

Scottish Terms and Conditions Committee

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13 June 2016

To: Chief Executives,
Directors of Finance,
Directors of Human Resources -
NHS Boards and Special Health Boards,
NHS National Services Scotland (Common Services Agency) and
Healthcare Improvement Scotland

CC: Members, Scottish Partnership Forum
Members, Scottish Terms and Conditions Committee
Members, Scottish Workforce and Governance Committee

Dear Colleague

AGENDA FOR CHANGE - GUIDANCE ON PAYMENT OF PUBLIC HOLIDAYS OVER THE CHRISTMAS AND NEW YEAR PERIOD

Guidance was re-issued last year covering pay for Christmas and New Year working where some or all of the relevant days fall at the weekend. Questions have since been raised relating to staff who are rostered on-call and are called into work during these periods. The same principles should apply and attached is a revised guidance document which covers this. Please note this clarification and refer to the updated version in future.

Yours sincerely



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STAC Management Side Co-Chair

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SCOTTISH TERMS AND CONDITIONS COMMITTEE

AGENDA FOR CHANGE

GUIDANCE ON PAYMENT OF PUBLIC HOLIDAYS OVER THE CHRISTMAS AND NEW YEAR PERIOD

1. Introduction

1.1 In December 2004, the Scottish Pay Reference and Implementation Group (SPRIG) issued guidance on the payment of public holidays over the Christmas and New Year Period - SPRIG/AFC/SGL/2004/005. The guidance covered staff on Agenda for Change (AfC) as well as those who, at that time, were still on Whitley Council terms and conditions of service. This letter updates that guidance and explains arrangements for payment of Christmas and New Year public holidays at weekends for all staff covered by Agenda for Change terms and conditions of service.

1.2 Please note that references in this document to staff being required to work also cover situations where staff are rostered to be on-call and are subsequently called into work.

2. General Guidance

2.1 When Christmas and New Year public holidays fall at a weekend, provision is made to designate alternate days as public holidays. However, where staff are required to work over a weekend which would have been a public holiday, appropriate arrangements for payment should apply. It should be noted, however, that no member of staff should receive public holiday enhancements for both weekend days worked and the designated alternate days. This letter explains the arrangements that should be put in place.

2.2 This guidance outlines arrangements to be put in place when Christmas Day and New Year's Day fall on either a Friday, Saturday or Sunday in any year.

Christmas and New Year Day falling on Friday

Friday 25 December and Friday 1 January - Public Holiday enhancements apply.
Monday 28 December and Monday 4 January - Public Holiday enhancements apply.

Christmas and New Year Day falling on Saturday

Monday 27 December and Monday 3 January - Public Holiday enhancements apply.
Tuesday 28 December and Tuesday 4 January - Public Holiday enhancements apply.

Christmas and New Year Day falling on Sunday

Monday 26 December and Monday 2 January - Public Holiday enhancements apply.
Tuesday 27 December and Tuesday 3 January - Public Holiday enhancements apply.

3. Guidance on Weekend Working

3.1 Where staff are required to work on Saturdays or Sundays over this period alternative arrangements should be put in place to ensure that staff are paid appropriately and also to ensure that no more than two public holidays are paid at Christmas and New Year.

3.2 With the exception of paragraph 3.7 below, staff who are not required to work any of the designated public holidays but work both days at the weekend shall receive public holiday enhancements on the Saturday and Sunday enhancements on the Sunday. In the case outlined in paragraph 3.7, Saturday rates would apply for Saturday working instead of Public Holiday enhancement.

3.3 Staff who work all four days including the two designated public holidays plus Saturday and Sunday shall receive public holiday enhancements for two days, Saturday and Sunday hours for the weekend days.

3.4 When Christmas Day and New Year's Day fall on a Friday or Saturday the following shall apply for staff who work the two designated public holidays plus either a Saturday or a Sunday – public holiday enhancement for two days plus Saturday or Sunday hours depending on which day they work.

3.5 With the exception of paragraph 3.7 below, staff who work one of the designated public holidays and the Saturday shall receive Public Holiday enhancements for both days and staff who work one of the designated public holidays and the Sunday shall receive Public Holiday enhancement for the designated Public Holiday and Sunday enhancements for the Sunday. In the case outlined in paragraph 3.7 Saturday rates would apply for Saturday working instead of a Public Holiday enhancement.

3.6 With the exception of paragraph 3.7 below, staff who work one of the designated public holidays and both of the weekend days shall receive public holiday enhancements for two days and Sunday enhancements for the third day. In the case outlined in paragraph 3.7, Saturday rates would apply for Saturday working instead of a Public Holiday enhancement.

3.7 When Christmas and New Year's Day fall on a Sunday, however, normal Saturday hours will apply to staff who work on the Saturday.

Enquiries

Any enquiries on this guidance should be addressed to Colin Cowie, Scottish Government Health Workforce Directorate, at colin.cowie@gov.scot.