



Northern Ireland
Assembly

SECTION 3.13

STAFF HOURS AT WORK POLICY

Introduction

1. The purpose of the Staff Hours at Work Policy is to establish a fair, equitable and consistent approach to the recording and management of hours worked across the business. The Policy is intended to provide flexibility to management and staff.

Aims and Objectives of Policy

2. The Staff Hours at Work Policy aims to support the operational needs of the Assembly, recognising that the nature of this support and the times when it is needed may vary between different business areas within the Assembly Secretariat. The objectives of the Policy are to:
 - Provide a consistent approach across the business for the recording of hours worked by staff;
 - Assist staff in achieving an appropriate work-home balance while meeting the needs of the business;
 - Ensure compliance with legislation pertaining to working hours;
 - Ensure that staff do not work excessive hours but are here to support the business when necessary; and
 - Enable staff to take off the credit time that they have accrued.

Scope of Policy

3. The provisions of this Policy apply to all permanent employees, agency workers and inward secondees, with the following exceptions:
 - Those who are employed in a post which operates within an established shift pattern; and
 - Those who have an alternative working pattern (applied for and implemented under the Flexible Working and Partial Retirement Procedures), and the staff member and their manager have agreed that start and finish times cannot be flexible.
4. **It is the responsibility of line management to ensure that the Policy is fully complied with by all staff (except those in the two groups referred to above to whom the Policy does not apply).**

Hours of Work

5. The normal working pattern for a full time employee is 42 hours gross and 37 hours net per week, from Monday to Friday. Any application to work outside of this pattern e.g. reduced hours or compressed hours, must be made using the [Flexible Working and Partial Retirement Procedures](#). *For the purposes of this policy, work is defined as duties undertaken by you in relation to your post either in the workplace or at another location which has been approved by your line manager. If you are a Trade Union Representative and you are carrying Trade Union related activities during work time you should refer to the [Joint Agreement](#).*
6. The Staff Hours at Work Policy sets core hours of 1000 to 1200 and 1400 to 1600 each day during which you must normally attend work. Requests to start or finish work during core hours may be managed at business area level. Such requests should be on a “one-off” basis and approval will be subject to business need. For example, if you need to leave work at 1500 for a specific reason, start work before 0800 for a planned work activity, or start after 1000 to comply with working time regulations, your line manager (AG6 or above) may approve this. The Director and their Heads of Business will determine operational cover required for their respective business areas and communicate the relevant detail to you. For example, it may be determined that a minimum number of staff are required to provide office cover each day from 0900 to 1700 each day. Similarly, for those staff directly supporting plenary business, cover may be required to facilitate a late sitting of the Assembly.
7. **All management and staff have a responsibility to work together to ensure that the required level of cover is provided (based on the specific operational needs of the business area), and to exercise professional judgment in the way that this Policy is used.**

Bandwidths

8. The daily bandwidth across the Assembly Secretariat, i.e. the time within which hours worked over and above normal net contracted hours (7 hours 24 minutes) may be accrued, is 0800 until 1800 from Monday to Friday. Such accrued time is known as “credit time”. If you take more time off work than you have accrued (i.e. you fall into a minus figure), this is known as “debit time”.

Recording Hours Worked

9. All staff covered by the scope of the Policy must record the hours they have worked on a daily basis. Records should be maintained electronically using the [electronic working hours record form](#). Within each business area, staff records of hours worked should be stored in a designated folder in the S: drive, with access restricted to you and your line manager (it should be noted that unauthorised access to the working time record of any other staff member is strictly prohibited). **It is the responsibility of you and your line manager to:**
 - manage your time and ensure that records are being completed accurately and in a timely manner;
 - ensure that debit time does not exceed 2 days (14 hours 48 minutes) at any time by monitoring the electronic records at least once a month in accordance with this Policy;
 - ensure that excessive credit does not accrue (paragraph 11 refers) unless for specific reasons that have been discussed and agreed between you and your line manager; and
 - ensure that the needs of the business are met at all times.
10. Your line manager **must** check your record of hours worked on a regular basis (at least monthly). They must also check your records at the start and end of each period of recess. Your line manager will evidence their check by recording their initials and the date of the check electronically in the “notes” section at the bottom of each four-week period time sheet.
11. It is the responsibility of you and your manager to ensure that credit time does not exceed the time that you will be able to take off work during recess or when business is quieter. In deciding if a limit to your credit time is necessary, you should both take into consideration the amount of annual leave still to be taken during the current leave year, scheduled public holidays, and particular times that you will have to be in work e.g. to attend training, provide office cover or prepare for the new Assembly term. You are not permitted to build up and use a level of credit time during the year which renders you unable to use your annual leave allowance

to within the annual leave carry-over limit of 9 days (pro rata) at 31 January each year. If you and/or your manager are concerned that it may not be possible to manage your credit time, advice should be sought from the Human Resources Office.

Lunch Breaks

12. It is expected that you will normally take a lunch break of at least 30 minutes each day (this break must be recorded). It is important to remember that if you work more than six hours, under legislation a break of at least 20 minutes must be taken. This break must be taken during the working period and not at the start or end of it. It is the responsibility of you and your manager to ensure that a break is taken.

Accounting Period

13. The accounting period runs from the first day of the autumn term to the last day of the following summer recess. **You and your manager must ensure that your attendance is managed so that, on the last day of the accounting period, your credit time and debit time is within 1 day (7 hours 24 minutes). Except in very extenuating circumstances, for example a period of long term sickness absence, any surplus credit time above this limit will be lost.** Any debit time over 1 day will normally have to be addressed by using annual leave or unpaid special leave. It should be noted that the limits on credit and debit time will be on a pro rata basis for those working reduced hours. If, due to extenuating business circumstances you have been unable to reduce your credit time or debit time to within the above limit, advice must be sought from the Human Resources Office.

Compliance with Working Time Regulations

14. It is the responsibility of you and your line manager to ensure that your working hours do not exceed legislative limits. If for exceptional business reasons you work in excess of 48 hours per week, it will be necessary for you to sign an [Opt Out Form](#) (it should be noted that signing this form is **voluntary** but that if you choose not to do so, your working hours must be limited to 48 hours per week or less). **You and your line manager must ensure that working more than 48 hours per week, even with a signed [Opt Out Form](#), does not continue over a sustained period of time and in any event must not exceed 17 consecutive weeks.**
15. **You must have a break of at least eleven hours between finishing work one day and starting work on the following day. It is the responsibility of you and your line manager to meet with this requirement. For example, if you work until midnight to cover a late plenary, you should not start work until at least 1100 the following day.**
16. There are separate arrangements for young workers (i.e. those above normal school leaving age and under 18), for example, they should not work more than 8 hours per day and 40 hours per week and must have a break of 12 hours between shifts. If a young person is allocated to a business area, the line manager will be advised of all specific requirements by the Human Resources Office.

Payment of Overtime

17. Overtime may not be approved or paid for hours worked within the established bandwidth of 0800 to 1800. For those staff in overtime grades (AG8 to AG6), only hours worked outside of the bandwidth may be claimed as overtime and this is subject to normal prior approval.
18. For the purpose of calculating overtime payments, Monday is taken as the first day of the working week. To be entitled to overtime pay, a member of staff must have worked their full conditioned hours during that week. Part-time staff will not qualify for overtime payment until they have completed the full conditioned hours of a full time member of staff. The [Overtime policy](#) provides further information. Staff in overtime grades have the choice of claiming overtime as set out in paragraph 17 above, or accruing credit time at flat hourly rate.
19. For hours worked outside of the established bandwidth of 0800 to 1800 with normal prior approval, staff in non-overtime grades may record these hours in the normal way and accrue credit time accordingly. Excess hours worked and recorded as credit time may not also be counted towards qualifying hours required to a claim for discretionary payment under the [Overtime Policy](#).

Requesting Annual Leave and Credit Time Leave

20. The procedures for submitting a request for [annual leave](#) and credit time leave to your line manager and recording this on the iTrent system remain unchanged and such requests will be considered in light of business needs.

Recording Time out of the Office

21. For the purpose of maintaining a continuous record of your credit/debit time, on occasions your line manager will authorise you to record time out of the office as hours worked. Such authorisation will be given in the following circumstances:
 - periods of annual leave, public holidays, sickness absence, special leave (paid or unpaid), official duty away from the office;
 - attendance at training events or conferences; attendance at external meetings, ante-natal, medical, dental or similar appointments. (Please note that the appointment must be for you. Attending appointments with a child or family member must be covered by annual leave or credit time or by special leave if appropriate under the provisions of that policy.);
 - absence for industrial relations activities authorised under the terms of the Joint Agreement (insert link);
 - in exceptional circumstances, for example adverse weather conditions, restricted access to the building or unexpected interruption of public transport (line managers must seek advice from the Human Resources Office before authorising credit time for these reasons).
22. Recording absence from the office as hours worked for these reasons will be based on the actual duration of the absence (e.g. for attending a medical appointment), or 7 hours 24 minutes for a whole day's absence and 3 hours 42 minutes for a half day absence.

Leaving Employment

23. If you are leaving the employment of the Assembly Commission, you must bring your credit time or debit time to zero prior to your last day of service. Only in very exceptional circumstances, and subject to approval by the Head of Human Resources, will payment for credit time be made.
24. If you are in debit time at your last day of service, you will have that debit time offset against either the balance of annual leave due to you or through a reduction in your final salary.

Complaints Regarding Working Hours

25. If you are concerned regarding your hours of work or the manner in which the Staff Hours at Work Policy has been applied to you, you may raise the matter using the Grievance Policy.
26. Misuse of the Staff Hours at Work Policy by you, for example by deliberately recording credit for time that you were not in work, is a disciplinary matter and may result in action being taken in accordance with the Discipline Policy. In such circumstances, management reserves the right to withdraw use of the Policy from you.

General Information

27. This version of the Staff Hours at Work Policy takes effect from April 2019. Any enquiries regarding the Policy should be referred to the Human Resources Office.