



Time Off In Lieu (TOIL) Policy

Policy Document BTC017

Dated: October 2017

Status: ADOPTED 18th October 2017

Last Reviewed: October 2017

Introduction

The success of this Council is founded on the skills, energies and commitment of its employees. Many, on occasions, are required to work outside what are considered 'core' hours of work or beyond their contracted hours in order to meet the needs of the service. Without this goodwill and adaptability it would be impossible to provide a responsive service or cope with work demands.

However, the Town Council also recognises its duty to protect the health and safety of its staff by ensuring that they do not work too many hours and that they are recompensed by taking time off in lieu (TOIL) for any extra time that they do have to work. This policy seeks to set out both a definition of the TOIL system and some guidelines for its implementation.

Definition

Lieu time is time off which you are allowed to take in lieu of (i.e. instead of) overtime pay for hours worked outside of normal office hours or on days where you are not contracted to work. **Under no circumstances can overtime be paid other than in time off.**

TOIL allows the Council and the employee to respond flexibly to unexpected time pressures, respond to the occasional need to vary the timings of service provision, or to attend irregular evening or weekend events and meetings.

In addition, if an employee has an unexpected commitment in their personal life, time off can be agreed and made up at a later date.

General Principles

TOIL is not a tool to be used to accrue time to enable extra days leave to be taken. Most duties should be carried out as part of normal contractual working hours.

TOIL is an exceptional rather than a routine occurrence. It is to ensure that when employees attend meetings, conferences or events that extend beyond normal working hours, this time can be taken back. It also allows flexibility for staff to respond to issues in their personal lives.

TOIL should not result in changes to normal working arrangements, for example, every Friday afternoon becoming a 'TOIL' afternoon, or working through lunch times and leaving work early each day. The scheme must be utilised in the best interests of effective service provision. This requires cooperation between the Council and employees to ensure adequate cover is provided as necessary.

Some employees may be excluded by the nature of their workload, or variations agreed for operational reasons. This will be agreed between the Town Clerk and the employee.

The success of the scheme is based on trust. Any member of staff who is found to have abused the TOIL scheme may have it withdrawn and be subject to disciplinary action up to and including dismissal.

Rules on Accruing and Taking TOIL

Employees must agree with the Town Clerk any time to be worked outside of normal working hours in advance. If this is not practical for any reason, staff must contact the Town Clerk as soon as possible afterwards.

Employees must obtain the Town Clerk's approval before taking any TOIL, in the same way that annual leave is approved.

Employees will be responsible for completing their own TOIL recording/time sheet. This will be kept by the employee, signed and passed to the Town Clerk for agreement at the end of each month showing any hours in debit/credit. The recording/time sheet should be readily available for the Town Clerk to see at any time.

Employees will not accrue more than twenty hours TOIL at any one time, except in exceptional circumstances and with prior consent of the Town Clerk. **Lieu time accrued above this limit will be considered lost.**

Existing procedures will remain for all other authorised absences, such as annual leave, sickness, or compassionate leave.

On termination of employment, all TOIL must be at a zero balance. Employees will not be paid in lieu of accrued TOIL which has not been taken by the final date of employment. Any such accrued TOIL will be lost.

**Produced by
N Farress, Town Clerk
October 2017**