

HR Policy & Procedure: Flexible Working Hours Scheme

Version: 3.3

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North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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Workstyles, work life balance, and flexible working

Version Control

| Version Number | Effective Date | Details of Last Revision |
|----------------|----------------|---|
| 2 | 22/12/14 | Updated onto new policy template |
| 3 | 1/4/16 | Review of the Scheme |
| 3.1 | 28/6/19 | Update reference of the Chris system to HR Payroll System |
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1. Introduction

1.1 North Ayrshire Council recognises the importance of work life balance and providing employees with an opportunity to manage their time at work in a flexible manner. It is also important that flexible working arrangements should be used in the context of the Council's service commitments and that work flexibility must at all times operate in accordance with, and subject to service requirements.

1.2 Overview and Objectives

1.2.1 The aim and objective of the Flexible Working Hours scheme is to enable a more flexible approach to delivering Council services and balancing the needs of individuals undertaking working duties and responsibilities, and their life outside of work.

1.2.2 It is recognised that demand for services fluctuates, and the scheme allows employees to adjust their working hours (within defined parameters) to meet the needs of the service. The level of flexibility provided in accordance with this scheme will therefore depend on the nature of the work undertaken and local service arrangements.

1.2.3 This scheme will apply to all employees where flexible working can be accommodated whilst meeting operational and service needs.

1.2.4 In order for this scheme to work effectively, a common-sense approach which builds trust and confidence for both employees and their line managers must prevail at all times.

1.2.5 All employees using this scheme are required to accept that time off work for non-statutory special leave will be mainly utilised via time off that has already been accrued, or where this time can be reasonably worked back.

1.3 Monitoring

1.3.1 Services will be responsible for the management and monitoring of the use of the scheme within each Directorate. The scheme is not a method of obtaining extra leave and employees should not purposely spend extra time in the workplace to accrue leave. Where an employee is considered to be abusing the main principles and aims of the Flexible Working Hours scheme, then they may be subject to appropriate sanctions including suspension from inclusion in the scheme and potentially including disciplinary action being taken.

1.4 Definitions

1.4.1 Bandwidth – Bandwidth defines the time during which employees are permitted to work under the scheme. The standard bandwidth has been defined as 7.30 am- 7.00pm Monday to Friday.

- 1.4.2 Core Time - There are no specified core time(s) within the bandwidth, however arrangements must be made to ensure that appropriate staffing levels are maintained during normal operating hours to avoid any service disruption.
- 1.4.3 Start and Stop Times - The earliest start and latest finish time will normally be Monday to Friday 7.30 am. – 7.00p.m. Subject to authorisation and the requirements of the Directorate and building opening times where relevant.
- 1.4.4 Credit – Credit is accrued for time worked above contracted hours. This is worked out over a 1-month calendar accounting period.
- 1.4.5 Debit – Debit is where an employee works less time than their contracted hours. This is worked out over a 1-month accounting period.
- 1.4.6 Accounting Period – The accounting period is a calendar month period over which credit and debit is worked out.
- 1.4.7 Flexi Leave – Is time taken as leave using flexi time credit that has been accrued. This is in addition to any annual leave entitlement. This Scheme allows for up to 24 full days flexi leave per year with a maximum of 2 full days that can be taken per calendar month. A key principle at all times is that that all time off will be subject to the exigencies of the service
- 1.4.8 Clocking – This is the process of recording your start, finish and break times on the electronic system. Where there is no electronic system a manual record system must be kept.
- 1.4.9 Terminal – This is the machine available in some offices for employees to clock in and out and book annual leave. Kelio also allows for time off to be recorded via a device.
- 1.4.10 Flexi Balance – The amount of credit or debit an employee has.
- 1.4.11 HR Payroll System – The Council’s electronic HR and Payroll system.
- 1.4.12 Flexi Toil – This is where accrued flexi leave may be transferred, with Head of Service or Executive Director approval only, into equivalent time off in lieu.

2. Participating in the scheme

2.1 Principles of the Scheme

- 2.1.1 Managers have a responsibility to ensure that sufficient staffing is maintained throughout the working day to ensure appropriate levels of service. This includes periodically auditing working patterns of employees to ensure that this is the case and that no abuse of the system is taking place.
- 2.1.2. Employees are required to co-operate to ensure that appropriate staffing levels are maintained throughout the normal working day, including at the beginning and the end of the day and during lunch breaks.

- 2.1.3 All employees are required to have a break of at least 30 mins for every 6 hours worked.
- 2.1.4 Employees who are found to be abusing the scheme will be removed from the scheme and be subject to appropriate sanctions, up to and including, disciplinary action being taken.
- 2.1.5 Abuse of the scheme includes, but is not limited to the following:
- Not adhering to times agreed with line management for attending work.
 - Deliberately building up credit during periods when there is little or no work available.
 - Clocking out on business absence when not required.
 - Clocking into work and not being productive.
 - Altering other employees' flexitime records.
 - Not clocking out for the purposes of a smoking break or other break.
- 2.1.6 Employees who have an excess debit over more than 1 month may have their salary adjusted to reflect the shortfall in hours worked.
- 2.1.7 Flexi Credits accruing over the 1-month period of more than 14 hours pro rata will be automatically deducted. In exceptional circumstances and with the approval of the Head of Service or Executive Director, time in excess of 14 hours may be transferred into toil.

2.2 Recording hours

- 2.2.1 All employees who participate in the flexible working hours scheme are required to record their working hours through Flexi Terminals, or via an electronic device, or where this is not possible, by using the manual flexi time form. Services may have their own localised version of recording flexi time accrued.

2.3 Accounting Periods and Maximum Credit and Debit

- 2.3.1 The accounting period is 1 calendar month.
- 2.3.2 Employees are only permitted to carry forward 14 hours of credit to the next accounting period. Any excess will be deducted. This will either be deducted automatically by the system or manually adjusted at the beginning of the next accounting period on the manual form.
- 2.3.3 A maximum debit of 7 hours can be carried forward to the next accounting period but should be repaid in the following accounting period. Again this will either be carried forward automatically or manually.
- 2.3.4 In exceptional circumstances only, employees with excess credit may be able to carry this forward into Time off in Lieu, solely at the discretion of the Head

of Service or Executive Director. Debit time of a maximum of 7 hours may be carried over into the following month at the Line Managers discretion. An employee who has a negative balance of over 7 hours debit at the end of an accounting period may have their salary adjusted to account for the hours that they actually worked.

- 2.3.5 Credit and debit allowances are pro-rated for part time employees based on the percentage of hours worked in a normal week for them compared to full time employees. Term time employees who participate in the scheme should have their allowances based on their normal working week when they are at work and not averaged over the year.
- 2.3.6 Employees who work compressed hours will have their allowances worked out as per an employee who works the same number of hours in the week in a standard shift pattern.

2.4 Working hours

- 2.4.1 The bandwidth for the flexible working hours scheme is 7.30 am to 7pm Monday to Friday. Hours worked must meet with service needs, building access, where relevant and security requirements. Extra work completed at evenings and weekends, provided it has been authorised in advance (or is part of an employees contracted hours), may be included as part of the flexible working hours scheme solely at the discretion of the relevant Head of Service or Executive Director. Any time credit will be applied at plain time with no enhancements.
- 2.4.2. There is no core time within North Ayrshire Council meaning that employees who are able to work flexibly may be able to work at different times within the bandwidth subject to service requirements and line management approval.
- 2.4.3. Employees are required to take at least a 30-minute break if they work 6 hours or more in the day. Employees who are under 18 years of age are required to take a 30-minute break after 4.5 hours of work. The system will automatically deduct 30 minutes if no break is recorded or if the break taken is less than 30 minutes.
- 2.4.4. Where possible, lunch breaks should normally be taken between 11.30am and 2.30pm. If this is a peak period for the service, then these times can be altered locally to ensure that there is sufficient cover within the service at all times.
- 2.4.5. Employees should take their break no later than 5 hours after the start of a shift.
- 2.4.6. Services may set their own normal working hours or 'core hours' based on service needs, for example office opening hours would need to be covered so that customers can contact employees. Formal or informal rota systems may also be used to ensure that customer services are available at required times.

- 2.4.7 It should be noted that a normal working day for most full-time employees is 7 hours. As a minimum, full time employees should work at least 5 hours in addition to a 30-minute continuous break. Working for a period of less than 5 hours per day would require either a flexi leave request or an annual leave allowance to be submitted.
- 2.4.8 No time is accrued during breaks under this scheme.
- 2.4.9 Employees should not normally take their break within the first or last hour of their shift.
- 2.4.10 Employees who smoke must clock out when taking a smoking break, but only after gaining approval from their line manager. Managers can limit the timing and number of smoking breaks that employees take in line with service needs.
- 2.4.11 Employees who take time off to attend any personal business including appointments must seek prior approval from their line manager to leave the workplace and clock out on departure
- 2.4.12 A normal half day for a full-time employee would be 3.5 hours, this would be pro-rated for part time employees based on their normal working day. If an employee worked less than 3.5 hours per day (or pro-rated for part time employees) then a full day's leave would require to be booked in advance.

3. Flexi credit, debit, and leave

3.1 Flexi credit and debit

- 3.1.1 Flexi credit is accrued for all time worked over and above a normal working day within the bandwidth period.
- 3.1.2. Employees should always be employed productively when accruing credit and should not purposefully waste time to accrue credit.
- 3.1.3 Debit and credit will be carried over automatically for those employees using the electronic system and clocking through the terminals or electronic device. Those employees using the manual system should carry over credit and debit manually. The manual form must be approved by their line manager at the end of each accounting period.
- 3.1.4 Employees who are unable to, or who forget to clock in or out should ensure that they make the relevant adjustments via the Kelio, or manual system. Employees should check with their service administrator for the procedure within their service.

3.2 Leave

- 3.2.1 Employees can take up to a maximum of 2 days flexi leave in each calendar month. This will only be granted on the basis that it does not adversely affect service delivery. For employees who work part time this will be pro-rated

based on their normal working day where working over 5 days or working year where a pattern involved working a different number of hours each day.

- 3.2.2. Leave can either be used as full days or half days based on the guidelines in 2.4.7 and 2.4.12 above.
- 3.2.3. Flexi Leave should be recorded on annual leave through HR Payroll System depending on service procedures. Employees using the manual system should where possible complete the manual flexitime form.

3.3 Leave for appointments and personal business

- 3.3.1 Employees are encouraged to attend appointments and personal business out with normal working hours. Employees who are participating in the Flexible Working Hours scheme will require, in the main, to use accrued time for all non-statutory leave.
- 3.3.2 It will be permissible, subject to approval of the line manager, for employees to accrue a debit time balance, however the debit time will require to be worked back within a reasonable time scale i.e. over the flowing month.
- 3.3.3 This Flexi time scheme will be reviewed within 12 months of its implementation.