specific

Measurable

Achievable

Relevant

Time Limited

**Evaluation Monitoring Plan/how will this be monitored?**

**Who – see Monitoring Table**

How

By

Reported to

## Appendix B - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
Audit of casual workers, including to check that the policy is being applied consistently, fairly and accurately.	Head of HR People Partnering / Temporary Staffing Manager	Monitor casual workers shifts and reports.	On an ongoing basis	Casual worker records and shifts on GRS.	Reported to and discussed at People Committee where required	Temporary Staffing Manager / Head of HR People Partnering will address any actions or changes required.	Any change in practice will be identified and: <ul style="list-style-type: none"> <li>• process updated with Temporary Staffing Manager/ Resourcing / HR People Partnering team</li> <li>• HRBP, Resourcing, line manager training implemented</li> <li>• policy updated where required.</li> </ul>