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A Overtime Allowances

Where it is necessary for you to work outside of normal working hours you will be entitled to an appropriate allowance (subject to the conditions described) , unless other arrangements have been agreed via a business case.

Directorates may employ a limited number of employees whose work requires them on a variable basis. In such cases there should be a determined method of calculating payment which takes account of the terms of their working arrangements.

Compensatory leave is granted to those whose duties involve regular evening attendance in connection with meetings of councils and committees unless these circumstances are already reflected in the conditions of service, and specifically referred to in the employment contract. If this is not the case overtime provisions apply.

For each contract of employment you have with KCC, overtime provisions only apply once you have worked more than 37 hours a week in that contract.

Directors can, in exceptional circumstances and via a business case, approve overtime rates which are different to those set out below.

1 Overtime for Staff on Grade KR8 and below (or equivalent)

- Overtime is paid on the following basis:
- You must work a full 37 hour week before overtime is paid.
- Extra time of less than half an hour each day will not constitute overtime. Overtime is aggregated for each calendar month, and paid in complete half hours.
- If you are contracted to work more than the standard 37 hour week you shall be entitled to overtime payments unless the additional hours are recognised by some other payments or arrangements determined via a business case.
- Overtime rates are as follows:

Monday to Friday	Saturday / Sunday	Public Holidays
1.33	X 1.33	X 2

- To determine the hourly rate for overtime the following calculation is used:
 $\text{Salary} \div 365 \times 7 = \text{weekly salary} \div 37 = \text{hourly rate}$

2 Overtime for Employees on Grade KR9 and above

If you are on Grade KR9 or above you are not normally entitled to payment for working additional hours. Exceptionally, it is possible to give time off in lieu and indeed if you are on Grade KR9 or above you will be expected to work hours in excess of 37 a week from time to time without recompense.

In exceptional cases where you are required to work excessive hours for a period of time, consideration can be given to a special payment using the criteria below.

- A 37 hour week must be completed before payment is made for overtime.
- Payment for overtime should be pre-planned and in most cases it will be possible to determine the number of hours required and agree this with the individual concerned.
- Occasionally this may not be possible and the hours will be estimated subject to revision on completion of the work.
- For employees on Grade KR9, overtime will be at plain time rate for all hours worked.
- For employees on Grade KR10 and above, overtime will also be at plain time rate but the first five hours overtime worked per week (1 hour per day) will normally be discounted.
- Where the overtime is concentrated over a few days or at weekends it may be unreasonable to deduct 5 hours and therefore, it may be agreed that the deduction will not exceed one hour a day. In exceptional cases it may be appropriate to apply an adjustment to the calculated payment where the hours are worked at nights or weekends.
- Overtime performed on a bank holiday will be treated in exactly the same way for pay and leave purposes as employees on Grade KR8 and below i.e. double time.
- In the case of linked grades which straddle different overtime provisions (e.g. KR8/9 or KR9/10), the overtime provisions relating to the lower grade apply until the employee is paid in the higher grade (e.g. linked grade of KR8/9, the overtime provisions of Range KR8 apply until the employee reaches Grade KR9).
- The overtime scheme does not apply to employees paid on Grade KR13 and above.

3 Enhanced Overtime payments for staff on Grades KR9 to KR12 during “Emergency Procedures”

Corporate Directors have authority to approve enhanced overtime payment to staff on Grades KR9 to KR12 where “emergency procedures” have been invoked.

The emergency must be formally acknowledged by the Directorate or KCC and specific procedures/action invoked. This can be either:

- service specific
- unit specific
- Directorate specific, or
- County wide

Emergencies or crises tend to be one-off, unpredictable and require a rapid response. There should be an urgent need to maintain services or deal with the specific issues arising.

Situations that would not fall into this category are localised issues, which are addressed by normal, existing procedures (or variation) and management action e.g. systems failure, staff absences, inclement weather. In these cases, normal overtime arrangements are applied.

The enhanced payments are for the duration of the 'emergency' to acknowledge significant effort and additional hours worked.

The enhanced rates do not apply to roles where the contract of employment already contains provision for dealing with emergencies, e.g. standby or call out.

The overtime is paid at the rates outlined for staff on grade KR8 and below.

B Out of Hours Arrangements

Weekend, evening and night working will all be paid at plain time, unless there is a clear business justification for paying enhancements by an agreed business case.

1 Weekend Working

All weekend working will be paid at plain time unless a business case has been agreed.

2 Night Work

All night work will be paid at plain time unless a business case has been agreed.

3 Public Holidays

For work on a public holiday, payment will be made at plain time for all hours worked within an employee's normal working hours in addition to the normal pay for that day, or at a later date time off in lieu (TOIL) with pay shall be allowed as follows:

When the time worked is less than four hours	Half day off
When the time worked is more than four hours	Full day off

All overtime worked on public holidays will be paid at double time unless time off in lieu has been agreed. It will not be possible to receive double time and TOIL for the same period.

C Fringe Area Allowances

The Inner and Outer Fringe Area allowances are only payable to staff employed within the fringe areas on 30 September 1998 for Kent Scheme and 30 June 1999 for NJC staff. The amount is payable for the duration of the existing contract (and excludes staff appointed prior to these dates where provision for Fringe Area allowances were not part of the contract).

New contracts, including those issued in respect of secondments, will not be eligible for payment of a Fringe Area Allowance.

Where the allowance is paid, the following conditions apply:

- (a) Rates are frozen at their existing levels:
Inner Fringe – Dartford Borough Council Areas - £564
Outer Fringe – Sevenoaks District Council Area - £393
Except where they are reduced, see (d) below.
- (b) The allowances are not to be taken into account for the calculation of overtime, shift bonus and other premium payments. Except, with effect from 1 December 1974, employees whose place of employment fell well within an area, which prior to 1 April 1974 attracted the London or any similar allowance, are entitled to have overtime, shift bonus and other premium payments based on the previous allowance (before 1 March 1974).
- (c) Where an employee works only partly within a fringe area (or partly within the inner fringe and partly within the outer fringe), the following policy applies:-
 - Where 50% or more time is worked in fringe area the full allowance is paid;
 - Where 25% or more time but less than 50% of time is worked in a fringe area 50% of the appropriate allowance is paid;
 - Where less than 25% of time is worked in a fringe area, no allowance is paid.

Note: Where an employee increases his/her working time within a fringe area, existing rates apply with no increase.

D Standby Duty Allowance

A session during the normal week (Mondays to Fridays) is from the time of the office closure on one day and its opening the following morning or 12 hours at weekend and public holidays using national starting times e.g. 9 am to 9 pm on a Saturday constitutes a session. A full week's standby therefore comprises 9 sessions.

If you are required to undertake a standby duty on a bank holiday you shall in addition be granted compensatory leave of absence.

Current Standby rates can be found on KNet.

1 Social Workers

The scheme of payments relates to the full range of duties associated with standing-by, including dealing with telephone calls, being called out and documentation.

Where a social worker (who does not live at their place of work), is required by management to remain at home on standby duty after normal working hours/at weekends to deal with emergencies as they arise will be paid on the following sessional basis:

- Basic standby allowance – if during standby session 10% of the time or less is worked.
- Basic standby allowance plus overtime rate – if during standby session more than 10% of the time is worked, additional time is paid at the appropriate overtime rate. Standby sessions/overtime should be recorded separately from normal overtime. The restriction on payment of overtime to employees on Grades KR9 and above does not apply for the purposes of this paragraph.

If your existing contract(s) of service provide for higher recognition of standby duties these will be retained on a personal basis.

2 Highways

This scheme of payments relates to the full range of duties associated with standing-by, including dealing with telephone calls, being called out and documentation.

Where engineers and inspectors are required by management to remain at home on standby duty after normal working hours/at weekends to deal with emergencies as they arise, they will be paid on the following sessional basis:

- Basic standby allowance – if during standby session 10% of the time or less is worked.
- Basic standby allowance plus overtime rate – if during standby session more than 10% of the time is worked, additional time is paid at the appropriate

overtime rate. Standby sessions/overtime should be recorded separately from normal overtime.

3 Other Employees

If you are undertaking standby and call-out duties you will be paid as standard per session.

Payment made for time worked in excess of 10% of the Standby session is made at the appropriate enhanced rate for staff paid on Grade KR8 or below or at plain time rate for staff on Grade KR9 and above.

E Specified Allowances for Manual Workers on NJC Conditions of Service

1 Weekend Work – Part-Time Staff

Work on both Saturday and Sunday is paid at time and one fifth for all hours worked; staff who were in post on October 1992 have a personal entitlement to a higher rate of pay.

Manual workers required to work regularly throughout the week and at weekends are entitled to a payment at double time for hours worked on Sunday.

Where at least 50% of the hours are worked on weekdays payment will be at time and a half on Saturdays. Where less than 50% of the hours worked are on weekdays payment will be made at time and a fifth for Saturday work.

The enhancements apply to night work basic pay in additional to the one-third enhancement payable for night work.

2 Plus Rates

Corporate Directors can agree the payment of and revisions to plus rates and excess rates to NJC staff in accordance with their conditions of service.

Residential and Allied Staff

1 Social Care Health and Wellbeing Career Grade

The grading structure, qualification and progression criteria for Social workers and related staff are outlined in the Social Care Health and Wellbeing Career Grade documents.

2 Hours of Duty, Overtime and Related Conditions

In addition to the normal overtime provisions (see A above) the following conditions apply residential and allied staff.

If you work beyond your rostered commitment you shall, wherever possible, be given equivalent time off in lieu. Where time off in lieu cannot be granted overtime is paid in accordance with the normal overtime provisions.

The waking day may differ between services but it is normally defined as 07.00am to 10.00pm.

If you are required to perform a waking night duty; roster and overtime arrangements will be the same as for employees on day duty. All hours worked, as part of the normal working week, between 10.00pm and 07.00am shall be paid at plain time unless there is an agreed business case to make different payments.

Where employees are not required on waking night duty at least one officer shall be rostered to sleep on the premises and be available for duty when called during the hours outside the waking day. These staff will receive a sleeping-in allowance (See KNet for current rates). The allowance covers the sleeping-in requirement and up to 30 minutes call-out per night. Where the aggregate call-out time exceeds 30 minutes on any night, the additional time should be paid at the appropriate overtime rate.

For work on a general, public holiday or concessionary day in addition to the normal pay for that day, an additional payment at plain time will be made for all hours worked within an employee's normal working hours unless time off in lieu has been agreed for this period. Work on that day outside normal working hours shall be paid for, as overtime, at double time in complete recompense.

In the case of care staff employed in Residential Special Schools, KCC uses various means to reflect the term-time only working which often exists (e.g. increased normal working hours during term-time and time off in lieu during school holidays). Where a reduced working year is in operation, actual working patterns are subject to local determination.

3 Holiday

Certain residential staff receive a basic leave entitlement of 22 days per annum rising to 27 days on completion of 5 years' service.

4 Food

Where prepared meals are provided these will be charged to you at the rates set out on KNet. These rates may be charged on a weekly, monthly or yearly basis to ease administration.

Where prepared meals are provided for your family and/or guests the actual cost is charged.

The charge is reduced where you are off duty for 48 hours or more providing you do not use your own room or take a meal provided by the employer. In the case of sick leave the charge is reduced after a period of 3 days.

If you take a meal with clients in the performance of your duties, the meal is provided free of charge. Similarly where a mid-day meal is taken at school the charge for the meal will be waived.

5 Accommodation

Rent for accommodation provided by KCC is determined locally and relevant factors are taken into account when establishing a rent including the size, type and location of accommodation, standard, access to facilities (bathroom, kitchen etc.) and whether heating, lighting, laundry etc. are included.

6 School Based Staff

Any specific conditions applying to staff groups in schools are held in the Education and Young People Services Directorate.

Relevant Legislation

- Working Time Regulations 2002

Alternative Formats

This document is available in other formats. Call 03000 421553 or email alternativeformats@kent.gov.uk