



Time Off In Lieu (TOIL) Policy

Ilfracombe Town Council

1 Purpose

The Council recognises that on occasion it may be necessary for employees to undertake work outside of their normal working hours. Any agreement by employees to work additional hours is on a voluntary basis.

Ilfracombe Town Council do not make overtime payments except in exceptional pre-agreed circumstances.

The purpose of this policy is to ensure that managers and employees are aware of and understand the Council's time off in lieu (TOIL) arrangements so that they are applied consistently.

2 Scope

This policy applies to all employees of the Council with the exception of casual workers who work on an ad-hoc basis.

3 Definition

TOIL is defined as time taken off work by employees in recompense for additional hours worked outside of their normal working hours.

4 TOIL Rates

TOIL will be accrued at plain time rates and no enhancement will be made in relation to the calculation of hours counting towards TOIL. Under no circumstances will TOIL be converted into overtime.

5 Accruing TOIL

Employees can only accrue TOIL if authorised, in advance, by their designated line manager. Additional hours worked by personal choice will not qualify for accrual of TOIL.

TOIL should not be accrued on a regular basis, with the exception of evening meetings or required attendance at civic events. If an employee is regularly required to work additional hours, the line manager should undertake a review of working arrangements.

TOIL accrued will be included on the monthly timesheet for each employee, as will TOIL taken. Each timesheet is signed and authorised by the designated line manager.

The Council realises that it is unlikely that the Town Clerk will be able to seek approval in advance for TOIL accrued and therefore places trust in the Town Clerk to

ensure that where additional hours are worked and TOIL accrued, it is done so as a necessity and in a productive manner.

The Town Clerk's monthly timesheet should show all TOIL accrued or taken, being signed and noted by the designated line manager (i.e. Chair of Staffing Committee).

When attending Council events or events where the employee is invited as a Council employee, it will be down to the designated line manager or Town Clerk to assess whether TOIL shall be accrued. For example, simply being in attendance at an event without any specific requirement to work will not be eligible unless it can be evidenced that work has been undertaken.

Excessive levels of TOIL should not be accumulated (i.e. no more than 15 hours/2 days in any ongoing month period). (Calculated pro-rate for part-time employees). If any hours are worked in excess of this number they will not be carried forward and will be lost.

Any suspected abuse of TOIL may be treated as a disciplinary matter.

6 Using TOIL

TOIL can only be taken if agreed, in advance, with the designated line manager. Any requests will be considered in line with staffing levels and operational requirements. The Town Clerk will be responsible for allocating the use of his/her own TOIL at times when it is deemed suitable.

TOIL should be taken as soon as possible after accrual. One example of good practice is to come in later than your normal starting time the day after attending an evening meeting to redeem any TOIL accrued. All TOIL accrued MUST be taken by the end of the following month in which they are accrued. Any TOIL not used by the end of the following month will be lost.

The Council feel it will need to be at the discretion of the designated line manager whether to allow TOIL to be built up to allow full days off work in addition to holiday entitlement or whether TOIL should be taken for parts but not all of a working day.

The Staffing Committee will receive a report detailing employee's TOIL levels on a monthly basis. The Committee may decide to instruct line managers to ensure the TOIL is taken within a certain time limit (i.e. one month) unless a reason can be presented for the TOIL not having been taken.

No TOIL accrual should be carried forward beyond the end of a 12 month period (1st January to 31st December) with the exception of time accrued during the last two weeks of this period.

If an employee resigns, any TOIL accumulated at the time the notice is given must be used before the end of the notice period. Any TOIL remaining after the end of the notice period will be lost. Upon receiving the notice of resignation, the line manager must inform the employee in writing of the TOIL the employee should take BEFORE the end of their notice period.

7 Pre-agreed Exceptional Overtime

Overtime payments will be made in exceptional circumstances according to the following guidelines:

- a. The overtime must be aligned to a specific task
- b. The estimated overtime has to be approved prior to the task being commenced
- c. Approval process is as follows:
 - i. If there is sufficient time, approval should be sought by the line manager from the Staffing Committee
 - ii. If there is a degree of urgency for the task to be completed, the line manager should seek approval from the Staffing Committee Chairman or Vice Chairman.
- d. Employees may not, under any circumstances, claim overtime payments retrospectively.
- e. An overtime approval form must be completed and signed by the approving officer, the member of staff and the approving member (Chairman or Vice Chairman of the Staffing Committee).
 - i. The document must contain the following:
 - Employee name
 - Project name
 - Activity undertaken
 - Estimated hours approved
 - Actual hours completed
 - Employee's signature
 - Approving officer signature
 - ii. The document will be sent to the Town Clerk who will submit to payroll for payment processing.
 - iii. The Town Clerk will present an overtime report to the Staffing Committee on a monthly basis.

Policy reviewed: 14/2/22

Adopted: 14/10/19

Next review: 14/2/24