



Learning together in faith

**Holy Cross Catholic
Multi Academy Company**

**Overtime, Additional Hours and Time Off in Lieu
Policy and Procedures**

Responsible for Policy	Martyn Alcott
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1. Overtime & Additional Hours Policy and Procedures

- 1.1 This policy and associated procedures applies to **all non-teaching** employees of Holy Cross Catholic Multi Academy Company (MAC), this includes those employed within the central team and those employed in each individual school.
- 1.2 The purpose of this policy and procedures is to ensure that employees are properly reimbursed for any overtime or additional hours they undertake on agreement with their line manager.
- 1.3 Employee expenses will be paid by BACS, in arrears, as part of the monthly salary payment. Overtime or Additional Hours will not, in any circumstances, be reimbursed from petty cash or cheque.
- 1.4 **Employees** are responsible for ensuring that:
- All claims are in accordance with this and other relevant MAC policies
 - All documentation to support the claim is retained and attached to the claim form prior to authorisation.
 - All claims are accurate, complete and are submitted within three months of undertaking the overtime / additional hours.
 - Any additional payments to the **Catholic Senior Executive Leader** must be authorised by the Chair of the MAC Board or an appropriate person designated by them in their absence.
- All **Headteacher** and **central MAC employee** additional payments **must** be authorised by the Catholic Senior Executive Leader or an appropriate person designated by them in their absence.
- All **other employee** additional payments must be authorised by an appropriate authority as determined by the Headteacher of each individual school.
- 1.5 It is the **responsibility of the certifier / authoriser** to:
- Ensure that staff overtime/additional hour claims comply with this policy and apply the relevant rules and rates accurately;
 - Give prior approval where necessary;
 - Ensure all supporting evidence or explanations in support of the claim are attached to the claim form.
- 1.6 There may be **exceptional** circumstances which mean that this policy cannot be applied. These should be pre-approved by either the Catholic Senior Executive Leader (CSEL) or the Chief Finance and Operating Officer (CFOO), with full documented evidence to support why applying the policy would leave the employee in an unreasonable circumstance.
- 1.7 Submitting or authorising claims which do not adhere to this policy may be treated as misconduct and dealt with through the MAC's Disciplinary Procedures and in some circumstances may lead to criminal prosecution.
- 1.8 The CSEL and Headteachers at each individual school have the responsibility for ensuring that the Overtime and Additional Hours Policy and Procedures are effectively implemented.

- 1.10 This policy and procedures will be reviewed on an annual basis, or as otherwise directed by the CSEL, change of MAC policy, or legislative changes.

2. Working Hours (up to 37hrs)

2.1 Key Principles

This section relates to all contractual hours worked **excluding** those undertaken on an overtime basis after having worked 37 hours per week.

For work over a 37 hour week employees on or below SCP 24 are entitled to receive:

Weekday Hours between 6.00am and 10.00pm Monday to Friday inclusive do not attract a premium rate and will therefore be paid at "**Plain Time**"

- 2.2 Monday to **Saturday** will be paid at "**Time & one Half**"

- 2.3 **Sundays** will be paid at "**Double Time**"

2.7 Public Holidays

In addition to the Time off in Lieu, employees will receive **Double Time** Enhancement (i.e. plain time on top of a days salary) paid on a claiming basis, for each Public Holiday worked.

Public Holidays being: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, May Day, Spring Bank Holiday Monday, August Bank Holiday Monday (or as agreed substitute day for Christmas Day, Boxing Day and New Year's Day).

Where an employees normal day off falls on a Public Holiday, they will receive time off in lieu of the Public Holiday.

2.4 Sleeping-in:-

Employees required to sleep on the premises shall receive an allowance as determined annually by the NJC for Local Government Services. This allowance covers the requirement to sleep in and up to 30 minutes call out per night, after which the provisions in respect of overtime will apply.

2.5 Shifts

For non-standard workers overtime allowances are payable only for work over the averaged 37 hour week. If the hours are worked over a roster period then overtime rates are only payable where the working time exceeds the averaged working week.

Night Rate of (33.3%) applies to employees who work at nights. Night work must include the hours 12 midnight to 5,00 am (the core night) or have rota's in which the shift regularly finishes after 12 midnight. If the night shift exceeds the 8 hours the one-third rate is paid to all of the hours on the shift, whatever the start and finish of the shift. The unpaid break must be taken if the shift exceeds 6 hours and must be taken during the shift, not at either end.

Shift level One (Rotating) –

Hours are worked over the full 24 hours in shifts of five or less in seven days, or averaging shifts of five or less in seven over a reference period not exceeding one year.

The shift premium is 20% on the basic salary.

Shift level two

Hours are worked within 19, and more than 15, hours per day (excluding the core night) in shifts of five or less in seven days, or averaging five or less in seven over a rostered reference period not exceeding one year.

The shift premium is 14% on the basic salary.

Shift level three

Hours are worked within 15 and more than 11 hours per day (excluding the core night) in shifts of five or less in seven days, or averaging five or less in seven over a rostered reference period not exceeding one year.

The shift premium is 10% on the basic salary.

Split shifts

Employees whose shift working pattern predominantly features a return to work after a break of four hours or more between morning and evening shifts. Other split shift arrangements may also be eligible.

The split shift premium is 1.5% on the basic salary.

3. Working Hours (over 37hrs)

3.1 General Overtime Principles

Applied to all employees up to and including SCP 24. Overtime will be paid in claiming periods of 15 minutes.

No overtime enhancements will be given until a person has worked full time (37 hours per week).

Employees above SCP 24 will still be required to work in accordance with the MAC's Planned Overtime Policy, however, their overtime pay will be as per the principles set out in Sections 3.2, 3.3, 3.4, 3.5, 3.6 and 3.7 (i.e. paid on the basis of their contractual rate of pay).

For some types of work a manager has the discretion to determine a different hourly rate to that of employees contractual hourly rate, e.g. where duties are outside of normal

contractual duties or where a number of employees on varying grades are undertaking the same duties. Any discretionary rates must be approved by the MAC's CFOO).

All non-contractual overtime is undertaken on a voluntary basis.

3.2 **Overtime Hours immediately before / after working day/shift**

The first half an hour of all overtime hours linked to working hours will be paid at Plain Time other than those between 10.00pm-6.00am and those on Saturday/Sunday when the appropriate enhanced rate applies (as shown at section 2). After the first half hour the appropriate premium rate as shown in 3.3 below will apply.

3.3 **Employees recalled to work**

All employees, irrespective of grade, recalled to work outside their normal contractual hours (Monday to Saturday) will be paid at overtime rates. (Subject to these hours being over and above 37 hours worked in the week).

Hours over and above normal contractual hours (Monday to Saturday) will be paid at "Time & one Half"

Sundays 6am to 10pm will be paid at "Double Time"

Night rate will also be applied to all hours worked between 10pm and 6am therefore hours worked on:-

- Saturday Night from 10pm to 12midnight will be paid at "Double Time"
- Monday 0.01am to 6am Monday will be paid at "Double Time"
- Sunday 0.01am to 6am Sunday morning will be paid at "Double Time"
- Sunday from 10pm to 12midnight on Sunday night will be paid at "Double time"

3.4 **Overtime on Days 6 and 7**

All hours worked on Days 6 and 7 will be paid at Time plus one Half (subject to these hours being over and above 37 hours worked in the week).

However, where a Sunday falls on day 6 or 7 then hours worked on a Sunday will be paid at Double time.

All hours worked between 10.00pm and 6.00am will also be subject to an additional one half premium to recognise night working

3.5 **Public Holidays (Overtime)**

All Public Holidays attract Double Time enhancement (i.e. Plain Time on top of a days salary) in addition to Time Off In Lieu.

Public holidays being:

Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, May Day, Spring Bank Holiday Monday, August Bank Holiday Monday (or as agreed substitute day for Christmas Day, Boxing Day and New Year's Day).

3.6 **Standby**

All standby employees must be: -

- be directly contactable;
- remain fit and capable to return to work to undertake duties required;
- be immediately available to return to work;
- be able to arrive at work within 30 minutes of being notified.

For standby on a public holiday a day in lieu will be allowed. Overnight standby will be the period from the end of the normal working day to the commencement of the next working day. For standby periods over weekends and public holidays standby period will constitute 12 hours per standby session. Two payments are made for a full 24-hour session.

Employees who are key holders or who are asked to respond to calls only if available to do so, are not entitled to a standby payment but will be eligible for call-out payments.

3.7 **Call Out**

Call-out payment will be made employees who are required to return to work as a consequence of being on a standby duty roster

or

called-out on an ad hoc basis because they are available

or

employees on rostered standby duty or contacted because they are available who are required to provide telephone support, advice and guidance out of hours and who do so for response times in excess of one hour.

A minimum payment of two hours at plain time rate will be made for the first call-out. Travel time payment of up to 30 minutes for each call out will be paid. Travel time will be accumulated and paid to the nearest quarter hour (rounding up/down rules). Employees living on site or adjacent to site will not be paid travel time.

Payments of time and one half will be made for:-

- For work after the first two hours of call out;
- For second and subsequent call outs;
- For standby telephone responses exceeding one hour.

Payment will be based on an employee's basic hourly rate. These rates apply to both part time and full-time employees.

Where the call out occurs two hours or less before the normal starting time the employee will be paid at time and one half to complete the call-out work and, if they remain at the work place, thereafter at plain time until the commencement of the normal shift.

Where the time spent at work breaches the statutory unpaid rest period entitlements defined in the Working Time Regulations, the line manager will provide compensatory, unpaid time off.

4. Time Off In Lieu (Toil) Arrangements

4.1 Where possible staff must agree in advance with their line manager any time to be worked outside of contracted hours and this time will be for specific, rather than ad hoc, pieces of work

Where an employee has agreed to work outside of their contracted hours, they should aim, where possible, to adapt their existing contracted pattern (for instance, by coming in earlier or later to work or working on a different day of the week) rather than accrue TOIL

4.2 Accruing and recording TOIL

- Staff may accrue TOIL in multiples of **thirty minutes**
- Staff should not build up excessive amounts of TOIL. Staff will not accrue more than seven and a half hours in TOIL in each month, except in exceptional circumstances and with prior consent of their line manager
- Staff may accrue TOIL if working longer than contracted hours when travelling to or from an event outside of the office. The employee's normal travelling time to and from work must be subtracted from the total travelling time.
- Employees are responsible for recording their toil and the line manager will authorise or refuse depending on circumstances.
- Staff may, with agreement, earn TOIL time rather than overtime pay.

4.3 Taking TOIL

- TOIL must be taken within two months of accrual unless agreed in advance with the line manager. TOIL accrued and not redeemed in this way will be **lost**.
- Staff must obtain their line manager's approval before taking any TOIL.
- On termination of employment, all TOIL must be at a zero balance. Employees will not be paid in lieu of accrued TOIL which has not been taken by the final date of employment. Any such accrued TOIL will be lost.

To avoid delay in payment all Claims must be received by the School Business Manager / Finance Office by the date notified. Claims should be made within three months of the overtime/additional hours taking place, failure to submit within this time period will not be authorised. Claims will be paid to the nearest 15 minutes (eg 17 hrs 20 minutes will be paid as 17 hrs 15 minutes). Hours claimed must not include any lunch breaks.

School				
Name			Claim Period From	
Employee Number			Claim Period To	
Job Title			Contracted Hours	Casual Emp(Y/N)

Date	Time From	Time To	Plain Time		Time & Third		Time & 2 Thirds		Reason Code	Reason for Work Undertaken
			Hrs	Mins	Hrs	Mins	Hrs	Mins		
TOTAL										

<p>I hereby claim that the above particulars are correct and make application for the overtime to be paid accordingly. I have read and understood the MAC Overtime and Additional Hours Policy and procedures prior to submitting this claim.</p>	<p>I hereby certify that the overtime worked by this employee as shown was necessary and the duties were duly performed. I have read and understood the MAC overtime and additional hours policy and procedures prior to certifying this claim.</p>		
Claimant Signature	Date	Line Manager Signature	Date

FOR PAYROLL PROCESSING USE ONLY			
Authorised for Payment(signature)	Total Hours Paid	Date Processed	Processed by (signature)

Temporary Teacher Claim Form

All supporting documents for each claim must be attached and retained with this document for a period of 7 years.

To avoid delay in payment all Claims must be received by the School Business Manager / Finance Office by the date notified. Claims should be made within three months of the hours taking place, failure to submit within this time period will not be authorised.

School			
Name		Claim Period From	
Employee Number		Claim Period To	
Department / Class			

Date	Continuous Period		Number of days	Number of hours	Reason Code	Reason for Work Undertaken
	From	To				
TOTAL						

I hereby claim that the above particulars are correct and make application for the overtime to be paid accordingly. I have read and understood the MAC Overtime and Additional Hours Policy and procedures prior to submitting this claim.	I hereby certify that the overtime worked by this employee as shown was necessary and the duties were duly performed. I have read and understood the MAC overtime and additional hours policy and procedures prior to certifying this claim.		
Claimant Signature	Date	Line Manager Signature	Date

FOR PAYROLL PROCESSING USE ONLY			
Authorised for Payment(signature)	Total Hours Paid	Date Processed	Processed by (signature)

All supporting documents for each claim must be attached and retained with this document for a period of 7 years.

