
HOURS, OVERTIME AND TRAVELLING TIME

CHAPTER 11

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HOURS, OVERTIME AND TRAVELLING TIME

HOURS OF ATTENDANCE

Conditioned Hours

11000 The number of hours that staff in non-operational posts are required to work per week are called 'conditioned hours'. These hours may vary depending on the terms of appointment, i.e. whether staff are employed on a full or part-time basis. The gross 'full-time' working week (i.e. including a daily lunch break of one hour) for non-operational staff is 42 hours (37 hours net). Standard hours are:

Monday-Thursday	8.30 - 17.00
Friday	8.30 - 16.30

Local units have their own arrangements to meet their business/operational needs and consequently field staff may be working to different patterns which will be agreed locally.

Posts classed as operational do not have 'conditioned hours', and require work over and above the non-operational conditioned hours. Their hours will average:

44 hours per week at Pay Band 5 and Pay Band 6a level

These hours are based on the definition of 'working time' shown in Annex 2 and are net of meal breaks.

Operational posts are not entitled to payment of overtime or travelling time.

Meal Breaks and Rest Breaks

11001 The 42 hours are gross hours, i.e. they include a nominal one-hour for lunch on any full working day. This lunch break can be varied to meet local operational needs and circumstances e.g.:

- where shorter periods are taken to meet the requirements of management or staff;
- where there are arrangements for flexible working hours or flexi time systems (see paragraph 11005), a shorter or longer period is usually allowed;
- where transport facilities are limited, a shorter period may be allowed to enable staff to adjust their times of attendance to fit in with the local transport service.

On health and safety grounds, a meal break must be taken and should not be less than half an hour;

Tea breaks in the morning and afternoon are arranged in agreement with managers but must last no more than 15 minutes. Any other breaks must be arranged with the agreement of the line manager.

A statutory 'in work' rest break applies where the working day is more than 6 hours. See Annex 1 to paragraph 11011. This, in practice, affects only part time workers who work more than 6 hours per day.

Time off in lieu may be taken where staff are required for exceptional reasons to work through all or part of their meal break. Alternatively, compensation may be given at Plain Time Rate.

Change of Hours on Detached Duty/Transfer

11002 Anyone permanently transferred or on detached duty may have their hours changed to the hours of the unit to which he or she is posted. Written notification will be given of any change.

Arrangement of the Working Week

11003 The 5 day working week is, wherever practicable, the standard arrangement throughout the Forestry Commission, although overtime may be required to be worked from time to time where the pressure of work demands. Where necessary, local arrangements will be made to enable a work pattern which will reflect operational requirements. Where staff work weeks of unequal length, (including staff working on a flexi time system) weekly average hours worked over a period should equal conditioned hours. Disciplinary action may be taken when an individual fails to work their conditioned hours. Staff with access to a flexi-time system are required to acquaint themselves with the rules of the scheme.

Arrangement of the Working Day (Normal Hours of Work)

11004 Line managers will advise their staff of the normal daily starting and finishing times. Arrangements concerning start and finish times, hours of attendance and report to work arrangements will be agreed locally. These arrangements are flexible, to the extent that they may vary between locations, conditioned hours are worked over an agreed period.

FLEXIBLE WORKING

FC Policy

11005 The term 'Flexible Working' covers the different types of arrangements for organising working time, whether it be the hours worked, the numbers of days attended or the location of work. The Commission recognises the importance of helping its staff to balance work and home life by offering a range of flexible working arrangements.

11006 The FC will aim to extend opportunities for flexible working as far as possible within reasonable limits set by the operational needs of the business. This means that the full range of flexible working options will not be suitable for all jobs across all areas of our business. Managers can reasonably decide not to use an option that prevents the priorities of the business being met. However, many options are already being used successfully in a range of roles.

11007 There is no automatic 'right' to use any specific flexible working option. Since the range of jobs is wide in the Commission, each application will be considered by managers on its merits, in discussion with the individual, and by considering the job's priorities, cost implications, the impact on colleagues, the business unit/the team. Many requests to work flexibly can be agreed with your manager through discussion. However, if this is not successful, or you would prefer to make a written application, a [Flexible Working Request Form](#) is available on the Human Resources Intranet site. Further guidance on Flexible Working, examples of options that might be available and best practice case studies are contained in Staff Notice 2, also available on the Human Resources Intranet site.

Statutory Rights

11008 In April 2003, statutory rights were introduced on flexible working for employees with 26 weeks continuous service, who have one of the following parental responsibilities:

- Parents of children aged under 6; or
- Parents of a disabled child aged under 18

There is a statutory right to apply for (but not demand) a flexible working pattern. 'Working flexibly' includes variations to the number of hours worked, the place worked or the working pattern. The statutory definition of 'parent' is given in the Flexible Working Request form. For the purpose of the Regulations, the person must also have responsibility for the upbringing of the child and be making an application to enable them to care for the child. The statutory requirements cover proper consideration of a request, a process and timetable for dealing with requests from staff falling into the above category. Further information on the statutory timetable is provided on the Human Resources Intranet site, Flexible Working Folder, [Flexible Working Request Form](#).

Flexible Working Hours – Flexi Time Systems

11009 a. Flexi Time is one example of Flexible Working which continues to work effectively in many parts of the Commission. Flexi time can be a significant help to individuals in trying to balance work and home/personal commitments and in the scope it gives to self-manage working time. Under these schemes, you may:

- i. vary your time of arrival and departure from work subject to attendance during a 'core period' and to the needs of the work, as determined by line managers;
- ii. vary the length and timing of your lunch break (although for health and safety reasons this should not be less than ½ hour for a working day in excess of 6 hours 30 minutes) and
- iii. take time off if you build up extra hours.

b. When an individual leaves the Commission with a credit or a debit of hours outstanding, then final pay will be adjusted accordingly, i.e. an addition to or deduction from pay will be made for the balance of hours.

11010. a. There is no standard "Commission" flexi-time scheme. All such schemes in the Commission are set up locally. Existing ones may be revised, if necessary, or new schemes set up, after discussion with staff and consultation with the local Trade Union representatives.

b. All schemes require that a record of attendance be kept. This is either done by a manual system or by keying into a mechanical or computerised system.

c. Staff who abuse the flexi schemes may be suspended temporarily from the scheme, or permanently for serious abuse. Disciplinary action will be taken in cases where fraudulent claims for flexi-time credits are made and this will normally be treated as gross misconduct. If an offender is suspended from the scheme, he or she will revert to standard working hours or other hours agreed with their line manager.

Additional advice on flexi-time is available from Human Resources, Silvan House.

Legal Requirements Applying to 'Working Time'

11011. In October 1998, the Working Time Regulations became effective in the UK. One of the most significant provisions of the Regulations is to restrict the average weekly hours to 48 (averaged over a 17-week period) unless an individual voluntarily 'opts out'. Annexes 1 & 2 set out the main provisions of the Regulations, as they affect working hours, patterns of weekly working and 'rest breaks'. Further guidance and the form to be completed to 'opt out' of the weekly working limit are provided in Staff Notice 18 – Working Time Regulations. Further information on the Regulations can also be obtained from Human Resources, Silvan House.

Training During Working Hours

11012. Guidance on the time off which is allowed to undertake different types of training is set out in Chapter 7 of the Staff Handbook.

Time Management

11013 The responsibility for managing time keeping rests with line managers at all levels and it is their duty to ensure that their staff attend regularly at the agreed times of arrival and departure, and work their contractual hours. However, individual staff have personal responsibility for working the hours contractually required and disciplinary action will be taken in cases where an individual fails to do this.

Late Attendance

11014 Line managers may excuse late attendance or occasional short absences of the following kinds:

a. Late attendance for urgent personal reasons or similar emergencies e.g. exceptional weather conditions or other unforeseen travel delays. However staff are expected to allow adequate time to get to work and to take possible traffic hold ups into consideration.

b. Late arrival or absence during office hours because of appointments with a hospital, doctor or dentist. The line manager must be notified in advance of such appointments.

An individual will not be expected to make up time lost by lateness or absence which is excused under this paragraph provided the line manager is given notification in advance and is satisfied that the absence is justified.

11015 Managers may issue warnings in any circumstances in which time keeping causes concern. Formal disciplinary action may also be taken. See PM4 for further guidance.

11016-11019 Unallocated

THE WORKING TIME REGULATIONS

These statutory Regulations implement the EC Directive on the organisation of working time and were introduced in the UK on 1 October 1998.

The main provisions of the Regulations, as they affect working hours and working patterns, are:

Hours Worked

- Employers have to take all reasonable steps to ensure that workers do not work longer than an average of 48 hours (including paid or unpaid overtime) averaged over a 17 week period. Workers may work in excess of these hours on a voluntary basis. Workers cannot be forced to work longer than an average of 48 hours through any fear of detriment. (Detriment can cover a range of discriminatory actions, such as denial of promotion or training).
- The hours worked for a second employer count towards the 48-hour limit.
- Working time is defined as when a worker is “working, at his/her employer’s disposal and carrying out his/her activity or business”. For time to be ‘working time’ all three elements must be satisfied. In the Civil Service, working time is defined through a collective agreement with the Council of Civil Service Unions. This is reproduced in Annex 2.

Rest Breaks

- A worker is entitled to a rest period of 11 consecutive uninterrupted hours between each working day (12 hours for a worker aged under 18).
- A worker is entitled to an uninterrupted rest period of not less than 24 hours in each 7-day period. This can be averaged over a two week period i.e. entitlement to two days’ rest over a fortnight. (The entitlement is 48 hours rest in 7 days for a worker aged under 18).
- Daily and weekly rest breaks are separate entitlements. The entitlements to rest breaks within the limits set may not apply in a range of circumstances defined in the Regulations. Two examples given are where ‘there is a foreseeable surge of activity’ or ‘unforeseeable circumstances’ arise. Where the entitlement to rest breaks is modified or does not apply, an equivalent period of ‘compensatory rest’ must be provided.
- A worker is entitled to an uninterrupted break of 20 minutes when daily working time is more than 6 hours. This must be a break during working time and should not be taken at the start or at the end of a working day. (NB for full time staff this requirement would be met by the lunch break, but for part-time staff working in excess of 6 hours each day where there is no paid lunch break, managers may accommodate the statutory break by the normal ‘tea break’. Alternatively, ‘flexi systems’ will be set up to include a mandatory break.

WHAT COUNTS AS WORKING TIME?

1. 'Working Time' is defined as:

- any period during which a worker is working, at his/her employer's disposal and carrying out his/her activities or duties;
- any period during which the worker is receiving training; and
- any other period covered by the collective agreement detailed below.

Working time is not limited to contractual hours e.g. paid or unpaid overtime is counted as 'working time'.

2. The following is the collective agreement on 'working time' which the Cabinet Office has reached with the CCSU. Although (in September 1999) this agreement covers only the non-industrial Civil Service, the FC intend to apply it to all staff:

Meal breaks- excluded unless staff are at the disposal of and actively engaged on their employer's business. e.g. working lunches.

On call time- where staff are actively engaged on their employer's business i.e. this is included only when an officer is called upon to perform their duties.

Travel Time- only normal business travel (excluding the time spent travelling between home and normal place of work) i.e. travel in the exercise of work duties and additional time spent travelling to a different workstation. An example would be travel to a detached duty station.

Work performed away from the normal place of work: only where the work is performed on a basis agreed with the manager and the time is properly recorded. An example would be drafting a document at home.

Other business engagements: only where staff are required to attend work related functions as part of their duties.

TU/Health and Safety Duties: agreed time spent undertaking trade union or health and safety representative duties.

OVERTIME WORKING

Introduction

11020 Overtime working is paid work carried out by staff in non-operational posts in excess of weekly conditioned hours (see paragraph 11000). It is subject to the following conditions:

- Weekly conditioned hours must be completed before overtime rates are paid. Overtime is not based on the total hours an individual works on any particular day but on the total hours worked each week in excess of the normal gross conditioned hours of 42.
- It can only be authorised by managers who have specific delegated financial authority to do so from their Country Director/Chief Executive Forest Research/Head of Division/ or Business Unit Manager. Obviously, overtime can only be authorised when sufficient funds have been allocated to and remain in the relevant budget.
- Authorised managers will only authorise overtime exceptionally and specifically to deal with particular pressures of work.
- Overtime should normally be worked by volunteers but, where this is not possible, people will be given at least 48 hours notice if it is required. Authorised overtime will not, as far as possible, be worked at weekends, except as a last resort.

“Travelling Time” is paid in a similar way to overtime for official travel by non-operational staff outwith conditioned hours. This is covered in paragraph 11050 onwards.

Eligibility for Overtime

Non-Operational Staff

11021 Overtime is paid for at one of 3 rates and varies with Pay Band and when the overtime was worked, and whether staff are contracted to work on a roster basis. See **Annex 3** for details.

11022 Staff are entitled to receive overtime payments but if time off in lieu is requested this must be agreed in advance with the line manager. TOIL will be agreed where it can be accommodated by the needs of the work. Time off in lieu cannot be taken as an alternative to the Saturday Premium Payment.

Operational Staff

11023 Staff in receipt of operational pay (PB5op and PB6Aop) do not qualify for overtime payments. Operational post salaries are higher in recognition of extra hours required, and additional duties such as on-call requirements and other flexibilities. However, time off in lieu may be allowed, subject to management needs, for excessively long hours of extra duty at weekends or on public or privilege holidays.

Minimum Hours for Planned Overtime at Weekends/Bank/Public Holidays

11024 Staff who are required to work over the weekend (Saturday or Sunday) or on Bank or Public holidays, in excess of their normal conditioned hours, will be credited with a minimum of 2 hours overtime even if the actual work takes less than 2 hours. If you are required to attend twice or more on one day and the periods aggregated total less than 2 hours, the entitlement is restricted to one 2 hour credit for the day e.g. two separate attendances of 45 minutes would only lead to a claim for 2 hours. Two periods of overtime in one day totalling in excess of 2 hours will simply be claimed at ‘time worked’. Overtime payments will be paid in accordance with normal rates. Staff who are called in to work unplanned overtime are entitled to different terms as detailed in paragraphs 11029-11032.

Payment Rates – Part Time Non-Operational Staff in Pay Bands 3-7

11025 Part-time non-operational staff whose normal working days are between Monday and Friday will be paid at their appropriate plain time rate for any extra hours worked up to full time hours. They will be paid the appropriate overtime rate for their Pay Band during Monday to Friday once they have worked more than the

full time hours. Overtime rates for part-time staff who normally work during Monday to Friday and are required by management to work at the weekends are detailed in Annex 3.

Rates for Staff Working Rostered Hours

11028 Staff working on a rostered part time basis (i.e. variable working days and/or hours including weekends) will only be paid higher overtime rates for weekends where management are requiring attendance on days that have not been rostered in advance. Staff will be paid the appropriate overtime rate for all Bank/Public holiday working (see **Annex 3**). Additional working on Monday – Friday that has not been rostered in advance will be paid at plain time rate.

Privilege Holiday Working - All Staff

11029 If you are required by your manager to work on a Privilege holiday you will be allowed time off in lieu for hours worked during normal hours of attendance that day or, at line management's discretion, payment at plain time rate. Overtime will be paid at the Monday-Friday rate if more than conditioned hours are worked.

Meal Break During Overtime

11030 Staff who work additional overtime hours may take a paid meal break of 30 minutes if the excess hours total at least 4 but less than 6, or 1 hour if the excess hours exceed 6. This break must be taken during the period of working and cannot be 'added' to a claim where it has not been taken.

Time Off in Lieu

11031 All time off in lieu must be recorded on form 'E7A' which records applications for leave of absence on annual leave, flexi-leave, special paid leave and time off in lieu. Time off in lieu can never be taken in advance of overtime worked. It must not be credited on a flexi time system before it is taken to 'inflate' a flexi credit or reduce a flexi debit. Approval for time off in lieu to be taken must be requested in advance from the line manager, in the same way as approval to take annual leave.

Attendance at Training Courses Outwith Normal Conditioned Hours

11032 The following rules apply to training and learning activities outwith an individual's normal conditioned hours/working pattern. In all cases, claims for time off in lieu/overtime can only be made where the full weekly conditioned hours have been completed by the individual i.e. the time spent on training/learning activities amount to excess hours for the individual:

- Where a learning activity is approved by management as qualifying for 100% support, time off in lieu will be granted to full-time staff for any necessary attendance at courses and other learning activities in the evenings, at the weekend, or on Public, Bank, or Privilege holidays. (See Chapter 7 for more detailed information.)
- Similarly, time off in lieu can be claimed for formal, timetabled evening sessions on residential courses.
- Travelling time to and from such training courses is treated as official travel and paid in accordance with the normal rules for calculating travelling time and for detached duty travel (refer to paragraphs 14050 and 11056-11061 for detailed rules).
- Overtime payments to full time staff at the appropriate rate (Annex 3) are made in circumstances where flexible working patterns apply (e.g. compressed working weeks, '9 day fortnights') and:
 - ◆ Staff are required to attend a training event during the 'standard' conditioned working week (i.e. 0830 to 1700 hours Monday to Thursday or 0830 to 1630 hours Friday) on a day or at a time when they would not normally work; and
 - ◆ They have already completed their full conditioned hours that week.
- Part-time staff attending courses on days or at times they would not normally work during Monday to Friday are similarly paid for the additional hours as outlined in paragraph 11027.

11033 Course timetables should be attached to claims for time off in lieu or for overtime payments. Time off in lieu must be approved by the line manager on Form E7a, after the claim has been made.

Rules Governing Unplanned Overtime

11034 The following three rules apply to staff called in to work overtime that has not been planned or agreed in advance, for example in response to an emergency or when staff are required to attend during "on-call" duty (non-operational staff). The rules governing planned overtime, including the 'minimum 2 hour rule' are detailed in paragraphs 11024-11026. For the majority of staff, 'normal working hours' or starting/finishing times in the following paragraphs refer to Monday-Friday work.

11035 When a member of staff is called into work for a short period outside their normal working hours and attendance begins within 3 hours of normal starting time, or ends within 3 hours of normal finishing time, the attendance will be treated as though it were continuous with normal duty i.e. as if no break had occurred.

11036 When attendance following call out begins more than 3 hours before normal starting time, or ends more than 3 hours after normal finishing time, a minimum 3 hours credit will be counted towards overtime even though the work may have taken less than 3 hours.

11037 When the work exceeds 2 hours (whether or not the individual is in receipt of a call out allowance), staff will be credited with an extra hour, in addition to the hours actually worked. If they are called out twice or more during a spell of 'on call duty' the total claim cannot exceed the claim that would have been made had attendance been continuous from the beginning of the first period of call out to the end of the second.

Claiming for Overtime

11038 Staff claiming overtime should complete Overtime Form E2M and pass it to the authorising manager at the end of the month. Where there is an option of payment/time off in lieu, the claim form must make clear the number of hours overtime/travel time claimed and the number of hours to be taken as Time Off in Lieu.

The authorising manager will check the claim, sign the form and forward the claim to either Human Resources, Silvan House or their local payroll input staff.

Payment of Overtime

11039 Overtime pay will normally be issued with salary in the month after the overtime is worked provided claims reach the payroll input office by monthly closedown. It is recommended that claims should be submitted at the end of each calendar month. This will allow managers time to authorise the claim and pass it for input by the payroll cut off date (normally between the 12th and 14th of the month) for the following month e.g. a claim for overtime in August should be paid at the end of September.

PAYMENTS FOR ADDITIONAL HOURS WORKED BY PAY BAND 2 STAFF

General Principles

11040 Pay Band 2 is not an overtime grade and special arrangements exist for payments for hours which are worked, or travelled, in excess of normal conditioned hours. Payment is made in three ways:

- a. Discretionary payment.
- b. Premium payment (which applies to excess hours worked and/or travelled at weekends, or on a public or bank holiday)
- c. Time off in lieu.

The circumstances in which the hours are worked and/or travelled affect which method of payment is used. The following paragraphs explain those circumstances and Annex 4 following paragraph 11070 gives a summary of entitlements.

Discretionary Payment

11041 This payment is not an overtime equivalent. There is no automatic entitlement to payment for excess hours which are worked.

- Hours which are worked or travelled on Public and Bank Holidays do not qualify for discretionary payment but are calculated and paid separately (see Annex 4).
- Hours which are spent travelling at weekends do not qualify for discretionary payments but may be claimed for as travelling time (see paragraph 11059).
- Prior permission must be given by line management for the extra hours to be worked.

Qualifying Conditions

11042 Discretionary payments may be considered by line management where 30 hours or more in excess of conditioned hours are worked over a 3-week period. Cases falling just short of this may be approved at the line manager's discretion. However, the provisions of the Working Time Regulations (see Annex 2 following paragraph 11011) should be considered and followed when approving excess hours of this magnitude.

Working at Home

11043 Work done at home does not normally qualify for payment, but line management may, at its own discretion, allow cases where individuals are obliged to work at home for compelling reasons. Prior management approval must be obtained.

Calculation of Discretionary Payment

11044 Discretionary Payments are calculated on the basis of the total number of actual hours which are worked in excess of the normal conditioned hours. The circumstances in which hours of work or travel qualify for Discretionary Payment are shown at Annex 4, (following paragraph 11071) and include the qualifying hours defined in paragraph 11042. Discretionary Payments are taxable, but not reckonable for superannuation.

Funds and Claims Procedure

11045 Discretionary payments must be met out of the appropriate Cost Centre budget. Claims should be made on overtime form E2M, passed to the authorising officer for approval then forwarded to Human Resources, Silvan House or their local payroll input staff.

Premium Payments

11046 There is no extra payment made for excess hours worked and/or travelled on Monday to Friday, other than discretionary payments. However, 'Premium Payments' may be claimed for excess hours worked and/or travelled at weekends, and on public and bank holidays. The qualifying circumstances and rates are set out in Annex 4. Premium payments must be claimed on overtime Form E2M, which must be countersigned and passed to Human Resources, Silvan House or to local payroll input staff.

Time off in Lieu

11047 Time off in lieu may be taken, hour for hour, in the circumstances given in Annex 4 following paragraph 11071. Approval must be sought from the line manager, before time off in lieu is taken.

11048 - 11049 Unallocated

TRAVELLING TIME

Introduction

11050 a. This section sets out the rules that apply to the calculation and payment of time spent on official travelling (as defined at b. below) outside normal conditioned hours by non-operational staff. It is referred to throughout this section as 'travelling time'. Time spent on official travelling within conditioned hours (42 or 37 net) is counted as work and is not paid as travelling time.

b. 'Official travelling' is defined as travel for the purposes of official business including:

- attendance at departmental selection boards or promotion boards;
- attendance at training courses (i.e. journeys to the training venue and return);
- travel to meetings;
- journeys made on recall to duty from annual leave.

It does not include:

- travel between an individual's home and permanent station (see also paragraphs 11058 and 11060);
- daily travelling to a detached duty station (but see paragraph 11066);
- travel on first taking up duty or on finally leaving the service (e.g. resignation, retirement etc).

Eligibility For Travelling Time Payment (Pay Bands 3 – 7)

11051 These rules apply only to staff in non-operational posts up to Pay Band 3 level. There are two 'classes' of payment depending on the Pay Band, as defined in Annex 3. No other form of payment is made for official travel outside conditioned hours. Travelling time payments do not apply to those posts or staff:

- in operational Pay Bands; or
- regarded as being at work while travelling (e.g. engineering or forest based staff for whom travel between sites is an integral part of the job);

11052 These rules apply only to overtime grades who travel within the United Kingdom and the Irish Republic.

Basic Travelling Time Rules

11053 Payment is at plain time rate subject to the following conditions:

- a. Staff in overtime grades who spend time outside their conditioned hours on official travel, have the option of claiming either time off or payment for the excess hours. Time off is calculated on the same basis as travelling time for which payment is made. **Annex 3** gives further details of entitlements.
- b. Staff who are allowed to work (or have worked) less than their conditioned hours cannot have time off or payment for travelling time until they have completed their full weekly conditioned hours, made up of work or travelling time or both.
- c. If an official journey begins from home or ends by returning home, the time taken on the normal home to workplace journey/workplace to home journey should be deducted from the travelling time claim.

11054 If on any day:

- someone works and also travels officially; and
- the hours spent working and travelling time are less than that day's conditioned hours,

the day is treated as if the conditioned hours were completed.

Example – assume conditioned hours for the day are 8.5 hours, 3 hours are worked and 4.5 hours spent on official travel. This would count as 7.5 hours worked. The hours spent in travel do not attract payment for travelling time or time off, but the short fall in conditioned hours is not subtracted from the total of other travelling time in the overtime period.

11055 If someone does less than the conditioned hours for the day, but the total of hours worked and travelling time amounts to more than the conditioned hours for the day, the excess hours count as travelling time.

Example – assume conditioned hours for the day are 8.5 hours, 4.5 hours are worked and 7 hours are spent on official travel. This counts as 8.5 hours conditioned hours completed plus 3 hours travelling time.

Training Courses

11056 Staff attending internal and short full-time and part-time external training courses, (but not long full-time courses, sandwich courses and bursaries at colleges and universities), may be paid reasonable travelling time in accordance with the provisions of paragraph 11050. For the purpose of calculating travelling time, staff may be considered to have worked their conditioned hours provided that the hours of the course are not more than one hour less per day than their normal conditioned hours. Where journeys start from and/or end at home, the normal home/office travelling time should be deducted from the total time spent travelling. Staff attending a 2 week course, and who choose to return home for the middle weekend, are entitled to travelling time, in excess of normal conditioned hours for these journeys, provided the Cost Centre Manager is satisfied that the overall travel costs involved are not excessive. For further information on entitlements related to learning activities refer to Chapter 7.

The “No Double Payment” Rule

11057 If, on any day, staff work longer than their conditioned hours and also travel, the extra hours are added to the total of their weekly working hours for overtime purposes and the travelling time qualifies for payment at the Monday-Friday rate. NO PERIOD OF TIME QUALIFIES FOR PAYMENT OF BOTH OVERTIME AND TRAVELLING TIME.

Calculation Of Travelling Time

11058 Travelling time of less than half an hour on any one day will not be paid for but may be added to any other periods of travelling time providing it falls within the same overtime period. The total should be rounded down to the nearest quarter of an hour, e.g. a total of one hour 25 minutes counts at 1¼ hours travelling time.

11059 Normal home to office journeys do NOT count as official travel. Where official journeys start from home and/or end at home, the normal home-to-office/ office-to-home travelling time should be deducted from the total time spent on the official journey. Exceptions include ‘official’ travel at weekends, public and Bank holidays (but note the exception in next paragraph).

11060 Travel from home to the office to make an additional overtime attendance can only be designated ‘official’ travel and thus be eligible for payment of travelling time if an individual has been given NO PRIOR NOTICE of the requirement to make the additional attendance (e.g. where he/she is called in to deal with a genuine emergency). If the attendance also qualifies for ‘minimum attendance credit’ or ‘call-out bonus’, payment will be whichever is the more favourable of:

- a. travelling time, plus reckoning of actual attendance for overtime and the appropriate premium; or
- b. ‘minimum attendance credit’ or ‘call-out bonus’ as appropriate.

11061 Eight hours will be deducted from the travelling time spent on any journey during which a sleeping berth is occupied.

Civil Engineering Agreement

11062 Separate travel time arrangements are in place for FCE Works managers, Works Supervisors, Bridge Craftsmen, Machine Operator/Tipper Driver. Further information is contained in FCE instruction No.34 Payment of Field Staff Travelling Time, available on the FCE Intranet site.

11063 Unallocated

Payment of Travelling Time (Pay Bands 3-7)

11064 Travelling time payment and/or time off in lieu are detailed in **Annex 3**. The weekend and Public/Bank Holiday payments include the premium payments described in the overtime section.

Payment of Travelling Time (Pay Band 2)

11065 Entitlements for Pay Band 2 staff are shown in **Annex 4**.

Travel On Detached Duty (On Work Connected with the Parent Office) – Conditioned Hours

11066 For short term visits away from the official duty station and on work directly connected with that location, an individual retains the conditioned hours of that station for the purpose of calculating travelling time.

Travel on Transfer and Detached Duty (on work not directly connected with the Parent Office) – Conditioned Hours

11067 On transfer, other than permanent transfer, to carry out a different type of work such as relief duty (i.e. is allied with the place visited and not directly connected with the work of the duty station), an individual adopts the conditioned hours of the detached duty or relief duty station and travelling time reckons for payment subject to the provisions in paragraph 11069.

Travel on Transfer and Detached Duty – Payments

11068 The following paragraphs cover those situations where an individual is required to work at a station other than their permanent station on relief or detached duty, and travels directly from home to the new station and, in due course, returns from the new station directly home. This may reckon as travelling time within the limits of paragraphs 11058-11061 in the following situations:

a. if an individual voluntarily travels daily rather than staying overnight or taking up residence then for daily journeys in both directions any travelling time will be limited by the savings in the appropriate rate of night subsistence and lodging allowance, after deduction of fares or mileage allowance and any day subsistence paid. This provision does not apply to individuals staying overnight at the new station and returning home only at weekends;

or

b. for the first journey to, and the final journey from, the detached duty station, if the distance between the two justifies an overnight stay, regardless of whether night subsistence is paid, then those journeys may reckon for travelling time.

11069 An individual who is permanently (but not voluntarily) transferred to a station distant enough from the old station to justify moving there will be paid travelling time for the initial journey to the new station following normal travel time calculation rules. If, as a result of transfer (or detached duty) there is a change in conditioned hours, travelling time will be calculated on the conditioned hours of the station from which the journey was made (but see paragraph 11068 regarding short-term visits on the business of the parent office).

CLAIMS PROCEDURE FOR OVERTIME AND TRAVELLING TIME

11070 The claim form for both overtime and travelling time is Form E2M (full time staff should use form E2M (FT) and part time staff should use E2M(PT) – both are available on eConnect). Claims should be made as follows:-

- a. Completed E2M should be passed to the authorising manager. After checking and signing the form it will be passed to local payroll input office or Human Resources, Silvan House. A claim for Travelling and Subsistence which relates to the claim for travelling time must be made at the same time (on form C180) and both forms passed to the authorising manager together.
- b. Individuals on continuous detached duty whose travel time is subject to limitation (see paragraph 11063), should complete the appropriate section of the E2M Form and pass it to the authorising manager. After checking and certification the forms should be sent the local payroll input office or Human Resources, Silvan House.

Recording Time off in Lieu

11071. Staff Notice 61 (September 2001) provides further information on Time Off in Lieu and Overtime claims and the requirement for recording approved 'time off in lieu' on the annual leave form.

OVERTIME & TRAVEL TIME RATES

Exclusions

- **Pay Band 1** – No entitlement except for Privilege Holidays (see paragraph 11029).
- **Operational Pay Bands 5 and 6a** – No entitlement to overtime or travelling time except for Privilege holidays and discretionary TOIL for excessive hours at weekends (see paragraph 11029 and 11028).
- **Part time, flexible rostered contracts** - Overtime entitlements vary and will be reflected in the contract of employment. See paragraph 11028

Calculation of Hourly Rate for Overtime

Overtime payments are based on normal basic pay plus any reckonable allowances (e.g. TRA) in payment at the time. Hourly plain time rates of overtime are calculated using the following formula:

	Hourly Rate
Full Time Staff	Basic Pay plus any reckonable allowance. Divided by 52 then divided by 42 conditioned hours.
Part-Time Staff	Basic Pay plus any reckonable allowance (at full time rate). Divided by 52 then divided by 37 (up to 37 hours worked). Divided by 52 then divided by 42 (for extra hours exceeding 37).

Rates of Payment

Overtime is paid for at one of 3 rates and varies by Pay Band, when the overtime was worked. The 3 rates are:

Overtime Rates	Payment Rate
Plain Time	One hour's pay for one hour's overtime
Time and a Half	One and a half hour's pay for one hour of overtime
Double Time	Two hours' pay for one hour of overtime

For overtime worked on a Saturday an additional payment is paid which is equivalent to half plain time rate per hour . This is called the Saturday Premium Payment.

The 'double time' overtime rate for Sundays and Bank/Public holidays includes a Premium element equivalent to plain time for each hour worked.

Night Duty Payment Rate (Emergency Duty) - Actual hours worked after 11.00 pm and before normal starting time the next day – paid at double time rate.

The tables that follow set out overtime rates for staff who are contracted to work during Monday-Friday only.

**OVERTIME
FULL TIME CONTRACTS**

Hours worked in excess of normal conditioned hours

	Pay Bands 5, 6a, 6b and 7	Pay Bands 3 and 4
Mon - Fri	Time and a half payment or TOIL for the number of hours actually worked	Plain time payment or TOIL for the number of hours actually worked
Sat	Time and a half + Sat Premium Payment or TOIL for number of hours actually worked + Sat Premium Payment	Plain time + Sat Premium Payment or TOIL for the number of hours worked + Sat Premium Payment
Sun, Bank & Public Holiday*	Double time payment or Plain time payment + TOIL for number of hours actually worked	Double time payment or Plain time payment + TOIL for the number of hours worked
Privilege Holiday*	Time off in lieu for hours worked during normal hours of attendance that day or A discretionary payment at plain time (time and a half if more than normal hours worked)	Time off in lieu for hours worked during normal hours of attendance that day or A discretionary payment at plain time

****Information on holidays can be found in Chapter 10 of the Staff Handbook.***

**TRAVELLING TIME
FULL TIME CONTRACTS**

Payment rates and TOIL apply only for hours travelled that are in excess of weekly conditioned hours

	Pay Bands 5, 6a, 6b and 7	Pay Bands 3 and 4
Monday – Friday	Time and a half payment or TOIL for number of hours travelled	Plain time payment or TOIL for number of hours travelled
Saturday	Time and a half + Sat Premium Payment or TOIL for number of hours travelled (limited to one working day) + Sat Premium Payment	Time and a half payment or TOIL for number of hours travelled (limited to one working day with balance paid at plain time rate)
Sunday, Bank & Public Holiday*	Double time payment or Plain time payment + TOIL for hours travelled or TOIL at double the number of hours travelled (limited to one working day with the balance paid at double time)	Double time payment or TOIL at double the number of hours travelled (limited to one working day with the balance paid at plain time rate)
Privilege Holiday*	Time off in lieu for hours worked during normal hours of attendance, with any hours in excess paid at Monday-Friday rate (time and a half)	Time off in lieu for hours worked during normal hours of attendance, with any hours in excess paid at plain time rate

****Information on holidays can be found in Chapter 10 of the Staff Handbook.***

**OVERTIME & TRAVELLING TIME
PART TIME CONTRACTS**

Hours worked/travelled in excess of P/T contractual hours

	Pay Bands 5, 6a, 6b and 7	Pay Bands 3 and 4
Mon - Fri	Plain time rate for extra hours where total hours worked do not exceed 37 in week. For any hours worked that exceed 37 in week - Time and a half payment	Plain time rate for all extra hours.
Saturday	Plain time + Sat premium payment where total hours worked do not exceed 37 in week. For any hours worked that exceed 37 in week - Time and a half + Sat Premium Payment	All hours are paid at Plain time + Sat premium
Sunday, Bank & Public Holiday*	Double time payment regardless of number of hours worked in week	Double time payment regardless of number of hours worked in week
Privilege Holiday*	Time off in lieu for hours worked during normal hours of attendance that day or A discretionary payment at plain time (or time and half if more than normal hours worked)	Time off in lieu for hours worked during normal hours of attendance that day or A discretionary payment at plain time

****Information on holidays can be found in Chapter 10 of the Staff Handbook.***

PAY BAND 2 STAFF

ENTITLEMENTS FOR WORK AND TRAVEL IN EXCESS OF CONDITIONED HOURS

DAY	CIRCUMSTANCES	ENTITLEMENTS
Weekday (Monday – Friday)	Working	Discretionary Payment (See note (i))
	Travelling	Travel outside conditioned hours during the week may count towards any claim for Discretionary Payments.
Saturday	Working	Premium payment of half plain time rate per hour. (See note (ii)) <u>PLUS</u> Either Time off in Lieu or hours count towards claim for discretionary payments. (See note (i))
	Travelling	Premium payment of half plain time rate per hour <u>PLUS</u> Time off in lieu
Sunday	Working	Premium payment of plain time rate per hour (See note (ii)) <u>PLUS</u> Either Time off in lieu or hours count towards claim for discretionary payment. (See note (i))
	Travelling	Premium payment of plain time rate per hour (See note (ii)) <u>PLUS</u> Time off in lieu
Public & Bank Holiday	Working	<u>EITHER</u> a. Premium payment of plain time rate per hour (See note (ii)) <u>PLUS</u> Payment at plain time rate per hour <u>OR</u> b. Premium payment of plain time rate per hour (See note (ii)) <u>PLUS</u> Time off in lieu
	Travelling	Premium payment of plain time rate per hour (See note (ii)) <u>PLUS</u> Time off in lieu
Privilege Holiday	Working and/or Travelling	Time off in lieu. Only hours worked or travelled in excess of conditioned hours count towards a claim for discretionary payment. (See note (i)).

NOTES

(i) . Claims for Discretionary payment may only be made subject to the qualifying conditions set out in paragraphs 11040-11041.

(ii). See paragraph 11046 and/or 11047.

ON-CALL AND STAND-BY ALLOWANCES (NON OPERATIONAL POSTS)

11072 This section is concerned with the payment of allowances to staff in non-operational posts who have a specific rostered commitment to be on-call or on stand-by. These allowances can apply to staff in all Pay Bands in these posts. Staff in Operational posts receive pay which includes an additional element for on-call and stand-by commitments so have no entitlement to these allowances.

Definitions of On-call and Stand-by

11073 For the purpose of payment of such allowances, these terms mean:

On-Call

a. This is used where someone is continuously and immediately available at home, outside normal office hours. It excludes:

- commitments which enable staff to leave their home after reporting where they may be contacted; and
- commitments where there is a liability to attend the office in an emergency, only if the individual can be contacted.

Stand-By

b. This applies where staff, who do not live at their place of work, remain there overnight, after a normal full day's work, in order to be immediately available if needed. It excludes commitments which enable staff to leave their place of work after reporting where they may be contacted.

c. At Cost Centre Manager discretion, staff committed to be on-call (as defined above) may, on a voluntary basis, be issued with radio pagers. Staff issued with radio pagers on these terms will be eligible to receive the on-call (radio pager) allowance. Staff will be required to remain continuously and immediately available outside normal office hours for a period of more than 12 hours, but the commitment under the normal on-call arrangements, to remain at home, will not apply. Staff issued with radio pagers will be able to move around freely within a radius of their normal office appropriate to the range of the radio pager and the obligation to be able to fulfil their on-call commitment and to return to the office quickly if required. No allowance will be paid to staff who use radio pagers during normal duty hours, as an aid to on-site communications.

Rates of On-call and Stand-by Allowances

11074 The rates of on-call (radio pager) allowance shown in Annex 5 will be regarded as the norm and be applied in most situations. However, where management regard the commitment to be on-call with a radio pager as exceptional, or particularly onerous, the Cost Centre Manager may, at his/her discretion, pay up to the full amount of the normal on-call allowance.

11075 On-call or stand-by allowances relate to the commitments as defined in paragraph 11073 above. Hours actually worked during such periods attract further payments based on the overtime rules, with a separate rate paid for emergency work, such as fire duty, undertaken by non-operational staff after 11.00 pm (see Annex 3).

Claim Form

11076 The claim form for on-call and stand-by allowances is the overtime claim form i.e. Form E2M.

Claims Procedure

11077 Form E2M should be passed to the authorising manager. After checking and signing the form will be passed to the local payroll input office or Human Resources, Silvan House.

Shift Working

11078 Harvester and Bed Processor operators can be paid a shift allowance of 6½ hours at plain time rate for a 5 shift week.

Allowances for other shift workers will be at one of two levels:

- a. When the period from the beginning of the first shift to the end of the second shift in the day is 15½ hours or more
 - 5½ hours at plain time rate for a 5 shift week.
- b. When the period from the beginning of the first shift to the end of the second shift in the day is less than 15½ hours
 - 4 hours at plain time rate for a 5 shift week.

**Annex 5
(paragraph 11073)**

ON-CALL AND STAND-BY ALLOWANCES: RATES (NON-OPERATIONAL POSTS)

	ON-CALL (RADIO PAGER)	ON-CALL (HOME)	STAND-BY (OFFICE)
<u>On weekdays</u> between the closing of an office in the evening and its opening the following morning for each period of more than 12 hours	£5.53	£6.92	£11.12
 <u>On Saturdays, Sundays and Privilege Holidays</u>			
a. for each full 24 hour period:	£15.68	£19.62	£31.89
b. for a period of less than 24 hours, a proportion of:	£15.68	£19.62	£31.89
 <u>On Public and Bank Holidays</u>			
a. for each full 24 hour period:	£19.85	£24.77	£40.02
b. for a period of less than 24 hours, a proportion of:	£19.85	£24.77	£40.02