

Annualised Hours Policy for Methodist Council employees

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Status of Paper	Final
Action Required	Decision
Draft Resolution	55/1. The Council receives this report. 55/2. The Council approves the Annualised Hours Policy for Methodist Council employees.
Alternative Options to Consider, if Any	None proposed

Summary of Content

Subject and Aims	The policy proposes a framework for the definition of working time and associated arrangements applicable to staff who, due to the nature of their work, do not work a standard working week.
Main Points	The policy provides a definition of the parameters of the working day, arrangements for daily and weekly rest, evening and weekend working, for recording working time and taking time off when additional hours have been worked.
Background Context and Relevant Documents (with function)	The proposals have been drawn up following an evaluation of the working arrangements in the Discipleship and Ministries Learning Network where many staff are required to work flexibly, including evenings and weekends. However, the policy would be applicable to all Methodist Council staff working under an annualised hours contract of employment.
Consultations	Staff Association.

Summary of Impact

Financial	The policy can be implemented without additional cost.
Personnel	The policy complements existing arrangements for matters such as flexi-leave, annual leave and time off in lieu.
Legal	The proposal has been written in accordance with the provisions of the Working Time Regulations.
Wider Connexional	The proposal will be applicable to Methodist Council staff employed under Annualised Hours contracts only.
Risk	The proposals have been drawn up to take account of case law and good practice in the context of the Working Time Regulations, and the health and wellbeing of staff.

Annualised Hours Policy for Methodist Council employees

Introduction

1. Although most staff employed in the Connexional Team work a standard Monday to Friday working week, some employees, such as those employed in the Learning Network, are required to work in a very flexible way, for example with frequent evening and weekend working. The working arrangements for such staff have recently been evaluated in order to ensure that they both meet the needs of the Church and accord with good practice in terms of staff health and wellbeing. This has led to the drawing up of the proposed Annualised Hours Policy which seeks to codify existing working arrangements and where necessary further refine them. It is intended that this policy applies to all Methodist Council employees who are required to work more flexibly than the standard working week provides for, and thus on annualised hours contracts.

Key provisions of the Policy

2. The policy proposes arrangements for when working time may/may not accrue, the length of the working day, rest breaks and arrangements for taking time off when additional hours have been worked. In addition, reference is made to annual leave and bank holidays so that it is clear how these link in with the proposed working arrangements.
3. The proposals have been drawn up to take account of the Working Time Regulations which provide clear definitions about an individual's rights to daily and weekly rest breaks. They also incorporate legal provisions with respect to what constitutes working time, which is important for activities such as residential events. It has also been important to ensure equity between those employed on annualised hours contracts and those on standard contracts.

Consultation and implementation

4. The policy has been drawn up following extensive discussions with staff who work in non-standard ways, and also with the Staff Association. Given that for some employees the proposals represent a change to their current way of working, it is proposed that the policy be introduced from 1 September 2016. This will allow time for matters such as time recording arrangements to be put in place. That said, it is not envisaged that any changes to employment contracts are required.

*****RESOLUTIONS**

55/1. The Council receives this report.

55/2. The Council approves the Annualised Hours Policy for Methodist Council employees.

Annualised Hours Policy for Methodist Council Employees

1. Introduction

This policy seeks to ensure that service delivery requirements are met in situations where working normal office hours may not be always be appropriate due to the nature of the work being carried out. It also provides a framework to ensure that staff do not work excessive hours when working in non-standard ways, recognising the need to balance work demands with the requirement for staff to have appropriate breaks from work so that a good work/life balance may be achieved.

2. Scope and relationship to other key policies

This policy is applicable to all Methodist Council employees with contracts which explicitly state that they are employed on a pattern of annualised hours working. For such staff, the provisions of the Flexitime scheme, Time Off in Lieu (TOIL) and overtime policies are not applicable. However, staff working on annualised hours contracts may make an application to work flexibly under the 'Right to request flexible working' scheme.

This policy is not applicable to staff who are employed on other forms of contracts, nor is it applicable to ministers, who are subject to the provisions of CPD.

3. Glossary of terms

- Notional working day - 7 hours.
- Notional working week - 35 hours (for full time employees. Part time employees have a working week which is pro-rata to this)
- The connexional year - this is defined as the period September to August.
- Annual leave year - this is defined as the period January to December.
- Notional four week working period - a four week period of work, consisting of 140 hours working time (pro rata for part time staff).
- Bank holiday - a recognised day on which the employee is not expected to work. These are defined as New Year's Day, Good Friday, Easter Monday, Early Spring Bank Holiday, Late Spring Bank Holiday, August Bank Holiday, Christmas Day, Boxing Day. (For the allocation of bank holiday leave to part time staff, please see the annual leave policy.)
- Additional hours - hours worked in excess of the normal weekly total of 35.
- Additional hours leave - time taken away from work due to the accrual of additional hours.

4. Definition of working time

In the Working Time Regulations (WTR) working time is defined as 'any period during which the worker is working at the employer's disposal and carrying out their activity or duties'. Under this policy working time is therefore defined as follows:

- a. Any period when the employee is travelling from their office base on business (if the employee is home based, working time begins at the commencement of their journey, unless other arrangements are in place). For office based employees starting a business journey from home (rather than the office base), working time does not start from when they leave home, but after the time that their normal commute would be completed.
- b. Time when working in the office (or if the employee is home based) at home.
- c. Rest breaks and meal times do not count as working time.
- d. For overnight/residential events, free time is not included, neither is time spent relaxing, socialising or sleeping. Should the status of any activity (as counting towards working

time or not) require clarification this should be obtained from the manager before the commencement of the activity or event.

5. Hours of Work/Length of day

Under this scheme there are no prescribed working hours other than the following, which take account of the provisions of the Working Time Regulations:

- a. Working time may not accrue before 6.30am or after midnight. However, this provision must be read in conjunction with point e. below.
- b. Staff are required to take a break of at least 30 minutes after a period of continuous working of 6 hours.
- c. Staff are required to take a minimum daily rest break of 11 consecutive hours in each 24 hour period during which they work.
- d. Staff are required to have an uninterrupted weekly rest period of at least 24 hours.
- e. Other than when staff are required to work in the evenings or weekends as part of their normal duties or for business travel purposes, staff are expected to work Monday to Friday between the hours of 8am and 6pm. Staff may not, as part of a normal weekly working pattern, work weekends or in the evening.
- f. Staff will not work on bank holidays unless the demands of their role require this on a specific occasion, and with their line manager's prior express permission.

6. Salary payments

Salary will be paid in 12 equal instalments, regardless of the actual hours worked each month. If an individual leaves their post a calculation will be made of the actual hours worked and the amount of salary paid. This could result in the Methodist Council either having to claim back money actually paid or paying for additional hours worked. Hours worked over the agreed monthly amount may be paid at flat rate. However, a member of staff who resigns will be expected to make every effort to bring their hours balance to zero by the end of their employment, and payment for additional hours is not an automatic entitlement.

7. Annual leave

Annual leave entitlement will be the same as for all other Methodist Council employees. A day of annual leave is calculated as 7 hours (pro rata for part time staff). Staff may take annual leave in day or half day (3.5 hour) blocks. Staff employed on annualised hours contracts are subject to the Annual Leave Policy.

8. Bank holidays

Staff employed on annualised hours contracts are not normally expected to work on any bank holiday. However, should the work require this from time to time the running total of hours will be adjusted by the amount of hours worked on the bank holiday. For example, if the work carried out on the Bank Holiday was 4 hours this will be added to the employee's balance. No enhancement is offered for working bank holidays, and they may only be worked with the prior agreement of the line manager. Staff employed on a part time basis (ie less than 35 hours per week) will have bank holiday leave as provided in the Annual Leave Policy.

9. Sickness

For the purposes of calculating sick leave entitlements, a notional working day is 7 hours and a notional working week is 35 hours. If an employee becomes ill the hours total will be credited

for the duration of the sick leave on this principle, regardless of the actual hours that the employee had planned/been scheduled to work during the period of sickness.
The provisions of the Sickness Policy apply to all staff working on annualised hours contracts.

10. Christmas and New Year closure

The provisions of the Leave Policy apply to all staff working on annualised hours contracts in respect of the Christmas to New Year closure. These three days are not included in an individual's annual leave entitlement and are in addition to it.

11. Carry-over of additional hours worked

Staff are encouraged to work in a healthy and sustainable way that promotes their wellbeing. This means that additional hours worked should be reclaimed as soon as possible after they are completed, to ensure rest and refreshment. Equally, if staff attend meetings which require either early or late starting or finishing times, they should ensure that they allow time in their planned schedule for recovery - for example, if an individual arrives home from a meeting at 11pm they should aim to start work later than usual the next day, having a minimum 11 hour break between periods of work as per the WTR (See section 5 c and d).

The nature of the church year means that there will be both quiet and busy times, and this means that there will be times when staff work more than their notional working hours in any given week or month. It is important, so far as is reasonably practicable, to plan when additional hours will be recouped. Staff may not carry over more than 35 hours from one notional four week period to the next, other than with their line manager's permission. (For part time staff this is pro-rata.)

Carried over hours must be used up within two four week periods of the additional hours being undertaken (ie within a period of 8 weeks). If they are not used up within this period they will be lost.

The maximum amount of additional hours that may be taken in one block is 35 hours ie one week, in any two four week periods. For part time staff this is applied on a pro-rata basis. As an example, a person employed on a 0.5 basis would be able to take up to 17.5 hours (ie 2.5 days) in any two month period in one block.

12. Booking time off (additional hours leave)

A minimum of one week's notice must be given when seeking to take additional hours leave, unless there are exceptional circumstances. Additional hours leave is granted subject to the demands of the service. A manager may decline a request, requiring the employee to take the leave at a later date. Additional hours leave may be taken in conjunction with annual leave, subject to the provision that the total amount of continuous additional hours leave and annual leave taken together may not exceed three consecutive weeks. (This provision is applied on a pro-rata basis for part time staff. As an example, a person employed on a 0.5 basis would be able to take three weeks continuous leave, each leave week being 17.5 hours.)

Annual leave must be booked in accordance with the provision of the annual leave policy

13. Monitoring of working time

All staff employed on annualised hours contracts are required to complete a timesheet of their actual working time, using a time recording methodology supplied by Development and Personnel.

At the beginning of each four week period every staff member is required to submit to their line manager an outline of their planned hours for the coming four weeks. Significant differences between their anticipated working pattern and the usual number of working hours

available in the four week period (based on a notional 35 hour week) will be discussed and a plan to bring the situation to a neutral balance agreed.

At the end of each four week period each member of staff will submit their timesheet to their line manager; where there is significant variation between the hours actually worked and the notional hours this will be discussed and a plan to rectify the situation agreed. This is to ensure that staff have an appropriate work/life balance and do not work excessive hours, bearing in mind the needs of the service.

Where hours, either planned or actual, are different from those expected a plan to rectify the situation must be agreed between the line manager and employee. Actions included in this plan may be:

- a. Reorganisation of the individual's work schedule.
- b. Changes to the way in which the overall team's workplan is delivered (where the employee is part of a team).
- c. Postponing pieces of work until a later date.
- d. Seeking support from other parts of the team (where the individual works as part of a team).
- e. Immediately booking additional leave.

14. Provisions for part time staff

The above principles apply to part time staff pro rata to their contracted working hours.

15. Fair use of this policy

If a member of staff feels that they have been treated unfairly in the application of this policy to them they should seek to resolve the matter informally with their Line Manager. If an informal resolution cannot be achieved the member of staff may raise the matter under the Methodist Council's Grievance Procedure.

Failure to comply with this policy may lead to the individual being subject to the Methodist Council's disciplinary procedures.