



Washwood Heath
Multi Academy Trust

Banked Hours Policy & Procedure

Prepared by:	Director of HR in consultation with HR colleagues, heads of academy & city-wide unions
Applies to:	Relevant Support Staff in WHMAT Academies
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1.0 Commitment & purpose

- 1.1 The Board of Directors of Washwood Heath Multi Academy Trust (“WHMAT”) acknowledges that:
 - 1.1.1 WHMAT employees are not contractually entitled to bank hours; and
 - 1.1.2 Banked hours arrangements should only be agreed by Heads of Academy if there is a genuine business need;
- 1.2 However, it also recognises that:
 - 1.2.1 There may be occasions where it is in WHMAT’s best interests for employees to bank hours; and
 - 1.2.2 Allowing employees to work more flexibly through discretionary schemes such as this, may increase their motivation, productivity and overall engagement.
- 1.3 This procedure has therefore been ratified by the Board of Directors to help manage the banked hours process, and to ensure that the system is being managed consistently and fairly across WHMAT by employees, Heads of Academy and HR colleagues.

2.0 Definition

- 2.1 Banking hours is when an employee is contracted to work a specific number of working hours per week under their contract of employment, but the Head of Academy (or CEO in the case of head office employees), agrees that they can work more or “bank” additional hours each week in order to take additional paid time off during the school holidays.
- 2.2 There are currently 3 types of banked hours staff within WHMAT (see further FAQs at appendix 3). However, this procedure only applies to “traditional banked hours staff”.
- 2.3 Banked hours should not be confused with overtime/additional hours, which may only be repaid as time off in lieu (“TOIL”) or as an additional salary payment with the prior approval of the Head of Academy (or CEO in the case of head office employees).

3.0 Application

- 3.1 This procedure only applies to all-year-round support staff (class and non-class based) who have been asked by their Head of Academy (or CEO in the case of head office employees) to bank hours. Such requests will only be made by the Head of Academy (or the CEO in the case of Head Office employees) if there is a genuine and ongoing business need.

- 3.2 Term-time-only employees are not covered by this procedure and should not be asked to bank hours.

4.0 Roles & Responsibilities

- 4.1 If a **Head of Academy (or the CEO in case of Head Office employees)** requires a relevant employee to bank hours, **they shall (in consultation with HR)** provide the employee with:

4.1.1 A “banked hours notification letter, calculation and timesheet” (either at the beginning of each academic year, or when the arrangement starts, which may be on appointment). This should set out their start time, finish time, length of lunch, hours worked per day, and hours worked per week. It should clarify how many hours the employee needs to bank each week in order to take the holidays off, together with clarification as to how this has been calculated “banked hours calculation” (see appendix 1).

4.1.2 A “banked hours time sheet”, which the employee is required to complete on a weekly basis by inserting hours worked/start and finish times and getting this countersigned by their line manager on a weekly basis (see appendix 1). The Head of Academy should make it clear that it is the employee’s responsibility to log their hours on a weekly basis, to get the log countersigned by their line manager and to return it to HR for audit purposes by the Monday of the following week (unless there are exceptional circumstances).

4.1.3 The Head of Academy should also make it clear to relevant employees that if an employee is off sick or takes other agreed special leave of absence, this cannot be banked, so more hours will be owed for that particular week.

4.1.4 On a half termly basis, the Head of Academy should review whether the employee owes hours prior to the next school holiday starting. If this is the case, they should discuss and agree how the employee will make up the time and agree reasonable measurable outcomes i.e. what work needs to be completed and by when.

- 4.2 **Banked hours employees** shall be responsible for:

4.2.1 Working to the core hours set out in the “banked hours notification letter” and banking the additional weekly time as set out in their “banked hours calculation” (appendix 1).

4.2.2 Logging their hours worked on a “banked hours timesheet” on a weekly basis and ensuring that they sign this off and arrange for countersignature by their line manager (appendix 1).

4.2.3 Providing completed timesheets to the person responsible for operational HR matters (unless there is a conflict of interest, in which case these should be

audited by another senior manager) by close of play on the Monday following the end of the previous week (unless there are exceptional circumstances).

- 4.2.4 Logging any sick leave, training courses or other agreed special leave of absence on their timesheets accurately on a weekly basis and ensuring that they make up any hours owed for that particular week.
- 4.2.5 Monitoring their timesheets on a weekly basis so that they are aware of whether they owe hours prior to a school holiday commencing. In these circumstances, they have a joint responsibility with the Head of Academy for making up any hours owed to WHMAT prior to a school holiday, or discussing this with their Head of Academy if this is not possible.
- 4.2.6 Notifying HR immediately if their hours or pattern of work changes, so that the banked hours calculation can be recalculated and the banked hours notification letter amended accordingly.
- 4.2.7 Adopting a flexible attitude if a Head of Academy requires them to work during a particular holiday to meet WHMAT's business needs. This is on the basis that banked hours is not a right, but a goodwill gesture that can be agreed between employee and Head of Academy.

4.3 **The person or persons responsible for operational HR matters in individual academies** shall be responsible for:

- 4.3.1 Monitoring the return of weekly timesheets from relevant employees and chasing where necessary to ensure that an up-to-date audit trail is available;
- 4.3.2 Monitoring whether the employee is banking enough hours in order to be taking all of the holidays off by completing a "banked hours record" for each relevant employee on a weekly basis (appendix 2). If employees are in debit at the end of a month because special leave or sick leave has been taken when additional time has not been banked to cover the holiday period, they should liaise with the Head of Academy to see what has been agreed for the particular employee. The Head of Academy may agree how and when they can make up any hours owed, or may advise that there is not a business need for the employee to make up the hours, in which case an appropriate salary adjustment should be made by HR in line with records kept. In the case of a salary adjustment being necessary, HR will notify the employee in advance of what the adjustment will be and the basis for this deduction from their salary.
- 4.3.3 Notifying all banked hours employees on a half termly basis, copied to the Head of Academy, if they are falling behind with their hours and explaining what the shortfall is.
- 4.3.4 Promptly reporting to the Director of HR if there are concerns about the way that the banked hours system is operating or they suspect that the system is being abused.

4.4 The Director of HR for WHMAT shall be responsible for:

4.4.1 Drafting and implementing this procedure and reviewing its effectiveness on an annual basis.

4.4.2 Conducting unannounced spot checks across WHMAT academies to ensure that the banked hours system is being audited and monitored fairly and consistently in line with this procedure.

5.0 Excess hours

5.1 Employees who work in excess of the banked hours requirement previously notified to them for an academic year, cannot carry these hours over to the next academic year unless there are exceptional circumstances and this has been agreed by the Head of Academy, in consultation with the Director of HR.

6.0 Deficit Hours

6.1 Employees who have not banked enough hours prior to a school holiday in order to take the full holiday off should either: a) agree with their Head of Academy how and when they will make up the deficit hours e.g. by agreeing to report for duties in the usual way during all or part of the school holidays; or b) agreeing to an appropriate salary adjustment on the basis that they have been overpaid for banking insufficient hours under this procedure and in line with their banked hours notification letter and calculation.

7.0 Disciplinary action

7.1 In order to ensure that the banked hours system operates fairly and consistently across WHMAT, relevant employees are reminded that their failure, without good excuse, to follow this procedure may lead to disciplinary action in line with WHMAT's disciplinary procedure.

Appendix 1 – Banked Hours Notification Letter & Calculation Form

Our Ref: HR/Banked Hours/Date

PRIVATE AND CONFIDENTIAL

Name [Insert]

[Insert] Academy

Dear [Insert name]

BANKED HOURS NOTIFICATION LETTER & CALCULATION FOR [insert academic year]

In line with Washwood Heath Multi Academy Trust's ("WHMAT's") Banked Hours Procedure, please see attached your banked hours calculation for [insert year] academic year for your role of [Insert].

Your banked hours calculation is based on your current annual leave entitlement and core working hours. Bank holidays and concessionary days have also been taken into consideration.

Your 'core' working hours are:	Start time:	[insert core hours]
	Finish Time:	[insert core hours]
	Lunch*:	30 minutes
	Hours worked per day:	7 hrs 18 minutes (7.3 hours) [this is for a full time employee/for part-time, specify part-time equivalent]
	Hours per week:	36 hrs 30 minutes [this is for full-time employee/for part-time, specify part-time equivalent]

(* In line with the statutory working time regulations 1988, you must legally take this break, there is no provision to 'bank' this.)

As detailed in the attached calculation, you are required to bank an additional [insert figure] hours per week in order to take off all of the school holidays and the [3] disaggregated days during the [insert academic year] (specify here what the agreed disaggregated days are i.e. 28 November 2016; 24 and 25 July 2017).

As outlined in the WHMAT Banked Hours Procedure attached, in order to benefit from this discretionary arrangement, you are required to:

- Log your working hours on a daily basis using the attached timesheet, ensuring that it is signed by you and countersigned by your line manager at the end of each working week.
- Return your signed timesheet to HR for audit purposes by the Monday of the following week on a weekly basis (unless there are exceptional circumstances).

- Log any sick leave, training courses or other agreed special leave of absence on your timesheets accurately on a weekly basis and ensure that you make up any hours owed for that particular week.

- Monitor your timesheets on a weekly basis so that you are aware of whether you owe hours prior to a school holiday commencing. In these circumstances, you have a joint responsibility with the Head of Academy for making up any hours owed to WHMAT prior to a school holiday, or discussing this with them in advance if this is not possible.

- Notify HR immediately if your hours or pattern of work changes, so that the banked hours calculation can be recalculated and the banked hours notification letter amended accordingly.

- Adopt a flexible attitude if a Head of Academy requires you to work during a particular holiday to meet WHMAT's business needs. This is on the basis that banked hours is not a right, but a goodwill gesture that can be agreed between employee and Head of Academy if there is a genuine and ongoing business need.

Please note it is your responsibility to keep a track of your weekly hours worked and to make sure you are working your required banked hours every week.

As part of WHMAT audit requirements, HR will audit all timesheets every term to ensure they are in line with WHMAT's banked hours procedure.

In the meantime, if you have any queries then please do not hesitate to contact **[insert HR contact for relevant academy]**.

Yours sincerely

Head of Academy

Enc. Banked Hours Procedure, Banked Hours Calculation & Employee Banked Hours Timesheet

BANKED HOURS CALCULATION FORM
ACADEMIC YEAR [2016-2017-amend as appropriate]

Name:

Job Title:

Continuous Service in years & months as of 1st April [insert year]

Annual Leave Entitlement in days as at 1 April [insert year]

Based on your annual leave entitlement of [x] days', you are required to work a total of [time in hours e.g. 41.30 hours per week]

In line with your working pattern and contract of employment, this has been calculated as follows:

[Insert calculation]

However, there are [3-may change annually] disaggregated days during the [2016-2017] academic year, and it has been agreed for the 21.9 hours (7.3 x 3 days) to be included in the above.

[Insert calculation]

Total hours you are required to work each week = [insert total hours plus amount of time employee is required to bank each day on top of core working hours].

BANKED HOURS TIMESHEET

Academic Year [2016-2017-**amend as appropriate**]

Name: _____

Job Title: _____

Week commencing: _____

	HOURS WORKED EACH SCHOOL DAY**		HR OFFICE USE ONLY		
	Start	Finish	TOTAL	minus	ACTUAL
MONDAY				-.50*	
TUESDAY				-.50*	
WEDNESDAY				-.50*	
THURSDAY				-.50*	
FRIDAY				-.50*	

Additional days – sat/ in holidays etc..			
	WEEKLY CREDIT/DEBIT		

* 100 digit clock, ie .50 equates to 30 minutes

** The times recorded should be actual start and finish times. Please be aware that 30 minutes will automatically be deducted on each day to take into account your official break

Signature: _____
 (Employee) Date: _____

Signature: _____ (Line
 Manager) Date: _____

**THIS FORM SHOULD BE SUBMITTED TO THE HUMAN RESOURCES OFFICE BY
 MONDAY OF THE FOLLOWING WEEK**

**FAILURE TO DO SO MAY RESULT IN DISCIPLINARY ACTION OR TO THIS BENEFIT
 BEING REMOVED**

Appendix 2 – Banked Hours Record



Academic Year [2016-2017-amend as appropriate]

Name: _____

Job Title: _____

Weekly working hours requirement: _____

Week Commencing	Hours Submitted	Hours Required	Hours - DR/CR	Running Total

Appendix 3 – Banking Hours for Christmas – Frequently Asked Questions (“FAQs”)

1. What is “banking hours”?

Banking hours is when an employee is contracted to work a specific number of hours per week under their contracts of employment (known as their “core hours”), but their Head of Academy agrees that there is a business need for them to work more, or “bank” additional hours each week in order to take additional paid time off in lieu during the school holidays.

2. Who can bank hours?

Across Washwood Heath Multi Academy Trust (“WHMAT”), there are currently 3 types of banked hours staff.

- a) “traditional banked hours staff”. These are all-year-round support staff who the Head of Academy has agreed that it is in the business interest of WHMAT for them to bank additional hours each working day/week in order to take off all of the school holidays. This is a formal arrangement. As such, these staff are told by HR each year how many hours they need to work and are provided with a written timesheet, which they need to complete and return to HR on a weekly basis for audit purposes. This won’t apply to term-time only or teaching staff.
- b) “Christmas banked hours staff”. These are all-year-round support staff who bank or work an additional 15 minutes each working day on top of their core hours in order to take off the Christmas holidays. A full time member of staff would typically gain 8 working days on top of their usual annual leave entitlement but would be expected to use up one of their 4 concessionary days excluding the 3 bank holidays of 25th December, 26th December & 1st January. This is a historical arrangement that has been in place at Washwood Heath Academy for approximately 25 years and which the CEO would like to honour across WHMAT in order to ensure fairness and consistency for affected staff. This won’t apply to term-time only or teaching staff.
- c) “Disaggregated day banked hours staff”. These apply to teaching, all-year-round support staff and/or term-time only staff, but the options vary depending on which category you fall into (for further information see the FAQs on disaggregated days). This

3. How do I bank hours to cover the Christmas break?

Christmas banked hours staff must either:

- a) bank 15 minutes of their lunchbreak; or
- b) make up the additional 15 minutes per working day by coming in earlier or leaving later; or

c) book the time off using your usual annual leave entitlement by following the internal process set out in your base academy.

If you are unsure, please seek clarification from your internal HR Manager (secondaries) or your School Business Manager (primaries).

As this arrangement is based on trust and goodwill, you are not required to complete formal time sheets. However, it is recommended that you keep a personal log of your start and finish times. If you prefer to keep a written log, an optional Excel timesheet is attached.

4. When does this arrangement apply from?

Affected staff should already know if they fall into the categories at 2 above and be banking appropriately. If you are unsure, please discuss with HR asap.

If you are a newly appointed all-year-round member of support staff, you should have been notified by HR and/or your Head of Academy if these arrangements apply to you.

5. Can I choose not to bank hours i.e. to work over the Christmas break instead?

No. All of the academies in WHMAT (currently Washwood Heath Academy, Saltley Academy, Gossey Lane Academy and Brownmead Academy) will be closed over the Christmas break i.e. there is a mandatory close-down. You are therefore required to bank the 15 minutes per day to take this additional annual leave on top of your contractual annual leave.

6. Does this arrangement form part of my written contract of employment?

No. As per question 3 above, banking for the Christmas break is not a written contractual entitlement but a local agreement that has operated at Washwood Heath Academy for many years. WHMAT recognises that this arrangement is based on goodwill and trust. It currently allows relevant staff to gain additional annual leave on top of their basic leave entitlement provided they are banking 15 minutes per day on top of their core working hours.

7. Will this arrangement for "Christmas banked hours staff" last indefinitely?

At this stage, there are no plans to alter this arrangement. The buildings are shut over Christmas and affected staff are not required to come in. If, however, it was no longer deemed to be in the best interests of management going forward, affected staff would be consulted accordingly.

8. What happens if I leave WHMAT part way during the academic year?

If you leave part way through the academic year, HR will calculate what proportion of your contractual and additional annual leave entitlement (i.e. the proportion of Christmas leave that you would have accrued) is still owed to you. Subject to the

agreement of your Line Manager, you will either be entitled to take any outstanding annual leave before you finish at WHMAT, or you will be paid in lieu of it.

9. What happens if I am a traditional banked hours employee and I attend a residential?

If your line manager has agreed that you can attend a residential to support a WHMAT trip, you should log from when you start activities with children to when you finish your day i.e. from start of day to end of day, rather than core hours or typical working day.

Appendix 4 – Disaggregated Days – Frequently Asked Questions (“FAQs”)

1. What are “disaggregated days”?

These are specified days during term time when teaching staff and classroom based support staff **are not required to work**. For 2016/2017, they are 28th November 2016, 24th July & 25th July. Teachers need to have attended sufficient training and/or twilight meetings during the rest of the year as directed by their Head of Academy before taking these days off.

All-year-round support staff have 3 options for these days. You can either request annual leave in the usual way to cover these; b) bank/work sufficient additional hours to cover these days e.g. 7.3 hours per day is a standard day; or c) work a normal day.

Term-time-only staff have 2 options for these days – a) working a normal day; or b) banking sufficient additional core hours to cover these days. TTO do not accrue annual leave so cannot book it to cover these days.

2. Who do they apply to?

They apply to all staff. However, the options and alternatives vary depending on whether you are a teacher or member of support staff (see 1 above).

3. Are they optional?

They are not optional for teaching staff and classroom based support staff as they are not required to work. However, all-year-round support staff and TTO staff have the options at 1 above).

4. When will I find out how many there are and when they fall?

In September each year, the Heads of Academy will designate a specified number of these days for the academic year in consultation with the CEO.

Heads will share the number of days and dates as soon as possible in September of each academic year with all staff.

HR in each academy will then contact all relevant all-year-round support staff asking you to clarify whether you will be a) taking annual leave; b) banking the hours; or c) working. TTO staff will be asked to clarify whether you would like to work as normal, or will bank additional hours beforehand to cover these using the additional hours form (attached).

5. How do I log my hours to cover these days?

HR will email all all-year round support staff, usually at the beginning of the academic year, asking you to confirm whether you will be a) booking these using your existing annual leave entitlement, b) banking the additional hours for some or all of these days; or c) working as normal. If you are banking, HR will notify you how many hours

you will need to bank before the day(s) are taken (7.3 hours required for a full working day multiplied by the number of disaggregated days per annum, pro-rata equivalent for part-time staff).

HR will also email all TTO staff, usually at the beginning of the academic year, asking you to confirm whether you will be a) working on the disaggregated days; or b) banking additional hours in advance to cover these days (you will need to make up 21.9 hours if you work full time, or equivalent for part-time staff) in order to take all 3 disaggregated days off. You should complete an additional hours form to record this (attached).

AYR support staff wishing to take some or all of these days off on top of their contractual annual leave entitlement should either log your start and finish times using your own record or can use the optional template attached.

“Traditional banked hours staff” should already be banking enough hours to cover these additional days off and this will have been included and set out in your banked hours calculations.

6. Can I choose not to bank for these days?

Yes. As an all-year-round member of support of staff and provided that you have sufficient unused annual leave, you can take these days off by booking annual leave in the normal way or work them instead. This would avoid you needing to bank or work the additional hours to cover these days.

7. Does this arrangement form part of my written contract of employment?

No. This is a local arrangement that the CEO is currently honouring as it is in the best interests of WHMAT. It does not form part of your formal written terms and conditions of employment.

8. Will this arrangement be in place indefinitely?

Not necessarily. Currently there are no plans to change these arrangements. If, however, it was no longer deemed to be in the best interests of WHMAT going forward, affected staff would be consulted accordingly.

9. What happens if I leave part way during the academic year?

If all-year-round support staff leave part way through the academic year, HR will calculate what proportion of your contractual and additional annual leave entitlement (i.e. the proportion of disaggregated days that you would have accrued up until your leave date) is still owed to you. The additional leave owed for the disaggregated days will only be taken into account if you have not used your contractual annual leave to cover these days and/or have banked sufficient hours to cover them prior to leaving. Subject to the agreement of your Line Manager, you will either be entitled to take any outstanding annual leave before you finish at WHMAT, or you will be paid in lieu of it.

Date	Session Attended	Start Time	Leaving Time	<u>Office use only</u> TOTAL

Signed: _____ (member of staff)

Signed: _____ (line manager)

Date: _____

Completed