



Human Resources

OVERTIME AND ADDITIONAL HOURS POLICY

This policy confirms the University’s approach to the management and payment of any additional hours or overtime worked.

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1 Purpose and scope

- 1.1 This policy confirms the University's approach to the management and payment of any additional hours or overtime worked. The aim is to ensure consistent and fair treatment for any colleagues that are eligible to claim payment for working such hours.
- 1.2 The policy is not contractual and therefore the University reserves the right to amend this policy as necessary to meet any changing requirements or where it is appropriate in any circumstance.
- 1.3 This policy applies to all employees on the Professional Services salary scale up to and including Band 6, including those who are full-time or part-time, permanent or fixed term.
- 1.4 The policy does not apply to employees engaged on Academic contracts, those on Professional Services salary Bands 7 or above (other than with reference to the 'Open Day' rate – see section 6), those employed on a senior management contract and pay-scale, or any other employee who has a clause in their contract stating that they are expected to work such hours as are reasonably necessary to fulfil their duties and responsibilities. Where an employee on Professional Services salary Bands 7 or above has been required to work long hours on a sustained basis, the Head of Professional Service may instead grant time off in lieu (TOIL) for that employee where it is deemed appropriate to do so and in accordance with the University's policy. TOIL is accrued at the basic rate and not at an enhanced rate ([see TOIL policy](#)).
- 1.5 Other than in such circumstances where it is deemed appropriate for the 'Open Day' rate to apply (see section 6), employees who work any hours for the University, but in a different capacity to their contracted substantive role and outside of their normal working hours for their substantive post (e.g. an administrator working hours as a cleaner in the evenings or at the weekend), will also not be covered by this policy. Such individuals will be paid at the appropriate rate of pay (usually at the bottom point of the associated salary banding, and at a basic, not an enhanced, rate) for the work they are carrying out. They should not be paid at the basic or enhanced rate that is applicable to their substantive role. This will be the case regardless of whether the work they are carrying out is normally remunerated at a higher or lower salary banding to their substantive post with the University, and regardless of whether they are full-time or part-time in their normal substantive role.
- 1.6 This policy does not cover: -
 - Time off in Lieu (TOIL) – time that is taken off when employees work beyond their contractual weekly hours but are not paid for the additional time worked ([TOIL policy](#))
 - Flexi-time - when employees work their total number of contractual hours but are permitted to do so with some degree of flexibility as to when they work these hours, and with the option to 'bank' hours to later take as time off where appropriate. The rules and parameters of such flexi-

time schemes are usually determined locally by the Director or Head of a professional services department for which such a scheme is deemed operationally feasible and appropriate.

2 Definitions

- 2.1 Additional hours are any extra hours worked by a part-time employee in their substantive post and on what is, or could normally be, a scheduled working day during their normal working week, but which still results in them working a total number of weekly hours that are no more than a standard full-time contract (i.e. still equate to a total of no more than 37 hours per week). Such hours will have been worked with the prior agreement of their line manager, to meet a particular circumstance, and not just at the personal choice of the employee.
- 2.2 Overtime is defined as any extra hours worked by either a full-time or part-time employee, in their substantive post, and that either:
- results in the employee's total weekly hours exceeding those of a standard full-time contract (i.e. amount to a total number of hours which is in excess of 37 hours per week); or,
 - are worked in addition to the hours of their normal working week (regardless of whether that normal week is full-time or part-time) and on what should have otherwise been a designated rest day for the department (see paragraph 4.2 below for further information on designated rest days).

Such hours will have been worked with the prior agreement of their line manager, to meet a particular circumstance, and not just at the personal choice of the employee.

3 Principles

- 3.1 The University will seek to minimise, wherever possible, the requirement for employees to need to work in excess of their weekly contractual hours, however, it is recognised that in some circumstances, to meet the operational needs of the University during peak periods or when wider resource might be limited, an employee may be asked to work over and above their contractual working hours. Unless the employee's contract of employment requires them to complete a specified number of hours of guaranteed overtime, any additional hours or overtime worked will be voluntary and therefore an employee can decline to work any extra hours requested of them, should they wish to do so.
- 3.2 Additional hours or overtime will very often need to be worked to fulfil a specific business need (e.g. to meet a particular deadline), and therefore the request or requirement to work such hours will usually be limited to only one or a small number of employees who have the specific skill set to fulfil that business need. When additional hours or overtime are justified more generally within the team

however (e.g. due to peak periods), the line manager should inform all of those employees who have the necessary skills and experience and invite expressions of interest. The line manager may either share the work within the team or allocate on a rotational basis to ensure that the opportunity is spread among interested parties in a fair and transparent manner. A record should be kept by the line manager of who has been offered extra hours and the rationale for allocating those hours to them, rather than to their other colleagues.

- 3.3 When asking an employee to work overtime, the Working Time Regulations 1998 (WTR) must be considered. These guidelines state that an individual should not normally work more than 48 hours per week on average (averaged over 17 weeks) and stipulate rules around rest days and rest breaks. Managers should seek guidance from HR on the WTR if any employee's overtime is likely to exceed an average of a 48-hour working week, will lead to them working more than 6 days per week or 12 days per fortnight, or will lead to them not having an 11-hour rest period between each day worked. Employees who work six hours or more on any day must also always take a minimum of a 20-minute rest break (which at the University is a minimum of a 30-minute rest break (i.e. lunch break)). The 30-minute rest break cannot be substituted or missed to accrue additional hours or overtime pay.
- 3.4 If an employee is concerned about the way in which additional hours and overtime is being managed within their department, they should raise the matter with their line manager in the first instance. If the matter is not resolved at this stage, or they remain concerned, they may seek advice from HR.

4 Payment

- 4.1 When an employee works additional hours or overtime in their substantive post, providing the conditions in Section 5 are satisfied and unless stated otherwise within the employee's contract, the following rates of pay will apply: -
- 4.1.1. any additional hours worked by a part-time employee (see definition of additional hours in paragraph 2.1 above), up to the point of them working a total of 37 hours per week, will be paid at their standard hourly rate;
 - 4.1.2. any overtime worked (see definition of overtime in paragraph 2.2 above) during the normal working week of the department will be paid at time and a half;
 - 4.1.3. any overtime worked (see definition of overtime in paragraph 2.2 above) on days that are designated rest days for the department (see paragraph 4.2 below) will be paid at time and a half (except for bank holidays which are paid at double time).
- 4.2 The normal working week and designated rest days for each department or team will be determined by the nature of the service provided and defined by the Head of Professional Service. For example, typically the normal working week in many departments will be Monday to Friday with designated

rest days for all staff (both full and part-time) therefore being Saturday and Sunday. For some customer facing services however (e.g. The Hive, Estates and Facilities, Arena or Lakeside etc), the normal working week may be any days of the week and with designated rest days being confirmed on an individual basis as dictated by either the department's weekly staff rota or by a defined shift pattern.

- 4.3 For any staff who work fewer than five days per week, any other days they are not scheduled to work each week will be allocated as non-working days (e.g. someone who only works Monday to Wednesday in a traditional office environment will have Thursday and Friday as non-working days and two designated rest days on a Saturday and Sunday). Any additional hours worked on a non-working day, rather than a designated rest day, will be paid at the individual's standard hourly rate (unless those additional hours result in them exceeding a total of 37 hours per week – see paragraph 4.1.2 above).
- 4.4 Employees who have not worked a full consecutive run of their scheduled working days/shifts will not normally be eligible to work any available additional hours or overtime on any of their designated rest days immediately thereafter; except where some or all of the originally scheduled shifts have been taken as annual leave (individual circumstances will be taken into account).

5 Authorisation and approval

- 5.1 Any additional hours or overtime must be authorised as far in advance as possible, by the relevant line manager, and in every case must be authorised, including confirmation of the appropriate rate of pay as detailed in paragraph 4.1, by the budget manager in writing before the employee/s begin to work any such hours. The precise number of extra hours being approved for the accrual of additional pay should be detailed in that written authorisation wherever possible (or an indication/estimate of, should a precise number of hours not be able to be identified beforehand). This will help to ensure that excess hours are not worked without appropriate management oversight.
- 5.2 In situations where a part-time employee is working a specified number of additional hours per week, and for a sustained period of more than 12 weeks (e.g. an additional 5 hours per week every week for 6 months), such hours will also require the submission and approval of an ATR before any additional hours are worked. Such a consistent increase in hours will usually result in a temporary adjustment to the individual's contractual terms. This is in order to ensure that additional benefits (e.g. annual leave, sick pay etc) are accrued and paid correctly during such a period of increased hours.
- 5.3 To remove any uncertainty for either party and when approving the business need for the hours to be carried out, the line manager should confirm the appropriate rate of pay for the work, as detailed in paragraph 4.1 and approved in paragraph 5.1, to the employee/s in writing, usually via email,

before the additional hours or overtime commences. Where the request to work extra hours is at very short notice (i.e. on the same day as the hours are required to be worked) as a minimum such detail should be provided to the employee/s verbally in the first instance, before any additional hours or overtime are worked, and then confirmed via email as soon as possible thereafter.

- 5.4 To claim payment of any additional hours or overtime worked (other than in such as instance as referred to in clause 5.2 above), the employee/s must complete a timesheet which should be authorised by the relevant line manager and submitted to the Payroll Department for payment.
- 5.5 Payments will only be made where the employee/s works a minimum of an extra 30 minutes or more in any day and in 30-minute blocks thereafter.
- 5.6 The Payroll Department will pay in line with hours worked and authorised through timesheets submitted and will adhere to this policy when remunerating any additional hours or overtime worked. The Payroll Department will, where necessary, adjust any incorrect rates of pay stipulated on an authorised timesheet. To prevent any confusion for the employee/s concerned therefore, it is imperative that the line manager ensures the correct rate of pay is included on the timesheet in accordance with the definitions and parameters outlined in paragraph 4.1. above and as authorised by the budget manager in paragraph 5.1 above.
- 5.7 Heads of Professional Service are expected to monitor the spend in their department and ensure any additional hours or overtime are managed appropriately.
- 5.8 If a manager is concerned about the amount of overtime or additional hours an employee is working or requesting to work, or there is a concern about the accuracy of additional hours or overtime details submitted by the employee for payment, they should raise the matter with the employee in the first instance. If the matter is not resolved at this stage, or they remain concerned, they may seek advice from HR. Abuse of the overtime arrangements will be deemed as a disciplinary offence and may result in disciplinary action, up to and including dismissal for gross misconduct should it be determined that fraudulent activity has taken place.

6 'Open Day' rate

- 6.1 The University applies a set rate of pay for Professional Services colleagues who work additional hours on a University Open Day, a Visit Day scheduled on a weekend or during Welcome Week, and who are carrying out duties that are directly related to the smooth running of such an event (e.g. meet and greet, car parking steward etc) rather than for the purposes of their normal substantive role. This can include individuals from departments who may not traditionally need to work on such days but who offer/agree to do so. The set rate applied is therefore intended to ensure parity of financial reward for working such hours, regardless of the individual's usual substantive pay banding and irrespective of the types of duties they are then actually required to carry out on the day.

- 6.2 Noting that individuals at Band 7 or above are not usually eligible to claim payment for additional hours worked, the ‘open day’ rate is positioned at approximately the mid-point of the pay scale between Band 1 and Band 7 and is therefore based on Band 5, pt 17, paid at a rate of time and a half. The rate increases with any nationally negotiated cost of living rises that are applied to the main pay scale.
- 6.3 Individuals eligible to claim this rate of pay can include employees at Band 7 and above should it be deemed, after discussion with their line manager, that this is more appropriate or feasible than them taking time in lieu (TOIL) instead.

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