



31/08/23

Via email

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Dear all

Balancing paid work and placement shifts

We are writing to you all for points of clarity as to what is expected of you should you be trying to balance paid work and placement time. Specifically, this letter details working on any bank contract with SWASFT or one of our private Ambulance Providers, however the message contained within should apply to any paid or alternative duties you hold outside of your degree commitments.

Our joint priority is to ensure you achieve your learning outcomes and placement hours supporting you to successfully graduate as Paramedics. We actively encourage you to obtain your driving licences and C1 to enable you to complete the blue light course and take up a bank ECA contract. Equally we encourage you to take up any opportunity SWASFT can offer, and we know that some of you enjoy working in the Emergency Operations Centre and with our Ambulance Vehicle Preparation teams. These opportunities can provide an environment and experience to allow you to consolidate your learning, earn money and support your transition to NQP practice.

However, this must be balanced, and when working for any organisation we must comply with working time directives (WTD) as well as relevant organisational policy. These directives apply to you when working and during your placements ensuring you are not scheduled working or placement hours which breach this directive. This is imperative to ensure the safety of you, your colleagues, and patients.

Legally, through the working time directive you cannot work more than 48 hours per week on average over a 17-week reference period unless you have formally opted out of this directive. Additionally, SWASFT policy states that even if you opt out of the 48-hour working week you cannot exceed a maximum of 60 hours in any given week and must comply with weekly and daily rest requirements.

Furthermore, a maximum of 55 hours, including overtime, can be worked in a continuous block and only when a 24-hour break exists within the planned block. This applies to both placement and worked hours, and any combination thereof.

As per NHS Agenda For Change Terms and Conditions, and Trust policy all employees, including students on placement, should normally have a rest period not less than 11 continuous hours in each 24-hour period. In exceptional circumstances where this is not

possible, due to the demands of the service (overruns), an employee's working time may exceed 13 hours (i.e., the daily rest period may be less than 11 hours). In these circumstances compensatory rest should be used to ensure adequate rest periods are taken. Compensatory rest means if you have an overrun the day/night before which means the gap between finishing one shift and starting the next is less than 11 hours, then the start time of the second shift should be amended to maintain 11 hours rest. This is more difficult if you are not with the same crew members on both shifts, however this should still apply whenever and wherever you can. Details regarding compensatory rest can be found in the Trust Relief and Working Hours policy, which can be found [here](#).

Additionally all employees and students on placement should normally receive an uninterrupted weekly rest period of 35 hours in each 7-day period (comprised of 11 hours daily rest plus 24 hours). Where in exceptional circumstances it is not possible to take the required uninterrupted rest period required in each 7-day period, employees should receive an equivalent rest over a 14 day period, either as 1 x 70 hour period or 2 x 35 hour periods.

Over the past 12 months we have seen an increase in students:

- Breaching working time directives and Trust policy
- Replacing placement shifts with paid work.
- Attending paid work and then arriving for a placement shift with less than 11 hours between each shift.
- Attending placement shifts then arriving less than 11 hours between to work an ECA shift.
- Not attending placement shifts due to an ECA shift over run.

If you were previously unaware, please accept this letter as confirmation that the 11-hour rest periods cannot be opted out of, and a 48-hour working week is an average and can only be opted out of via completion of the necessary form.

We understand that you may be undertaking these paid shifts due to your personal financial situation, however we cannot continue this practice because it causes a risk to both you and our patients. A decision was taken earlier this year to restrict bank working to when you are not on placement as your additional ESR contract and Student payroll ESR numbers are not linked and without significant manual review GRS cannot flag to ROC schedulers when you might be breaching WTD or Trust policy, additionally overruns are not routinely captured on GRS or reported to the ROC for monitoring.

On reflection, this decision to take a blanket approach has disproportionately impacted those who have been managing this balance safely.

Therefore, moving forward:

- You can work on an alternative contract throughout the year however you must do this responsibly and line with WTD and Trust policy.
- If you do hold a SWASFT bank contract or contract with a private provider, you must declare to your Placement team that you hold a secondary contract.
- You must not take on paid work that could impact on your ability to attend a placement shift.

- Should you wish to opt out of the 48-hour average working week you must complete the necessary form and submit this to your placement team.

We will then be instigating a process whereby monitoring of your contracts and working and placement hours will be possible and routinely carried out. To protect the health and safety of our students, which continues to be our Trust's main priority, any breaches found could result in the removal of you from placement or from paid shifts until an adequate and safe plan of work can be ascertained. This will be instigated in conjunction with your university. You should be aware that intentional or continued breaches may result in formal action under Trust Policy and could lead to your bank contract being removed. We have written to our private providers with this same clear message.

If you feel this change will negatively impact on your financial situation you may also wish to contact the Staying Well Service for advice and support or speak to your placement team, should you need additional support.

Yours faithfully

Paula Windsor Assistant Director of Education
Ceri Smart Assistant Director of Operations

cc(s) university leads

Chair: Stephen Otter QPM
Chief Executive: Will Warrender CBE

