

## Reckonable Service Policy HR-027

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**VALIDITY – Policies should be accessed via the Trust intranet to ensure the current version is used.**

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## 1. INTRODUCTION

Reckonable service, in accordance with Agenda for Change Terms and Conditions, has been locally agreed as any previous employment in the NHS or recognised non-NHS organisation. There are different entitlements, dependent upon the organisation and contractual element. Reckonable service for medical staff is in accordance with the Department of Health and BMA guidance.

This policy supports the compliance with the Care Quality Commission Regulation 10, outcome 14 '**supporting workers**' which states people are kept safe, and their health and welfare needs are met, because staff are competent to carry out their work and are properly trained, supervised and appraised.

## 2. SCOPE

This policy applies to all Trust employees irrespective of age, colour, disability, nationality, religion/belief, gender, sexual orientation, marital, social and employment status, gender reassignment, political affiliation, trade union membership or any other status, in line with the Equality Act 2010. All employees will be treated in a fair and equitable manner, recognising any special needs of individuals where adjustments need to be made. No member of staff will suffer any form of discrimination, inequality, victimisation, harassment or bullying as a result of implementing this policy.

## 3. POLICY STATEMENT

This policy describes the service which can be considered as 'reckonable' for the purpose of calculating pay and leave entitlements.

The Agenda for Change (AfC) Agreement and Agenda for Change: NHS Terms & Conditions of Service Handbook set out the basis under what type of NHS Service should be recognised for determining annual leave entitlement, however as confirmed in paragraphs 12.1 and 12.2 of the Agenda for Change: NHS Terms & Conditions of Service Handbook, the Trust is given discretion to determine exactly what service should be recognised and as how this service should be validated and verified. This policy confirms the service that Humber NHS Foundation Trust recognises as reckonable.

## 4. DUTIES & RESPONSIBILITIES

### 4.1 Chief Executive

To assure the Board that this policy is acted upon through delegation to the appropriate business units and committees.

### 4.2 Trust Board

- To ensure that this policy is acted on through delegation of responsibility for the development and implementation of the policy to the appropriate directors and committees.
- To ensure the policy, procedure and guidelines comply with UK law and legislative requirements.
- To ensure the policy and procedures are monitored and reviewed formally through the appropriate committees e.g. TCNC.

### 4.3 Directors and Assistant Directors

The Directors and Assistant Directors will ensure that this policy is acted on through a process of policy dissemination and implementation in collaboration with Trust

senior managers.

#### **4.4 Senior Managers, Managers and Clinicians**

Ensure all staff within their area of responsibility are informed about the contents of this and other associated policies and procedures. Managers must ensure that policies are implemented, monitored and enforced.

#### **4.5 Human Resources**

The Human Resources Team will provide appropriate technical advice and support.

#### **4.6 Employees**

It is the employee's responsibility to comply with this and any other associated policy and procedure.

#### **4.7 Payroll**

It is the responsibility of payroll to ensure that the individuals Electronic Staff Record (ESR) is updated with any agreed reckonable service.

### **5. PROCEDURES**

#### **5.1. NHS Employment**

An employee's continuous previous service with any NHS employer counts as reckonable service in respect of NHS agreements on redundancy, maternity, paternity, sick pay and annual leave, but does not impact upon starting salaries or pay banding (refer to section 12 of the Terms and Conditions Handbook)

#### **5.2 Re-appointment of previous NHS Employees**

- i) On returning to NHS employment, a previous period or periods of NHS service will be counted cumulatively towards the entitlement to annual leave only, irrespective of the length of the break.
- ii) On returning to NHS employment a previous period or periods of NHS service, will be counted towards the employee's entitlement to maternity/paternity where there has been a break or breaks of 3 months or less.
- iii) On returning to NHS employment a previous period or periods of NHS service, will be counted towards the employee's entitlement to sick leave and redundancy where there has been a break or breaks of 12 months or less.

**Please note – Individuals will not need to apply for previous NHS service from an NHS Trust. This information will be obtained through an Inter Authority Transfer (IAT). Your continuous service date will subsequently be confirmed to you in a letter after you commence in post, if you have any queries with this date please contact Human Resources.**

#### **5.3 NHS related employment – annual leave**

In accordance with section 12 of the Terms and Conditions handbook, the Trust has determined that relevant employment with the following organisations/services will be recognised for the purpose of counting towards annual leave entitlement:-

All NHS agencies e.g. Department  
of Health Local Authority – Social  
Services  
GP Practices

City Healthcare Partnership

**N.B.** This list is not meant to be exhaustive and may be revised from time to time.

#### **5.4 NHS related employment – maternity/paternity**

Where there has been a break in service the cumulative period will count where the break or breaks are less than 3 months. Previous service will count towards maternity/paternity entitlement if continuous and NHS related in the following organisations:-

All NHS agencies e.g. Department  
of Health Local Authority Social  
Services  
GP Practices  
City Healthcare partnership

#### **5.5 NHS related employment – sick leave & redundancy**

Where there has been a break in service the cumulative period will count where the break or breaks are less than 12 months. Previous service will count towards Occupational Sick Pay entitlement and redundancy if continuous and NHS related, in the following organisations:-

All NHS agencies e.g. Department  
of Health Local Authority Social  
Services  
GP Practices  
City Healthcare partnership

On returning to NHS employment, a previous period, or periods of NHS service will be counted towards the employee's entitlement to sick leave where there has been a break, or breaks in service of twelve months or less.

#### **5.6 Process to gain recognition of previous service –**

##### **Supporting evidence New Starters**

In all cases, appointees will need to declare whether they have any reckonable service they would

like to be considered. All employees are required to provide documentary evidence of any employment they wish to be considered as reckonable service, e.g. a letter from the employing organisation. Employees may state their reckonable service on the form attached and provide the necessary documentation at a later date. However failure to provide this information or provision of incorrect information will lead to appropriate adjustments being made and backdated as appropriate.

If employees do not wish to sign a statement to this effect, they will receive the minimum entitlements until they provide the relevant documentary evidence, at which point any entitlement will be backdated appropriately. In respect of staff transferring in from other NHS organisations a service transfer form (Form T1) would be requested by payroll from the most recent employer if this has not been forwarded automatically.

**N.B.** All applications for reckonable service, along with supporting evidence must be submitted within **six months** of joining Humber NHS Foundation Trust.

##### **Bank Staff**

Any service with the NHS, where a member of staff is employed on a bank contract is counted as reckonable service when the employee has worked for a minimum of 12

months and has worked at least 488 hours. For all entitlements, the above definition equates to one year's service and only full years may be counted.

Any queries about what should be counted as reckonable service must be referred to a Human Resources Manager to ensure consistency across the organisation.

### **5.7 Valid Supporting Evidence**

All service that the individual wishes to be counted as reckonable needs to be verified if it is to be counted by the Trust. Unverified service will not be counted as reckonable service for annual leave and/or sick pay entitlement.

The Trust will accept the following evidence of previous NHS service:

- Contract of employment
- Employment reference which includes job title and employment dates
- P45 if combined with payslips
- Inter Authority Transfer form

The documentation will be verified by Human Resources. Should the service meet the criteria outlined above then HR will send a letter to the individual confirming the service that is to be counted as reckonable. This will trigger a copy of the letter to payroll to update the ESR record for the individual.

## **6. EQUALITY & DIVERSITY**

An Equality and Diversity Impact Assessment has been carried out on this document using the Trust approved EIA.

## **7. MENTAL CAPACITY**

Non-clinical policy therefore not relevant.

## **8. BRIBERY ACT**

The Bribery Act 2010 makes it a criminal offence to bribe or be bribed by another person by offering or requesting a financial or other advantage as a reward or incentive to perform a relevant function or activity improperly performed.

The penalties for any breaches of the Act are potentially severe. There is no upper limit on the level of fines that can be imposed and an individual convicted of an offence can face a prison sentence of up to 10 years.

For further information see <http://www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf>.

If you require assistance in determining the implications of the Bribery Act please read the Trust Bribery prevention policy available [on the intranet](#) or contact the Trust Secretary on 01482 389194 or the Local Counter Fraud Specialist on telephone 01482 866800 or [fraud@humber.nhs.uk](mailto:fraud@humber.nhs.uk)

The Bribery Act applies to this policy.

## **9. IMPLEMENTATION**

This policy will be disseminated by the method described in the Policy and Procedural

Documents Development and Management Policy.

**10. MONITORING & AUDIT**

This policy will be reviewed by Human Resources in line with legislative changes or at 3 year intervals, whichever comes first.

**11. REFERENCES/EVIDENCE/GLOSSARY/DEFINITIONS**

NHS terms and conditions of service handbook

**12. RELEVANT POLICIES/PROCEDURES/PROTOCOLS/GUIDELINES**

Annual Leave Policy  
Change Management Policy  
Managing Attendance Policy

**APPENDIX A**

<b>RECKONABLE SERVICE</b>	
<b>Name:</b>	<b>Job Title:</b>
<b>Care Group:</b>	<b>Manager:</b>
<b>Location:</b>	<b>Start Date:</b>

Please confirm if you have previous service that the Trust would consider as reckonable service for your employment with Humber NHS Foundation Trust: (please tick one)

Yes - Please continue

No - Please go to the end of the form and sign and date

Please list below all periods of previous NHS related service.

(n.b. all periods of employment listed below must be supported by documentary evidence e.g. a letter from previous employers stating your start and end dates along with job title, a copy of your contract or P60 for the end of each year)

<b>Start Date</b>	<b>End Date</b>	<b>Employment Trust or Organisation</b>	<b>Documentary Evidence (please tick)</b>

Please confirm whether you have been in receipt of any NHS or Local Authority pension benefits (please tick one)

Yes

No

Have you been made redundant from the NHS in the last 12 months?

Yes – If yes please state the organisation name.....

No

**I hereby confirm the above information to be correct:**

**Employee’s signature:** .....

**Date:** .....



## APPENDIX B

