

Recommendation from Personnel and Administration Committee

7th December 2020



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Minute 53: To review the Leave Policy and Procedure and how it works with taking TOIL

Introduction

1. The Leave Policy and Procedure was last up-dated in March 2015 and is therefore due to be reviewed. The Time Off in Lieu section of the Employee Handbook was reviewed in February 2015, although there have been revisions since then. It is necessary that both are reviewed and policy agreed ahead of the revised Employee Handbook being circulated to staff.

Detailed consideration

1. Apart from the change in paragraph 2 to increase the entitlement from 20 to 22 days – most of the Leave Policy and Procedure is standard with the exception of paragraph 15 which deals with Time Off in Lieu (TOIL)

TOIL

1. Under the current Leave Policy and Procedure, TOIL should be taken as soon as possible after the period in which it has been worked. No more than 3 days equivalent TOIL is to be carried over from any three month period to the next. No more than 5 days equivalent TOIL may be carried over from one leave year to another.
2. However the Employee Handbook also allows for maximum of five days of annual leave to be taken over from one year to another. This means that currently an employee could take over up to 5 days of annual leave and 5 days equivalent of TOIL.
3. Furthermore, the Outdoor Services team have found that taking their TOIL within three months during the busy grass growing period from April to August is very difficult for them.

RECOMMENDATION

- That the TOIL is revised to be taken as soon as possible and for a maximum of three days (21 hours) to be taken over from one six month period to another.
- All TOIL must be used by the end of the financial year with no allowance to take over unless extenuating circumstances approved by the Personnel and Administration Committee.
- That a maximum of five days of annual leave may be taken over from one financial year to another.
- That this applies to all DTC staff whether they work in the office or outside.

NB: It is worth noting that if the Civic Hall is required to host covid vaccine sessions, this may be over the Christmas and New Year holiday period.

Legal Implications

2. Employment law is complex and challenging – we need to work with our consultants to ensure that we are within our legal rights with the recommendations.

Financial Implications

Employment law can be expensive if mistakes are made through lack of information.

Further information in the Leave Policy and Procedure and TOIL report dated 2nd February 2015.

Janet Wheeler
Town Clerk