



Bollington

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Time Off in Lieu Policy

This Policy was adopted by the Council at its meeting held on 4th July 2023.
This version of the Time of in Lieu Policy supersedes any previous versions.

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Table 1 Document Version Control

Version	Date	Initials	Comment
00.01_2023	16/06/2023	HW	Review of former version
00.02_2023	28/06/2023	JM	Reviewed by Personnel, Policy and Governance Committee 28/06/23, minute ref PPG22/23
01.00_2023	04/07/2023	HW	Reviewed and adopted by Full Council 04/07/23.

Date of next review – Quarter 1 2025

1. Introduction

Bollington Town Council 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 are requested to work.

Time off in Lieu (TOIL) is defined as time taken off to compensate for planned (or occasionally unplanned) time worked in addition to contracted hours. There is no provision for overtime to be paid under TOIL with the exception of Town Wardens working overtime to support community events. The payment of overtime under these circumstances must have prior approval from the Town Clerk.

It is recognised that staff may be required to work extra time over their contracted hours to support service delivery objectives such as events. In the interest of enabling staff to have a healthy balance between home and work life, the Council also supports and promotes flexible working.

This policy addresses the informal daily working arrangements of staff in terms of Time off in Lieu (TOIL) rather than long term alterations to work patterns. Staff interested in permanent / long-term working pattern alterations should consult the Town Clerk for guidance in the first instance.

2. Policy

The Working Time Regulations 1998 state that staff must not work in excess of 13 hours per day (including rest breaks) and that staff should not work in excess of an average of 48 hours per week unless they have previously agreed this with the Council and signed an opt out agreement to the Working Time Regulations.

It is expected that staff are able to complete their job in their contracted hours. However, whilst not encouraged, it is recognised that on occasions and when agreed, staff may need to work additional time, thereby accruing TOIL.

The amount of time accrued by staff, however, needs to be limited and therefore for full-time staff should not exceed 16 hours per month and for part-time staff a pro rata of 16 hours per month.

The accruing of TOIL will commence once a member of staff has worked 30 minutes after their scheduled finish time or on a day where they are not scheduled to work. Working additional hours (i.e. accruing TOIL) should always be agreed in advance with the Town Clerk, who has responsibility for authorising the Time off in Lieu and keeping the appropriate records.

Taking time off in lieu must be agreed with the Town Clerk.

There are examples where time owing should not be accrued. These guidelines do not seek to be exhaustive however lieu time should not be accrued:

- Where an employee chooses not to take a rest break,
- As a result of poor time management. Taking back any time worked in lieu must be agreed by the Town Clerk according to service needs and should be

recorded on the employee's timesheet. Where it is not possible to approve the requested TOIL, suitable alternative dates (earlier or later) will be identified and suggested.

An employee may not take time off in lieu in advance of accruing the time and on the basis that they are due to work extra time in the future, unless there are exceptional circumstances and the Town Clerk has authorised this.

The Council encourages employees who have accrued lieu time to take the time back as quickly as possible and within one calendar month where possible. For instance, if time is accrued on 15th January then the Clerk and employee should arrange for the time owing to be taken before 15th February. Where, for service delivery reasons, it is not possible for the time to be taken back within one calendar month, the Town Clerk will work with staff to plan when the lieu time can be taken within 3 months of its accrual. 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.

All staff have a responsibility to adhere to this policy and will be made aware of this policy as part of their induction. The success of the scheme is based on trust. Any member of staff who is found to have abused the TOIL scheme may have to face disciplinary action up to and including dismissal.