

FLEXI TIME AND TOIL POLICY

Purpose:	To establish DPHA's policy and set out our position on flexi time and TOIL for DPHA staff
Review Date:	June 2023
Next Review Date:	June 2026
Guidance:	Adopted from EVH model policy
Regulatory Standards:	Standard 2: The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants; service users and stakeholders and its primary focus is the sustainable achievement of these priorities. Standard 5: The RSL conducts its affairs with honesty and integrity
Other Relevant Policies	Staff Code of Conduct Fraud and Corruption Disciplinary Lone Working Hybrid Working Grievance
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1.0 INTRODUCTION

- 1.1 Dalmuir Park Housing Association (DPHA) recognises that there will be occasions when employees will require flexibility to daily start and finish times within their place of work.
- 1.2 In addition, DPHA acknowledges that there needs to be a robust Time off in Lieu (TOIL) arrangement in place, to ensure business needs are fully met at any time and so employees are aware of the procedures for accruing, recording and taking TOIL.
- 1.3 These arrangements may work in tandem or as standalone arrangements. At DPHA they work in tandem.
- 1.4 This policy is designed to outline the background and benefits of flexi-time and TOIL arrangements, the guiding principles and recommended procedures to ensure it is managed fairly and consistently.

2.0 BACKGROUND

- 2.1 Consideration of the following factors was undertaken prior to formulation of this policy:
 - Employees within DPHA may benefit from flexi-time/TOIL arrangements to meet family needs, fulfil personal obligations and lifestyle commitments. Commuting issues may also be alleviated if unforeseen transport disruption occurs on a regular basis.
 - DPHA needs to ensure that the implementation of such arrangements do not have a detrimental impact on the level of customer service provided or on any individual employee.
 - If managed properly, it is anticipated that having such arrangements in place will provide business benefits such as improved employee morale, commitment and engagement, enhance the efficiency of the organisation, improved service flexibility and be a contributing factor to reducing labour turnover, absence and lateness issues.
 - DPHA also recognises that having a flexi-time arrangement must not mean that employees' Health and Safety is compromised in any way. This includes lone working or working excessive hours that could cause or exacerbate any health issues that could affect performance at work.
 - Employees are offered TOIL or paid overtime to compensate them working out with their normal working hours. TOIL or payment arrangements should be agreed in advance between DPHA and the employee.

- Procedures are in place for flexi-time and administering of TOIL, to ensure consistency and avoid any potential abuse or cost to the business incurred from 'negative' flexi-time or TOIL balance situations.

3.0 FLEXI-TIME

3.1 Eligibility for Flexi-time

3.1.1 Only staff who are employed at Beardmore House will be eligible for flexi-time. Due to the fixed hours and service requirements of DPHA's care services staff, such staff are not eligible for flexi-time. There may be some exceptions depending on business operational requirements, but this would be discussed on an individual basis.

3.1.2 Staff will manage their time by clocking in and out on a daily basis using the Kelio Time Management system.

(Note: Any special arrangements that may already be in place such as job sharing or part time working may require a review to assess whether these guidelines are appropriate for individual cases.)

3.2 Parameters and Procedures for Flexi-time

3.2.1 A daily flexi-time scheme will be offered during the working week.

3.2.2 Flexi-time may be implemented as a standalone scheme or alongside a TOIL arrangement. This will have no impact on DPHA's annual leave or sickness benefit schemes.

3.2.3 Within the parameters of the Flexi-Time Policy, the earliest an employee can start work will be 8.00am and the latest they can work is 6.00pm.

3.2.4 For the purposes of flexible working, it is recommended that core working hours are set for all Beardmore House employees, and these should be between the hours of 10am to 12pm and 2pm to 4pm.

3.2.5 DPHA expects that employees take a lunch break of at least 30 minutes each working day. Employees may take an extended lunch break of no more than 2 hours on any given working day. Employees cannot take any part of their lunch break out with the period of 12pm to 2pm. If any employee needs to take additional time out-with these timescales TOIL should be used and with the prior agreement of their line manager.

3.2.6 Employee attendance patterns on a day-to-day basis can and will fluctuate to suit personal circumstances, and employees may choose to start work any time from 8am to 10am and can finish at any time from 4pm but no later than 6pm. Managers must ensure that start and finishing times of employees are carefully managed and agreed in advance to promote a team working environment and to ensure that our level of customer service is not compromised throughout the period defined as normal office hours.

- 3.2.7 If an employee would like to start at 10am or finish at 4pm on a given day, they must notify their Manager in advance so that appropriate levels of office cover can be maintained. There may be occasions when this request cannot be agreed because staffing levels would fall short of those required. Minimum staffing levels will be agreed at Leadership Team level.
- 3.2.8 No more than 14 hours flexi-time should be accrued in one calendar month.
- 3.2.9 The flexi-time period end will be the 15th of each calendar month. On the 15th of each month, where time accrued is over 14 hours, any additional hours will be lost. A flexi-time report will be produced for employees to inform them of their balance at the period end.
- 3.2.10 Each employee is responsible for ensuring that their flexi-time hours accrued do not build up to unmanageable levels, which could result in operational difficulties. Managers will monitor this.
- 3.2.11 No minus balance is allowed except in exceptional circumstances and with the prior approval of the Chief Executive. Employees who are in minus (i.e. "owe" time) at any period end must inform the Chief Executive who will give the option of reducing time owed within a reasonable period or compensate by deducting half or full days from annual leave entitlement, or with the employees permission by deducting a sum from their monthly salary.
- 3.2.12 For any additional hours worked, usually before 8am and after 6pm, TOIL should be accrued in line with the guiding parameters and procedures outlined in section 4 below.
- 3.2.13 Wherever possible, employees on flexi-time should make medical and dental appointments outside core hours.
- 3.2.14 On termination of employment from DPHA, employees will be paid in lieu of accrued flexi-time but, only where a full hour of time has been accrued.
- 3.2.15 One of the purposes of flexi-time is to allow eligible employees more flexibility in start/finish times to their working day. It is not and should not be used as a way to accrue regular additional leave. Any employee using flexi-time to deliberately accrue additional days off of work on a regular basis will have flexi-time withdrawn from them by the Chief Executive.

4.0 TIME OFF IN LIEU

4.1 Eligibility for TOIL

TOIL will operate predominately for care services staff and staff who attend evening meetings after 6.00pm. There may be other occasions where TOIL is accrued ~~used~~ by Beardmore staff. This should such situations arise; employees should discuss the matter with their Manager. An employee is eligible for accruing TOIL in line with the parameters and procedures outlined below.

4.2 Parameters and Procedures for TOIL

- 4.2.1 Employees should be aware that any additional hours worked out-with the flexi-time hours will incur TOIL and that they are unable to receive overtime payment for this. The only exception is staff who attend Board or Committee meetings have the option to claim overtime. Employees should also be made aware that accrual of TOIL should be an exceptional rather than a regular occurrence expected by the employee or DPHA.
- 4.2.2 TOIL accrued by an individual employee should be agreed in advance with their Manager. This may also include travel to meetings, functions or other business-related activities in excess of normal travelling time to work. TOIL can only be accrued in a minimum of 15-minute increments.
- 4.2.3 TOIL may only be accrued in 'single time' increments. Time and a half or double time TOIL will not be paid in any given situation, irrespective of an employee's contracted hours of work.
- 4.2.4 Beardmore staff will have TOIL recorded via Kelio Time Management System. Care staff will record any TOIL accrued on a timesheet.
- 4.2.5 TOIL must be authorised by the employee's Manager.
- 4.2.6 TOIL requires careful management. Ideally no more than 7 hours should be accrued in one calendar month, albeit an exception would be employees who attend Board and Committee meetings. Ideally, TOIL should also be taken within the month to ensure that TOIL does not build up to unmanageable levels, which could result in operational difficulties. The TOIL period will end on the 15th of each month.
- 4.2.7 No minus TOIL is allowed except in exceptional circumstances and with the prior approval of the Chief Executive. Employees who are in minus TOIL (i.e. "owe" time) at any month end must inform the Chief Executive who will give the option of reducing time owed within a reasonable period or compensate by deducting half or full days from annual leave entitlement, or by deducting a sum from their monthly salary.
- 4.2.8 On termination of employment from DPHA, employees will be paid in lieu of accrued TOIL in accordance with the accrual procedures described in this policy.
- 4.2.9 For both elements of this policy, the success of flexi-time and TOIL depends on co-operation between employees and trust between DPHA and its employees. If this is compromised in any way, it can be withdrawn from employees at the discretion of the Chief Executive at any time without notice. It will also be withdrawn from employees who are found to abuse the policy. In addition, individual employees may be subject to formal disciplinary action for abuse of the policy.

5.0 EQUALITY AND HUMAN RIGHTS

5.1 We are committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. This is reflected in our Equality and Human Rights Policy.

6.0 DATA PROTECTION

6.1 We will treat personal data in line with our obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing data is provided in our Employee Processing Notices.

8.0 DISSATISFACTION

8.1 Any employee not satisfied with the implementation of this Policy can in the first instance raise their concerns with their Line Manager. If the employee remains dissatisfied they should refer to the processes contained within the Flexi-time & TOIL Policy and Procedures.

8.0 REVIEW OF POLICY

8.1 This policy will be reviewed by the Board every 3 years, or earlier if required.