

Swaffham Town Council

TIME OFF IN LIEU POLICY

Introduction

This document does not form part of your contract of employment and may be changed from time to time in line with current best practice and statutory requirements, and to ensure that business needs are met. You will be consulted and advised of any changes as far in advance as possible of the change being made, unless the change is required by statute.

The success of this organisation 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 employer 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.

What is TOIL?

Lieu time is time off which you are allowed to take in *lieu* of (i.e. instead of) overtime pay, for hours worked beyond the working day (i.e. evenings and weekends). Under no circumstances can overtime be paid other than in time off, and all references to "overtime" in this document mean unpaid overtime.

TOIL allows staff to respond flexibly to unexpected service or personal needs as well as respond to the occasional need to vary the timings of service provision, such as irregular weekend workshops or seminars.

For example, if a meeting occurs during lunch time, or there is a need to work after or before your normal working hours to complete an urgent report or to attend a meeting, this time is logged and taken back within an agreed timeframe. [Please remember all staff must have at least a 20 minute break if they work for six hours or more].

In addition, if a staff member 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. When staff attend meetings, conferences or visits that extend beyond normal working hours, staff may be required to make up working time lost (as paid overtime at their contracted hourly rate) within the overall Overtime Budget at the discretion of the Town Clerk. It also allows for staff to respond to crises in their personal lives.

TOIL should not result in changes to normal working arrangements, for example every Friday ~~afternoon~~ morning becoming a 'TOIL' ~~afternoon~~ morning, 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 co-operation between staff and managers to ensure adequate cover is provided as necessary.

It is envisaged senior managers will regularly access TOIL due to the nature of their workload.

Some staff may be excluded by the nature of their workload, or variations agreed for operational reasons.

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

Staff must agree with their Line Manager any time to be worked outside of normal working hours in advance. If this is not practical for any reason, staff must contact their Line Manager as soon as possible afterwards.

Staff must obtain their Line Manager'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 sheet. This will be kept by the employee, signed and passed to the Line Manager/supervisor for agreement at each credit/debit. The recording sheet should be readily available for Line Managers to see at any time.

Staff will not accrue more than one day in TOIL in each month, except in exceptional circumstances and with prior consent of their Line Manager.

TOIL must be taken within the month following the month as accrued unless agreed in advance with the Line Manager. Lieu time accrued and not redeemed as outlined will be considered lost.

Committee Please Note – consider revising or relaxing this part of the policy, as workload pressure makes this a continuous issue week after week, month after month – difficult to adhere to.

The accounting period will be each calendar month.

Existing procedures will remain for all other authorized absences, such as annual leave, sickness, 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.

Time off must be equal to time actually worked, **with the exception of unsocial hours, weekend or bank holidays as defined in the Council's Community Events & Unsocial Hours Policy.** ~~i.e. there is no provision for time and a half, double time, etc – if you work two hours, you can claim two hours TOIL, regardless of whether the occasion is evening or weekend.~~

Irrespective of the above, the Town Clerk/Personnel Committee will have, in exceptional circumstances, discretionary powers to allow up to 10 per cent of an employee's contracted hours in any one month to be taken as overtime but at the standard hourly rate as defined in the employee's Contract of Employment. Always within ~~the~~ **an** annual overtime budget ~~of~~ **£5,000 as** agreed by the Council.

FLEXITIME POLICY

Flexi time is a scheme which gives its employees the opportunity of a flexible working hours arrangement

Under flexi time, there is a core period of the day when employees must be at work, whilst the rest of the working day is 'flexi time' in which staff can choose when they work, subject to achieving total monthly hours at the discretion of the Town Clerk. An employee must work between the basic core hours and has the flexibility to clock in/out between the other hours. The Town Council's typical flexi time day is:

- Begin work between 7.30am – 10am (flexi time)
- Must be at work between 10am – 2pm (core time) 10am 1pm Friday
- Lunch break between 12pm – 2.30pm (flexible lunch hour)
- Leave work between 4pm – 6pm (flexi time)
- When attending Council/Committee meetings work up to 10.30pm (flexi time)

For simplicity all outside staff (with the exception of the Market Superintendent and the Apprentice) have a core time of 7.30am - 12.30pm Monday to Friday and all office staff have the office opening hours to the public as their core time. Each individual member of staff will agree their normal working week with the Town Clerk and this will feature in their contract of employment. All flexitime can be agreed at the discretion of the Town Clerk.

This scheme allows you a credit or debit margin of a maximum of 8 hours for full time staff and 6 for part time staff. If you have flexi time credit you must take that as time off in lieu by the end of the following calendar month. If you are in flexi time debit you should make up the time by the end of the following calendar month.

The Town Clerk and Deputy Town Clerk have a flexible arrangement whereby agreement for up to 10 hours per month can be worked at home using remote connection to the office.