



Time off in lieu (TOIL) and Overtime Policy

Purpose

Credition Town Council (CTC) recognises that the nature of some roles means that employees may be expected to work such hours as are necessary to complete their work. This sometimes means that working hours may include early mornings, evenings, nights, and weekends. However, CTC also has a duty to protect the health, safety and well-being of all employees by ensuring that they do not work too many hours and that they are recompensed if it is necessary for them to work extra hours.

Policy Statement

The aim of this policy is to set out the circumstances in which it is appropriate for TOIL to be granted and to explain how the policy works. By setting out clear guidelines we aim to ensure that the provisions for are administered equitably.

In the event that there is a dispute between the employee contract and this policy (i.e. where the terms in the contract are more generous than this policy) then the contract will be honoured.

There may be exceptional circumstances when being paid overtime is more suitable than claiming TOIL.

Paid overtime is only claimable where staff are eligible under NJC terms, and hours are approved in advance and is claimed on time worked over 37 hours that week.

Overtime rates can be found within the NJC Green Book and rules for claiming overtime can be found at the end of this policy.

CTC has an expectation that employees will sensibly manage their time and if there are informal occasions where they work slightly longer than their contractual hours that they will manage their time for the remainder of the week by taking some time back. On these occasions we would expect an employee to keep their manager informed of their whereabouts.

Eligibility

The following situations may result in an employee being eligible to receive TOIL, on condition that this has been discussed and agreed with the Town Clerk or relevant Manager, in advance:

- Working in excess of normal working hours

Should an employee be required to work hours in excess of their normal contractual working hours, they will normally be eligible to claim TOIL. Please note that should extra hours be worked without having first agreed this with the Town Clerk or relevant Manager, an employee may not be eligible to be paid for overtime or to receive TOIL.



- Travel time to a location outside of normal working hours

Should a staff member travel to a location outside of normal working hours, this will usually accrue TOIL. Employees must deduct normal commute mileage from their travel time. Any travel undertaken within working hours is normal working time.

Recording TOIL

If an employee needs to work more than their contractual hours, they should inform the Town Clerk or relevant Manager, at least two days before the date concerned to seek approval for claiming TOIL for working the additional hours. The Town Clerk or relevant Manager will work with the employee to seek possible opportunities to take that time back as soon as is possible, ideally in the same week. In these cases, the hours can be managed informally. If this proves to be difficult, the extra hours worked must be recorded on time sheets.

Employees are expected to manage the amount of additional time worked in cooperation with Town Clerk or relevant Manager.

Taking Back TOIL

Taking back TOIL can be requested and agreed in advance with the Town Clerk or relevant Manager. As a rule, TOIL should be taken at a time that does not cause undue problems for the smooth running of CTC. The Town Clerk or relevant Manager is expected to allow employees as much flexibility as they can under this policy. However, there may be times when a request for TOIL cannot be granted. In these situations, the employee and manager should agree an alternative date time to take the TOIL.

TOIL Accrual

Under normal circumstances, no more than 20 hours of TOIL (pro-rata for part-time employees) can be accrued at any one time. Should an employee routinely work additional hours then their manager should hold a discussion with the employee to understand whether their workload is manageable.

TOIL should be taken as soon as possible and within 3 months of accrual. It is acknowledged that occasionally it may be impossible to take the agreed time off immediately.

If this is the case then the Town Clerk or relevant Manager should agree a date when the TOIL must be taken by, normally within a month of the discussion taking place.

A maximum of a weeks' TOIL can be carried over into the next leave year.

Any carry over of TOIL should be managed through an agreed plan with the employee to be taken in a 3-month period



Overtime

Employees will not normally be expected to work over their contractual hours. If at any time the Town Clerk or relevant Manager authorises them to work more than their contracted hours per week, then usually the employee will be given TOIL. If TOIL is not appropriate and an employee is eligible, attendance at scheduled town council meetings will be at paid at normal hourly rate. Where evening and weekend working is a stated requirement of the employee's role, hours worked during these periods do not automatically attract TOIL or overtime. Wherever possible employees should take the time back during normal working hours of that week rather than work over 37 hours. Only hours worked in excess of 37 per week (or pro-rata for part-time staff) will be eligible for TOIL or, in exceptional circumstance, paid overtime.

Should overtime payment be agreed, CTC will enhance overtime payments in line with the NJC Green Book and employees' contract of employment.

Policy Review

This is a non-contractual procedure which will be reviewed on a three-yearly basis, or if there are legislative changes.