



Time Off In Lieu Policy

Adopted 4th July 2023 Minute ?

Introduction

Tisbury Parish Council recognises that it may be necessary for employees to undertake work outside of their normal working hours from time to time, whether it be to carry out tasks within the scope of their role or additional duties on a voluntary basis. This policy must be read in conjunction with an individual employee's contract of employment.

Working Additional Hours

It is the aim of the Council that no employees should have to work additional hours on a regular basis in order to meet the demands of their role. It is recognised that at certain times additional hours may be necessary, for example, financial year end, leading up to an event or due to significant unexpected circumstances and the Council is grateful to its staff for flexibility shown at these times. It is however, imperative that employees are not regularly working excessive hours.

Additional hours may be worked in two ways

- i. Additional hours worked at the request of the Chair of the Staffing Committee or Clerk in response to an unexpected short-term* situation.

For clarity this includes:

- Any meetings requiring Officer attendance which are outside usual working hours.
 - Call-outs, (eg alarm call outs to the Reading Room or Public Toilets), road closure signage implementation, receiving deliveries.
 - Evening training sessions for the Clerk, unless attending a Conference.
- ii. To carry out essential tasks outside of normal day-to-day duties and outside of normal working hours in the short term*.

*Short-term in these circumstances means for less than a month.

Compensation for Additional Hours Worked

There are two means of compensation for additional hours worked as detailed below:

- i. Employees requested to work additional hours by their line manager to carry out tasks in the scope of their role will be entitled to accrue Time off In Lieu (TOIL) on an hour-for-hour basis. E.g. if they work two extra hours, they will receive two hours TOIL in exchange.

There is no uplift in recompense for Saturdays, Sundays or Bank Holiday working i.e. they remain on an hour-for-hour basis.

The recommended best practice is that employees either finish earlier or start later on the same day or the next day to balance these additional hours.

The Council recognises that in the case of the Clerk, it will not be a request from a line manager which results in additional hours worked. The Council must therefore trust the Clerk that additional hours worked and claimed back as TOIL are done reasonably and in line with this policy. The Clerk is expected to work reasonable hours for the job and TOIL will only be taken when necessary.

- ii. Employees requested to work outside of day-to-day duties, for example to help run an event or training, the time may be reimbursed as overtime agreed by the Clerk in advance.

For clarity:

- Any overtime will be paid at the employee's flat hourly rate.
- Any overtime will be paid with the employee's salary payment and will be subject to the usual deductions.

Recording and Authorising of Additional Hours

All Council employees' hours of work outside their contracted hours are to be recorded on a timesheet. All extra hours worked must be recorded whether these are done voluntarily or as authorised overtime.

Timesheets must be submitted on a monthly basis by the end of the month. TOIL or paid overtime cannot be authorised at a later date. Failure to submit a timesheet will result in the employee losing their right to claim overtime or TOIL. The only exception being if the employee is unexpectedly absent from work and therefore unable to complete their timesheet by the allotted deadline.

Limitations

Employees are encouraged to take TOIL as soon as possible after it has been accrued and within one calendar month of its accrual if possible, or at least by the end of the next calendar month. Excessive levels of TOIL should not be accumulated and employees who have accrued TOIL will be limited to carry over no more than 40% of their contracted hours, i.e. for an employee on 30 hours per week, the limit to carry forward will be 12 hours of TOIL from one month to the next (resetting on the first day of every month).

Any hours worked above the 40% of contracted hours and not used by the final day of the month will be considered lost and removed from the TOIL balance.

If an employee is absent from work and unable to use their TOIL balance, they will be permitted to carry the TOIL balance forward to the month they return to work. In exceptional circumstances, as agreed by the Clerk and Chair of the Staffing Committee, the two month period will be reset.

Employees should not be working additional hours for TOIL accrual in order to build up additional days off work i.e. as a supplement to holiday entitlement.

Upon leaving the Council's employment no employee shall receive payment for any TOIL balance held. Any TOIL should be redeemed during the notice period.

Redeeming TOIL

It is the responsibility of the Clerk and Chair of the Staffing of Committee to consider TOIL requests and to enable employees who have accrued TOIL to take this at a time which is operationally viable but without unreasonable delay.

Implementing the Policy

Hours of work will be reviewed on a quarterly basis and reported to the Chair of the Staffing committee. Any concerns will be addressed as they arise or on a quarterly basis, with a record kept securely on the employee's personnel file.

Longer term activities or consistent working of additional hours will be monitored and, if required, may result in temporary or permanent changes to tasks or contracted hours.

The operation of TOIL depends on mutual trust. Any suspected abuse of TOIL, such as claiming more hours than actually accrued, will be treated as a disciplinary matter.