

Compressed Hours

Working Time and Flexible Working

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Overview

This section describes the British Council's compressed hours scheme. The scheme allows staff to adapt their working patterns to meet their personal needs, while fitting in with the operational needs of the organisation. 'Compressed hours' means working the total normal full-time hours but in fewer days, that is, by working longer days.

This section covers:

- work patterns
- flexi-time and overtime
- applying for compressed hours
- refusing a compressed hours application
- ending a compressed hours arrangement.

Audience

This policy applies to UK-appointed staff. It can provide good practice guidance for country/territory TACOS and/or English and Exams/ OAS staff contracts, subject to local law and conditions.

Responsibilities

Line managers and members of staff are responsible for carrying out these procedures.

Policy

The British Council has a flexible working policy, of which compressed hours is one element (see also Reduced Hours, Flexi Time, Job-Sharing, Annualised Hours, Career Breaks, and other policies designed to improve work/life balance).

Staff pay and benefits are not affected by a move to compressed hours, as the total hours worked are unaffected.

All compressed hours arrangements are subject to an initial three-month formal review period and thereafter are kept under regular review alongside performance reviews.

Guidance

Work patterns

A work pattern is usually fixed so that a member of staff works the same days every week. The work pattern can be changed for operational or personal reasons. The most common compressed hours patterns are:

- a four-day week (four days of 10 hours, including a lunch hour)
- a four-and-a-half-day week (four days of 9 hrs 12 minutes and a half day of 4 hours 12 minutes, including a lunch hour, on all five days)
- nine-day fortnight (nine days of 9 hours, including a lunch hour).

Please note these examples are based on the British Council UK working week.

A member of staff wishing to take a regular amount of time off each week or fortnight must do so under a compressed hours arrangement and not a flexi-time arrangement.

If a member of staff has agreed a compressed hours arrangement, this does not become a permanent or guaranteed right. For operational or performance reasons, line managers may adjust or suspend the arrangement with appropriate notice, that is a minimum of one month.

Flexi-time and overtime

Compressed hours may be combined with flexi-time arrangements. Line managers must ensure, however, that members of staff working such a pattern in an EU member country do

not breach the British Council's obligations under the 1993 European Union Working Time Directive. In the UK, this is covered by the Working Time Regulations 1998. This stipulates a consecutive 11-hour rest period in every 24 hours. The same principles should apply to members of staff working a similar pattern in countries outside the EU.

In addition, members of staff working a compressed hours and flexi-time pattern, and their line managers, must carefully monitor the hours worked to ensure there is no accumulating surplus or deficit. These may be difficult to adjust later, given the reduced number of days that members of staff work under a compressed hours arrangement.

Members of staff who work more than a standard full-time week qualify for time off in lieu (TOIL) or paid overtime under normal rules (see Flexi Time), provided the additional hours worked are not subsequently taken off under the flexi-leave arrangement. Overtime is worked at the discretion of management in order to meet a particular operational need and must be authorised in advance by the relevant line manager.

In view of the requirement, under this arrangement, to work a fixed pattern of days/hours, members of staff may need to consider other flexible working patterns if this one does not suit their needs.

Maternity leave

A member of staff's entitlement to maternity leave is not affected by moving to a compressed hours arrangement.

Procedures

Applying for compressed hours

1. Members of staff who want to work compressed hours must submit a request in writing to their line manager using the Compressed Hours Working Application Form.
2. Line managers must discuss with the staff members how the compressed pattern might work in practice and take into account the implications for the rest of the team.

Although compressed hours working is not a right, line managers must make every effort to accommodate applications where they do not have an adverse effect on the efficiency of the work group or on colleagues' workloads.

3. For UK-appointed staff, special procedures exist if a member of staff is applying to work flexibly because of caring responsibilities for children under age six (or age 18 where the child is disabled). Managers must check whether applicants for compressed hours fall into this category and, if so, follow the procedures and time-scales set out in Parental Right to Request Flexible Working. These are legal requirements and over-ride the procedures outlined in this chapter.
4. Line managers must take into account the following issues when considering a request for compressed hours:
 - whether the days when the member of staff works extended hours could improve the service offered by a team (for example, by extending the hours staff are available to answer telephone enquiries)
 - whether the loss of one day a week or fortnight could detract from the service offered by a team
 - the suitability of the member of staff (for example, are they self-motivated to work for some periods of the day without other colleagues around)
 - health and safety issues (for example, if a member of staff working flexibly is the only remaining person in the building, could his or her security be at risk?)
 - how much daily face-to-face contact with colleagues and/or clients the job involves, as the member of staff will no longer be in the office every day.

5. If compressed hours working is agreed, the line manager must discuss the member of staff's preferred pattern of working. For example, if the member of staff wants to work Tuesday to Friday, but Monday is normally the busiest day for the team, the line manager can ask the member of staff to agree to an alternative day off.
6. The line manager must make clear to the member of staff that compressed hours working is subject to changes in operational needs.

Refusing a compressed hours application

If a line manager is unable to agree to a request for compressed hours working, compromise solutions such as a parent's contract (see Parents' Contracts) or flexible working hours (see Flexi Time) must be considered. A member of staff may appeal against a decision to refuse compressed hours working, if there is no compromise solution.

If a particular job cannot accommodate compressed hours, then a member of staff may want to look for an alternative post that can accommodate such an arrangement. The member of staff may have to wait for a post to become available that meets the individual needs.

Calculating annual leave

Calculate the annual leave entitlement of a member of staff working compressed hours as follows:

1. Take the annual leave entitlement based on working a standard five-day week (for example, 32 days in the UK).
2. Divide it by the number of days in the week/fortnight (depending on whether the compressed hour pattern is weekly/fortnightly). That is, divide it by 5 or by 10.
3. Multiply the result by the number of days actually worked each week or each fortnight.

Example 1

If a member of staff's existing annual leave entitlement is 32 days and the work pattern is four long days a week, the annual leave entitlement under the compressed hours arrangement is:

32 days divided by 5 and multiplied by 4 = 25.6 days (rounded up to 26 days)

Example 2

If a member of staff's existing annual leave entitlement is 32 days and the work pattern is a nine-day fortnight, the annual leave entitlement under the compressed hours arrangement is:

32 days divided by 10 and multiplied by 9 = 28.8 (rounded up to 29 days)

Calculating statutory and privilege holidays

Statutory and privilege holidays, that is public holidays, are calculated in a similar way but in two stages.

Stage 1

Calculate the basic entitlement. For example:

- In the UK, where the number of statutory and privilege holidays a year is 8.5, a member of staff working four long days receives the following entitlement:
8.5 days divided by 5 and multiplied by 4 = 6.8 (rounded up to 7 days)
- UK staff working a nine-day fortnight receive:
8.5 days divided by 10 and multiplied by 9 = 7.6 (rounded up to 8 days)

Stage 2

Adjust annual leave entitlement, as follows:

1. At the beginning of each annual leave year, the member of staff, with the line manager, works out how many bank holidays fall on days when the member of staff would normally work.
2. Subtract these days from the number of statutory and privilege holidays to which the member of staff is entitled.
3. Add the result to the annual leave entitlement.

For example:

A member of staff in the UK is entitled to 26 days annual leave and seven days statutory and privilege holidays. Four of the latter fall on a Monday, a day when the member of a staff normally works, giving:

7 days minus 4 days = 3 days.

Three days are added to the annual leave due of 26 days, giving a total of 29 days leave.

These calculations do not disadvantage a member of staff working compressed hours. There is no actual loss in the number of days annual leave or statutory and privilege holidays received. The calculation is different to ensure that staff working compressed hours receive equivalent entitlements.

In the UK, a standard leave day consists of 7.2 hours, that is, the number of hours a member of staff works a week on standard hours (36 hours), divided by 5 (the number of days in a week). However, a member of staff working compressed hours might work 9 hours for 4 days. Unless a leave adjustment is made, a day's leave would in effect be more than the entitlement, that is, 9 hours rather than 7.2 hours.

A leave Calculator is available for members of staff working compressed hours who wish to calculate their annual leave entitlement.

Calculating sickness leave

Occupational paid sickness absence is calculated in a similar way to annual leave. For example, if a member of staff works full time over four days, the maximum entitlement to occupational paid sickness absence is calculated as the maximum entitlement for a member of staff working full time to receive occupational sick pay on full pay, divided by a calendar week, multiplied by the number of days worked in a week. That is:

182 (max entitlement), divided by 7 (calendar week), multiplied by 4 (days worked per week)
= 104 days

In this example, the member of staff is entitled to 104 days occupational paid sickness absence with effect from the date compressed hours working began. However, only working days count against the occupational paid sickness absence allowance, that is, Saturdays, Sundays and other days not due to be worked which occur during a period of sickness absence do not count against the allowance.

The entitlement to paid occupational sickness absence on half pay is calculated in the same way.

Ending a compressed hours arrangement

1. If a member of staff wants to cancel a compressed hours arrangement and return to standard hours, or move to another flexible pattern, such as a parent's contract (see Parents' Contracts) or reduced hours working (see Reduced Hours), he or she must make a request in writing.

2. Staff must give one month's notice from the date when the change is requested.
3. The line manager must acknowledge receipt of the request.
4. If operational needs require a change, line managers must discuss possible changes to the compressed hours working schedule to accommodate the change, for example:
 - changing the days worked
 - moving from a four-day week to a nine-day fortnight
 - working a different flexible pattern.
5. If operational needs require a change in work pattern that is not acceptable to a member of staff, the line manager must proceed as described above under Refusing a compressed hours application.
6. If the final outcome is that the post is unacceptable to a member of staff because of the required work pattern, the line manager must write formally to:
 - offer the member of staff the revised job
 - explain that, if this is unacceptable, the current post will come to an end in no less than one month's time from the date of the letter.
7. In this situation, the line manager must help the member of staff, as far as possible, to find an alternative job able to accommodate the necessary work pattern. The member of staff remains the responsibility of the line manager until the situation has been resolved.

Letter to Member of Staff Moving to Compressed Hours

Staff in confidence

Date

Dear

I am writing to confirm formally our agreement that you will transfer from working a standard full-time working week of _____ [insert hours] from Monday to Friday, to working _____ [insert hours] hours a week as a compressed hours arrangement with effect from _____ [insert date].

The agreed compressed hours working arrangement is as follows:

[HR Services/HR manager overseas completes this section and states the specific compressed hours working arrangement]

- This arrangement will be subject to an initial review after three months and thereafter at regular intervals.
- Your emoluments will not be affected by this change.
- If you, with the agreement of your line manager, work more than a standard full-time week, you may qualify for time off in lieu or paid overtime under normal rules (see *Standard Working Hours, Overtime and TOIL*), provided the additional hours which have been worked are not subsequently taken off under the flexi-leave arrangement. Any overtime payment must be authorised in advance by your line manager.
- You will be available for work each week according to the pattern agreed with your line manager.

- From _____ [insert commencement date of arrangement], your entitlement to annual leave will be at the rate of ____ [insert number of days] working days a year. A revised statement of leave due to you this year is attached. You will also be entitled to normal privilege and statutory holidays as per policy.
- As not all jobs in the British Council (BC) can accommodate compressed hours working, the BC's ability to continue to offer you work on a compressed hours basis depends on operational factors. The BC therefore reserves the right to transfer you back to standard hours working if the need arises. In this event, the BC will give you not less than one month's notice. If the BC decides that you cannot continue to work compressed hours in your present job, it will take one of the following steps, depending on operational practicability and your personal preference:
 - BC will offer you the job on a full-time standard hours basis.
 - BC will encourage you to look for another suitable job on a compressed hours basis.
- If you wish to change your hours or revert to standard hours at any time, you must give your line manager notice in writing of not less than one month. Your line manager will consider whether it would be possible to convert your job accordingly. If this is not possible, or if you want to apply for a different job, you must use the normal BC mechanisms for securing a suitable job.
- If you resign while working compressed hours, your period of notice is that appropriate to your pay band.
- Except as varied by this letter, your terms and conditions of employment remain unchanged by this arrangement.

If you agree to these changes to your contract of employment, please sign and return a copy of this letter.

Yours sincerely,

Head of work group/line manager

Enc: Leave statement

Cc HR Services/overseas HR manager

Member of staff's file, HR Registry

Pay and Employment Relations (Pensions), HR

I hereby accept the changes to my contract of employment as outlined in this letter.

Signed _____

Date _____

Name (in capitals) _____