



Flexitime, TOIL and Overtime Policy and Procedure

Introduction

West Oxfordshire District Council (WODC) prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees, to give their best.

WODC have a basic full time working week of 37 hours per week. Whilst a key principle is always ensuring we deliver a great service to our customers, we recognise that at times this can result in working above contractual hours. WODC recognises that it has a duty to protect the health and safety of its employees by ensuring that they do not work in excess of their hours on a regular basis and where this becomes excessive, the individual has the opportunity to be recompensed for the additional hours worked.

This policy is in place to define the flexi-time, time off in lieu and overtime system and to set down guidelines for its implementation.

'Flexi-time' is a system which allows employees to balance personal and work commitments with peaks and troughs regarding work load. As a result, overtime should not occur. There are occasions when extra hours become a feature of employment and therefore the flexible hours scheme cannot compensate sufficiently and therefore overtime or Time off in lieu (TOIL) will be more appropriate.

'Time off in lieu' (TOIL) is time off that is taken instead of being paid overtime, by employees who have worked beyond their contractual hours (for example; working a day that isn't contracted/weekends).

Employees will be allowed to take time off in lieu or receive overtime pay if they have obtained the prior agreement of their line manager.

Overtime/ Accrual of Time off in Lieu (TOIL)

Employees who occasionally need to work more than their contractual hours should inform their line manager at least twenty-four hours before the date concerned and seek their approval to do the overtime. The extra hours worked must be recorded in accordance with WODC's systems.

Employees are expected to manage the amount of overtime worked in cooperation with their line manager. Whilst there is no limit to the number of hours that an individual can accrue, these hours should be kept to a minimum and be in accordance with working time regulations.

Where overtime is an alternative to time off in lieu, it will typically be where an individual or individuals are asked to cover absences, to catch up on deadlines, or to resource one-off projects that cannot be carried out in normal working hours.

Your contract of employment will specify whether you are obliged to work overtime if requested.

If overtime work is available, the line manager will inform those employees who are eligible of the existence of overtime work and ask which employees are interested. If more than one employee is interested, the work will be allocated on a rotational basis to ensure that the opportunity is spread among the employees capable of doing the work.

Overtime that is approved in advance by your line manager will be paid as per your salary under your contract of employment.

Overtime rates will only apply for hours worked over 37 per week and only if properly authorised by your line manager, in advance. Payment for authorised overtime hours will be at the following rates:

- Monday to Saturday – time and a half
- Sundays and public holidays – double time

As an alternative to overtime, TOIL that has been 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.

Redemption of Time Off in Lieu

Employee's requests to redeem TOIL will be granted at the discretion of their line manager, taking into consideration operational requirements such as the needs of the business and workload of other employees. Line managers are expected to allow staff as much flexibility as they can under this policy. However, it will not always be possible to allow staff to take the time off when they have requested it. At least one-half day of TOIL must be accrued before it can be redeemed.

Employees must where possible take TOIL within one month of accrual. Employees cannot carry forward TOIL beyond this period without the prior agreement of their line manager.

Line managers are responsible for monitoring the levels of TOIL that employees are accruing and ensuring that accumulations are in accordance with this policy.

When an employee moves to a different department, accumulated TOIL will be paid as overtime pay unless alternate arrangements are made. In this case, TOIL paid as overtime will be charged to the department for which the employee was working when they did the overtime. Employees can obtain the agreement of their new line manager to carry over TOIL to their new department. The new department will absorb the associated costs of carrying over TOIL.

Employees who are leaving the organisation and have accrued TOIL will be paid overtime to cover this.

Redemption of Flexitime

We know that many staff like to enjoy the benefits of our flexi time scheme, which enables staff to accrue additional hours and then book flexi leave.

The system operates on a four-weekly settlement period of 148 hours (37 per week) and an employee will record their start and finish times and include breaks to keep a record of their hours.

In terms of flexi-leave, our agile working approach means that staff no longer need to utilise the traditional flexi time scheme to work flexibly and therefore its applicability is limited to the booking of flexi leave as either half or whole days. For staff who wish to utilise this system the following applies:

The scheme applies equally to part-time staff. If you are part time, your manager will discuss with you how it will work for you.

Accruing hours: Staff are permitted to accrue hours by working more than their contracted hours, up to a maximum of 10 hours in a four-week period and provided always that this is in accordance with the Working Time Regulations. Accrued hours can then be taken as flexi leave, with staff able to book up to 1 day or 2 half-days flexi leave in any four-week period.

At the end of the four weeks any hours in excess of 10 are lost and cannot either be carried forward into the next four-week period or paid as overtime. All staff are therefore encouraged to actively monitor the number of hours they are accruing and adopt their working patterns accordingly.

Staff are permitted to hold a debit of up to 5 hours in any four-week period, provided that the debit is cleared over the following four weeks.

48-hour Working Week

We cannot require you to work longer than an average of 48 hours per week. You can choose to work more than the maximum 48-hour week by signing an opt-out agreement. In some circumstances, we may ask that you sign an opt-out agreement. However, it is entirely your decision and you do not have to agree to opt out of the legal limit.

Health and Safety

If you are working long hours, you must take rest breaks. We have additional health and safety obligations towards young employees and employees who work at night. Please refer to the Health and Safety policy for more information

Recording of hours

Staff who wish to book TOIL or flexi leave or who carry debit hours must keep accurate records of their hours. To assist staff in recording sample time sheets are available on the Contractual benefits page on the portal. Time sheets should be saved into a shared area which can be accessed by your line manager.

Booking Time Off

All requests for flexi leave, TOIL and overtime must be submitted via Business World and can only be submitted once sufficient hours have been accrued. Staff are reminded that all requests are considered in line with the usual parameters around taking leave, for example, office cover etc. and therefore can be declined by your manager.

Crediting Annual Leave, Sickness, Training

For the purpose of crediting annual leave, sickness, training courses etc. one day will be seven hours 24 minutes and half a day will be three hours 42 minutes. For staff who work part-time the hours credited will be determined by your work pattern. With regard to training courses exceptions may be made, at the discretion of your line manager, where there are extended travel requirements.

Leaving the Organisation

For anyone leaving the organisation any accrued hours must be taken, or debit hours made up, during the notice period.

Any abuse of the scheme will be regarded as grounds for disciplinary action. Where any actions constitute possible criminal offences, a referral will be made to the appropriate body or organisation for investigation and any criminal investigation may be conducted concurrently.

Where the allegations relate to suspected criminal offences including fraud, theft or corruption, HR will liaise with the Counter Fraud and Enforcement Unit. In such circumstances, a joint investigation may be necessary.

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