

TIME OFF IN LIEU (TOIL)

OVERVIEW OF THE SCHEME

Introduction

The guidelines on time off in lieu (TOIL) compliment the [Flexible Working Scheme](#) and [Overtime, Standby and Callout Policy](#) (not applicable to Chief Officers). The guidelines form part of the Council's flexible working arrangements.

In accordance with the spirit of National Agreements, Perth & Kinross Council discourages working hours in excess of all employees' contractual requirements. Additional hours or overtime should only be worked where the employee agrees to such an arrangement and will be the exception rather than the norm.

All employees will be entitled to recompense for hours worked in excess of contractual requirements. Council Services are to continue to use TOIL as a tool for managing peak workloads and as a substitute for overtime where appropriate.

Managers should ensure employees receive rest breaks and daily rest periods in accordance with the Working Time Regulations before starting any additional hours under the TOIL scheme. For further information refer to [Working Time Regulations](#).

Definition

TOIL is defined as time off granted with pay to compensate for additional hours worked outwith standard working hours or accounting period.

Scope

The scheme is available to Chief Officers and employees covered by the Single Status Agreement, ie it excludes Teachers and Craft Workers who have their own respective national terms and conditions of service.

THE GUIDANCE IN PRACTICE

Management

These guidelines have been introduced to ensure operational needs are met at all times. It is important line managers **actively manage** the application of TOIL in their team(s).

TOIL is mostly applicable for employees who do not participate in the flexible working Scheme or who work outside the flexi-time range hours. The practical application of TOIL follows the [Flexi-time Scheme](#) in terms of Standard Working Hours, Carry Forward and Termination of Employment.

Approval

The Council recognises that there will be, on occasions, times where employees need to work outside/or in addition to the standard working hours. All TOIL must be authorised by line managers in advance.

Employees must give their Line Manager reasonable notice of a request to take time off in lieu. Other than exceptional circumstances, a minimum of one day's notice should be given to line managers and, if the employees tend to take two or more consecutive days as TOIL, at least one day's notice for each TOIL day would normally be required. TOIL may be taken in days, half days or in any combination, subject to prior approval from line managers. It is the employee's responsibility to ensure that the proposed time off fits with work commitments.

In addition, Line Managers should ensure authorised TOIL does not adversely impact on the operational effectiveness of their team(s). They should therefore carefully consider all requests before making a decision to agree or reject requests from employees.

TOIL must be taken within 3 months of being accrued, where possible. The maximum level of TOIL which can be accrued is 36 hours. Any deviations from the above must be approved by the employee's Head of Service.

Employees undertaking Keeping In Touch (KIT) days while on [Maternity, Adoption , Additional Paternity Leave](#) or [Shared Parental Leave](#) may accrue TOIL during this period. However, TOIL must be taken within 3 months upon return. The maximum level of TOIL for KIT purposes is 72 hours.

Misuse

Abuse of the practical application of TOIL, including failure to comply with time recording arrangements, is regarded as a serious offence and may result in disciplinary action.

RECORDING ARRANGEMENTS

Recording Systems

Records will be kept of TOIL worked and reasons for TOIL. All employees are required to record their attendance at work by one of two methods:

- (a) Electronic time recording system; Myview or an alternative.
- (b) Manual recording system where an electronic system is not available.

Employees who work away from the office at times may be required to use the [manual recording form](#) in conjunction with an electronic recording system. Adjustments should then be recorded and authorised on an electronic system.

Review

The Corporate Human Resources Manager, in consultation with Executive Directors/Heads of Service reserves the right to review these guidelines and make subsequent amendments based on operational experience.

Advice and guidance on TOIL may be sought from Human Resources.