



Time off in Lieu (TOIL) Policy

June 2021 (Version 1.0)

Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0		Adelle Pope- HR Manager	All Plymouth CAST Support Employees	New Policy

Approvals

This policy requires the following approvals:

Board	SEL	CEO	Date Approval	Version	Date for Review
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	July 2021	1.0	September 2023

National/Local Policy

This policy must be localised by Academies

This policy must not be changed, it is a CAST/National Policy

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement?

☒ Yes ☐ No

If yes, the policy status is: ☒ Consulted and Approved ☐ Consulted and Not Approved ☐ Awaiting Consultation

Distribution

This document has been distributed to:

Position	Date	Version
All CAST Central employees, CAST Headteachers, CAST Directors, JCC	September 2021	1.0

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1. Vision and Values

- 1.1. Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
- 1.2. Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing an education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust.
- 1.3. Plymouth CAST expects all its employees to recognise their obligations to each school within the Multi-Academy Trust, the public, pupils and other employees and to provide consistently high standards of education and performance at all times and in accordance with Plymouth CAST's vision, mission and principles.

2. Introduction

- 2.1. The success of the Trust and its schools are founded on the skills, energies and commitment of its employees. Some, on occasion, are required to work outside what are considered 'core' hours of work or beyond their contracted hours in order to meet the needs of the school/Trust. Without this goodwill and adaptability it would be impossible to provide a responsive service or cope with work demands.
- 2.2. On occasion, the hours worked by employees may exceed their contracted hours. This may be due to: evening meetings, weekend work, emergency call outs whilst on call, or there may be an occasional unplanned yet urgent need to extend the working day. TOIL allows staff to respond flexibly to unexpected service or personal needs as well as respond to the occasional need to vary the timings of the service provision, such as irregular meetings. In addition, if a member of staff has an unexpected commitment in their personal life not covered by the absence management policy, TOIL can be agreed and made up at a later date; examples being a request to attend a school meeting for a dependent which cannot be scheduled outside working hours or an emergency dentist's appointment.

3. Purpose

- 3.1. To promote fairness and equality; these guidelines provide guidance to employees and managers when actual hours of work are in excess of contracted hours of work.

4. Scope

- 4.1. This policy applies to support staff where permitted in their terms and conditions.
- 4.2. This policy does not apply to teachers and senior managers due to the nature of their work and contracts.

5. Equal Opportunities

- 5.1. This policy must always be applied fairly and in accordance with employment law and Plymouth CAST Equal Opportunities Policy.

6. Responsibilities

- 6.1. The Trust, as the employer, has overall responsibility for the policy and for ensuring it is applied consistently and fairly.

7. Principles

- 7.1. To clarify the different terms used.
- 7.2. To outline the different processes available to employees to compensate for their time and flexibility.
- 7.3. To promote safety in the workplace by being able to track employees easily, especially those employees working outside traditional work hours.

8. Definition of Terms

- 8.1. 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.
- 8.2. Overtime Pay is defined as the additional pay claimed as a result of additional hours worked to contracted hours. It can be planned or occasionally unplanned. Unless an employee has a contractual entitlement to overtime or it has previously been authorised by the appropriate line manager any claim for overtime will not be considered.
- 8.3. For the purposes of operating this policy a month should be taken to mean 28 days

9. Authorisation

- 9.1. The Trust recognises, by the nature of its work, that on occasions staff will be needed to work outside recognised working hours. However, the Trust also acknowledges its

duty to protect the health and safety of its staff by ensuring they do not work excessive hours and that any additional hours are agreed in advance and monitored appropriately. It is a line manager's responsibility to oversee their team's workloads so that the work is done within a normal week.

- 9.2. Whenever possible, employees should not work additional hours and only then if it **has been agreed in advance by their Line Manager**. It is recognised that there are occasional exceptional circumstances, e.g. when an employee is delayed and is unable to contact the line manager, in which case authorisation in advance may not be possible.
- 9.3. TOIL is not a tool to be used to accrue time to enable additional days' leave to be taken. Most duties should be carried out as part of normal contractual working hours. TOIL is an exception rather than a routine occurrence. It is to ensure that when staff attend meetings, conferences or visits that extend beyond working hours, this time can be taken back.
- 9.4. TOIL should not result in changes to normal working arrangements for example every Friday afternoon becoming a TOIL afternoon or working through lunchtimes and leaving early each day.

10. Working Hours

- 10.1. Employees may not work more than 48 hours a week unless agreed by their line manager in accordance with the Working Time Regulations and by signing a 48-hour opt-out form. If any employee regularly works additional hours, then working hours may need to be formally amended to reflect this. Typically, no more than 1 day or the equivalent number of additional hours should be worked as TOIL in a month. This will apply on a pro rata basis for part-time staff.

11. Record Keeping

- 11.1. Additional hours should be recorded on a Time off in Lieu Form (see appendix 1). The reason for any additional hours should be clearly stated. If the extra time worked is fifteen minutes or less, this does not need to be documented on a Time in Lieu Form (in order to avoid excessive form-filling) and should be dealt with informally by agreement with the line manager.

12. Time of in lieu

- 12.1. Taking back any time in lieu must be agreed by a line manager according to service needs and should be recorded on a Time off in Lieu Form (see appendix 1).
- 12.2. Any time in lieu accumulated should be taken within 28 days. If this is not possible, the employee should inform their line manager and agree on a suitable date for taking time back at the discretion of the manager. If not, the time will be lost.

- 12.3. Normally, no more than one day at a time should be taken back at once, at the discretion of the line manager. TOIL should not be used to extend a request for leave of absence in exceptional circumstances as the school has a separate procedure for requesting leave of absence (see the Plymouth CAST Special Leave Policy). Taking back time owed in lieu should not be used as an alternative to taking annual leave. If an employee wishes to take TOIL in conjunction with annual leave (i.e. added at the beginning or end of such leave) the effect this will have on operational needs and staffing will need to be taken into consideration before agreement is given.
- 12.4. Part-time employees who may be attending meetings or training on days not usually worked, may use the Time off in Lieu Form to record additional hours worked. The same procedure should be followed for taking time back; any additional time worked or taken back should also be recorded on the TOIL Record Form.

13. Notes for Line Managers

- 13.1. Staff must agree with you any time to be worked outside of normal working hours in advance. If this is not practical for any reason, staff must contact their line manager as soon as possible afterwards.
- 13.2. Staff must obtain their manager's approval before taking any TOIL, in the same way that annual leave is approved.
- 13.3. Managers will be responsible for completing TOIL record forms for each member of your team so that an overview of each employee's credit and debit can be maintained.
- 13.4. Staff should not accrue more than one day a month in TOIL, except in exceptional circumstances and with the prior consent of the Line Manager.
- 13.5. TOIL must be taken within the same month as accrued. Lieu time accrued and not claimed within the agreed timeframe will be lost.
- 13.6. The accounting period will be each calendar month.
- 13.7. Existing procedures will remain for all other authorised absences such as annual leave or sickness.
- 13.8. On termination of employment all TOIL will be at zero balance. Employees will not be paid in lieu of accrued TOIL which has not been taken by the final day of employment. Any such accrued TOIL will be lost.

14. Review

14.1. The content of this policy and procedure may be subject to revision from time to time following consultation with the recognised trade unions.

14.2. History of changes

Date	Page	Details of the change	Agreed by



Time off in Lieu (TOIL) Record

Name: Job Title:
Month reporting:

Date	Additional Hours Worked	Reason	Approved By Line Manager	TOIL Taken		Running Total
				Date	Hours	