

Night Working Policy

(HSP 024)

V4.0

September 2024

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Data Protection Act 2018 (UK General Data Protection Regulation – GDPR) Legislation.

The Trust has a duty under the Data Protection Act 2018 and UK General Data Protection Regulations 2016/679 to ensure that there is a valid legal basis to process personal and sensitive data. The legal basis for processing must be identified and documented before the processing begins. In many cases we may need consent; this must be explicit, informed, and documented. We cannot rely on opt out, it must be opt in.

Data Protection Act 2018 and UK General Data Protection Regulations 2016/679 is applicable to all staff; this includes those working as contractors and providers of services.

For more information about your obligations under the Data Protection Act 2018 and UK General Data Protection Regulations 2016/679 please see the Information Use Framework Policy or contact the Information Governance Team.

Royal Cornwall Hospital Trust rch-tr.infogov@nhs.net

1. Introduction

1.1. The Royal Cornwall Hospital NHS Trust manages its responsibilities contained in Health and Safety Legislation including The Working Time Regulations 1998 and The Working Time (Amendment) Regulations 2003 and will strive to ensure so far as reasonably practical the Health, Safety and Welfare of staff who are involved in night time working.

1.2. This version supersedes any previous versions of this document.

2. Purpose of this Policy/Procedure

The purpose of this policy is to provide an outline of the requirements of the health, safety and well-being of staff undertaking work during night time hours.

3. Scope

This policy is applicable to all Trust staff this policy will apply to all staff who undertakes work during the night.

4. Definitions / Glossary

For the purpose of this document the following shall apply:

The Trust	The Royal Cornwall Hospitals NHS Trust.
Night Work	Any period of work of three or more hours carried out between 23:00-06:00 on any day (including weekends).
OH	Occupational Health Department.
Young person	Any person over the age of 15 but under the age of 18 years.
Risk Assessment	The process used to identify the level of risks associated with an area or activity or process being undertaken for or on behalf of the Trust.
Hazard	Any process, activity or physical aspect with the potential to cause harm or injury.
Harm	Including injury to persons (staff, patients, visitors, contractors etc.) and damage to the finances or reputation of the Trust.
Risk	The likelihood of the harm posed by the hazard being realised.
Control Measure	The steps taken to minimise the risks associated with the area, activity or process being undertaken.

Datix	The Trust's electronic incident and risk assessment tool accessed via the Trust intranet site at (log in required to complete risk assessments).
Risk Register	Details of risks with the potential to affect one or more areas of the Trust or have a significant impact on Trust activities.
Trust Sites	All premises under the control of the Trust, including, but not restricted to the Royal Cornwall Hospital, Truro; St Michaels Hospital and West Cornwall Hospital.
Staff	All persons who are employed by the Trust whether on permanent or temporary contracts (Written or implied), paid or unpaid, and shall include persons employed through recruitment and employment agency providers to assist the Trust in the delivery of services but excluding contractors and third parties undertaking works for or on behalf of the Trust.

5. Ownership and Responsibilities

5.1. Role of Chief Executive Officer

- The Chief Executive Officer has overall responsibility for ensuring the Trust compliance under the mandatory regulations in relation to Health and Safety.
- The Chief Executive Officer will ensure suitable and sufficient resources are made available to ensure the effective implementation of this policy.

5.2. Role of the Chief Operating Officer

- The Chief Operating Officer is the nominated Executive Director with responsibility for Health and Safety across the organisation.
- To ensure that suitable and sufficient resources, including training provision, equipment, funding, etc. are provided within the Trust to ensure that the requirements of this document can be met.

5.3. Role of Care Group General Managers (CGMs) and Care Group Directors (CGDs)

- All CGMs and CGDs shall ensure that the requirements of this policy are implemented throughout their management structures.
- CGMs will ensure that records of night working for each individual are maintained for a period of not less than two years, from the last episode of night work in any period.
- CGMs will ensure that suitable and sufficient risk assessments for night time working are completed and recorded and that these risks are reviewed on a regular basis in accordance with the Trust's Risk Management Strategy and policy documents.

5.4. Role of Heads of Nursing (or Care Group Equivalent)

Heads of Nursing or Care Group equivalents are to:

- Be aware of the Trust's Health and Safety strategy and policies.
- Support the departmental manager in promoting a Health and Safety culture within your working environment, ensuring participation and involvement when requested.
- Identify potential risks and Health and Safety issues that may impact on the Trusts ability to achieve its objectives, and report concerns through your line management structure.
- Take due care at work, report any accidents, incidents or untoward occurrences and comply with the Trust's Health and safety Policies in order that the Trust can fulfil its Health and safety responsibilities.

5.5. Role of the Managers

- Managers will ensure that all night time work activities are fully risk assessed in accordance with the Trust's strategy and that risk assessments are recorded, reviewed, updated and stored as appropriate or as indicated by other separate Trust Policy.
- Managers will ensure that all staff who are required to work night time hours are provided with the opportunity to attend the Occupational Health (OH) Department for a Night Time Workers Risk Assessment if any health related problems or issues that are perceived to be related to night time working are identified.

5.6. Role of Individual Staff

All staff members are responsible for:

- All staff are required to abide by the requirements of this document and should participate fully in the risk assessment process and night time working assessments with the OH team.
- All staff are required to ensure that any health related problems or issues that are perceived to be related to night time working are immediately reported to line manager, documented on the staff members Pfile and refer to Occupational Health as appropriate. Staff will ensure that they participate fully in any occupational health or any other reviews in relation to night time working.

5.7. Role of the Occupational Health (OH) Team

- The Occupational Health Team will provide night time workers assessments to staff who have identified concerns and are referred via their line manager.
- The findings of the individual assessment will remain confidential between OH team and the referrer, however the OH team will include their quarterly

reports to the Health and Safety Committee the number of night time assessments undertaken during the reporting period of any significant key findings highlighted in relation to night work assessments. Reports should also include indication of the number of assessments undertaken per Care Group and or geographical location within the Organisation.

- The OH department will provide staff with advice on the appropriate control measures to minimise personal health risk and ensure significant concerns are reported immediately to the Health and Safety Manager to ensure that suitable and sufficient records are maintained in compliance with the OH requirements.

5.8. Role of Health and Safety Committee

The Health and Safety Committee will monitor the implementation of this policy through reports received from the Care Group representatives and from the OH team.

6. Standards and Practice

6.1. Health Risks of Night Working

6.1.1. While workplace hazards are unlikely to change with night work, risks arising from them might be greater at night, particularly where individuals are suffering from, or susceptible to, certain medical conditions. It is likely that only a very few workers will be permanently unfit to work at night.

6.1.2. There are few, if any, health factors that absolutely rule out night work in every case. However, a number of medical conditions may, in some cases, be made worse by night work, for example:

- Diabetes, particularly where treatment with insulin injections on a strict timetable is required.
- Some heart and circulatory disorders, particularly where factors such as physical stamina are affected.
- Stomach or intestinal disorders where timings of a meal is particularly important.
- Medical conditions affecting sleep or contributing to severe fatigue.
- Some chronic chest disorders where night-time symptoms may be particularly troublesome.
- Medical conditions requiring medication on a strict timetable.

NB: This list is not exhaustive. The effect of conditions such as these on fitness for night work will often only be temporary.

6.2. Night Work Risk Assessment

- 6.2.1. Work related hazards are unlikely to change during night periods; however, risks arising from carrying out activities during the night may be increased.
- 6.2.2. Managers will ensure that a suitable and sufficient risk assessment is undertaken and reviewed, at least annually, for all night working activities.
- 6.2.3. The risk assessment must consider:
 - Mental and physical demands of the work activity.
 - Special conditions relating to individuals (including but not restricted to age, health, pregnancy/nursing or those taking time dependent medication).
 - Temporary workers.
 - Staff that move to an 'on call' role following a day shift.
 - Consequences of errors occurring due to fatigue.
 - Lone working and reduced staffing levels.
 - The impact upon patients, visitors and other non-staff.
- 6.2.4. Risk assessments should be recorded and used to compile the Risk Registers. Datix risk entries will be supplemented with additional information and evidence detailing the controls and actions taken. Complex entries will also include the breakdown of assessments using the Trust Risk Assessment Templates.

6.3. Young people

No young person shall undertake work on any day between the hours of 23.00 hours and 06.00 hours.

6.4. Night Workers Health Assessment

- 6.4.1. Every person undertaking or being transferred to night working will be provided with the opportunity for a night workers health assessment appointment with the Occupational Health Department.
- 6.4.2. The Occupational Health Night Work Assessment form can be found at Appendix 3 of this document.
- 6.4.3. The assessment shall be provided free of charge and without detriment to the staff member.

6.4.4. The report arising from the assessment shall remain confidential with the Occupational Health and Health, Safety Moving and Handling Departments except when:

- The individual has agreed that the document can be disclosed;

Or,

- The statement indicates that the individual is fit for night work.

6.4.5. Occupational Health shall provide an appointment for a requested health assessment prior to the individual commencing their first night work period and at regular intervals.

6.4.6. Where Occupational Health have identified concerns for a specific individual. Line managers should complete (Appendix 4) with the individual.

6.5. Medical Practitioners Report

6.5.1. A registered medical practitioner (i.e. General Practitioner (GP), Occupational Health Consultant, etc.) may advise the Trust that the individual is not fit for night work.

6.5.2. Where a medical practitioner has reported that an existing staff member is not fit for night work alternative employment will be provided, so far as is reasonably possible, in accordance with current Trust Human Resources/People Organisational Development process and guidance, and details of the report provided to the Occupational Health Team.

6.5.3. Where an offer of employment is made to a night work position a Night Workers Questionnaire (Appendix 3) and a Night Working Risk Assessment (Appendix 4) must be completed and considered as part of the normal Occupational Health pre-employment questionnaire process.

7. Dissemination and Implementation

7.1. This document will be stored in the Trust online Document Library with free access to all staff and the general public.

7.2. The document will be distributed throughout the organisation the Health and Safety Committee.

8. Monitoring compliance and effectiveness

8.1. The Director of Human Resources is responsible for the implementation of this policy.

8.2. Trust health and Safety Committee will monitor the delivery of the implementation plan that supports the introduction of policy.

8.3. Copies of this policy will be made available via the Trust's intranet. Copies of the policy will be provided to staff on request.

Information Category	Detail of process and methodology for monitoring compliance
Element to be monitored	Completion and management of Night Working Risk Assessments. Incidents of ill health made worse by night working.
Lead	Care Group Management Board. Occupational Health.
Tool	Existing reporting structure for Health and Safety Committee. Completion of Night Working Risk Assessments.
Frequency	In accordance with the Health and Safety Committee Terms of Reference.
Reporting arrangements	Health and Safety Committee, reporting to Governance Committee.
Acting on recommendations and Lead(s)	Health and Safety Committee will request action from Care Group Representatives; and escalate to Governance Committee as required.
Change in practice and lessons to be shared	The document will be distributed via the Health and Safety Committee with request that it is raised at Care Group board, governance and/or local meetings. The document will be stored on the document library for free access.

9. Updating and Review

- 9.1. This document will be subject to a full review not later than the review date shown in the Meta Data below.
- 9.2. This policy has been agreed by Trust management and the staff and management side of the Health and Safety Committee.
- 9.3. This policy will be reviewed every 3 years or earlier in view of developments which may include legislative changes, national policy instruction (NHS or Department of Health) or Trust Board decision. This will be carried out by the Health and Safety Committee assisted by the Trust Health and Safety Team.
- 9.4. Revisions can be made ahead of the review date when the procedural document requires updating. Where the revisions are significant and the overall policy is changed, the document will be subject to consultation with the Health and Safety Committee.
- 9.5. Where the revisions are minor, e.g. amended job titles or changes in the organisational structure, approval can be sought from the Chair or Vice Chair of the Health and Safety Committee and can be re-published accordingly without having gone through the full consultation and ratification process.
- 9.6. Any revision activity is to be recorded in the version Control Table as part of the document control process.

10. Equality and Diversity

10.1. This document complies with the Royal Cornwall Hospitals NHS Trust service Equality and Diversity statement which can be found in the [Equality Diversity And Inclusion Policy](#) or the [Equality and Diversity website](#).

10.2. Equality Impact Assessment

The Initial Equality Impact Assessment Screening Form is at Appendix 2.

Appendix 1. Governance Information

Information Category	Detailed Information
Document Title:	Night Working Policy (HSP 024) V4.0
This document replaces (exact title of previous version):	Night Working Policy (HSP24) V3.0
Date Issued / Approved:	September 2024
Date Valid From:	September 2024
Date Valid To:	September 2027
Author / Owner:	G. Griffiths, Head of Health and Safety. Rob Harris, Senior Safety Advisor. Health, Safety and Moving and Handling Management Team.
Contact details:	01872 252266
Brief summary of contents:	Outline the Trust health and safety arrangements for the management of safe working during night time hours.
Suggested Keywords:	Night work, night shift, working time. Shift work, young people.
Target Audience:	RCHT: Yes CFT: No CIOB ICB: No
Executive Director responsible for Policy:	Chief Operating Officer.
Approval route for consultation and ratification:	Health and Safety Committee.
Manager confirming approval processes:	G Griffiths, Head of Health and Safety.
Name of Governance Lead confirming consultation and ratification:	G Griffiths, Head of Health and Safety.

Information Category	Detailed Information
Links to key external standards:	Health and Safety at Work etc. Act 1974. Working Time Regulations 1998. Working Time Regulations Policy (currently under construction). The Working Time (Amendment) Regulations 2003.
Related Documents:	Including but not restricted to: Health and Safety General Policy . Risk management Policy .
Training Need Identified:	No
Publication Location (refer to Policy on Policies – Approvals and Ratification):	Internet and Intranet
Document Library Folder/Sub Folder:	Chief Operating Officer/Health and Safety

Version Control Table

Date	Version Number	Summary of Changes	Changes Made by
November 2013	V1.0	New Document.	J. Robin Gatenby Health and Safety Manager.
November 2018	V2.0	Minor corrections to add clarity. Correcting of appendices, addition of Risk Assessment.	Paul Freeman Health and Safety Auditor.
June 2021	V3.0	Full 3-year review, Minor corrections and formatting.	Geoff Wyatt Health and safety Advisor.
August 2024	V4.0	Full 3-year review, Minor amendments.	Rob Harris, Senior Safety Advisor.

All or part of this document can be released under the Freedom of Information Act 2000.

All Policies, Strategies and Operating Procedures, including Business Plans, are to be kept for the lifetime of the organisation plus 6 years.

This document is only valid on the day of printing.

Controlled Document.

This document has been created following the Royal Cornwall Hospitals NHS Trust [The Policy on Policies \(Development and Management of Knowledge Procedural and Web Documents Policy\)](#). It should not be altered in any way without the express permission of the author or their Line Manager.

Appendix 2. Equality Impact Assessment

Section 1: Equality Impact Assessment (EIA) Form

The EIA process allows the Trust to identify where a policy or service may have a negative impact on an individual or particular group of people.

For guidance please refer to the Equality Impact Assessment Policy (available from the document library) or contact the Equality, Diversity, and Inclusion Team
rcht.inclusion@nhs.net

Information Category	Detailed Information
Name of the strategy / policy / proposal / service function to be assessed:	Night Working Policy (HSP24) V3.0
Department and Service Area:	Chief Operating Officer/Health and Safety.
Is this a new or existing document?	Existing.
Name of individual completing EIA (Should be completed by an individual with a good understanding of the Service/Policy):	Rob Harris, Senior Safety Advisor.
Contact details:	01872 25 2266

Information Category	Detailed Information
1. Policy Aim - Who is the Policy aimed at? (The Policy is the Strategy, Policy, Proposal or Service Change to be assessed)	To outline the Trust arrangements in order to ensure the occupational health and safety of all staff working during night time hours.
2. Policy Objectives	Establish a uniform approach toward the management, safety and occupational health and safety of all staff working during night time hours.
3. Policy Intended Outcomes	Ensure a safe environment for all staff, patients, visitors and contractors in relation to staff working during night time hours.
4. How will you measure each outcome?	Through completion of Night Worker Risk Assessments undertaken by wards and departments.
5. Who is intended to benefit from the policy?	All Trust stakeholders.

Information Category	Detailed Information
6a. Who did you consult with? (Please select Yes or No for each category)	- Workforce: Yes - Patients/ visitors: No - Local groups/ system partners: No - External organisations: No - Other: No
6b. Please list the individuals/groups who have been consulted about this policy.	Please record specific names of individuals/ groups: Health and Safety Committee
6c. What was the outcome of the consultation?	Approved
6d. Have you used any of the following to assist your assessment?	National or local statistics, audits, activity reports, process maps, complaints, staff, or patient surveys: None

7. The Impact

Following consultation with key groups, has a negative impact been identified for any protected characteristic? Please note that a rationale is required for each one.

Where a negative impact is identified without rationale, the key groups will need to be consulted again.

Protected Characteristic	(Yes or No)	Rationale
Age	No	This policy does not impact on age.
Sex (male or female)	No	This policy does not impact on gender.
Gender reassignment (Transgender, non-binary, gender fluid etc.)	No	This policy does not impact on gender reassignment.
Race	No	This policy does not impact on race.
Disability (e.g. physical or cognitive impairment, mental health, long term conditions etc.)	No	This policy does not impact on disability.
Religion or belief	No	This policy does not discriminate with any religious or cultural beliefs.
Marriage and civil partnership	No	This policy does not impact on marriage/civil partnership.

Protected Characteristic	(Yes or No)	Rationale
Pregnancy and maternity	No	This policy does not impact on pregnancy/maternity.
Sexual orientation (e.g. gay, straight, bisexual, lesbian etc.)	No	This policy does not impact on sexual orientation.

A robust rationale must be in place for all protected characteristics. If a negative impact has been identified, please complete section 2. If no negative impact has been identified and if this is not a major service change, you can end the assessment here.

I am confident that section 2 of this EIA does not need completing as there are no highlighted risks of negative impact occurring because of this policy.

Name of person confirming result of initial impact assessment: Rob Harris, Senior Safety Advisor.

If a negative impact has been identified above OR this is a major service change, you will need to complete section 2 of the EIA form available here:

[Section 2. Full Equality Analysis](#)

Appendix 3. Night Workers Questionnaire

Please refer to the Occupational Health Department for the Night Workers Questionnaire

Appendix 4. Risk Assessment – Night Working

HEALTH AND SAFETY DEPARTMENT

Risk Assessment – Night Working Confidential when completed

Full Name:	Click here to enter text.	Date of Birth:	Click here to enter a date.
Ward/Dept:	Click here to enter text.	Gender:	Choose an item.
Job Title:	Click here to enter text.	Line Manager:	Click here to enter text.

The purpose of this questionnaire is to ensure that you are suited to working at night.
The information you provide will be treated as confidential

Type of Work and Duration of work at night time (23:00hrs – 06:00hrs)			
Click here to enter text.			
Work Pattern			
Full Time Night Work ☐	Rotating Shifts (Day/Night) ☐	One Off Night Shift ☐	On Call Nights ☐
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Do you have, or have you ever suffered from, or consulted your Doctor or a Specialist for any of the following conditions:

Conditions	Yes	No	Details
Fits, epilepsy, giddy turns, blackouts or fainting?	☐	☐	Click here to enter text.
Recurring headaches or migraines?	☐	☐	Click here to enter text.
Significant musculoskeletal conditions affecting the neck, back or joints?	☐	☐	Click here to enter text.
Chest or respiratory problems, e.g. asthma or bronchitis?	☐	☐	Click here to enter text.
Recurrent indigestion, gastric or duodenal ulcers?	☐	☐	Click here to enter text.
Recurrent diarrhoea or any chronic bowel disease?	☐	☐	Click here to enter text.
Liver problems, e.g. jaundice?	☐	☐	Click here to enter text.
Kidney, bladder or urinary problems?	☐	☐	Click here to enter text.
Heart, circulation, blood disorders, blood vessel problems or high blood pressure?	☐	☐	Click here to enter text.
Gynaecological or menstrual problems?	☐	☐	Click here to enter text.
Diabetes?	☐	☐	Click here to enter text.
If yes, is it controlled by:	a) diet	☐	Click here to enter text.
	b) tablets	☐	
	c) insulin	☐	
If yes, do you have low blood sugar episodes?	during the day	☐	Click here to enter text.
	during the shift work	☐	
	whilst sleeping	☐	
Skin complaints, e.g. eczema or dermatitis?	☐	☐	Click here to enter text.
Stress/anxiety/depression or any other similar condition?	☐	☐	Click here to enter text.
Do you regularly have difficulty sleeping?	☐	☐	Click here to enter text.
Do you have any health problems that may affect your ability to work at night?	☐	☐	Click here to enter text.

HEALTH AND SAFETY DEPARTMENT

Risk Assessment – Night Working
Confidential when completed

Have you been absent from work for any medical reason for more than 5 days in the last 12 months?	☐	☐	Click here to enter text.
Are you currently taking any medication?	☐	☐	Click here to enter text.
If so does any medication need to be taken to a strict timetable?	☐	☐	Click here to enter text.
Do you smoke?	☐	☐	Click here to enter text.
Do you drink alcohol?	☐	☐	
If yes, what is your average weekly unit intake?		Units	NB : half pint of beer, 1 short or 1 small glass of wine = 1 unit
Other Information/Comments/Concerns: Click here to enter text.			

I **Choose an item.** a confidential consultation with an Occupational Health Advisor.

Employee signature:		Click here to enter text.	Date:	Click here to enter a date.
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Place this form in a sealed envelope, to the Occupational Health department, marking it private and confidential

For OH use only:

Height: Click here to enter text.	Weight: Click here to enter text.	BP: Click here to enter text.
BMI: Click here to enter text.	Age: Click here to enter text.	Analysis: Click here to enter text.
Comments: Click here to enter text.		
Assessment: (please circle outcome) Fit for specified work ☐ Fit with restrictions ☐ Referred for medical opinion ☐ Click here to enter text.		

OH signature: _____ Date: [Click here to enter a date.](#)

This data is entirely confidential to the Health, Safety, Moving and Handling Management Office and Occupational Health Services and will not be revealed to anyone else, either inside or outside the Trust unless with your consent. However, generalised advice on your fitness to work, if appropriate, may be given to your manager.

Employee signature: _____ Date: [Click here to enter a date.](#)

Please forward copies of this assessment to the Health, Safety, Moving and Handling Management Office and Occupational Health Services, where you may also seek further advice, if necessary.

Author: Senior Safety Advisor
 Reviewer: Head and Health and Safety
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