



NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE

PS 200

Time Off in LIEU

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TABLE OF CONTENTS

SECTION 1	VERSION CONTROL.....	3
SECTION 2	POLICY STATEMENT.....	3
2.1	Budgeting and recording toil.....	3
SECTION 3	GUIDANCE & PROCEDURE.....	4
3.1	Police Staff	4
3.2	Rest days.....	4
3.3	Transfers/Resignations.....	4
3.4	Requesting Time off.....	5
SECTION 4	LEGISLATIVE COMPLIANCE STATEMENT.....	5

SECTION 1 VERSION CONTROL

Version No.	Date	Post Holder/Author	Post	Reason for Issue
1.0	Sept 2004			New Policy
1.1	Apr 2017	James Lunn	Senior HR Manager	PSC Handbook

SECTION 2 POLICY STATEMENT

Nottinghamshire Police recognises that overtime is not always an option that can be offered to members of staff and therefore has made provision for staff to be able to take Time Off In Lieu (TOIL) (i.e. instead of pay) where payment for the additional hours worked is not permitted, in order for them to recoup extra time worked beyond the normal contracted hours.

The Force also recognises that not all salary grades attract overtime payments and therefore TOIL is an option in these cases also.

The TOIL scheme varies from flexitime in the following respects:-

- It applies principally to operational staff.
- Additional hours and, therefore, TOIL should be authorised in advance whereas flexitime is largely regulated by the individual.
- TOIL will generate payment if hours are not taken whereas flexitime rules preclude payment.

It is the intention of Nottinghamshire Police that the requirement for additional hours to be worked should be kept to the minimum necessary for the efficient and effective working of the organisation.

2.1 Budgeting and Recording TOIL

- Managers must ensure that they have sufficient funds available to pay TOIL in the event that additional hours worked are unable to be taken in the timescale permitted. Managers are required to, wherever possible; ensure the TOIL is taken rather than payment having to be made.
- Any TOIL accrued will be recorded on the Duty Management System (DMS) once it has been authorised by the relevant management.

SECTION 3 GUIDANCE AND PROCEDURE

3.1 Police Staff

- Time off for the purposes of TOIL must be equal to time actually worked i.e. there is no provision for time and a third, half or double time – if you work two hours, you can claim two hours lieu time, regardless of when the additional hours were worked
- The minimum period that can be credited to TOIL is 15 minutes
- TOIL must be cleared within a rolling three calendar months of being worked and ideally within a two week period.
- Any TOIL not cleared at the end of three months will be paid at plain time.
- Members of staff who agree to work overtime have no automatic right to elect to take time off and line managers may insist that paid overtime is taken, and this must be made clear from the outset (this is likely to occur for specific operations with separate overtime allocations)
- Under normal circumstances, staff in management posts (e.g. Heads of Department and some Section Heads with their own staffing budget) will be expected to manage their own hours without overtime or TOIL

3.2 Rest Days

- Rest days which for operational reasons cannot be taken on the scheduled day, should be re-scheduled on a mutually agreed day within one month of the day in question, or within the length of the shift cycle, whichever is the longer.
- Only if the rescheduled rest day has to be cancelled should TOIL be resorted to (the aim being to ensure staff get their days off and not build up TOIL)

3.3 Transfers/Resignations

- Transfers
 - When a member of staff is moving between Divisions/ Departments every effort must be made to clear all outstanding TOIL, either by time off in the notice period or by payment.
 - No TOIL will be transferred without the agreement of the receiving Divisional Commander/Head of Department and if this is withheld payment will fall on the losing Division/ Department.
- Resignations
 - Managers must ensure that staff leaving Nottinghamshire Police takes any outstanding TOIL during the notice period and only in exceptional circumstances will it be paid off.

3.4 Requesting Time Off

- 3.4.1 Notice should be given in line with departmental requirements when wishing to apply for time off in a similar way to annual leave etc.
- 3.4.2 Booking time off accrued via TOIL should be done via DMS.
- 3.4.3 Time off in lieu should usually be taken within a two week period. Where time off in lieu has not been taken within three months payment will be made in the next available payroll.

SECTION 4 LEGISLATIVE COMPLIANCE STATEMENT

This policy document has been drafted in accordance with relevant legislation including:-

- Human Rights Act 1998
- Data Protection Act
- Employment Act 2002
- Disability Discrimination Act 1995
- Race Relations Act 1976
- Sex Discrimination Act 1975
- Health and Safety at Work Act 1974

