

JOINT NEGOTIATING COUNCIL FOR THE EDUCATION AND LIBRARY BOARDS

29 April 2010

**To: Chief Executives
Council Members
MSO/TUSO**

Joint Negotiating Council Circular No. 183

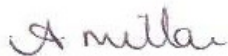
Joint Education Services Circular (JESC) No 167 Time off in Lieu, Flexible Working and Compensation Arrangements for Youth and Community Workers

The Joint Secretaries of the Joint Negotiating Council have examined the above circular and have agreed to its implementation within the Education and Library Boards with effect from 1 April 2010.

JES Circular No 167 is attached for information.



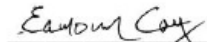
Management Side Secretary
J Curran



Trade Union Side Secretary
A Millar



Trade Union Side Secretary
L Kerr



Trade Union Side Secretary
E Coy



Trade Union Side Secretary
A Mills

Joint Negotiating Committee for Youth and Community Workers

2 July 2009

To: Local Authorities in England and Wales
Members of the JNC for Youth and Community Workers
Members of NEOST

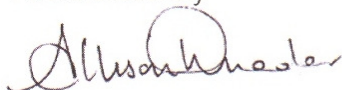
Dear Colleague

**Joint Education Services Circular (JESC) No. 167
Agreement
Time off in Lieu, Flexible Working and Compensation
Arrangements for Youth and Community Workers**

The Joint Negotiating Committee for Youth and Community Workers (JNC) is pleased to attach its agreement on "Time off in Lieu (TOIL), Flexible Working and Compensation Arrangements for Youth and Community Workers". This agreement is the result of consultation with employers and trade unions and includes recommended good practice and guidance in relation to flexible working, work planning and time off in lieu.

We hope you will find the document useful and self-explanatory. Should you however have any queries, please contact your respective Employer or Staff Side Secretariats.

Yours sincerely



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For Employers' Side Secretary



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Staff Side Secretary

Enc

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**JOINT NEGOTIATING COMMITTEE
FOR YOUTH AND COMMUNITY WORKERS**

**AGREEMENT
TIME OFF IN LIEU, FLEXIBLE WORKING AND COMPENSATION
ARRANGEMENTS FOR YOUTH AND COMMUNITY WORKERS**

1. Introduction

An important component in the delivery of high quality youth and community services is responding to local community needs. The nature of this work often means that youth and community workers provide services in the evenings, weekends, bank holidays and through residential programmes. This policy describes recommended good practice in the management of youth and community work staff who deliver these services. It offers guidance in relation to flexible working, work planning and time off in lieu (TOIL).

2. Working Time

The standard working week for full-time youth and community workers is 37 hours (36 in London). Work should be allocated fairly and reasonably according to the needs of the service locally and should not normally exceed 10 sessions a week. There should be no more than 8 evening sessions per fortnight. Session lengths should be clearly defined in every employing organisation.

3. Working Time Directive

- 3.1** In line with the European 'Working Time Directive', managers should ensure that staff do not work more than 48 hours a week, when averaged over a 17 week period. Managers should also ensure that workers have an 11 hour break in every 24 hours, and a 48 hour break (or 2x24 hour breaks) over 14 days.
- 3.2** The JNC recognises however, that in exceptional circumstances it may not be possible for the member of staff responsible for the activity to take the breaks as described. In these circumstances, agreement should be reached locally and compensatory rest should be provided within a reasonable period not normally exceeding four weeks from the date accrued.

- 3.3 Employees should ensure that they are appropriately rested when they come on duty and therefore alert enough at all times to ensure that those under their supervision are properly cared for.
- 3.4 Managers should ensure youth and community projects and visits have adequate staffing levels relative to the different groups and/or activities being undertaken.

4. Flexible Working for Shorter Periods of Concentrated Working

4.1 Good time management and planning should remove the need for TOIL. The JNC recommends the adoption of a local flexible working policy as this will assist in the organisation and delivery of service and in reducing stress levels. Employers should ensure that agreements for flexible working and TOIL are made known to new and existing employees and that all changes to such agreements are undertaken in consultation with the JNC recognised trade unions.

4.2 Time should be planned over a rolling 4 week period with normally up to 10 sessions each week.

The following examples show how this can be managed:

Example A If it is necessary to work a three session day as an exception, then the remaining seven sessions should be planned over the week.

Example B If a residential weekend requires 10 sessions to be worked, it will be appropriate, for example, for 5 sessions to be worked in the preceding week and 5 in the following week. Thus 20 sessions are worked over a fortnight. In this example, the member of staff will be rested at the beginning of the residential weekend and will be available for work with young people each week.

Example C If 2 residential weekends of 8 sessions each are worked consecutively it will be appropriate, for example, for 5 sessions to be worked in the week prior to the first weekend, 5 in the week between the weekends, and 4 in the week following the second weekend. Thus 30 sessions are worked over the 3 week period.

Such flexible working should normally be within the scope of the organisation's own flexible working policy.

5. Flexible Working for Longer Periods of Concentrated Working

Flexible working is not sufficient to deal with longer periods of concentrated work. A week or more worked away from base will require

a different arrangement e.g. when on youth exchanges or substantial residential. As there are too many variables to devise a formula to deal with time off for extended periods of concentrated work, the JNC recommends that a local policy is adopted. This should allow for sufficient periods of planning and evaluation.

6. Staff Required to Work Away From Base for Extended Periods

Different arrangements will be needed for employees whose job requires them to work for extended concentrated periods of time on a regular basis. This will apply to very few staff with whom particular patterns of work will need to be agreed locally.

7. Sleeping in Duty

7.1 Youth and community workers involved in residential experiences with young people will often be required to sleep in the premises/facilities being used. Employees required to sleep overnight can be compensated through TOIL agreed locally.

7.2 Alternatively an allowance of £32.61 for each night can be paid. This allowance covers the requirement to sleep in and up to 30 minutes call out per night after which an additional allowance of £18.26 per hour is payable. No additional allowance is payable for extra time of less than half an hour on any night.

7.3 At least one employee attending the residential should be designated as being on call out. Should callout occur, the provisions in 7.2 apply.

8. Health and Safety

Regular risk assessments should be carried out on all activities, situations and locations where employees are expected to work.

9. Records

In all cases the employee and where appropriate the manager, should keep records for work plans, compensatory rest, flexible working and TOIL arrangements.