



**PS200** **Time off in LIEU for Police Staff**

**Type of document:** Policy

**Version:** 1.3

**Registered Owner:** Head of People Services and Organisational Development

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**Effective Date:** May 2022

**Review Date:** May 2027

**Replaces document (if applicable):** N/a

**Linked Documents:** PS 149 Flextime Policy,  
PD 190 Overtime Management and Working Procedure  
Police Staff Handbook 2020

**Functional owner**

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## TABLE OF CONTENTS

<b>SECTION 1- VERSION CONTROL .....</b>	<b>2</b>
<b>SECTION 2 - POLICY STATEMENT .....</b>	<b>3</b>
2.1 Budgeting and Recording TOIL.....	3
<b>SECTION 3 - GUIDANCE AND PROCEDURE .....</b>	<b>4</b>
3.1 Police Staff .....	4
3.2 Rest Days .....	4
3.3 Transfers/Resignation .....	4
3.4 Requesting Time Off .....	5
<b>SECTION 4 - LEGISLATIVE COMPLIANCE STATEMENT .....</b>	<b>5</b>

## SECTION 1- VERSION CONTROL

Version No	Date	Post Holder/Author	Post	Reason for Issue
1.0	Sept 2004			New Policy
1.1	April 2017	James Lunn	Senior HR Manager	PS Handbook
1.2	October 2021	Jasvir Ginda	Policy and Wellbeing Partner	Update and clarification given regarding working on a rest day, non-ageing toil pot and negative TOIL.
1.3	May 2022	Sue Sullivan	Policy and Wellbeing Partner	Update regarding recording hours on BOBO, negative TOIL must not be used and the transitional process.

## **SECTION 2 - POLICY STATEMENT**

Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) recognises that overtime is not always an option for members of staff. Therefore, we have made provision for staff to be able to take Time off in Lieu (TOIL) in order for them to recoup extra time worked beyond the normal contracted hours.

The Force and the OPCC also recognises that not all salary grades attract overtime payments and therefore TOIL is an option in these cases. See PD 190 Overtime Management and working procedure for overtime arrangements.

The TOIL scheme varies from flexi time in the following respects: -

- It applies principally to operational police staff who work a rostered shift pattern.
- Additional hours and, therefore, TOIL should be authorised in advance whereas flexi time is largely regulated by the individual.
- TOIL will generate payment if hours are not taken whereas flexi time rules preclude payment.

It is the intention of Nottinghamshire Police and the OPCC 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 in addition to supporting individual's wellbeing and being an Employer of Choice.

In scope of this policy are police staff only who work a rostered shift pattern. Police Officers are governed by Police Regulations.

### **2.1 Budgeting and Recording TOIL**

It is imperative that individuals accurately record their working hours on the Duty Management System via the Book On Book Off (BOBO) system. This ensures that hours are logged correctly to promote the health and wellbeing of individuals, and the management of any TOIL where appropriate.

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 that TOIL is taken rather than payment having to be made.

It is the individual's responsibility to check their DMS record daily and liaise with their line manager regarding any exceptions.

Any TOIL accrued will be recorded on the DMS system 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. For example, if you work two hours, you can claim two hours TOIL, 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, as per Police Staff Council Handbook 2020 section 10.4.

Any TOIL not cleared at the end of three months will be paid at plain time.

As of 1<sup>st</sup> April 2022, up to 15 hours will be allowed to be banked in a non-ageing TOIL pot. Individuals can request TOIL to be added, deducted or paid from the non ageing TOIL pot by emailing the request to RMU.

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 (i.e 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**

Where the member of staff agrees to work on a rest day, police staff can either accrue plain time TOIL for hours worked which can be taken on another mutually agreed day or have the relevant hours worked paid at the appropriate rate. Managers are required to, wherever possible; ensure the TOIL is taken rather than payment to support individual's wellbeing.

### **3.3 Transfers/Resignation**

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 Chief Superintendent or Head of Department and if this is withheld payment will fall to the Division/Department the individual is leaving.

Managers must work with the member of staff to encourage them to take any outstanding TOIL during the notice period when they are leaving the organisation before payment is having to be made.

### **3.4 Requesting Time Off**

Notice should be given in line with departmental requirements when wishing to apply for time off in a similar way to annual leave etc. Booking time off accrued via TOIL should be done via DMS.

TOIL should usually be taken within a two-week period, as per Police Staff Council Handbook 2020 section 10.4.

Where TOIL has not been taken within three months payment will be made in the next available payroll, as per Police Staff Council Handbook 2020 section 10.4.

Please note, staff should not have negative TOIL. During the transitional period, any negative TOIL balances older than 6 months will be locked within the system and individuals will be required to work back those hours which will be monitored by line management.

## **SECTION 4 - LEGISLATIVE COMPLIANCE STATEMENT**

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act, GDPR 2018; Freedom of Information Act; European Convention of Human Rights; Employment Act 2002; Health and Safety at Work Act 1974; Employment Relations Act 1999, and other legislation/regulations relevant to policing.

