Working Hours Compliance Policy & Procedure

1. Purpose

To ensure all employees work within the maximum allowable working hours set by UK law and contractual agreements. This policy protects employee wellbeing, ensures legal compliance, and prevents excessive or unsafe working patterns.

2. Scope

This policy applies to all employees, managers, supervisors, HR personnel, and scheduling coordinators across all departments and work locations.

3. Legal Framework

The organisation complies with all relevant UK working-time legislation, including:

- **Working Time Regulations 1998 (WTR)**
- **Maximum weekly working hours (48-hour average unless opted out)**
- **Daily and weekly rest period requirements**
- **Night work limits**
- **Rest break entitlements**
- **Contractual working-time provisions**

Where contractual terms exceed statutory protections, the higher standard applies.

4. Policy Statements

4.1 Maximum Weekly Working Hours

- Employees must not exceed the **48-hour average weekly limit** over a 17-week reference period unless they have voluntarily signed a Working Time Opt-Out Agreement.
- Normal working hours must be scheduled **below** the legal maximum to avoid breaching the average limit.

4.2 Daily Working Hours & Rest

- Employees must receive:
  - **11 hours' uninterrupted rest** between working days.
  - **24 hours' uninterrupted weekly rest**, or **48 hours' rest every 14 days**.
- Daily working hours must be planned to allow these rest periods without exception.

4.3 Rest Breaks During Shifts

- Employees working more than 6 hours must receive a **minimum 20-minute uninterrupted rest break**.
- Breaks must be scheduled and taken during the shift, not at the beginning or end.

4.4 Night Work Limits

- Night workers must not exceed an average of **8 hours in any 24-hour period**, calculated over a 17-week reference period.
- Health assessments must be offered to night workers as required by law.

4.5 Scheduling & Roster Compliance

- Work schedules must be planned to ensure legal compliance before being issued.
- Any changes to schedules must be reviewed for compliance before approval.
- Employees must not be pressured or incentivised to exceed legal limits.

4.6 Monitoring & Reporting

- Working hours will be monitored weekly and reviewed monthly by HR.
- Any breach or risk of breach must be reported immediately to HR and rectified.
- Employees may report concerns confidentially without fear of retaliation.

4.7 Opt-Out Agreements

- Opt-out agreements must be:
    - Voluntary
    - Documented and signed
    - Revocable at any time with written notice
- Even with an opt-out, managers must ensure hours remain safe and reasonable.

5. Procedures

5.1 Planning Work Schedules

1. Managers prepare weekly schedules based on operational needs.
2. HR reviews schedules for compliance with:
    - Maximum weekly hours
    - Daily rest requirements
    - Weekly rest periods
    - Night work limits
3. Schedules are approved only when fully compliant.

5.2 Recording Working Hours

1. Employees must accurately record hours using the approved timekeeping system.
2. Supervisors verify hours daily or weekly.

3. HR conducts monthly audits to identify:
    - Excessive hours
    - Insufficient rest periods
    - Patterns of non-compliance

5.3 Managing Overtime

1. Overtime must be pre-approved by a manager.
2. Overtime must not cause employees to exceed:
    - Daily rest requirements
    - Weekly maximum hours (unless opted out)
3. HR reviews overtime logs weekly.

5.4 Responding to Potential Breaches

1. If an employee approaches or exceeds legal limits:
    - HR is notified immediately.
    - The employee's schedule is adjusted.
    - Additional rest periods may be mandated.
2. HR documents the incident and corrective actions.

5.5 Night Work Compliance

1. Night workers' hours are monitored separately.
2. Health assessments are offered as required by law.
3. Night work schedules must not exceed statutory limits.

5.6 Employee Communication

1. Employees receive written information on working-time rules during onboarding.
2. HR provides updates whenever laws or internal policies change.
3. Employees may request working-time records at any time.

6. Roles & Responsibilities

HR Department

- Maintain compliance with working-time laws.
- Review schedules and working-hour reports.
- Manage opt-out agreements.
- Conduct audits and provide training.

Managers/Supervisors

- Plan compliant schedules.
- Approve overtime responsibly.
- Ensure employees take required rest breaks.
- Monitor daily working patterns.

Employees

- Accurately record hours worked.
- Take required rest breaks.
- Report excessive working hours or fatigue concerns.

7. Non-Compliance

Failure to follow this policy may result in disciplinary action. The organisation will immediately correct any breach of working-time laws and ensure affected employees receive required rest and support.

8. Review Cycle

This policy will be reviewed annually or whenever working-time laws or organisational requirements change.

Next review date is 30/11/2026

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Head of centre.