



WRITTLE PARISH COUNCIL

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Time Off in Lieu (TOIL) Policy

Version Number	Date	Author	Notes
0.1	18 January 2022	A Wallerstrom	
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0.6	5 May 2026	L Fox, Parish Clerk	Approved at APCM 11.05.26

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1. Introduction

Writtle Parish 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.

2. Definition

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.

It is recognised that staff may be required to work extra time over their contracted hours to support service delivery objectives.

3. Scope of the Policy

In the interest of enabling staff to have a healthy balance between home and work life, Writtle Parish Council 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 Clerk for guidance in the first instance.

4. Background

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

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

5. Accumulation

The amount of time owing accrued by staff however needs to be limited and therefore for full time staff should not exceed 7 hours per month and for part time staff a pro rata of 7 hours per month or as agreed with the Clerk. 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. TOIL accrued will be included on the monthly timesheet for each employee.

6. Authorisation

Working additional hours (i.e., accruing TOIL) should always be agreed in advance with the Clerk, who has responsibility for authorising the Time off in Lieu and keeping the appropriate records. Taking time off in lieu should also be agreed with the Clerk.

It is recognised that there will be exceptional circumstances where authorisation in advance may not be possible. In such cases the Clerk should be informed as soon as possible (within 24 hours) so the Time off in Lieu Record can be completed retrospectively. The Council realises that it is unlikely that the Clerk will be able to seek approval in advance for TOIL accrued and therefore places trust in the Clerk to ensure that where additional hours are worked and TOIL accrued, it is done so in a way that meets the business needs of the Council as well as the work life balance of the Clerk. The Clerk's monthly timesheet should show all TOIL accrued or taken.

7. Limitations

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

8. Taking TOIL

Taking back any time worked in lieu must be agreed by the Clerk according to service needs. TOIL accrued will be included on the monthly timesheet for each employee, as will TOIL taken. 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 Clerk has authorised this.

Writtle Parish Council encourage employees who have accrued time off in lieu 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 Clerk will work with staff to plan when the lieu time can be taken within 3 months of its accrual. TOIL taken will be included on the monthly timesheet for each employee.

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.