

## Time Off in Lieu Policy and Procedure

WHC reserves the right to amend this policy at its discretion. The most up-to-date version can be downloaded from our website.



## Time Off In Lieu Policy and Procedure

ELT Manager	Principal & Chief Executive
Responsible Officer	Head of HR and Organisational Development
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Further information (where relevant)	

Reviewer	Date	Review Action/Impact	BoM
M Simpkinson	Nov 2016	No amendments	Dec 2016
V Ferguson	Oct 2019	Change to 35 hour week. Update on CASCADE procedure	

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### **1. Purpose**

West Highland College UHI recognises that a flexible approach to the arrangement of working hours supports operational efficiency whilst ensuring personal circumstances of employees are taken in to account. However, the College also acknowledges its duty to protect the health and safety of its staff by ensuring that they do not work excessive hours and that any additional hours are agreed in advance and monitored carefully.

This policy outlines the provisions available under this scheme and conditions of their use.

### **2. Scope**

This policy applies to all West Highland College UHI employees irrespective of length of service except where the contract of employment requires otherwise e.g. Senior Managers.

### **3. Policy**

The aims of the policy are to:

- Support employees and managers to achieve a balance between work life and service delivery;
- Set out the obligations on managers and employees;

### **4. Key definitions**

#### **Contractual hours**

These are the weekly hours that are specified in an employee's contract and which must be worked prior to any TOIL being accumulated.

#### **A day's annual leave**

For calculation purposes, a full day's annual leave for full-time staff will count as one fifth of the 35 hour working week. For part time staff a day will be calculated on a pro-rata basis or according to their actual normal daily working hours as appropriate.

#### **TOIL**

This is time off in lieu for preapproved work undertaken in excess of the normal contractual working hours. It does not apply to lunch periods. Managers must ensure that staff have an appropriate lunch break each day. If lunchtime meetings are necessary then staff should be allowed to take a break either before or after the meeting, to ensure compliance with Working Time Regulations.

### **5. Contractual Hours**

Standard full time working hours are 35 hours per week for salary calculation purposes. Part time staff are paid at a pro rata rate to 35 hours per week. The over-riding consideration in determining the arrangement for working additional hours is the need to provide effective, responsive and flexible services which meet our customer needs.

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## **6. Scheme rules**

- TOIL may be accrued for additional hours worked between 7am and 10pm, seven days a week.
- Working hours are normally between 9am and 5pm which allows for up to an hour for lunch. Any working hours differing from this, including hours for part time staff, should be agreed with the employee's line manager.
- Time off accumulated through TOIL arrangements must be equal to time actually worked
- TOIL may only be accrued after contractual hours have been worked and should be taken as soon as practicably possible after it has been accrued. If this is not possible it must be taken within 6 months of accrual.
- TOIL must be accumulated within a plan agreed with the line manager. Any additional hours worked must be agreed in advance. If this agreement is not in place, then the additional hours will not qualify for the accrual of TOIL and will be lost.
- When an employee identifies additional hours which might justify TOIL, they should raise this with their Line Manager.
- A maximum of 35 hours of TOIL per leave year may be taken (based on standard full-time working – pro rata for part time staff). Therefore, employees should not normally be more than 35 hours 'in credit' at any time, unless exceptional circumstances apply and prior agreement to exceed this figure has been obtained from their manager.
- When an employee wishes to take approved TOIL this has to be agreed with the relevant manager at least one week in advance wherever practicable.
- Additional hours worked cannot be carried over in to the next annual leave year.
- Employees are required to enter accurate records of additional hours worked onto Cascade. Managers are responsible for maintaining suitable monitoring arrangements.
- Managers must review TOIL hours on a monthly basis to ensure that the limits outlined above are not exceeded.
- Accrual of TOIL must not result in an employee working more than an average of 48hrs per week over a 17 week period

## **7. Additional Hours which may qualify for TOIL**

Below is a list of examples of additional hours worked which may qualify for TOIL. Please note that this list is not exhaustive.

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- College Open Days & Evenings
- Graduation Events
- BEST events

Please note that additional hours worked as part of an employee's normal day to day duties do not qualify for TOIL unless previously agreed by the Line Manager. It is expected that staff raise with their manager if they are unable to undertake all elements of their role in their regular working hours.

Managers are expected to support employees to manage down excessive additional hours worked. If necessary this may be undertaken as part of the performance management process.

## **8. Exceptions**

The TOIL policy and its operation depend on mutual trust. Any employee who abuses the scheme will be required to work fixed hours. Disciplinary action may also be taken in line with the College's Disciplinary Policy and Procedure.

## **9. Linked Policies**

- Equal Opportunities Policy
- Flexible Working Policy