

SALISBURY CITY COUNCIL



TOIL

Policy No	Version	Owner	Doc No	PDF No	Date Published	Review date	Changes
TBC	V1	HRM	N/A	N/A			To be taken to Personnel Committee 25 November 2024

Distribution

Internal: All SCC Staff

External: Website/Councillors/Partners

1. Policy Statement

- 1.1. This policy applies to all staff.
- 1.2. The purpose of this policy is to provide a clear and transparent framework for accumulating time off in lieu (TOIL).
- 1.3. This policy is non-contractual.

2. Purpose

- 2.1. At Salisbury City Council, we have a duty of care to ensure our staff have manageable workloads. Failure to do so can result in:
 - 2.1.1. **Low Morale:** Employees want to do their best work. If TOIL is generated due to an overwhelming workload, employees may feel discouraged, leading to a lack of enthusiasm about work.
 - 2.1.2. **Poor Prioritisation:** Without clear guidance, employees may focus on less important or more enjoyable tasks, neglecting higher priority tasks.
 - 2.1.3. **Staff Retention Issues:** Prolonged periods of unmanageable workloads can drive employees to seek employment elsewhere, leading to the loss of valuable team members.
 - 2.1.4. **Increased Sickness Absence:** Unmanageable workloads can lead to stress or anxiety-related health issues, resulting in higher sickness absence rates.
 - 2.1.5. **Breach of National Minimum Wage:** Working beyond contracted hours could breach National Minimum Wage laws, potentially causing reputational damage and financial penalties.
 - 2.1.6. **Performance and Efficiency:** All staff require adequate time off. High levels of TOIL may lead to insufficient rest which can negatively affect productivity and performance at work

3. Expectations

- 3.1. Working hours and practices should be agreed upon between the manager and employee. This policy does not cover statutory working requests; please refer to the Flexible Working Policy for guidance.
- 3.2. If an employee finds their contracted hours insufficient to complete their tasks, they should discuss this with their manager.
- 3.3. Temporary peaks and troughs are expected in all roles. However, if the peak (or trough) lasts for more than one month, appropriate actions should be taken.
- 3.4. Managers and employees should discuss priorities and tasks and agree on an action plan to address workload issues.

- 3.5. If the agreed solution does not resolve the workload issue, HR can be contacted to support further discussions.
- 3.6. From 1 January 2025, no member of staff will be authorised to accrue more than 15 hours of TOIL.
- 3.7. If you work additional hours beyond 15 hours you must tell your manager. Your manager must notify payroll (every month your hours exceed 15 hours TOIL). This is so a calculation can be made to consider national minimum wage, based on the hours actually worked.

Appendix 1 – Frequently asked questions

- **My team works standard hours every day. Is it compulsory to complete a timesheet?**

No. If your staff arrive and leave at the same time each day, a timesheet is not essential. However, it is expected that standard working hours are agreed between the manager and employee and that no TOIL is accrued unless by prior agreement. Adjustments should be made if, for example, an employee arrives early one day or a meeting runs longer than usual.
- **My team works a rota that specifies their start and finish times. Do they need to complete a timesheet?**

No, as long as the rota matches the contracted hours. If additional hours are worked beyond the rota, a system must be in place to either take back the time or pay for the extra hours, if that's the arrangement in your team.
- **Can I still work flexibly?**

Yes, flexible working is still an option. However, it is important that managers and staff have regular discussions about workloads to ensure they remain manageable. If extra hours are necessary for a project or task, both the manager and employee should agree on how the time will be taken back. The maximum allowable TOIL balance is 15 hours.
- **Wouldn't it be easier to enforce strict working hours?**

While enforcing strict working hours might seem simpler, it is not recommended unless required for health and safety reasons (e.g., lone working or equipment use). Allowing some flexibility can reduce stress, enable employees to manage emergencies or appointments using TOIL, and foster goodwill within the team.
- **What if I can't manage my team's workload?**

If you're struggling to manage your team's workload, speak to your line manager, who can escalate the issue to the Senior Management Team. HR is also available to provide support and guidance.
- **After 1 January, if I work additional hours and my TOIL is already at the maximum of 15 hours, what happens?**

The maximum allowable TOIL balance is 15 hours. If you work additional hours beyond this, you will not be credited for the extra hours worked. You must inform your manager that you are working unpaid hours, and your manager must liaise with Payroll to check for any potential National Minimum Wage issues.
- **Is overtime an option instead of TOIL?**

Due to financial constraints, overtime must be controlled to prevent overspending. However, on occasion, your manager may approve additional hours or overtime. They will need to secure the appropriate budget to authorise any additional hours or overtime.