



**THIS POLICY COVERS ALL ACADEMIES/SCHOOLS WITHIN
ARDEN MULTI-ACADEMY TRUST**

Name of Policy	Time Off In Lieu (TOIL) Policy	
Lead	Martin Murphy, CEO	
Governor Committee	Business & Personnel Committee	
Policy Status	Draft	June 2011
	Trustee approved	12 th December 2023
This version	1	
Next Review	Autumn Term 2024	
Amendments	12 th June 2017	



Time Off In Lieu (TOIL) for AMAT support staff (and teaching staff teaching twilight lessons)

Statement

The AMAT recognises that the nature of its work means that on occasion staff will be needed to work outside recognised working hours. However, the Trust 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 appropriately. It is a line manager's responsibility to oversee their team's workloads so that that work is done within the normal working week.

The Time Off In Lieu (TOIL) procedure is a guideline for managers to assist them in planning and managing the working hours of staff who are asked to work additional hours when there is a busy period or specific event. The assumption is that staff are willing to work additional hours in excess of their contracted working hours. This has been developed to ensure the consistent and transparent application of TOIL across the school.

What is lieu time?

Lieu time is time off which staff are allowed to take in lieu of overtime pay, for hours worked beyond the normal working day. TOIL should be used as the main method of dealing with both unplanned events/emergencies and the management of any occasional/temporary planned activities.

To whom does this procedure apply?

The procedure applies to support staff as identified on the attached schedule. TOIL is not available to teachers except in the case of twilight (Post 16 teaching). Staff should discuss this with the deputy responsible for the curriculum.

Overtime versus TOIL

When further additional staffing hours are required, the manager should consider whether TOIL is the most appropriate method to cover this. The manager should ensure that:

- Working additional hours is voluntary;
- The additional hours are required for a limited period of time only – if it is for a period longer than a month then the manager should review the overall staffing needs for the department to ensure working practices are effective;
- Overtime is separate from TOIL and will be paid accordingly.

Overtime should be utilised for extra work where it would be unfeasible to sanction TOIL because the employee would accumulate such a high number of extra hours that they could not be reclaimed without it being disadvantageous to the organisation.

Accruing leave within the TOIL system

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.

Toil can only be accrued in periods of 30 minutes or more.

TOIL 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. The only exception to this is where a particular postholder has a limited potential to accrue TOIL and where they would like to designate it for a particular use later in the year. In such a case the postholder should ensure that the TOIL designated for the special purpose is identified on their TOIL sheet even where the exact dates is unknown. TOIL may not be taken in periods of more than one day, unless the TOIL is being used outside of term time, e.g. school holidays, when longer periods may be requested.

TOIL accrued and not redeemed by the end of the academic year will be considered lost and no monetary compensation will be offered.

In cases where the TOIL is accrued at the end of the summer term and there is no opportunity to take the time before the end of the academic year a maximum of 2 days of TOIL can be carried forward to the next academic year.

Procedures

The procedures for recording and requesting TOIL are as follows:

- Additional hours that have been worked should be recorded on the 'Time Off In Lieu' (TOIL) Record. This record should ideally be kept electronically, be maintained by the employee and must be available to the line manager.
- TOIL request should be requested and authorised on the employee's individual TOIL record.
- An employee who is contracted to work some days outside of term time should use this time first for redemption of TOIL (ie. reducing the time contracted to work during the school holidays).
- All leave should be recorded on a TOIL request form and submitted to either CEO/Executive Headteacher/Associate Headteacher for agreement. This includes time off for requests just for hours.
- For teaching staff it is not always practicable to grant time off in lieu – it may be possible through negotiation with the Deputy Headteacher (Curriculum) to have time during the day or, if it is not possible, or through choice, staff may wish to make a claim for payment (via extra hours form).

Manager's responsibilities

As is the case with any time off site, accrued TOIL can only be taken at a time which is agreed by the line manager and where it does not have an adverse impact on the department or school as a whole. Where

a TOIL request has not been approved, it is the manager's responsibility to identify suitable alternative dates when TOIL can be taken.

Managers must keep proper account of additional hours worked whenever they occur.

Conclusion

The TOIL policy and its operation depend on mutual trust. Any suspected abuse of TOIL may be treated as a disciplinary matter.