



LLANNON COMMUNITY COUNCIL

TIME OFF IN LIEU POLICY

Adopted: 12th December 2022

Review Date: May 2023

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Time Off In Lieu Policy

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.

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 those granted approval to claim additional hours for specific purposes.

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 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 Council Clerk will be able to seek approval in advance for TOIL accrued and therefore places trust in the 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 Clerk's monthly timesheet should show all TOIL accrued or taken, being signed and noted by the designated line manager (i.e. Council Chair)..

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 Council 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 necessarily qualify for time off in lieu unless it can be evidenced that work has been undertaken.

Excessive levels of TOIL should not be accumulated (i.e. no more than 30 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 an 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 Council 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 Personnel Committee will receive a report detailing employee's TOIL levels on a quarterly 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 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 can request payment for the hours owed. This request should be made in writing to their line manager.

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.

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48-Hour working week: employee opt-out agreement

Employee name	
Job title	

By entering into this agreement, I understand and agree that the statutory maximum average working time of 48 hours a week will not apply to my employment.

I understand that I may be required to work more than an average of 48 hours a week for my employer.

In the event that I no longer wish to work more than an average of 48 hours per week, I understand that I will be required to give my employer three months' written notice to end this agreement.

Employee signature:

Date: