



Sheffield Health
and Social Care
NHS Foundation Trust

Policy:

HR 023 Working Time Regulations

Executive Director Lead	Director of People
Policy Owner	HR Business Partnering Team
Policy Author	HR Advisor

Document Type	Policy
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Ratified By	PEOPLE COMMITTEE
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Summary of policy

The aim of this policy is to ensure that the Trust complies with the requirements of the Working Time Regulations, by protecting the health and safety of staff from the risks of working excessive hours.

Target audience	All SHSC staff
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Keywords	excessive, excess, hours, working, time, regulations, opt out agreement
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Storage & Version Control

Version 5 of this policy is stored and available through the SHSC intranet/internet. This version of the policy supersedes the previous version 4 issued May 2019. Any copies of the previous policy held separately should be destroyed and replaced with this version.

Version Control and Amendment Log

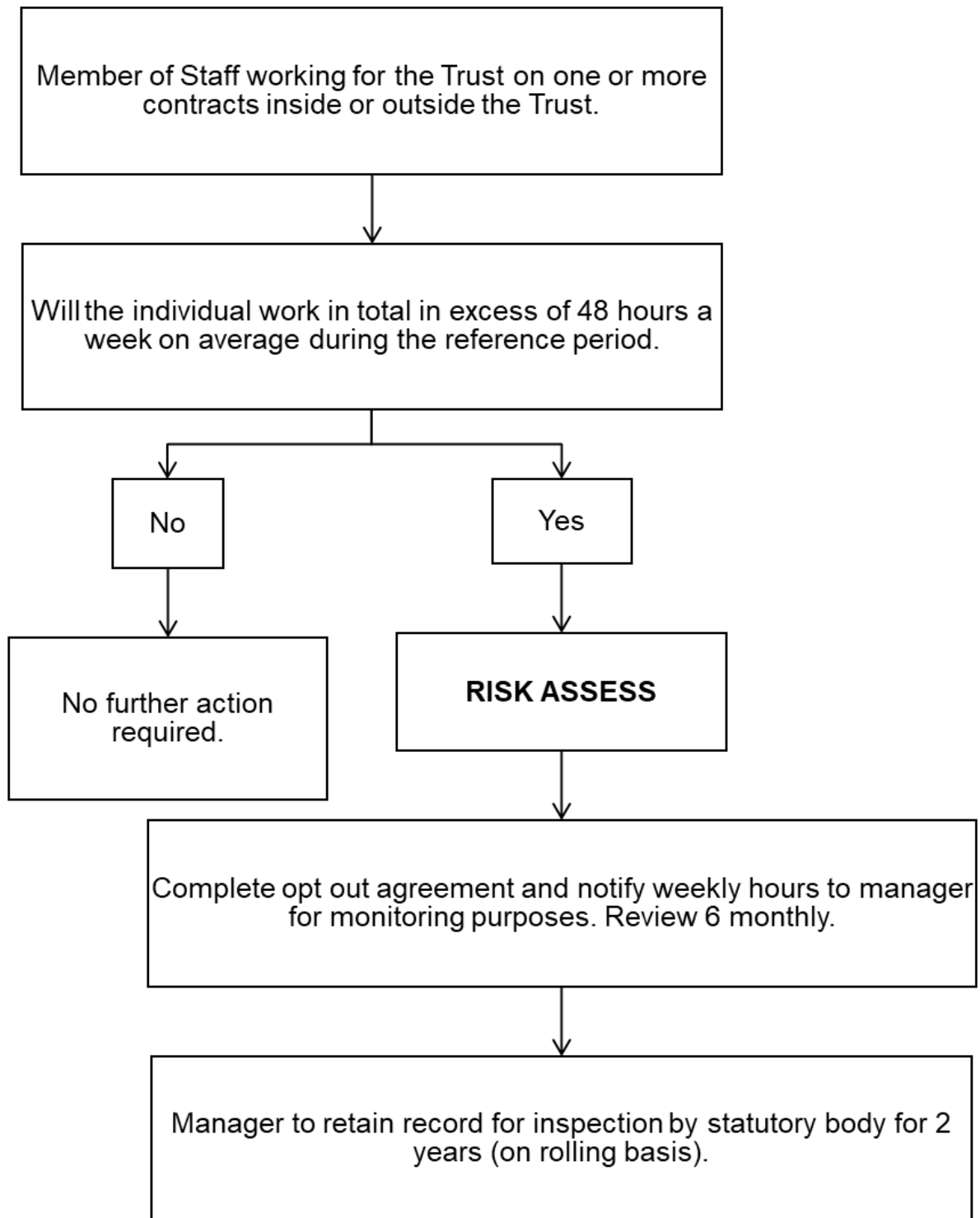
Version No.	Type of Change	Date	Description of change(s)
1	New draft policy created	February 2010	New policy commissioned, consulted on and approved.
2	Early review / ratification / issue	June 2012	Early review undertaken to update the policy.
3	Review prior to expiry of policy	2016 Further review of V3 in Jan 2018	Policy consulted on and approved. Additional wording added to Section 6.2 - Agreeing to work over the 48 hour average (this is now section 7.2).
4	Review and consultation prior to expiry of policy (extension to review date of 31/05/2019 approved by EDG)	Jan 2018 to May 2019	Full review and consultation completed as per HR Policy Governance processes. Some adjustment to wording at paragraphs 7.2.1 and 7.2.2 – “agreeing to work over the 48 hour average”. Paragraph 7.2.3 added, relating to reviewing the excess hours. Paragraph 7.2.4 added, relating to the employee’s right to opt out of the excess hours provision.
5	Review, consultation, approval and issue to take place prior to the review date	Prior to 30/06/2023	This policy has been transferred into the latest Policy on Policies format and has undergone a number of changes which include - improved clarity, as well as amendments to correct typographical errors. Flow chart change to reflect 6 monthly review 4.2.1 Paragraph wording changed. 7.2 introduction of a 6 monthly review of the opt out agreement. Amendment to opt out form to reflect 6 monthly review

Contents

Section		Page
	Version Control and Amendment Log	
	Flow Chart	1
1	Introduction	2
2	Scope	2
3	Purpose	2
4	Definitions	2-4
5	Details of the policy	4
6	Duties	4
7	Procedure	4-9
	7.1 – Staff with more than one employer	4
	7.2 – Agreeing to work over the 48 hour average	5
	7.3 – Records of weekly hours	5-6
	7.4 – Working during night-time	6
	7.5 – Health Assessments	6
	7.6 – Records of regular night workers	6-7
	7.7 – Rest Periods	7
	7.8 – In work rest breaks	7-8
	7.9 – Annual Leave	8-9
	7.10 – Appeals	9
8	Development, consultation and approval	9
9	Audit, monitoring and review	10
10	Implementation plan	11
11	Dissemination, storage and archiving (version control)	11-12
12	Training and other resource implications	13
13	Links to other policies, standards, references, legislation and national guidance	13
14	Contact details	13
	APPENDICES	
	Appendix 1 – Calculating average weekly working time	14-15
	Appendix 2 – Calculating average hours worked at night	16-17
	Appendix 3 – Agreement to opt out	18-19

Flowchart

48 Hour Working Week



1. Introduction

- 1.1 SHSC is committed to managing the health and safety of staff and monitoring their working hours.
- 1.2 The Working Time Regulations 1998 lay down minimum conditions relating to weekly working time, rest entitlements, annual leave and make special provision for working hours and health assessments for night workers. The regulations also implement provisions of the Young Workers Directive that relate to working time for adolescents between school leaving age and 18.
- 1.3 The Regulations impose responsibilities on both managers and staff to ensure that working time provisions and safe working arrangements are observed. The Regulations are complex, and this policy is only an overview of some of the main areas to help managers and employees with the implementation of the Regulations.
- 1.4 The policy should be applied fairly without discrimination in respect of gender, including gender reassignment, marital or civil partnership status, HIV/AIDS, having or not having dependants, religion or belief, race (including colour, nationality, ethnic or national origins), disability, sexual orientation, age or trade union membership ie all protected characteristic under the Equality Act 2010.
- 1.5 No member of staff will suffer any detriment because they have exercised their rights under the Working Time Regulations.

2. Scope

The policy applies to all SHSC staff (including temporary and bank staff); additional arrangements apply to doctors in training. For the purposes of this policy SHSC staff includes employees and those deemed to be „workers“ under the legislation.

3. Purpose

The aim of this policy is to ensure that the SHSC complies with the requirements of the Working Time Regulations, by protecting the health and safety of staff from the risks of working excessive hours.

4. Definitions

4.1 Working Time

- 4.1.1 Working Time - is defined as when a staff member is working, at their employer's disposal and carrying out their activity or duties. It includes time taken for training purposes, civic and public duties, health and safety and trades union duties.
- 4.1.2 Workers either work under a contract of employment or any other contract whereby they perform personally any work or services; other than those who are self-employed and genuinely pursuing a business activity on their own account.

4.2 Special Daily and Weekly Working Time Limits

4.2.1 Doctors in Training

All doctor in training are subject to the 48 hours per week limit for basic hours. The Junior Doctor Contract (2016) terms and conditions highlights the rules for rotas in conjunction with this policy.

4.2.2 Young Workers

A young person is anyone under eighteen years of age. A child is anyone who has not yet reached the official age at which they may leave school.

A young worker is below 18 years of age and above the minimum school leaving age.

Young workers may not ordinarily work more than:

- 8 hours a day
- 40 hours a week

These hours worked cannot be averaged out and there is no opt-out available.

They may work longer hours where it is necessary to either:

- Maintain continuity of service or production, or
- Respond to a surge in demand for a service.

and provided that:

- There is no adult available to perform the task.
- The training needs of the young worker are not adversely affected.

Young workers should not ordinarily work at night unless:

- They are employed in hospitals or similar establishments.
- There is no adult available to perform the task.
- They are allowed an equivalent period of compensatory rest.
- They are adequately supervised where necessary for their protection.

4.2.3 48 Hour Limit

No staff member shall work over an average of 48 hours per week over the relevant reference period, unless he/she agrees in writing to do so (see Section Agreeing to Work over the 48 Hour Average).

4.2.4 Reference Period

The period over which average working hours are to be calculated will be a rolling period of 17 weeks for Trust staff (to calculate average hours, see Appendix 1). In specified circumstances workers and employers can agree to calculate the average weekly working time over a period of up to 52 weeks under a workforce or collective agreement.

For doctors, it has been agreed at national level that the reference period is 26 weeks.

4.2.5 Night-time

Night-time is the period between 11.00pm and 6.00am and staff will be subject to the provisions relating to working during night-time if they regularly work at least three hours during the night-time period on most of the days they work or often enough for it to be regarded as a regular basis.

5. Details of the policy

The aim of this policy is to ensure that SHSC complies with the requirements of the Working Time Regulations, by protecting the health and safety of staff from the risks of working excessive hours. See section 1 for a broad overview of the policy.

6. Duties

6.1 The Board of Directors is accountable for:

- Commitment through endorsement of this policy.
- Identification and allocation of any resources required for the policy.

6.2 The Chief Executive is accountable for:

- Ensuring the proper allocation of the policy through management arrangements.

6.3 Line Managers are responsible for:

- Ensuring they are conversant with the policy and that their staff are fully acquainted with it.
- Ensuring all Trust staff are working in accordance with the policy and the Regulations.

6.4 Staff are responsible for:

- Ensuring they are fully acquainted with the policy and that they adhere to the procedures and guidelines set out within, should they apply.

6.5 Human Resources are responsible for:

- Monitoring the policy.
- Advising staff and managers on the policy and procedures.

7. Procedure

7.1 Staff with more than one job/employer

7.1.1 It is a contractual requirement that where staff wish to undertake additional paid employment, they must obtain written consent. In addition, staff must inform their line manager if they have or are in the future considering taking up additional employment within the SHSC, with another employer or in a self-employed capacity which could result in regularly working over 48 hours a week. Specific provisions apply in respect

of private practice for medical staff in accordance with Schedule 9 of the national terms and conditions.

- 7.1.2 Where staff have more than one job, it is their combined hours that should not exceed the weekly average of 48 hours. Individual members of staff have a responsibility to ensure that any work undertaken outside their main employment with SHSC does not adversely affect their ability to satisfactorily perform their work for the Trust, and staff should therefore notify their Line Manager in writing in advance if their combined working hours will exceed 48 hours per week.
- 7.1.3 Those staff who work irregular hours for SHSC and/or any other employer (e.g., Bank Staff) shall specify by the designated process (paper or electronic) whether their total working hours will exceed the 48-hour average limit during the period of the claim. Where this occurs the Line Manager shall review the allocation of work for the next period(s) to ensure the limit is not exceeded over the full reference period (17 weeks). If this cannot be ensured, the staff member shall be asked to agree in writing to exceed the weekly limit (see Section below - Agreeing to Work over the 48 Hour Average).

7.2 Agreeing to Work over the 48 Hour Average

- 7.2.1 In normal circumstances SHSC does not require any member of staff to work in excess of an average of 48 hours per week. However, there may be circumstances where an individual member of staff may be requested to work more than this average. If the individual is willing and able to do so, then they must agree in writing that the weekly limit does not apply. To opt-out, the written agreement shall take the form outlined in Appendix 3. The form is available on JARVIS, in the policy section (under Working time Regulations).
It is important that managers and staff do not presume that working beyond the average weekly limit of 48 hours should be the norm.
- 7.2.2 SHSC, through the relevant line manager, will need to be satisfied that the health and safety of the individual member of staff and the safe delivery of the service will not be adversely affected when making such individual agreements.
- 7.2.3 Whether or not an opt out form is agreed, a review of the reasons for the excess hours should be undertaken by the line manager and a Health & Safety risk assessment completed. Remedial action should be initiated to reduce hours to the 48-week average or below as soon as reasonably practicable. Where the line manager is unable to identify a solution, they should seek further advice from their own line manager and other available resources to consider revisions to systems of working.
- 7.2.4 The employee has the right to withdraw from the opt out provision. This would mean that they would resume being subject to the average 48-hour week limit and their contractual arrangements would be amended accordingly to reflect the change in hours worked. They can do this at any time by providing one month's written notice to their manager, unless there are exceptional circumstances which means they need to withdraw from the opt out sooner. It is important that cover for patient care can be maintained as seamlessly as possible so it would be beneficial if an employee could discuss their intentions with their manager as soon as possible before issuing the notice. However not doing so, will not affect their entitlement to withdraw from the opt out agreement and they would not be treated detrimentally as a result of their withdrawal."

- 7.2.5 An opt out 6 monthly review meeting should take place between the line manager and the member of staff, to ensure the additional hours are not impacting on the member of staff's health and wellbeing. This can be maintained in their individual supervisions.

7.3 Records of weekly hours

- 7.3.1 Where staff have opted out of the 48-hour working week, it is the responsibility of each line manager to keep for 2 years a record of the number of weekly hours worked by each member of staff (SHSC t time sheet will suffice for those staff who currently submit one) and a copy of the individual's agreement to opt-out of the maximum weekly limit.
- 7.3.2 The HR Business Partner team will maintain a record of those staff who agree to dis-apply the maximum weekly limit, and will retain this for two years. A copy of the opt-out agreement will be kept on the employee's personal file.

7.4 Working during Night-Time

7.4.1 8 Hour Limit

The normal hours of staff who regularly work during night-time shall not exceed an average of 8 hours per 24-hour period calculated over the reference period.

The reference period for averaging normal hours will be 17 weeks with the exception of Doctors who will have 26 weeks. The calculation shall be made using the formula in Appendix 2.

Staff who regularly work during night-time are not necessarily undertaking work which involves special hazards or heavy physical or mental strain. However, managers need to assess the risks associated with night time working and keep such assessments under review, (using SHSC risk management approach). If areas of work during night-time are found to involve such special hazards, the normal hours of staff regularly working during night-time shall not exceed 8 hours on any occasion that they work at night. Risk Assessments will be conducted in accordance with SHSC Health and Safety procedures.

7.5 Health Assessments

- 7.5.1 Before a staff member begins work during night-time, they will be entitled to a free health assessment to determine whether they are fit to carry out the night work to which they are assigned. This will initially be in the form of a night workers" health questionnaire provided by the manager. The questionnaire is available on JARVIS, in the policy section (under Working Time Regulations).
- 7.5.2 Questionnaires should be completed on an annual basis by all night-workers; therefore, managers will need to keep records of when the questionnaire was last completed. If appropriate a full assessment by Occupational Health will be carried out by request of the line manager or if a need is identified by the questionnaire.
- 7.5.3 If the Occupational Health advice is that a member of staff is suffering from health problems connected with the fact that they work during night-time, the Trust will, whenever reasonably practicable and subject to service delivery requirements, offer

the option to transfer to suitable alternative day work, with pay and conditions applicable to day work.

7.6 Records for regular night workers

- 7.6.1 It is the responsibility of each Line Manager to keep for two years a record of the working hours of those staff who regularly work during night-time, including the occasions that they have worked at night.
- 7.6.2 The Line Manager and the Occupational Health Department will maintain an annual record of those staff that have undertaken a free health assessment and will retain this for 2 years.

7.7 Rest Periods

7.7.1 Daily Rest Period

A member of staff shall be entitled to a rest period of at least 11 consecutive hours between each working day (12 consecutive hours for staff aged under 18), unless any exceptions occur as detailed in the paragraph below.

7.7.2 Weekly Rest Period

A member of staff shall be entitled to an uninterrupted rest period of at least 24 hours in each 7-day period, averaged over two weeks (each week starting at midnight between Sunday and Monday). (For staff aged under 18, the entitlement is 2 days rest in each week.) The weekly period is in addition to each daily rest period (i.e., one period of 35 hours consecutive rest per 7-day period). This entitlement to weekly rest periods shall be modified where any exception occurs as detailed in paragraph below.

7.7.3 Exceptions and Compensatory Rest

SHSC recognises that there will be occasions when the full entitlements to daily and weekly rest periods cannot practically be achieved, for instance:

- Where the staff member changes shifts (e.g., from a late shift to early shift)
- Where the staff member works split shifts (e.g., a morning shift and an evening shift)
- Where there is the need for continuity of care in areas where staff work in direct contact with patients in "round the clock" services
- Where staff have undertaken work during an on-call period which is preceded and/ or followed by a period of duty
- Where staff are required to work due to emergency or unforeseeable circumstances

- 7.7.3.1 In the case of such exceptions applying, the member of staff shall be allowed to take equivalent periods (i.e., the same number of hours lost) of compensatory rest, e.g., if there are only 8 hours daily rest one day, to be allowed the remaining 3 hours another day in addition to the 11 hours for that day. This should be taken within a reasonable period - 2 weeks for daily rest and 2 months for weekly rest. Where this is not possible for objective reasons, then appropriate measures will be taken to safeguard the health and safety of the employee.

7.7.3.2 For staff aged under 18 the only exception is where they work split shifts.

7.8 In Work Rest Breaks

- 7.8.1 A member of staff shall be required to take an uninterrupted break of at least 20 minutes when working time is more than 6 hours (a break of at least 30 minutes for staff aged under 18 when daily working time is more than 4 1/2 hours). This is an unpaid break. This entitlement shall be modified where the exceptions detailed below apply.
- 7.8.2 SHSC recognises that in exceptional circumstances there are some service areas and occasions when the entitlement to an in-work rest break cannot be achieved, for instance:
- Where there is a need for continuity of care in areas where staff work in direct contact with patients.
 - Where staff are required to work due to emergency or unforeseeable circumstances which would be a rare occasion and should not become custom and practice.
- 7.8.3 In the case of such exceptions applying the member of staff shall be allowed to take equivalent periods of compensatory rest during another period of duty, as soon as reasonably practicable, usually within 2 weeks. This should not be taken, either at the start or the end of a period of working time. Where it is not practical for such compensatory rest to be allocated, the line manager must ensure that the staff member's health and safety is protected. A break of at least half an hour in a full day is to be encouraged and it is the Manager's responsibility to ensure that breaks are able to be taken.
- 7.8.4 After consideration by the Joint Consultative Forum, it has been identified and agreed that where the following criteria have been met:
- Where are only two members of staff on a waking night-shift.
 - No other staff are able to cover.
 - It is not possible to provide a mid-way break and compensatory rest is not practical.

then local management will have scope to provide that the mid-way break is paid as an alternative to the break and compensatory rest. The need for such an arrangement will be identified and agreed in advance to avoid any issues about obtaining appropriate consent at the time. However, the need for the arrangement will be reviewed by local management on a regular basis (at least every 6 months) and the line manager must still ensure that the staff members health and safety is protected and undertake assessments of their health. Guidance should be sought from Occupational Health, as necessary. The application of this arrangement, the review of the arrangement and the assessment of staff members' health will be recorded in writing by the line manager. They should be counter-signed by the line manager's manager.

7.9 Annual Leave

The Working Time Regulations also provide for a minimum entitlement of 28 days (including bank holidays). The terms and conditions of staff provide for a greater entitlement as set out in the Leave Policy.

However, SHSC, together with Staff Side, have also considered the extent to which it would be appropriate for staff to work during their annual leave – for example, by undertaking additional flexible staffing shifts. It is recognised that there is no statutory restriction on the number of leave days which can be used to undertake additional employment, but SHSC wishes to be assured that staff have sufficient rest away from work. It has been agreed, therefore, that each member of staff should take a minimum of 20 days (pro rata for part-time workers) of their entitlement as time away from any work. The remaining days of their entitlement can be used to undertake other employment subject to normal provisions regarding authorisation of outside employment. (See Declaration of Interests and Standards of Business Conduct Policy).

Further to your standard terms and conditions and Declaration of Interest of Business Conduct Policy, this is to confirm that there is a contractual requirement to inform your manager of any potential health and safety risks involved in working regularly over 48 hours per week arising from taking up additional employment with SHSC, with another employer or if acting in a self-employed capacity. This requirement would also apply to taking up additional employment which potentially meant the employee was not taking sufficient time away from work as set out above.

7.10 Appeals

7.10.1 Any member of staff who is not satisfied with any management decisions regarding the Working Time Regulations or feel that they have suffered any detriment, should use the Trust's Grievance Procedure.

8. Development, consultation and approval

The following individuals / groups were involved in developing and approving the latest version of this policy -

Review and consultation on this policy took place May 2023. HR Advisers, HR Business Partners, Medical Education, Bank and Staff side provided feedback based on experience during the previous two years.

Reference check with other regional Trust's policy was undertaken.

Staff Side were consulted through the Joint Policy Group in June 23. Future date for review:

June 2026

9. Audit, Monitoring and Review

Monitoring Compliance Template						
Minimum Requirement	Process for Monitoring	Responsible Individual/group/committee	Frequency of Monitoring	Review of Results process (e.g. who does this?)	Responsible Individual/group/committee for action plan development	Responsible Individual/group/committee for action plan monitoring and implementation
Hours of work	Using the Electronic Staff Record interface into payroll	Line Managers	Routinely	Line Managers and, where appropriate – HR Senior Management Team Joint Consultative Forum (Management Side and Staff Side)	Line Managers and, where appropriate – HR Senior Management Team Joint Consultative Forum (Management Side and Staff Side)	Line Managers and, where appropriate – HR Senior Management Team Joint Consultative Forum (Management Side and Staff Side)
Date of the last Night-time working questionnaire monitored	Using the E-Roster system/Electronic Staff Record	Line Managers	Routinely	Line Managers and, where appropriate HR Senior Management Team		

The policy review date is 30th June 2023.

10. Implementation Plan

The implementation of the Working Time Regulations has taken place since 1998. This policy consolidates the regulations into a local policy.

VERSION 5

Action / Task	Responsible Person	Deadline	Progress update
Upload new policy onto intranet and internet and remove and archive the old policy, version 4.	Corporate Governance to arrange this via the Communications Team	30/6/23	30/6/23
All staff communication in Connect.	Director of Corporate Governance	Within 5 working days of ratification	As necessary
The HR Advice Team will review training provision.	HR Advisors as appropriate		

11. Dissemination, storage and archiving (version control)

Human Resources policies are referred to in employees' contracts of employment and statement of terms. Policies are available on the SHSC intranet and, if necessary, a paper copy can be provided by the People Directorate. All policies are stored by Policy Governance, including archive copies.

12. Training and other resource implication

Employees will be made aware of this revised Policy by the usual SHSC communication systems.

This policy consolidates practice that is already in place. No specific training is necessary, however, training needs will be assessed by HR Business Partners / HR Advisers and will be met in formal or informal training events as appropriate.

13. Links to other policies, standards, references, legislation (associated documents) and national guidance

- Leave Policy
- Declaration of Interests and Standards of Business Conduct Policy

Associated Documentation

Appendix 1 Calculating average weekly working time.
Appendix 2 Calculating the average hours worked at night.
Appendix 3 Agreement to "opt out" pro-forma. Page 4 Flowchart.

SHSC Health & Safety Policy Statement

National Guidance

This policy takes account of:

The NHS Agenda for Change Handbook (Section 27).

NHS Litigation Authority (2008). NHSLA Risk Management Standards for MHA & LD Trusts. www.nhsla.com

Working Time Regulation 1998.

Management of Health & Safety at Work Regulations 1999.

Guidance available at www.direct.gov.uk.

Advance letters (MD) 6/98: Working Time Directive Agreement for Career Grade Doctors

14. Contact details

Job Title	Name	Phone	Email
HR Advisory team		0114 2263301	HRAdvisors@shsc.nhs.uk

The Business Partnering Team are also available for support and advice. The current contact details are available through the People Directorate on the JARVIS.

Name of Policy Month & Year Version XX

CALCULATING AVERAGE WEEKLY WORKING TIME **Appendix 1**

The average weekly working time is calculated using the following formula:

$$\frac{(A+B)}{C}$$

Where

- A is the total number of hours worked in the reference period
- B is the total number of hours worked immediately after the reference period, during the number of working days equal to the number of days missed due to annual leave entitlement , sick leave, maternity leave, etc.
- C is the number of weeks in the reference period.

Example 1:

A worker has a standard working week of 40 hours and does overtime of 12 hours a week for the first 10 weeks of the 17 -week reference period. No leave is taken during the reference period.

The total hours worked are:

17 weeks of 40 hours and 10 weeks of 12 hours of overtime

$$(17 \times 40) + (10 \times 12) = 800$$

Therefore their average (total hours divided by number of weeks):

800 divided by 17 weeks = 47.1 hours a week.

The average limit of 48 hours has been complied with.

Example 2:

A worker has a standard working week of 40 hours (8 hours a day) and does overtime of 8 hours a week for the first 12 weeks of the 17 -week reference period. 4 days" leave are also taken during the reference period. On return to work, only normal hours are worked for the first week.

The total hours worked in the reference period are:

16 weeks and 1 day (40 hours a week and 8 hours a day) and 12 weeks of 8 hours of overtime

$$(16 \times 40) + (1 \times 8) + (12 \times 8) = 744$$

Add the time worked to compensate for the 4-day leave, taken from the first 4 working days after the reference period. The worker does no overtime, so 4 days of 8 hours ($4 \times 8 = 32$) should be added to the total.

Therefore their average is (total hours divided by number of weeks):

$$744 + 32 = 776$$

776 divided by 17 = 45.6 hours per week.

The average limit of 48 hours has been complied with.

CALCULATING AVERAGE HOURS WORKED AT NIGHT Appendix 2

The average hours worked at night are calculated using the following formula:

$$\frac{A}{B - C}$$

Where:

- A is the number of hours during the applicable reference period which are normal working hours for that worker
- B is the days within the applicable reference periods
- C is the number of hours weekly rest to which a worker is entitled under the Regulations (i.e. 24 hours for seven days) divided by 24. (It should be noted that this is not the total number of hours that the worker is at rest each week. Only the hours making up the weekly rest period that the worker is entitled to under the Regulations that are counted).

Normal hours of night work include overtime where it is part of a night worker's normal hours of work.

Example 1:

A night worker normally works four 12 -hour shifts each week.

The total number of normal hours of work for a 17 -week reference period are:

17 weeks of 4 shifts of 12 hours

$$17 \times (4 \times 12) = 816$$

There are 119 days (17 weeks) and the worker takes 17 weekly rest periods, as entitled to under the Regulations. Therefore the number of days the worker could be asked to work is

$$119 - 17 = 102$$

To calculate the daily average working time, the total of hours is divided by the number of days a worker could be required to work.

$$816 \text{ divided by } 102 = 8 \quad \text{This equals an average of 8 hours a day.}$$

Example 2:

A night worker normally works 5 days of 10 hours followed by 3 days of rest. The cycle starts at the beginning of the reference period (so there are 15 cycles of work). The worker takes 2 weeks' leave and works 6 hours overtime every five weeks. During this reference period, the overtime is worked in the fifth, tenth, and fifteenth weeks. The

Name of Policy Month & Year Version XX

leave does not affect the calculation of normal hours, but the overtime does. 15 cycles of 5 shifts of 10 hours = $15 \times (5 \times 10) = 750$ hours

6 hours overtime $\times 3 = 18 = 768$ hours (including overtime)

There are 119 days (17 weeks) and the worker takes 17 weekly rest periods, as entitled to under the regulations. Therefore the number of days the worker could be asked to work is:

$119 - 17 = 102$

To calculate the daily average working time, the total of hours is divided by the number of days a worker could be required to work.

768 divided by $102 = 7.53$ This equals an average of 7.53 hours a day.



Appendix 3

**Sheffield Health
and Social Care**
NHS Foundation Trust

**AGREEMENT TO OPT OUT OF REGULATION 4 OF THE
WORKING TIME REGULATIONS 1998 (“THE REGULATIONS”)**

I (.....**name**.....) agree that as from the date of this agreement, my position will not be subject to the 48 hour maximum weekly working time limit as specified in Regulation 4 of the Working Time Regulations 1998.

I understand that this agreement will be reviewed 6 monthly, but may be terminated by myself at any time on the giving of one month’s written notice to my manager.

Despite agreeing to opt out of the limit, I am fully aware that I have a responsibility not to work hours so long that they may impair my efficiency or expose colleagues, the public or property to risk.

I agree to keep accurate records of my working hours for the Trust plus any additional hours worked for another employer.

SIGNED.....DATED.....

NAME IN CAPITALS.....

EMPLOYEE No. (as per your payslip).....

JOB ROLE

TEAM.....

MANAGER’S SIGNATURE.....

MANAGER’S NAME IN CAPITALS

ACTION:

To be copied and sent to the Workforce team for entering onto ESR - alternatively email to workforce@shsc.nhs.uk

Also to the appropriate HR Advisor email to hradvisors@shsc.nhs.uk Both teams are based at Centre Court.

For Audit purposes, Managers need to ensure that a copy of this form is placed on the employee's Personal File.

NB – The decision by members of staff to opt-out of the 48-hour weekly limit is an individual, voluntary one and no pressure should be placed on the individual to take the option.

For Workforce team action:

1. *entered on WTR spreadsheet/ESR:*

On: *Date.....dd / mm / yyyy.....By: name.....*

2. *File*

Appendix A

Equality Impact Assessment Process and Record for Written Policies

Stage 1 – Relevance - Is the policy potentially relevant to equality i.e. will this policy potentially impact on staff, patients or the public? This should be considered as part of the Case of Need for new policies.

This policy meets the required regulations.

I confirm that this policy does not impact on staff, patients or the public.
Name/Date: Sue Rutledge 19/6/23

YES, Go to Stage 2

Stage 2 Policy Screening and Drafting Policy - Public authorities are legally required to have 'due regard' to eliminating discrimination, advancing equal opportunity and fostering good relations in relation to people who share certain 'protected characteristics' and those that do not. The following table should be used to consider this and inform changes to the policy (indicate yes/no/ don't know and note reasons). Please see the SHSC Guidance and Flow Chart.

Stage 3 – Policy Revision - Make amendments to the policy or identify any remedial action required and record any action planned in the policy implementation plan section

SCREENING RECORD	Does any aspect of this policy or potentially discriminate against this group?	Can equality of opportunity for this group be improved through this policy or changes to this policy?	Can this policy be amended so that it works to enhance relations between people in this group and people not in this group?
Age			
Disability			
Gender Reassignment			
Pregnancy and Maternity			

Race			
Religion or Belief			
Sex			
Sexual Orientation			
Marriage or Civil Partnership			

Please delete as appropriate: - Policy Amended / Action Identified (see Implementation Plan) / no changes made.

Impact Assessment Completed by: Name /Date

Appendix B

Review/New Policy Checklist

This checklist to be used as part of the development or review of a policy and presented to the Policy Governance Group (PGG) with the revised policy.

		Tick to confirm
Engagement		
1.	Is the Executive Lead sighted on the development/review of the policy?	yes
2.	Is the local Policy Champion member sighted on the development/review of the policy?	yes
Development and Consultation		
3.	If the policy is a new policy, has the development of the policy been approved through the Case for Need approval process?	N/A
4.	Is there evidence of consultation with all relevant services, partners and other relevant bodies?	yes
5.	Has the policy been discussed and agreed by the local governance groups?	yes
6.	Have any relevant recommendations from Internal Audit or other relevant bodies been taken into account in preparing the policy?	no
Template Compliance		
7.	Has the version control/storage section been updated?	yes
8.	Is the policy title clear and unambiguous?	yes
9.	Is the policy in Arial font 12?	yes
10.	Have page numbers been inserted?	yes
11.	Has the policy been quality checked for spelling errors, links, accuracy?	yes
Policy Content		
12.	Is the purpose of the policy clear?	yes
13.	Does the policy comply with requirements of the CQC or other relevant bodies? (where appropriate)	N/A
14.	Does the policy reflect changes as a result of lessons identified from incidents, complaints, near misses, etc.?	no
15.	Where appropriate, does the policy contain a list of definitions of terms used?	yes
16.	Does the policy include any references to other associated policies and key documents?	no
17.	Has the EIA Form been completed (Appendix 1)?	no
Dissemination, Implementation, Review and Audit Compliance		
18.	Does the dissemination plan identify how the policy will be implemented?	yes
19.	Does the dissemination plan include the necessary training/support to ensure compliance?	yes
20.	Is there a plan to i. review ii. audit compliance with the document?	no
21.	Is the review date identified, and is it appropriate and justifiable?	yes

