

Working Hours Policy

22 Wilkinson Street, Sheffield, S10 2GB

First Issued	January 2025
Last review	

1 Introduction

- 1.1 This policy sets out our principles in relation to working hours.
- 1.2 We strive to provide a safe working environment and ensure the safety and wellbeing of all our workers.
- 1.3 We are committed to ensuring that your health is not compromised by the workplace and that your working hours provide for a satisfactory work-life balance.
- 1.4 Your Line Manager has a responsibility to ensure that working hours are kept within reasonable limits and they will monitor your working hours for this purpose. You also have a duty to ensure that you are not working excessive hours and to inform your Line Manager if you consider that you may be doing so.
- 1.5 This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

2 Scope

- 2.1 This policy applies to workers only. It does not apply to contractors, consultants or any self-employed individuals working for the organisation.

3 Normal working hours

- 3.1 Full-time workers hours are set out in your contract of employment.
- 3.2 You may be required to work additional hours over and above your normal hours of work to meet the needs of the organisation. However, we cannot require you to work longer than an average of 48 hours per week.
- 3.3 You can choose to work more than the maximum 48-hour week by signing an opt-out agreement and in some circumstances, we may ask you sign an opt-out agreement. However, it is entirely your decision, and you do not have to agree to opt out of the legal limit.
- 3.4 If you do opt out, you are entitled to change your mind at a later date by giving us at least seven days and no longer than three months written notice to end the agreement.
- 3.5 Unless your contract provides otherwise, you are not entitled to payment of overtime for hours worked in excess of your normal hours of work.

4 Flexibility

- 4.1 We recognise the benefits of being flexible. If you think that you would benefit from flexibility in your contractual hours, or any other form of flexible working, you can make a request under our Flexible Working Requests Policy.

5 Rest break

- 5.1 You have the right to an interrupted rest break of 20-minutes during any working day that exceeds 6-hours. This should be taken away from your workstation or desk and not at the beginning or end of the working day.

- 5.2 As your lunch break is over 20 minutes, this will count as your daily rest break.
- 5.3 Unless your contract provides otherwise, rest breaks are unpaid. It is important that you take regular rest breaks for your health and mental wellbeing.

6 Rest periods

- 6.1 You also have the right to the following uninterrupted rest periods:
- 6.1.1 at least 11 consecutive hours in each 24-hour period that you work for us; and
 - 6.1.2 at least 24 hours in each seven-day period that you work for us; or
 - 6.1.3 at least 48 hours (or two uninterrupted rest periods each of at least 24 hours) in each 14-day period that you work for us.
- 6.2 These rights do not apply to shift workers who do not have enough time to take their rest period between the end of one shift and the start of the next, or to workers who work split shifts. In such circumstances, we will allow you to take an equivalent period of compensatory rest at a time agreed with your Line Manager.

7 Night workers

- 7.1 If you are a night worker (i.e., work at least three hours between midnight and 5am) you should not work more than an average of eight hours in every 24-hour period. If you are or may be at risk of working in excess of these hours, you should let your Line Manager know as soon as possible.
- 7.2 You will be offered a free health assessment before becoming a night worker and free yearly health checks thereafter.

8 Young workers

- 8.1 A young worker is someone under the age of 18 but over the compulsory school leaving age. If you are a young worker, you have the right to a rest break of 30-minutes during any working day that exceeds four and a half hours. You also have the right to the following uninterrupted rest periods:
- 8.1.1 at least 12 consecutive hours in each 24-hour period that you work for us; and
 - 8.1.2 at least 48 hours in each seven-day period that you work for us.
- 8.2 If there are exceptional circumstances resulting in you not being able to take your breaks or rest periods, we will allow you to take an equivalent period of compensatory rest at a time agreed with your Line Manager.
- 8.3 We cannot employ a young worker to work more than 40-hours in any week or for more than eight hours on any day. If you are a young worker that has a second job, you must let your Line Manager know.
- 8.4 We may require a young worker to work longer hours, but only where this is necessary to maintain continuity of production or service or to respond to a surge in demand. This is provided that there is no adult worker available to carry out the work and any training or educational needs of the young worker are not negatively affected.
- 8.5 We do not permit young workers to work between certain hours of the morning, evening and night. If you are unsure contact your Line Manager.

9 Working time

- 9.1 Working time means any period that you are working and carrying out activities and duties on our behalf. This includes job-related training, business travel, working lunches, and on-call time.

- 9.2 Working time does not include rest breaks, travel time outside your normal working hours, periods during which you receive non-job-related training or travel from your home to your place of work.
- 9.3 However, if you do not have a fixed place of work, time spent travelling from home to your first appointment of the day and from your last appointment of the day to your home does count as working time.
- 9.4 For the avoidance of doubt, working time does not include time when you, despite being at the workplace, are not available to work or you are pursuing outside interests during that time.

10 Complaints

- 10.1 If you feel that you have been unfairly treated regarding your working hours for example being required to work excessive hours or not being permitted to take sufficient rest breaks, you should raise this informally with your Line Manager.
- 10.2 If your complaint relates to your Line Manager, you can raise this with a senior manager.
- 10.3 If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you should make a formal complaint using our Grievance Procedure.

11 Review

- 11.1 This policy may be reviewed at any time at the request of any member of staff, but it will be automatically reviewed two years after initial approval and thereafter on a biennial basis unless organisational changes, legislations, guidance, or non-compliance prompt an earlier review.

12 Definitions

- 12.1 Ben’s Centre (“we”, “us”, “our”)
- 12.2 The Employee (“you”)

Document control box

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