



## NASPF National Agreement on Calculation of Holiday Pay

### March 2017

The National Ambulance Strategic Partnership Forum (NASPF) brings together ambulance employers, trade unions and system stakeholders to look at issues across the NHS Ambulance Services.

All parties have been working together to find a way to pay staff a proportion of shift over-run overtime during annual leave. This is in response to the recent cases brought under the European Working Time Directive. They apply to the first 20 days of leave in any leave year.

Trade Unions and Employers have agreed a process under which this can be paid to staff, staff will still need to complete their timesheets in line with their organisation's process and employers will need to record shift over-run overtime separately to voluntary overtime.

Each Trust has committed to introduce this process by the end of the 1<sup>st</sup> quarter of 2017/18 NHS financial year, i.e. June 2017. This stance is adopted without prejudice to any ongoing or subsequent litigation but as a constructive attempt to avoid litigation in the first place.

The principles derived from the rulings in relation to 'compulsory over-runs' will be treated as applying to Ambulance Service staff who are regularly required, due to the nature of their role, to work compulsory overtime in the form of overruns.

This will apply in the unavoidable/unplanned (enforced) event that staff are dispatched to a late incident or an incident that takes them over their scheduled shift end time, take an emergency or urgent call which they cannot walk away from at the planned end time for their shift; or whom have worked through their shift without an unpaid break and thus resulted in a forced 'over-run' within their planned hours for that shift.

The following regular payments are not within the scope of this agreement:

- Voluntary and planned overtime

Other incidental payments, such as: late notice shift changes, late or missed meal breaks or disturbed meal breaks NASPF members have agreed range of documentation to support Trust's in the implementation of this agreement, including template policy document, guidance notes and FAQs.

**Ken Wenman**  
NASPF Employer Chair

**Alan Lofthouse**  
NASPF Trade Union Chair

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