



TIME OFF IN LIEU (TOIL)
STANDARD OPERATING PROCEDURE

Links

The following documents are closely associated with this policy:

- Self-Managed Rotas SOP
- Managed Rotas SOP
- Overtime SOP
- Relief SOP
- Leave Policy – Need to check all leave policies

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Document Lead:	Deputy Director of Operations
Document Type:	Standard Operating Procedures -Operational
For use by:	All Operational Staff

Equality Impact Assessment	<i>Needs a date</i>
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		Version:	V3.0
Date of Approval:	12 February 2018	Status:	Final
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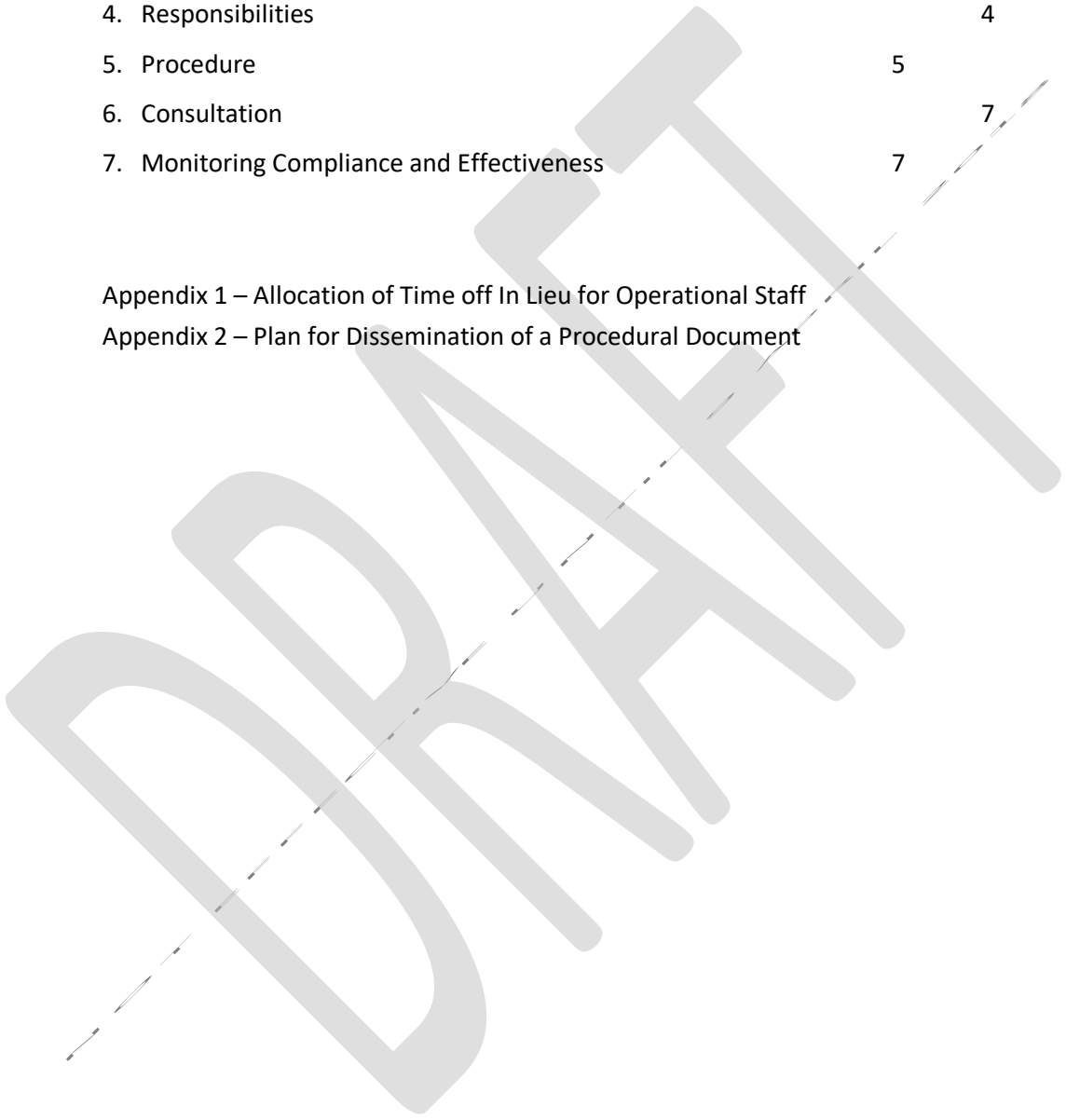


Version Control	Document Location If using a printed version of this document ensure it is the latest published version. The latest version can be found on the Trust's Intranet site.
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Version	Date Approved	Publication Date	Approved By	Summary of Changes
1.0	28 February 2014	02 April 2014	Operational Governance Group	None-initial publication of SOP
1.1	28 August 2014	28 August 2014	Urgent approval by chair of Operational Governance Group	Amendments to section 6.3 and 6.4 – time allowed to take TOIL extended to six months following discussions at Listening in Action (LiA) events.
1.1	29 August 2014	29 August 2014	Operational Governance Group	Operational Governance Group informed of urgent approval and changes.
2.0	10 July 2017	25 July 2017	Risk, Safety and Governance Group	Document approved as reflecting current working practices; no changes made. Document will be reviewed again in March 2018.
3.0	12 February 2018	Made available to staff on 14 March 2018 Publish on, and effective from, 09 April 2018	Risk, Safety and Governance Group	Replaced "Local" with "Operational" when referencing Management Teams Added that TOIL can only be accrued against core duties (including end of shift) and not for missing a meal break. Added that time off against accrued TOIL must be booked within 3 months and taken within 6 months of accrual. Increased amount of TOIL that can be accrued before plans made to reduce the balance from 12hours to one weeks' contracted hours. Removed reference to Additional Time off (ATO) throughout the document.

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1. Introduction

- 1.1. Time Off in Lieu (TOIL) is time off which members of staff choose to take in lieu (i.e. instead of) overtime pay for time worked in excess of contracted hours.
- 1.2. It is important to both the Trust and individual members of staff that TOIL is managed carefully and accurately.

2. Objectives

- 2.1. The objective of this Standard Operating Procedure (SOP) is to:
 - Provide a clear, fair and robust document that formalises the method of managing TOIL within the Trust.

3. Scope

- 3.1. This SOP applies to all Operational and EOC staff that may incur TOIL.

4. Responsibilities

4.1. Local Resource Management Centre

- 4.1.1. To ensure that the Trust's TOIL SOP is managed and applied fairly and consistently.
- 4.1.2. By exception, liaise with members of staff and, when necessary, operational management teams to ensure that TOIL hours are kept to within the boundaries of this SOP.
- 4.1.3. To ensure that the authorisation of TOIL fits in with the agreed matrix (see Appendix 1). To agree the allocation of TOIL and if not granted offering alternative options to the member of staff.

4.2. Staff

- 4.2.1. Staff must not accrue any greater than 75 hours before plans are implemented to reduce this. TOIL balances can be seen by each individual member of staff within GRS Web. Anything worked above 75 hours must be claimed as overtime.
- 4.2.2. There will be no time limit for the length of time TOIL can be kept.
- 4.2.3. Staff are responsible for monitoring their TOIL balance through GRS Web.

4.3. Operational Management Teams

- 4.3.1. Accountability sits with the General Manager or Head of Department who has the right to devolve responsibility to their operational management team.

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4.3.2. To liaise and work with the local RMC, where appropriate, with regards to reducing TOIL hours accrued by staff; this will occur on a monthly basis and monitored accordingly via the Trust's Global Resourcing System (GRS).

4.3.3. Operational management teams will check TOIL balances for their area on a monthly basis to ensure any balances do not exceed 75 hours.

5. Procedure

5.1. Accrual of TOIL

5.1.1. Once staff have accrued 75 hours they cannot accrue any further planned or incidental TOIL until their physical balance has reduced in GRS. Any hours above 75 will be paid as overtime. This must be carefully monitored on a monthly basis using GRS to ensure that accuracy is maintained.

5.1.2. Working additional hours to accrue TOIL on a whole or part shift basis (not including end of shift TOIL) must always be agreed in advance with the staff member's line manager or other manager who has the authority for authorising the TOIL record. TOIL can only be accrued as a result of carrying out duties in your core role unless agreed by local management team. E.g. Trade Union duties.

5.1.3. For all TOIL claims, a record must be created within GRS and authorised by the employee's line manager. The reason for any additional hours' accrual should be clearly stated.

5.1.4. At the end of each month, the local Resourcing Management Centre (RMC) will, provide a TOIL report to relevant management teams. This will allow a review of any excess TOIL hours by managers and members of staff.

5.1.5. If accruing hours to build up your TOIL pot any whole or part shift worked must be a like for like basis to what you are booking off. If hours are accrued on a Monday – Thursday a Monday – Thursday must be taken off, likewise if hours are accrued on a Friday to Sunday, a Friday to Sunday shift must be taken off. E.g. It will not be possible to book off a Saturday and accrue the hours on a Tuesday unless agreed with the local management team.

5.1.6. For staff on self-managed rosters, TOIL may be offset against any hours' deficit by mutual agreement. Staff who are in deficit hours will follow the guidance in the Self-Managed SOP.

5.2 Management of TOIL

5.2.1 Staff applying for TOIL should do so via GRS Web or via an email to RMC (or local line manager if RMC not applicable) with greater than 28 days' notice in order for the RMC to plan relief allocation appropriately. Applications for TOIL will be processed by the RMC and either approved or rejected within seven calendar days.

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5.2.2 Time-off against TOIL will be authorised when all the following criteria apply:

- The request does not result in the TOIL category on the abstraction matrix being exceeded (see Appendix 1). Staff should never assume that the time they are requesting is available.
- Sufficient TOIL time has been accrued in advance to support the request.
- The date of the requested TOIL is greater than 28 days but less than twelve months from the time of application.

5.2.3 TOIL for the Christmas and New Year Period (starts 7 days prior to Christmas Day and finishes 7 days after) will be granted via a ballot system.

5.2.4 Due to the levels of activity predicted on the days below the amount of available TOIL allocated will be **half the normal daily hours allocation**.

- 24th December – Christmas Eve
- 25th December – Christmas Day
- 26th December – Boxing Day
- 31st December – New Years Eve
- 1st January – New Years Day

5.2.5 TOIL requests for this period must be made by 1 October. A panel will be put together within seven days consisting of a minimum of:

- Member of the Divisional Management Team
- Trade Unions (GMB & Unison leads)
- one member of staff

5.2.6 . A local ballot process will be agreed with the Trade Unions and staff will then be informed of the outcome no later than the 31st October

5.3 Short Notice TOIL

5.3.2 Short notice TOIL is a request with less than 28 days' notice. When staff request TOIL with 28 days' notice or less, and the matrix (see Appendix 1) will not be exceeded, this request will be passed to the appropriate management team for approval.

5.3.3 When considering short notice TOIL requests, the following must be considered:

- Forecast requirements
- Availability of relief staff
- Skill mix
- Exceptional circumstances

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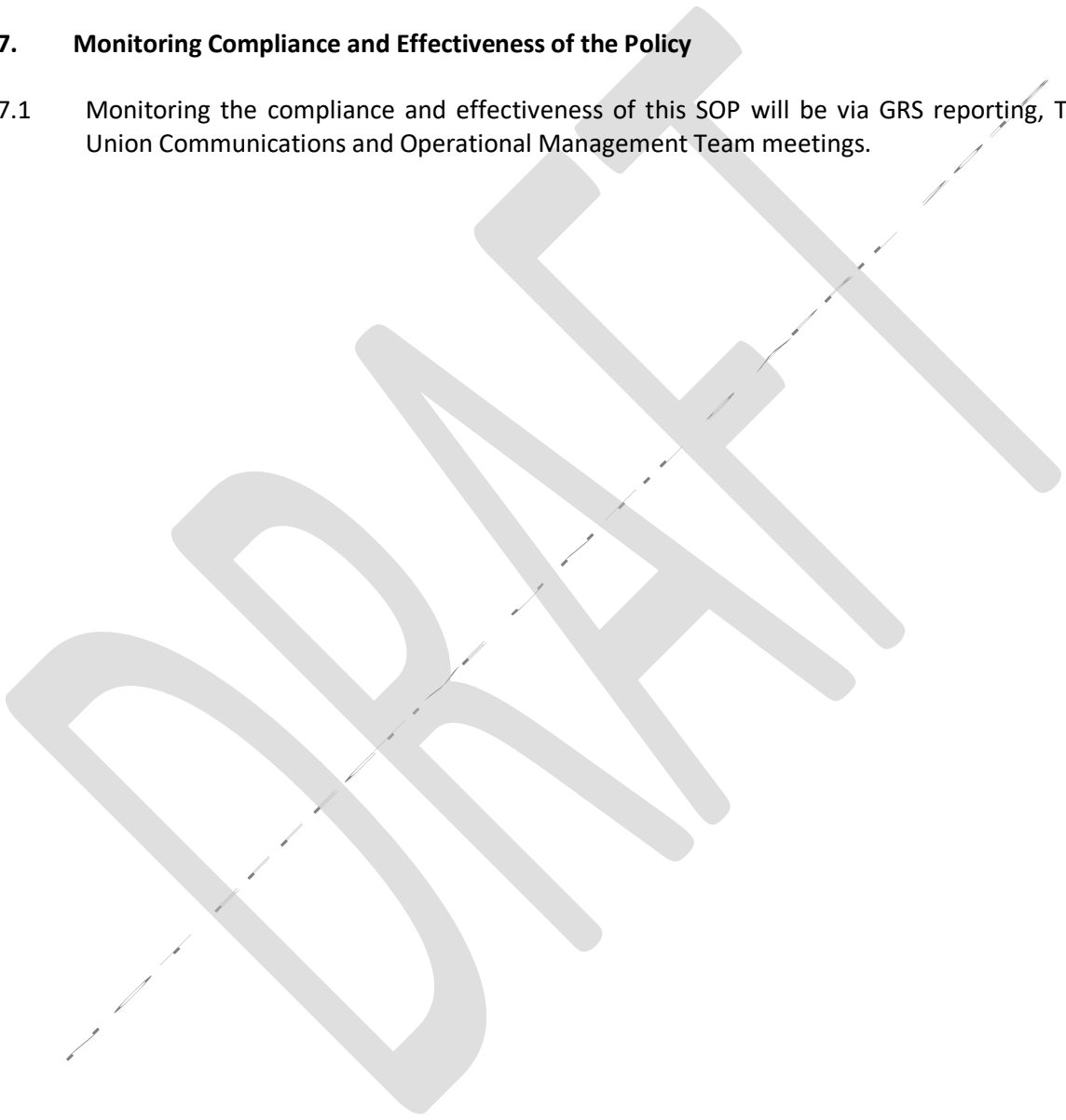
5.3.4 A shift swap will be managed through the Managed rota or Self Managed Rota SOP

6. Consultation

6.1 Consultation via the Operational Delivery Group.

7. Monitoring Compliance and Effectiveness of the Policy

7.1 Monitoring the compliance and effectiveness of this SOP will be via GRS reporting, Trade Union Communications and Operational Management Team meetings.



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Allocation of Time off In Lieu for Operational Staff

Daily toil pot	293 hours
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	% of TOIL Pot*	hours per day	Shifts per Day
DERBYSHIRE	19.50%	56	5.0
LEICESTERSHIRE	19.90%	56	5.0
LINCOLNSHIRE	24.40%	68	6.0
NORTHAMPTONSHIRE	14.50%	45	4.0
NOTTINGHAMSHIRE	21.70%	68	6.0
EMAS	100.00%	293	26.0

* The % TOIL pot is based on the percentage of the workforce that work in that division i.e 19.5% of the workforce work in Derbyshire therefore they get 19.5% of the daily toil pot.

Should the Operational workforce establishment increase by more than 50 people we will review the TOIL allowance with the Trade Unions

All other areas that allocate TOIL will continue to work to their current working practices.

Plan for Dissemination of Procedural Document

Title of document:	TOIL SOP		
Version Number:	V3.0	Dissemination lead:	Ben Holdaway, Deputy Director of Operations
Previous document already being used?	Yes		
Who does the document need to be disseminated to?	All frontline operational staff All EOC staff		
Proposed methods of dissemination: Including who will disseminate and when Some examples of methods of disseminating information on procedural documents include: <i>Information cascade by managers</i> <i>Communication via Management/ Departmental/Team meetings</i> <i>Notice board administration</i> <i>Articles in bulletins</i> <i>Briefing roadshows</i> <i>Posting on the Intranet</i>	E News On In-site Through the Divisional Resource Centres Through the Divisional Management Teams Education department Management workshops		

Note: Following approval of procedural documents it is imperative that all employees or other stakeholders who will be affected by the document are proactively informed and made aware of any changes in practice that will result.