

## **POLICY - TOIL**

**Owned by:** Chief Executive

**Date passed:** 11/09/23

**Body passing:** Senior Leadership Team (SLT)

**Review required:** 01/09/2026

### **Time off in Lieu (TOIL) Policy**

#### **1. About this policy**

- 1.1. On occasion, the hours worked by employees of Winchester Students' Union may exceed their contracted hours. This may be due to meetings, callouts, staff absence or there may be an occasional unplanned yet urgent need to extend the working day.
- 1.2. Winchester Students' Union has a duty to protect the health and safety of its employees by ensuring that they do not work too many hours and that they are recompensed if it is necessary to work extra hours. This policy sets out the Union's procedure in relation to overtime worked being taken as Time Off in Lieu (TOIL).
- 1.3. TOIL is time taken instead of overtime pay by employees working beyond their contractual hours. Only salaried staff are entitled to participate in the TOIL arrangements.

#### **2. Accrual of TOIL**

- 2.1. Employees who need to work more than their contractual hours should email their line manager at the time of completing the monthly rota to agree TOIL hours in advance. While TOIL should primarily always be agreed in advance, and at least two days before the date/s concerned, there may be instances where there is an occasional unplanned yet urgent need to extend the working day. If this occurs, staff should email their line manager to outline the reason for the unexpected TOIL accrual, which can then be agreed retrospectively. All agreed extra hours worked must be recorded on the employee's rota.
- 2.2. Employees are expected to manage the amount of hours worked in cooperation with their line manager. It is generally expected that no more than 30 hours of TOIL may be accumulated at any one time. During exceptionally busy periods (e.g. Freshers/Welcome), accrued TOIL may exceed 30 hours, providing that hours are offset within the same rota period, leaving a total of no more than 30 hours accrued at the end of the 4-week rota period. The maximum number of hours of TOIL will be calculated on a pro rata basis for part-time employees.

- 2.3. TOIL accrued is equal to time actually worked. For example, if the employee works for two hours, two hours of TOIL is accrued, regardless of whether the work is done on a weekday, weekend or bank holiday.
- 2.4. TOIL does not accrue for work done beyond contractual hours when it is done outside normal office conditions, for example when an employee travels for work or attends a residential course.

### **3. Procedure and Record Keeping**

- 3.1. Line managers are responsible for monitoring the levels of TOIL that employees are accruing and ensuring that accumulations are in accordance with this policy. The CEO is responsible for monitoring and signing off Sabbatical Officer TOIL. The Students' Union President is responsible for monitoring and signing off CEO TOIL and will have access to the TOIL sheet for this purpose only.
- 3.2. The TOIL sheet should be completed by the line manager at the start of the rota period with any agreed expected TOIL, and then updated at the end of each week showing TOIL hours accrued or taken each week. Only extra time worked over 30 minutes can be recorded as TOIL.
- 3.3. Employees may not work more than 48 hours a week unless agreed by the CEO 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.
- 3.4. Employees on notice are no longer permitted to accrue TOIL. All TOIL will need to be taken by employees who are leaving the organisation in consultation with their line manager.

### **4. Claiming back TOIL**

- 4.1. Any TOIL accumulated in one 4-week rota period should normally be taken by the end of the following rota period (i.e. within 4 weeks). If this is not possible, the employee should inform their line manager and agree a suitable date for taking time back, at the discretion of the manager.
  - 4.2. Normally, no more than 2.5 days at a time should be taken back at once, any more than this is at the discretion of the line manager. 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.
- 4.2 Staff can request TOIL to be claimed back within the following parameters:
- 4.2.1 Not more than one member of staff in the same area off at the same time, unless agreed by line manager.

- 4.2.2 TOIL should not be claimed back when workload is anticipated to be particularly heavy, or not to clash with any other related staff/team peak workload.
- 4.2.3 Time must be agreed with your line manager.
- 4.2.4 Any TOIL taken is normally to be taken before annual holiday entitlement.
- 4.3 On the 31st August each year, any TOIL not taken relating to the previous year (1st August to 31st July) will be lost.