



## Time Off In Lieu (TOIL) Policy

Health Poverty Action believes in both the principle and the value of flexible working – hopefully to the mutual benefit of both our work and our staff.

Our aspiration is to facilitate as much flexibility as reasonably possible. If staff have particular needs or wishes, and these can be accommodated without causing undue difficulties for colleagues or the organisation's work, we will generally try to find ways of enabling them.

The facility of taking TOIL is one component of this flexibility – alongside others such as variable starting and ending times, sometimes working from home, etc.

It is important for staff and their managers to periodically discuss together how effectively this flexibility is working out in practice, in order to maintain a shared understanding, address any issues, and seek to maximise the benefits of flexibility for individual staff, work and colleagues.

Working both flexibly and effectively is as much about establishing a cooperative and supportive culture between all parties (staff, their managers, and also their other colleagues) as it is about a set of rules.

This policy should therefore itself be interpreted with a level of flexibility – more a set of guidelines than hard and fast rules. No two set of circumstances are ever exactly the same, and needs of individual staff and roles differ. The aim should always be to consider what seems fair and reasonable.

### Accruing TOIL

As part of their work, staff might sometimes need to work outside their normal working hours (eg evenings, weekends and public holidays).

When this happens, TOIL can be accrued.

Within reason, time spent travelling overseas or within the UK for work purposes is considered work time.

For long journeys however, this isn't always practical – eg a door to door journey from home to a country programme might take over 24 hours (and of course some of this may be spent sleeping or watching movies). Journeys vary in their nature, and we should each try to judge what seems fair in each case. As a common guideline, it is reasonable to count up to 7 hours per day as work hours for long haul journeys. (For example, if we spend 21 hours travelling, spread over two days, counting it as 14 hours worked might seem reasonable.)

TOIL is not accrued solely as a result of being away from home. An hour worked is counted as an hour worked wherever and whenever that happens to be, and whether in their home country or abroad. (For example, hours worked at a location away from home, or during a public holiday, are not counted as double time or time and a half.)

Similarly, days spent overseas are only considered work days if they are spent working. Weekend or midweek days that are free time, eg spent resting or as time for personal sightseeing, are not counted as work days.

If anyone feels that they are regularly working excessive hours, it is important that they discuss this with their manager.

### **TOIL bank, records and limit**

Staff should maintain their own record of the bank of TOIL they have accrued. This should include for each entry:

- Date the work was done
- What the work was
- Number of TOIL hours accrued

TOIL can be accrued until it reaches a maximum limit of 15 work days.

If a member of staff finds that they are working more hours than they wish to, or having difficulty managing to take the TOIL they would like to take, they should discuss this with their manager in order to explore solutions.

There is one exception to the 15 day maximum limit of TOIL accrual, which is that a maximum limit of 5 days applies from the point at which a staff member submits or receives notice to leave their job. This is because there is often important work to be done (eg preparing for handover) during a notice period, so it is important that sufficient work time is available. (If however the person is leaving one role to take another in Health Poverty Action, then their untaken TOIL bank can be carried forward to their new role.)

Any TOIL that remains untaken at the time of leaving the organisation is forfeited. (In that sense it is different to annual leave.) TOIL cannot be exchanged for additional salary payment.

There is otherwise no time limit within which TOIL must be taken (ie it is not forfeited if not taken with say, a 3 month period.)

### **Manager approval**

Prior to taking TOIL, staff should obtain approval from their manager in the same way as they do for annual leave.

If someone is unsure whether or not a particular piece of TOIL is appropriate, it is good to check with their manager at the time of adding it to their TOIL bank, in order to avoid disappointment later when requesting to take it.

As with annual leave, TOIL should be taken at a time that strikes a fair balance between the needs/preferences of the individual and those of the work and their colleagues.

This is particularly applicable if a member of staff wishes to add a significant quantity of TOIL onto a period of annual leave in order to have a long period off work (eg to undertake some long distance personal travel). Managers will try to accommodate such wishes wherever reasonably possible, but it may need some prior planning, and might not always be possible.

### **Taking TOIL**

TOIL should normally be taken in units of no less than half a day. Requirements for times off less than this will usually be possible to be met through normal work time flexibility.

TOIL is an important part of rest and recuperation, especially after lengthy trips, and we encourage staff to rest appropriately after they have worked extra hours.

However it is the staff member's choice whether s/he wishes to take TOIL immediately after earning it or save it up to use later.

*Policy agreed: December 2019  
Saved at: (location on shared drive)*