



Belper Town Council

TIME OFF IN LIEU (TOIL)/ OVERTIME AND ANNUAL LEAVE POLICY

1. TIME OFF IN LIEU

1.1 Time off in lieu (TOIL) is time taken off work to recompense for additional hours worked outside of normal working hours

Accruing TOIL

1.2 This policy applies to all employees.

1.3 All employees may accrue TOIL for hours worked outside their normal working hours when authorised by the Town Clerk.

1.4 All TOIL must be authorised at the end of the month by the Town Clerk on a timesheet provided for this purpose.

1.5 No more than 2 days (pro rata equivalent) of TOIL can be carried over each month and should be used as soon as possible.

1.6 The Town Clerk to ensure employees who have accrued TOIL take this at a time which is operationally viable but without unreasonable delay.

Using TOIL

1.7 TOIL should be taken as soon as is reasonably possible after it has been accrued.

1.8 TOIL must be booked in advance with the Town Clerk to fit in with operational needs.

1.9 The Town Clerk to ensure working hours do not exceed those stipulated by the Working Time regulations.

1.10 Employees who choose to work outside of normal working hours through personal choice cannot accrue TOIL.

2. OVERTIME PAYMENTS

2.1 Overtime must be agreed in advance with the Town Clerk, and not used to “mop-up” excess TOIL which cannot be taken. Overtime will generally be granted for activities which take place outside normal hours when i.e. attendance at events etc.



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3. ANNUAL LEAVE

3.1 Paid leave entitlement is set out in the contract of employment. Part time employees receive a pro-rated entitlement according to their hours of work.

Working part-time

3.2 If an employees entitlement to Bank Holidays exceeds the number days that fall on normal working days (because employees don't work on Mondays) the excess can be taken as leave. If entitlement to Bank Holidays is less than the number of Bank Holidays that fall on normal working days, (typically because normal working days include Mondays) then the employee can make up the difference by using leave entitlement.

Leave year

3.3 The year runs from 1st April to 31st March. *It is the employee's responsibility to manage leave in such a way that they are able to take it all during the leave year.* Annual leave entitlement will be pro-rated in the first and last year of employment with the council.

Carrying over leave

3.4 Except in the very rare circumstances of a booked and agreed period of leave being cancelled at the council's request, employees are able to carry up to 5 days (pro rata for part-time employees) unused leave from one leave year to the next. No payment will be made for leave unused at the end of a leave year. Thus, leave untaken at the end of a leave year is lost.

Requesting leave

3.5 Leave should be requested from the Clerk (or the Mayor in the case of the Clerk), with as much notice as possible. This will allow the council to plan workloads. Before granting leave the following will be considered;

- The team's workload
- The need for office or team cover, and,
- Whether other staff have or are likely to ask for the same time off (e.g. a popular holiday time).

The Town Clerk/ Mayor will balance the employees needs against the needs of other staff before agreeing to leave. If leave is taken without such permission it will be treated as unauthorised absence and dealt with under the Disciplinary Procedure.



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Sickness during leave

3.6 If you become ill during a period of paid annual leave, you must comply with the requirements of the sickness reporting and certification procedure, if you wish to have this sickness period discounted from the period of paid leave taken. It is important that you contact the Clerk (or the Mayor in the case of the Clerk), on the first day of sickness and keep the council up to date during the period of sickness.

Payment of annual leave

3.7 The council does not offer payment in lieu of leave entitlement unless an employee is leaving the council and have not taken leave entitlement accrued at the time of leaving.

3.8 If an employee leaves during the course of a leave year and cannot take any outstanding accrued leave before their last day, they will receive a payment in lieu of any outstanding accrued leave. In such a case, a calculation will be made of the amount of paid leave due, on a pro rata basis, for that part of the leave year up to the date of termination of the contract. Holiday pay will be based on the current rate of pay including any regular overtime. All efforts should be made to ensure excess leave is taken before leaving where possible.

3.9 If an employee has taken more paid leave than is due by this calculation, then a deduction will be made from salary payments for an amount at the basic daily rate for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

Religious festivals

3.8 Refusal of annual leave on a day that has religious significance for a particular employee may amount to indirect discrimination under legislation.