



OVERTIME/ADDITIONAL HOURS GUIDANCE

Our values;

- Integrity
- Commitment
- Accountability
- Pride in what we do
- Listening and engaging
- Creativity and learning

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1.0 Introduction

- 1.1 The SSSC is committed to ensuring that employees have a healthy work-life balance and to improving the working lives of staff. The SSSC may, as required from time to time according to the needs of the business, ask employees to work overtime/additional hours. All overtime/additional hours will be considered in accordance with working time regulations and consideration for staff welfare and well-being.
- 1.2 Generally, employees are expected to manage peaks in their workload by appropriate use of the flexi-time scheme. Overtime/additional hours should only be offered by line managers where the relevant budget holder has agreed to overtime/additional hours being worked. The budget holder should set out a framework of criteria, limits, controls and reporting arrangements for line managers to agree overtime/additional hours within (*A list of budget holders is available on the intranet under Chart of Accounts*).
- 1.3 Managers can only offer overtime/additional hours once approval has been provided by the relevant budget holder.

Prior to seeking budget holder approval managers must be sure the workload cannot be accommodated within contractual working arrangements, including the flexi-time scheme.

Managers should only permit overtime/additional hours where they have reviewed the work requirement together with the contractual position of the individual employee(s) capable of undertaking the required work. Managers need to consider whether or not the required work can be completed within relevant time constraints by employees capable of performing the work within the terms of their flexi time arrangements, without generating excessive credit flexi balances.

- 1.4 Please note that this document is for guidance only. It does not form part of an employee's contract of employment. This guidance document may be varied, withdrawn or replaced at any time by the organisation in consultation with the Partnership Forum.

2.0 Definitions

Overtime is defined as hours worked in excess of the standard working week of 35 hours. Any work in excess of an average of 35 hour per week should be discouraged and staff should not be asked to work overtime on a regular basis.

Additional Hours is defined as hours worked in excess of a part time employee's contracted hours. Employees who work less than the standard 35 hours per week will be unable to claim overtime rates until they have worked the relevant full time equivalent hours within that week (i.e. 35 hours). For example, a part time employee contracted for 25 hours per week asked to work 40 hours in a week would receive pay for 10

additional hours (single time and pensionable) and 5 hours overtime (1.5 or 2.0 time dependent on day worked and non pensionable).

3.0 Employee eligibility

- 3.1 Employees, who have a salary of grade D6 or less, are eligible for the payment of overtime/additional hours.
- 3.2 As a general principle, employees who have a salary of C5 or above will not be eligible for the payment of overtime/additional hours. In exceptional circumstances overtime/additional hours may be agreed where the line manager feels this is warranted to support the organisation to meet business need, and they are working in excess of their contractual hours. Payment of overtime/additional hours to employees Grade C5 and above must be approved in advance by the appropriate Director.
- 3.3 The Chief Executive, Directors, and Heads of Service will not be eligible for the payment of overtime/additional hours.

In order to claim overtime/additional hours, an employee must:

- have received advance approval
- have worked in excess of their contractual hours (overtime only)
- have completed up to date flexi sheets
- not have a debit flexi balance*

*Employees with a debit flexi balance have not worked their normal contractual hours and therefore cannot be offered overtime or additional hours (if they are part time).

Any employee regardless of grade can work additional hours if they are currently part time – however the criteria as set out in 3.3 still applies.

4.0 Allocation of Overtime / Additional Hours

- 4.1 Line managers should take a fair and consistent approach when offering employees the opportunity to work overtime/additional hours. Selection for overtime needs to be fair and open to all. Depending on the employee's circumstances, additional hours may be a burden or a welcome opportunity to earn additional money.

When offering overtime/additional hours, line managers should be sensitive to employees' personal commitments, for example family or care responsibilities, and the need to maintain a good work-life balance. However, managers should not assume that an employee does not want to work overtime/additional hours because of such commitments. Where possible, line managers should be clear with employees about what work is required and request volunteers for undertaking the work. Overtime/additional hours should be shared as fairly and practically as possible amongst volunteers.

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A manager may however offer additional hours to part time staff initially as payment is made at single rate rather than any additional rate like overtime.

4.2 **Manager responsibilities**

- The line manager offering approved overtime/additional hours should:
determine what work needs to be completed whilst working
overtime/additional hours
- estimate the number of overtime/additional hours required
- determine the period (dates) during which the overtime/additional hours
should be worked (this should be set in accordance with when the work
must be completed)
- based on the above, check and seek authorisation from the budget holder
to ensure there are sufficient funds available to cover the proposed costs
of the overtime/additional hours. If there is not, then agreement will be
required from the EMT.
- Ensure approval from budget holder / EMT has been received before
offering additional hours / overtime to staff
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Provided that the above criteria are met, overtime/additional hours can be worked at any time of day during the period agreed in advance by the line manager. Overtime working on Sunday should be avoided where possible.

Any time work as agreed overtime/additional hours must **not** be counted for the purposes of flexi time. As this would mean the employee is rewarded twice for working (being paid and given time off at a later date). If an employee claims additional hours or overtime these hours must not be recorded on flexi-sheets.

5.0 **Overtime/Additional Hours Rates of Pay**

5.1 Enhanced overtime pay will only be paid for hours worked in excess of full time contractual hours (35 hours). The following enhanced rates of pay will apply:

- Overtime/additional hours worked between Monday to Saturday will be paid at the rate of time and half
- Overtime/additional hours worked on a Sunday will be paid at the rate of double time

Overtime should only be worked on a Sunday where there is no alternative and working on a Sunday has been specifically agreed in advance.

5.2 Part time employees will be paid at their normal rate of pay for any additional hours worked above their contractual hours but below the relevant full time equivalent hours (i.e. 35 hours). Enhanced overtime

pay will be paid for any hours worked in excess of full time contractual hours.

- 5.3 Hours worked as overtime are non pensionable and have no impact on annual leave entitlements.

Additional hours are pensionable up to the full-time equivalent of 35 hours per week.

6.0 Overtime and Public Holidays

Employees who agree to work approved overtime on a public holiday will receive double time for the hours worked.

Employees should not be permitted to work overtime/additional hours on a public holiday unless there is a business need to do so.

7.0 Breaks

Employees working overtime/additional hours must take appropriate breaks. Breaks will be taken in accordance with the SSSC's terms and conditions of employment, which provides that employees must take a minimum unpaid break of 30 minutes after working for six hours.

8.0 Annual Leave

Employees will not accrue any additional annual leave (over and above their contractual entitlement) for any overtime hours worked.

Part-time employees will accrue additional holiday entitlement for the additional hours worked. This could be made as an additional payment or added to annual leave entitlement.

9.0 Working Time Regulations

- 9.1 Working long hours can put employee's health, safety and wellbeing at risk. Line managers should look out for signs that employees are overworking and take steps to address this.
- 9.2 The Working time Regulations (WTR) are particularly relevant to employees who are working overtime or additional hours. The WTR are designed to protect the health, safety and wellbeing of employees at work by settling limits on the average working hours and entitlements to statutory breaks and rest periods, with paid time off for annual leave.
- 9.3 Line Managers and employees must bear in mind the WTR limits and minimum daily/weekly rest periods. No employee should work in excess of 48 hours in the working week. If an employee is going to work more than 48 hours then he/she should sign an opt-out agreement (more information can be given by Human Resources).

10.0 Process for Claiming Overtime/Additional Hours

10.1 Manager Responsibilities

Where a line manager considers it is appropriate for overtime/additional hours to be worked, and the relevant budget holder has approved this, the line manager must:

- Ensure the employee meets all of the criteria in section 3
- Provide the employee with an appropriate cost centre if the employee is working outwith their normal cost centre.
- Cross check claims for overtime/additional hours to the employee's flexi sheet and the estimated number of hours required (as agreed earlier) prior to authorising the employee's claim.

10.2 Employee's Responsibilities

Employees claiming overtime/additional hours must:

- Meet the criteria detailed above in section 3
- Only claim overtime where overtime has been agreed in advance with their line manager.
- Only claim overtime for hours worked in excess of the standard contractual weekly hours in any working week.
- Ensure you do not record any time claimed as additional hours as flexi time on your flexi sheet.

10.3 Once all of the above criteria have been met, employees and managers should follow guide 'Myview – Guidance for requesting paid time' (Appendix 1) which is available under the 'MyView' section of the intranet for submitting and approval of claims.

10.4 Paid overtime/additional hours will be added to the employee's monthly wages and paid in the usual manner.

11.0 Related Policies/Guidance

- Flexi-time Scheme

Appendix 1: Myview – Guidance for requesting paid time