

Ferndown Town Council Time Off in Lieu Policy and Overtime

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Adopted by the Personnel Committee 24 May 2021.

This policy will comply with current legislation and any legislative changes.

1. Statement of Intent

- 1.1 The Town Clerk and Personnel Committee are responsible for ensuring that this policy and procedure is implemented appropriately.
- 1.2 Employees have a responsibility to ensure that they comply with this policy and the related procedure. Abuse of the provisions will be treated as a disciplinary matter.
- 1.3 This policy and procedure will be reviewed on a regular basis to assess their effectiveness and appropriate changes made in accordance with established practice.

2. Background

- 2.1 Ferndown Town Council (Council) relies on the skills and commitment of its employees to deliver first class services to the local community. The culture within the organisation is such that many often work beyond the call of duty, and without their adaptability and goodwill, it would not be possible to provide the level of service that we do with such limited resources. It is therefore inevitable that there will be occasions when employees are required to work outside of their contracted hours to perform their duties. This need will vary from employee to employee, will occur at different times of the day/evening or weekend and will vary in length depending on the circumstances. It may be planned or arise from unforeseen circumstances.
- 2.2 The policy of Council is that overtime is not generally paid. In general, employees who are on flexitime arrangements will be expected to manage overtime worked within the flexitime system or with time off in lieu (TOIL).
- 2.3 The purpose of TOIL is to give the organisation some flexibility to deploy resources where and when they are needed to meet demand and to ensure that the employees who have supported the organisation in this regard are not penalised for doing so. The TOIL system is not a substitute for a flexi-time system. Employees cannot use the TOIL system to build up 'owed' hours and take time off to suit them. To ensure fairness and equality across all employees, the Council has approved this policy as its working procedure to manage hours of work in excess of contractual agreements. The purpose of this policy document is to inform employees of the policy and how it will operate.

3. General Purpose

- 3.1 Employees will, wherever possible, organise their workload so that their normal duties can be carried out within their 'normal' or contracted hours of work.
- 3.2 TOIL is not to be accumulated or approved in such a way that a change in normal working arrangements results (e.g. every Friday being taken as a TOIL day). TOIL is to be treated as an exception rather than a regular or routine arrangement.
- 3.3 There is no provision for TOIL hours owed to be paid (unless the time must be taken off and authorized as leave). If any staff are still owed TOIL at the cessation of their employment they will not be entitled to any pay for this TOIL.

- 3.4 All TOIL must be authorised in advance by the Town Clerk (and in the case of the Town Clerk, by the Chairman of the Personnel Committee).
- 3.5 Taking TOIL time back should not be viewed as an alternative to taking annual leave.
- 3.6 If an employee is called back into work to deal with exceptional circumstances, travel time will be agreed with the Town Clerk as part of the agreed TOIL time.
- 3.7 The Town Clerk will review the TOIL summaries for all employees on a monthly basis.

4. TOIL Procedure

- 4.1 As far as is practicable, the employee must agree with the Town Clerk any specific tasks that cannot be undertaken in normal work hours will therefore result in TOIL.
- 4.2 The employee must clearly record the date/time, duration and reason for the 'out of hours' duties on their electronic timesheet.
- 4.3 TOIL time should be recorded in 15 minute blocks. If the extra time worked is 15 minutes or less then this does not need to be included on the timesheet and should be managed informally by the employee and their Line Manager to avoid too much form-filling.
- 4.4 The timesheet must then be forwarded at the end of every month to the Finance Officer who will produce a summary report for the Town Clerk showing what time off is owed to all employees.
- 4.5 TOIL time accrued will be managed by the Personnel Committee in relation to the Town Clerk and the Town Clerk in relation to other office staff. Both the Town Clerk and Committee Administrator will not accrue more than 25 hours owed per 2 months. Other office staff will not accrue more than 10 hours owed per 2 months. For part-time staff this limit will be calculated as a pro-rata amount in relation to their normal amount of contracted hours. In exceptional circumstances, the Town Clerk may allow the time to be incurred to be greater than 25 hours owed but this will only be allowed on a one off basis and for specific reasons and pre-approved by the Chairman of the Personnel Committee.
- 4.6 TOIL time must be taken off in the 28 day period during which it has been incurred or at the very least in the next 28 day period following its accrual. This is called the settlement period. In exceptional circumstances, the Town Clerk may allow the time to be carried over into the next 28 day period (in the case of the Town Clerk the Chairman of the Personnel Committee). This will only be allowed if the employee has explained their reasons for not being able to manage to take time off in the settlement period to the Town Clerk.
- 4.7 Taking time off will need to be agreed and may be requested by using the Bright RH system at least 5 working days before the date staff wish to take TOIL time.
- 4.8 In exceptional circumstances the Town Clerk may deviate from these procedures if service requirements dictate a need to do so.
- 4.9 The Town Clerk must ensure that timesheets are accurately completed by staff, TOIL is not unnecessarily accrued or taken in such a way that service delivery is adversely affected, and staff work their normal work hours so far as is compatible with efficient service delivery.

5. Overtime

5.1 Only pre-authorised overtime by a staff members line manager will be allowed.

5.2 Staff contracts of employment will specify if their role involves the payment of overtime and the rate.