

# **Flexible Working Hours Scheme and Time Off In Lieu (TOIL)**

**Issued by – Human Resources  
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# **TENDRING DISTRICT COUNCIL**

## **1. APPLICATION OF SCHEME**

This scheme applies to most employees based in the offices of Tendring District Council and is founded on the principle that the needs of the department must have priority. Certain groups of employees are excluded from Flexible Working Hours, for example, where it is felt that by including them there would be difficulties in providing adequate service levels, exclusions will be determined by the appropriate senior manager. *All employees should work within the Working Time Directive. This directive provides a limit, of an average of 48 hours a week calculated over a 17 week period, which a worker can be required to work.*

*Flexi time can mainly be accrued when working from a TDC office. When Officers work from home or remotely different arrangements apply, (see Section 14 Time Off In Lieu) .*

## **2. AIMS OF THE SCHEME**

The Flexible Working Hours Scheme aims to give employees a degree of flexibility in their working hours to enable them to meet personal and family needs, plan journeys to and from work and to allow the Council to meet peaks and troughs in workload. It is, however, necessary to ensure that by allowing this flexibility, the delivery of services to customers is not affected and offices are adequately resourced during public office hours.

*In the application of this procedure and in accordance with the Equality Act 2010, Tendring District Council will make any reasonable adjustments to cater for employees who have a disability.*

*All Flexible Working Hours records will be kept in accordance with the General Data Protection Regulations, 2018.*

### **3. NORMAL OFFICE OPENING HOURS**

Monday to Thursday 0845 - 1715 hours

Friday 0845 - 1645 hours

Offices must remain open during these hours including the lunchtime period. Any variation must have prior agreement and approval from the relevant Corporate Director.

### **4. DEFINITIONS**

The working day is divided between Core Time and Flexible Time. During Core Time, everybody must be at work (unless they are authorised to be absent, for example because of annual leave).

Core Time is: 10.00 to 14.30

Flexible Time 07.30 to 10.00 and 14.30 to 18.30

Hours worked must include a break of between 30 and 60 minutes.

In exceptional circumstances the appropriate Head of Service may authorise working before 07.30 hours or after 18.30 hours, or time off in core time, but the time must be properly accounted for.

### **5. THE SCHEME IN PRACTICE**

In applying this scheme it is essential that the service to customers is maintained at the appropriate level and that offices are adequately resourced during normal opening hours. It is also important that employees understand that it is essential that peak or other work demands are satisfied and that team working is not disrupted by flexible working. Each employee must therefore arrange their hours subject to the overall requirements of the department, and obtain prior approval to a general pattern of working from their Manager. Should it be necessary to change this general pattern for one day or on a more permanent basis, this should be agreed in advance so that adequate office cover is maintained.

### **6. HOW THE FLEXIBLE WORKING HOURS SCHEME OPERATES**

For the purposes of Flexitime, the scheme is based on a working week of 37 hours calculated over a four week period (the accounting period). There are 13 accounting periods in a calendar year.

Each accounting period totals 148 hours. Each day in the accounting period totals 7.5 hours Monday to Thursday and 7 hours on Friday. A half day period is calculated as 3.5 hours.

Hours in excess of 148 hours are called 'additional hours' and hours which are short of the 148 hours are called 'minus hours'.

A maximum of 15 additional hours' and 7.5 'minus hours' can be carried over from one

accounting period to another. In special circumstances hours in excess of 15 may be carried over with the prior approval of the Head of Service.

Where “minus hours” in excess of 7.5 persist, an investigation will be carried out. This may subsequently result in the employee’s removal from the Flexible Working Hours Scheme.

In line with the Council's No Smoking Policy, where either one or two 15 minute smoking breaks are taken during the day, this time must be worked either at the beginning or the end of the day.

## **7. TAKING ‘ADDITIONAL HOURS’**

‘Additional hours’ can be used to make small adjustments to the normal working day, e.g., to have a longer lunch break or leave earlier than usual. ‘Additional hours’ may also be used to take time off in the current or in a following accounting period, for example:

One day flexi leave, or  
*Two days flexi leave, or*  
*One half day’s flexi leave, or*  
*Up to four half days flexi leave.*

The additional leave must be taken at times agreed with the appropriate manager who can refuse additional leave if it would cause disruption to workload/service delivery etc.

## **7. THE RULES RELATING TO FLEXI LEAVE**

- At least 3.5 plus hours must normally have been accrued before the flexi leave can be taken
- No more than a total of *two* day’s flexi leave can be taken in one accounting period
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## **8. LUNCH BREAKS**

A minimum lunch break of at least 30 minutes must always be taken. An extended lunch break of up to 2 hours may be taken subject to advance agreement of the relevant manager and the needs of the service.

## **9. APPOINTMENTS**

All employees should normally arrange medical , counselling and dental appointments outside of core time.

If an employee is late because they have visited the doctor/dentist before starting work then they may book in from 10.00 or their actual start time, whichever is the earlier (the reason for this should be clearly stated on the time recording sheet).

## **10. SICKNESS/LEAVE/ATTENDANCE AT COLLEGE/TRAINING COURSES ETC**

Absence due to sickness, holidays, time off in lieu (for working outside of normal office hours), attendance at college or on training courses etc. will be credited on the basis of the standard period the employee is absent. Where an employee has worked part of the day but not a full day, and is absent due to sickness or some other approved reason, credited time for that day will not exceed the standard working day. Attendance at a post entry training course outside of normal working hours will not be credited.

## **11. INCLEMENT WEATHER**

When weather conditions are poor, the Chief Executive has discretion to allow employees who may have a difficult journey home, to leave early. It is expected that the employee will make all efforts to work from home for the remainder of usual working hours.

## **12. RECORDING TIME**

If an employee works standard hours it will not be necessary to complete an entry on the time recording sheets. However, all flexible hours must be recorded on a timesheet for that period. Time should be recorded to the nearest 15 minute period starting on the hour. Employees must complete these timesheets personally and are responsible for their accuracy and ensuring they are up to date.

Where an employee has reported directly to site or some other authorised venue, or has left the office and has finished work without returning to the office, the Flexitime Attendance Sheet should be completed at the earliest opportunity.

At the end of the accounting period the Flexitime Attendance Sheet should be submitted to the appropriate manager for counter signing. Arrangements will be made for the Flexitime Attendance Sheets to be maintained for a period of 12 months, and during this period, they will be available for audit by Audit staff.

Bank Holidays and extra statutory days are credited as standard days or standard half days as appropriate.

Time sheets should be kept by the employee and may be checked by managers at any time.

## **13. GENERAL GUIDANCE NOTES**

Employees must always complete their own Flexitime Attendance Sheet.

Abuses of Flexitime will result in the withdrawal of the employee from the Flexible Working Hours Scheme.

When an employee leaves the employment of the Council, for whatever reason, he/she should be in balance on the last day of service. No payment in lieu will be made for hours which exceed the balance of this figure.

If an employee is unsure of any point relating to the Flexible Working Hours Scheme, having read these notes, then it is their responsibility to seek clarification from their manager or from Human Resources.

## **14. TIME OFF IN LIEU (TOIL)**

From time to time staff may work additional hours that are outside of the hours covered by the flexible working scheme, this might include occasional evening or week-end work for which a payment is not received (see Standby and Allowance policy for further details) or they may choose to work additional hours when working from home.

In these circumstances Officers, with the agreement of their manager, can claim TOIL. Hours worked for TOIL should be appropriately recorded, for example, by using the self-service holiday and leave calendar.

TOIL should be taken within eight weeks and no more than 16 hours should be accrued at any one time.

## **15. INTERPRETATION**

*Any matters contained in this Scheme which require interpretation or clarification should be referred to Human Resources.*