

MAGOR WITH UNDY TOWN COUNCIL CYNGOR TREF MAGWYR GYDA GWNDY

Time Off in Lieu Policy (TOIL)

Purpose

The Council acknowledges that occasionally 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.

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.

Scope

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

Definition

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

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.

Accruing TOIL

- Employees can only accrue TOIL if authorized, 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 authorized by the designated line manager.

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

When attending Council events or events where the employee is invited as a Council employee, it will be down to the designated line manager to assess whether TOIL shall be accrued. E.g., simply being in attendance at an event without any specific

requirement to work will not necessarily accrue TOIL unless it can be evidenced that work has been undertaken.

Excessive levels of TOIL should not be accumulated (i.e. no more than 20 hours in any ongoing month period). However, in exceptional circumstances, the line manager has discretion to agree to more. This is however only advised if it is felt that employee will be able to take the TOIL within three months (see Using TOIL section). Any suspected abuse of TOIL may be treated as a disciplinary matter.

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.
- 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 Council will receive a report detailing employee's TOIL levels on a bi-annual basis. The Council 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 April to 31st March) with the exception of time accrued during the last two weeks of this period.
- In exceptional circumstances where due to service delivery needs, TOIL cannot be accommodated within the 12-month period, the employee may request payment for the hours owed. This request should be made in writing to their line manager. Such payments will only be made in exceptional circumstances.

Working Time Regulations

- The Council has a duty to protect the health and safety of its employees by ensuring that they do not work excessive hours and that, where necessary for them to work additional hours, they are appropriately recompensed.
- When agreeing the accrual of TOIL, the designated line manager must ensure that the employee's working hours adhere to the requirements of the Working Time Regulations.
- If the employee's weekly working hours will exceed the 48 hours maximum, the manager must ensure that the employee completes an opt out form. The opt out form is appended to this policy.