ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

WORKING TIME IN SCHOOLS POLICY

Covers:

* Working time
* Annual leave
* Daily rest
* Weekly rest
* Night work
* Opt out agreement

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

WORKING TIME POLICY

1. Introduction

This policy has been produced by the Governing Body in response to the introduction of the Working Time Regulations 1998 and applies to all employees working in schools.

The Governing Body recognises that the effective management and control of working time is a key element in the promotion of the health, safety and well being of the employees working at the school. In order to maintain a high standard of service and individual performance and development, the Governing Body believes it is important to provide an environment that enables employees to maintain an appropriate balance between working time and their personal lives. A policy on working time is designed to assist in this aim, but is also supported by other policies adopted by the Governing Body e.g. flexible working and time off arrangements.

The Working Time Regulations influencing this policy were introduced as a health and safety measure. Details of this policy must therefore form part of the School’s health and safety arrangements e.g. risk assessments and health and safety audits. All accident/incident investigations will consider any working time implications.

1. Working Time

All employees at the school will be encouraged to work no more than an average 48 hour week over a 17 week period. In the majority of cases, an employee’s working time will be less than this and be in line with the hours identified in their contract of employment. Exceptions may be necessary to meet service delivery requirements. Headteachers will be deemed to be exempt from the provisions of the Working Time Regulations except for the annual leave provisions but the principle of maintaining an appropriate balance between time at work and their personal lives will apply. If it should prove necessary for other categories of employees to ‘opt out’ of this part of the policy for effective service delivery reasons, then consultation will take place with such individuals and relevant trade unions to conclude an ‘opt out’ agreement. No employee will suffer any detriment for refusing to work beyond 48 hours.

A suggested format for an 'opt-out agreement' is given in Appendix I.

The school will keep appropriate records to allow it to monitor its compliance with the Working Time Regulations. Such records will be available for inspection by the Health & Safety Executive.

1. Annual Leave

An employee’s annual leave arrangements are contained in their contract of employment. According to the Working Time Regulations, all full time employees are entitled to a minimum of 28 days paid annual leave which can include public and bank holidays (pro-rata for part time and part year staff). Additionally, the school provides extra annual leave as specified in the Pay and Benefit Policy.

1. Daily Rest

Where an employee works more than 6 hours in a day, (4½ hours for employees under 18 years) they are entitled to take a break of a minimum of 30 minutes. Notwithstanding this minimum period, the Governing Body promotes the provision of adequate rest breaks.

Employees will have a rest period of 11 consecutive hours daily, (12 consecutive hours for employees under 18 years) this being subject to the exceptions and opt out arrangements identified above.

Employees contracted to call out / standby arrangements will, wherever practical, be allowed to commence normal day work at a later start time following the call out period, to ensure the employee has a suitable rest period.

1. Weekly Rest

Many of the school's working time arrangements allow for a 48-hour rest period over a 7-day period. This practice is to be observed as far as is practical.

The facility to agree other arrangements for sound service delivery reasons, in accordance with the provisions of the Working Time Regulations, from time to time is available in consultation with relevant Trade Unions and individuals.

Shift workers, employees in residential schools and similar categories of employees who are unable to work in accordance with the above will be given compensatory rest periods.

1. Night Work

Employees working during the night will work an average of not more than 8 hours night work in each 24 hour period.

Night workers will be provided with a free and confidential health assessment before commencing night work in a residential school if they request it.

**APPENDIX I**

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**

**Working Time Regulations Opt-Out Agreement**

This is an individual agreement between:

……………………………………………………………….who is employed as

…………………………………………………………………………………….at

…………………………………………………………………………………. and

………………………………………….(Headteacher or Deputy Headteacher)

on behalf of the Royal Borough of Windsor and Maidenhead.

The employee named above has entered into agreement that the 48 hour limit shall not apply to them either for

1. An indefinite period \*

Or \* Please delete if not applicable

1. The following specified period \* ……………………………………………

Subject to right of the employee to end the agreement by giving 7 days' notice, unless a different notice period is specified below which, in any event, must not exceed 3 months.

The employee undertakes to notify the manager when his/her health is affected by working over 48 hours.

The notice period for this agreement is …………………………. or sooner should the hours affect the employee's health and welfare.

The Headteacher must record the hours worked during the period of the agreement.

Signed ………………………………. (Employee) Date ……………………

Signed ………………………………. (Headteacher) Date ……………………