



## Tenterden Town Council

### Overtime and Time in Lieu (TOIL) Policy

Reviewed	Adopted
	June 2022
Revised	n/a
Staffing & Employment sub-committee review	May 2022
Approving committee: Internal Committee	13 <sup>th</sup> June 2022
Policy version reference	Version 1
Next review	June 2024

## Contents

1. Purpose of this policy and procedure .....	3
2. When am I eligible to receive Overtime/TOIL? .....	3
3. Who is responsible for recording my Overtime/TOIL? .....	3
4. When can I take my TOIL? .....	3
5. How much TOIL can I accrue? .....	4
6. Is there a time limit within which my TOIL must be taken? .....	4
7. TOIL accrued outside of normal working hours .....	4
8. What is the rate of pay that I receive for working Overtime?.....	4

## **1. Purpose of this policy and procedure**

Tenterden Town Council (the Council) 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, the Council also has a duty to protect the health and safety 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.

The aim of this policy is to set out the circumstances in which it is appropriate for Overtime/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 your contract and this policy (i.e. where the terms in your contract are more generous than this policy) then your contract will be honoured.

## **2. When am I eligible to receive Overtime/TOIL?**

The following situations may result in you being eligible to receive Overtime/TOIL, on condition that this has been discussed and agreed with your Manager in advance.

### Working in excess of normal working hours:

Should you be required to work hours in excess of your normal contractual working hours, you may be eligible to be paid overtime or to claim TOIL. Please note that should you work extra hours without having first agreed this with your Manager, you may not be eligible to be paid for overtime or to receive TOIL.

### Travel time to a location other than your normal place of work outside of working hours:

If the journey starts from home, the additional hours will be the actual journey time, less the time it usually takes to travel to or from the location and home. This must be agreed in advance with your Manager. Any travel undertaken within working hours is normal working time.

## **3. Who is responsible for recording my Overtime/TOIL?**

If you need to work more than your contractual hours, you should inform your Manager at least two days before the date concerned, and get their approval to do the additional hours. The extra hours worked must be recorded. You are expected to manage the amount of overtime worked in cooperation with your Manager.

## **4. When can I take my TOIL?**

In the event that you prefer to receive TOIL rather than an overtime payment, this must be agreed in advance with your Manager. As a rule, TOIL should be taken at a time that does not cause undue problems for the smooth running of the Council. You should plan appropriately and must gain agreement from your Manager prior to taking your TOIL.

Managers are expected to allow you as much flexibility as they can under this policy. However, it will not always be possible to allow you to take the time off when you have requested it.

**5. How much TOIL can I accrue?**

Under normal circumstances, no more than 21 hours of TOIL can be accrued at any one time. Where you routinely work additional hours, it is your Manager's responsibility to discuss the situation with you and ensure your workload is manageable in the time allowed.

**6. Is there a time limit within which my TOIL must be taken?**

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 you should agree when you will take it, instead, with your Manager.

**7. TOIL accrued outside of normal working hours**

TOIL accrued outside of normal working hours, will be reimbursed at standard rather than at an enhanced rate.

**8. What is the rate of pay that I receive for working Overtime?**

Please see your contract in the first instance for the rate of pay that you will receive for working authorised overtime. The Council may enhance overtime payments as below:

1.5 times your usual hourly rate for each hour worked in overtime on Saturday and Sundays.

The first hour of overtime worked on a Monday – Friday will be at your usual rate of pay. Each additional hour will be paid at 1.5 times your usual hourly rate.

Attendance at scheduled town council meetings will be at paid at your normal hourly rate.

The above enhanced payments are non-contractual, unless otherwise stated in your contract of employment and may be reviewed, amended or withdrawn at any time.

*This is a non-contractual procedure which will be reviewed from time to time.*