

Freedom of Information request 124-17

Request

I would be grateful if you would supply the following information for NHS Borders:

- 1) How many individuals are recorded as on zero hours contracts.
- 2) How many individuals have been recorded as on zero hours contracts since 2007.
- 3) A breakdown of the roles of those employed on zero hours contracts.
- 4) A full list of employment rights (if any) provided alongside a zero-hours contract.

Response

1 & 3. Current individuals with hrs recorded as 0.25 (ACAS zero hrs), many of the zero hours staff have substantive posts:

| Count of NI Number Sub Family | HAS SUBSTANTIVE POST? | | Total |
|----------------------------------|-----------------------|-----|-------|
| | NO | YES | |
| ADMINISTRATIVE SERVICES | 40 | 37 | 77 |
| BANK NURSING | 256 | 162 | 418 |
| BIOMEDICAL SCIENCES LIFE | 8 | 17 | 25 |
| CATERING SERVICES | 19 | 25 | 44 |
| DENTAL | 1 | 2 | 3 |
| DENTAL NURSING | 13 | 1 | 14 |
| DOMESTIC/PORTER/GENERAL | 16 | 22 | 38 |
| HEALTH PROMOTION | 14 | 4 | 18 |
| MEDICAL | 124 | 19 | 143 |
| OCCUPATIONAL THERAPY | 3 | 4 | 7 |
| PHARMACY | 1 | | 1 |
| PHYSIOTHERAPY | 6 | 3 | 9 |
| RADIOGRAPHY | 5 | | 5 |
| TRANSPORT SERVICES | 11 | 2 | 13 |
| Grand Total | 517 | 298 | 815 |

2 & 3. Since 1 January 2007 the number of individuals with zero hrs contracts is shown below. The figures include the current individuals (Q1).

Many sub-family types have disappeared in 2017 indicating the Board's reduction in non-essential bank posts. The increase in Health Promotion is due to Lavender Touch staff, a support group employed by an Edinburgh based company which supports NHS across Scotland, which could therefore be construed as not meeting the ACAS criteria but is shown for consistency and transparency.

| Count of NI Number Sub Family | HAD SUBS POST IN PERIOD 2007-17 | | Total |
|----------------------------------|---------------------------------|------|-------|
| | NO | YES | |
| ADMINISTRATIVE SERVICES | 172 | 210 | 382 |
| BANK NURSING | 940 | 1278 | 2218 |
| BIOMEDICAL SCIENCES LIFE | 15 | 39 | 54 |
| CATERING SERVICES | 48 | 42 | 90 |
| CLIN PSYCHOLOGY/THERAPY/COUNS | 4 | 3 | 7 |
| CLINICAL PHYSIOLOGY | 1 | 1 | 2 |

| | | | |
|-----------------------------|------|------|------|
| DENTAL | 5 | 5 | 10 |
| DENTAL NURSING | 26 | 10 | 36 |
| DIETETICS | 1 | 5 | 6 |
| DOMESTIC/PORTER/GENERAL | 79 | 80 | 159 |
| HEALTH PROMOTION | 1 | 3 | 4 |
| HOSPITAL CHAPLAINCY | | 2 | 2 |
| MAINTENANCE AND ESTATES | 3 | 1 | 4 |
| MEDICAL | 130 | 266 | 396 |
| MEDICAL SUPPORT | | 1 | 1 |
| MEDICAL TECHNOLOGY | 3 | 1 | 4 |
| OCCUPATIONAL THERAPY | 20 | 31 | 51 |
| PHARMACY | 6 | 7 | 13 |
| PHYSIOTHERAPY | 16 | 25 | 41 |
| PODIATRY | 3 | | 3 |
| RADIOGRAPHY | 4 | 9 | 13 |
| SPEECH AND LANGUAGE THERAPY | 2 | 1 | 3 |
| STERILE SERVICES | | 1 | 1 |
| TRANSPORT SERVICES | 16 | 8 | 24 |
| Grand Total | 1495 | 2029 | 3524 |

4. The terms and conditions of zero hours contract mirror the terms and conditions of substantive staff with the exception of sick leave.

PLEASE NOTE:

NHS Borders employ a number of staff under “bank” arrangements who also have primary contracts with NHS Borders ie employees who supplemented their fixed hours under their primary contracts of employment with additional hours as depicted in the table below. The additional hours worked by these individuals were through a bank system using a contractual arrangement that meets the ACAS definition of a zero hours contract. For the avoidance of doubt, all of these employees had additional contracts of employment with fixed hours with NHS Borders. It is only the hours worked in excess of their fixed contract hours which were worked on the basis of an arrangement which meets the ACAS definition of a zero hours contract.

Additionally the vast majority of medical staff included in the figure hold substantive medical posts elsewhere, as a GP or within neighbouring NHS Boards.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **124-17** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.