



TOIL POLICY

Version 1: July 2020

ABSTRACT

This Toil Policy sets out the guidance and procedure for all employees regarding accruing and requesting Toil

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Where printing is necessary, please ensure that it is printed double sided and in greyscale.

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1. Statement

Employees accrue TOIL when working outside of normal contractual hours to staff events, clerking minutes at Council meetings, deal with emergencies etc, at the request of their manager and instead of being paid overtime if applicable.

Employees subsequently take TOIL to help ensure an effective work-life balance. However, TOIL arrangements are subject to prior approval by Managers, who must take into account the operational needs of the Council.

2. Purpose

The purpose of the Procedure is to ensure TOIL is managed fairly and consistently across the Council, in relation to the operational needs of each service area, and to inform employees of the procedure for accruing and using TOIL.

3. TOIL Guidelines

- Employees are not allowed to accrue more than a total of 37 hours of TOIL unless prior approval is given by the Town Clerk.
- All Toil accrued must be recorded on the appropriate form for this use and before the TOIL is taken a request form must be signed and approved by your manager, (or another Manager if your Manager is not available)
- The form must be completed fully including the date and times of the accrual and the reasons for the accrual
- Employees can take a maximum of 1 day TOIL, 7 ½ hours (pro rata), in advance of accruing it in the case of an emergency.
- 5 days' notice will be required to take TOIL – however this is left to the Managers' discretion, subject to business needs. It is acknowledged that Peterlee Town Council do not give time off for Doctor or Dental appointments and emergency leave is unpaid. TOIL is often taken instead for the cases.
- All TOIL must be taken within 3 months of it being accrued. If the Toil is not used within this time period it will no longer be valid and deleted from the total accrued.

- Subject to the above, and the provisions of the Council’s Sick Pay and Maternity/Paternity/Adoption Leave Policies, any **untaken TOIL will not be carried over into the next financial year**. Employees **will not be entitled to pay in lieu of untaken TOIL**, except where protected employment rights apply.
- Every effort will be made to accommodate requests for TOIL. However, during peak operating periods or when planned major events are taking place, approval of TOIL requests will be at the Manager’s discretion.
- Where multiple requests for TOIL are received in the same operational area during the same peak period - e.g. school summer break - it may not be possible to approve all requests. In such circumstances, approval will be granted on the basis of the date the request is received, (first come first served basis). If, in subsequent years the same employees request the same period, a rota arrangement will be applied.
- The operational needs of the service will be given priority over any TOIL requests.
- Any TOIL taken without the prior approval of the Manager will be classified as unauthorised absence and may result in disciplinary action being considered and pay being withheld depending on the outcome of any disciplinary action.
- Employees must advise their Manager of any changes to their TOIL plans in advance of such changes. This includes changes to dates of TOIL which will require further management approval and cancellation of planned TOIL which may require consequent changes to TOIL relief cover arrangements.

4. Procedure for Using TOIL

The employee’s manager must approve all TOIL in advance of it being taken. Members of staff wishing to take TOIL should follow the procedure set out below in order to allow full cover to be arranged:

- All requests for TOIL should be made in writing on the TOIL Request form, at the earliest reasonable opportunity with details of dates and times of the request
- The Manager will consider the application, having regard to the needs of the service and leave/TOIL already applied for before a final decision is made.

- Only on receipt of a signed TOIL form authorised by the Manager, should the member of staff commit him or herself to any TOIL plans.
- If TOIL is refused, the Manager will notify the member of staff within 3 days. Failure to do this will result in a default position of the TOIL request has been granted.
- The approved signed form must be handed in to the Corporate admin team within 7 days to be processed

If your employment terminates part of the way through the year, you will be paid any TOIL accrued, although if working a notice period then it will be expected that every effort is made to use the TOIL. Deductions from final salary due to you on termination of employment will be made in respect of any TOIL taken in excess of entitlement.

If an employee wishes to make a complaint regarding the application of the procedure, they should do so within the provisions of the Council’s Grievance Procedure.

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