



**Craigdale**  
HOUSING ASSOCIATION

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## Flexi Time & TOIL (Time off in Lieu) Policy

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DRAFT

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Craigdale Housing Association can provide this document on request, in different languages and formats, including Braille and audio formats.

# Flexi Time & TOIL Policy

## 1.0 INTRODUCTION

Craigdale Housing Association operates a flexible working system for staff to utilise to add flexibility to their work. In addition, Craigdale Housing Association acknowledges that there needs to be robust Flexi Time and TOIL arrangements in place, to ensure business needs are fully met.

This policy is designed to outline the background and benefits of Flexi Time and TOIL arrangements, the guiding principles and recommended procedures to ensure it is managed fairly and consistently.

The success of this policy depends on co-operation between staff, and trust between the Craigdale team. If this is compromised in any way, it can be withdrawn from staff at the discretion of the Chief Executive Officer (CEO) or the Board at any time without notice. It will also be withdrawn from staff who are found to abuse the policy. In addition, individual members of staff may be subject to formal disciplinary action for abuse of the policy.

## 2.0 BACKGROUND

Consideration of the following factors was undertaken prior to formulation of the policy document:

All staff within the Association may benefit from Flexi Time arrangements to meet family needs, fulfil personal obligations and lifestyle commitments. Community issues may also be alleviated if unforeseen transport disruption occurs.

The Association recognises that operating a Flexi Time arrangement must not mean that staff Health & Safety is compromised in any way. This includes lone working or working excessive hours that could cause or exacerbate any health issues that could affect performance.

Staff are offered TOIL to compensate them for working out with their normal working hours. Staff would not normally be offered payment for this work, the exception to this is when staff attend to emergencies out-with normal working hours or at the discretion of the CEO/Board where business needs mean that taking the TOIL would be detrimental to the delivery of the service. However, this would be in very exceptional circumstances. TOIL or payment arrangements should be agreed in advance between Craigdale Housing Association and the member of staff.

Craigdale Housing Association is aware that agreed procedures should be put in place for the administration of Flexi Time and TOIL, to ensure consistency (see below) and avoid any potential abuse or cost to the business incurred from 'negative' Flexi Time or TOIL balance situations.

# Flexi Time & TOIL Policy

## 3.0 COMPLIANCE WITH REGULATORY STANDARDS & LEGISLATION

This Policy complies with:

- The Scottish Housing Regulator's Regulatory expectations in terms of ensuring members of staff are remunerated appropriately.
- Appropriate employment, equalities and human rights legislation.
- EVH's (Employers in Voluntary Housing) model Flexi Time and TOIL Policy and adapted for Craigdale Housing Association.

## 4.0 TIME OFF IN LIEU (TOIL)

### Eligibility for TOIL

Any member of Craigdale Housing Association staff is eligible for accruing TOIL in line with the parameters and procedures outlined below.

### **Parameters and Procedures for TOIL**

- Staff should be aware that any additional hours worked will incur TOIL and that they may be unable to receive payment for this. TOIL is generally accrued from attending Board/Committee meetings; community events; dealing with emergencies out with normal working hours and one-off evening visits.
- TOIL accrued by staff should be agreed in advance with the Chief Executive Officer (the CEO agrees their TOIL in advance with the Chairperson). This may also include travel to meetings, functions or other business-related activities in excess of normal travelling time to work. TOIL can only be accrued in a minimum of 15-minute increments.
- TOIL may only be accrued in 'single time' increments. Time and a half or double time TOIL will not be paid in any given situation, irrespective of a member of staff's contracted hours of work. The only exception to this is when staff attend to emergencies out with normal working hours, they are entitled to claim TOIL/payment if agreed at time and a half.
- TOIL must be authorised and recorded on the TOIL record sheet which is kept within the holiday/TOIL folder.
- TOIL requires careful management. Ideally no more than 14 hours should be accrued in one calendar month. This TOIL should normally be taken within 1 month to ensure that TOIL does not build up to unmanageable levels, which could result in operational difficulties. The exception to this rule would be where TOIL cannot be taken due to operational reasons at the discretion of the CEO. An example of this may be during busy periods such as March to May, due to year end ARC completion or during busy holiday periods. If not taken within specified timescales, TOIL will be lost and not carried over to subsequent months or paid.
- The CEO will check the TOIL folder every month for accuracy and bring to the member of staff's attention any anomalies that require rectified and or explained. TOIL accrued by the CEO will be approved and checked by the Chairperson on a monthly basis.

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- Under no circumstances should negative TOIL situations arise, whereby staff take TOIL before they have accrued it.
- On termination of employment from Craigdale Housing Association, staff will be paid in lieu of accrued TOIL in accordance with the accrual procedures described in this policy.

### 5.0 FLEXI TIME

#### **Eligibility for Flexi Time**

Any member of staff at Craigdale is eligible for Flexi Time. There may be some exceptions depending on business operational requirements, but this would be discussed on an individual basis.

#### **Parameters and Procedures for Flexi Time**

- The provision of Flexi Time compliments but does not form part of the standard Terms and Conditions of Employment, i.e., 35 hours per week, 9:00am to 5:00pm. Flexi Time facilitates the opportunity for staff to work more flexible hours and gives people the potential to strike a better work-life balance, increase personal choice and convenience and, by doing so, improve service delivery.
- Staff within the Association may benefit from Flexi Time arrangements to meet family needs, fulfil personal obligations and lifestyle commitments. Community issues may also be alleviated, if unforeseen transport disruption occurs.
- The success of Flexi Time requires close co-operation within and between teams, to guarantee that arrangements are in place to ensure that the organisation is adequately staffed between 9:00am and 5:00pm Monday to Thursday and 9:00am to 3:45pm on a Friday.
- It is essential that staff reach an agreement in consultation with their line manager on a pattern of working which meets the needs of individuals and the needs of the organisation.
- No individual should work hours which impair the efficiency of their team and members of staff should not assume that they can arrive late or leave early every day. Staff who wish to permanently alter their hours of work should refer to the Flexible Working Policy.
- The Flexi Time and TOIL Policy is designed to outline the background and benefits of Flexi Time, the guiding principles and recommended procedures, to ensure it is managed fairly and consistently.

# Flexi Time & TOIL Policy

## Procedures for Flexi Time:

- A daily Flexi Time arrangement will be offered with contracted working hours worked over the standard working week.
- Flexi Time may be implemented as a standalone arrangement or alongside TOIL. This will have no impact on the Association's annual leave or sickness benefit scheme. (example at end of Policy)
- Within the parameters of the Flexi Time Policy, the earliest staff can start work will be 8:00am and the latest is 6:00pm.
- Core working hours are set for staff, and these are between the hours of 10:00am and 12:00pm and 2:00pm to 4:00pm. This means that staff must be clocked in and working within these core hours unless on leave of any type.
- The Association expects that staff take a lunch break of at least 30 minutes each working day. Staff may take an extended lunch break of no more than 2 hours in any given day. Staff cannot take any part of their lunch break out with the period of 12:00pm to 2:00pm. In exceptional circumstances alternative arrangements can be made with a member of staff's line manager. **The Association must ensure that starting and finishing times of staff are carefully managed to promote a team working environment and to ensure that our level of customer service is not compromised.** With this in mind staff may choose to start work between 08:00am and 10:00am and finish at any time from 4:00pm, and no later than 6:00pm.
- Flexi Time requires careful management:
  - No more than 7 hours should be accrued in one calendar month. Flexi Time exceeding 7 hours will be lost and not carried forward over to subsequent months. If the needs of the business are such that time off can't be facilitated any flexi leave a staff member can't take can be carried over for ONE month. This will only be in very limited circumstances and will be at the discretion of the CEO who will carefully monitor the staff member's workload to try to facilitate them taking the time off at the earliest possible opportunity. No more than 7 hours should be booked off in Flexi Time in any one calendar month. In exceptional circumstances an additional day off can be agreed in the following month but this will only be agreed if the needs of the business can support this and will be at the discretion of the CEO.
  - A calendar month starts on the first day of a new month and finishes on the last day of that month e.g., 1 January through to and including 31 January.
  - Under no circumstances should negative Flexi Time situations arise, whereby staff take flexi before they have accrued it.
  - The CEO will check Flexi Time balances on a monthly basis. The Chairperson will check the Flexi time balance of the CEO on a monthly basis.
  - Flexi leave can only be booked in half day or full day increments. So either a morning and afternoon or a full day. TOIL (in 15 minute increments) can be used in addition to flexi but the minimum flexi deduction will be three hours thirty minutes (3.30). Example at end of policy
  - If booking an afternoon flexi then the latest clock out must be 13:30 or a lunch break taken. If the leave is in the morning the earliest arrival is 12:30 or a lunch break taken.

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- On termination of employment from Craigdale Housing Association, staff will be paid in lieu of accrued Flexi Time in accordance with the accrual procedures described in this policy.

### 6.0 EQUALITIES & HUMAN RIGHTS.

We are committed to meeting our equality duties and working in a way that promotes equality and human rights. We will try to ensure our Board and Staff team is representative of the communities it serves in respect of Protective Characteristics, and we will monitor the Protective Characteristics of our tenants and service users.

### 7.0 COMPLAINTS

If a member of staff is not satisfied with the implementation of the Flexi Time and TOIL Policy, they should in the first instance try to resolve the matter directly with their line manager.

If the matter cannot be resolved, then the member of staff should refer to the Association's Grievance procedure.

### 8.0 REVIEW

The Flexi Time and TOIL Policy will be reviewed every 3 years by the Board or earlier if required.

# Flexi Time & TOIL Policy

## Examples of TOIL and Flexi Time Use

1. Booking half a day flexi leave: If the leave is in the morning, then the staff member must arrive at work after 12.30pm but before 2pm. Three hours thirty minutes (3.30) will be deducted from the flexi balance regardless of the hours worked in the afternoon. It should be noted that if the staff member doesn't work 3 hours 30 minutes in the working half of the day (morning if afternoon leave booked or afternoon if morning leave booked) then the difference will be deducted from their balance:

Half day flexi leave morning:

### *Example 1*

Balance on day before leave +7.30 hours

Clocks in 13:00

Clocks out 17:00

Works 4 hours so 30 minutes added to flexi time but 3.30 deducted for flexi leave

New Balance: 4:30 hours

### *Example 2*

Balance on day before leave +4:00

Clocks in 14:00

Clocks out 17:00

Works 3 hours so 30 minutes less than contracted and 3:30 deducted for flexi leave

New Balance: 0:00

2. Booking half a day flexi leave: If the leave is to be taken in the afternoon, then the earliest a person can leave is 12noon and 3 hours 30 minutes will be deducted from the flexi balance.

### *Example 1*

Balance on day before leave: 7:00

Clocks in 9:00

Clocks out 13:30

Works 4:30 (1 hour more than contracted) and 3:30 deducted for flexi leave

New Balance: 4:30

### *Example 2*

Balance day before leave: 5:00

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Clocks in 9:00  
Clocks out 12:30

Works 3:30 contracted hours and 3:30 deducted for flexi leave

New Balance: 1:30

### 3. Full Flexi Day

Balance day before leave: 9:00

Full flexi day taken

Balance afterwards 2:00

4. Flexi and leave can be taken together, TOIL can be tagged on to either the beginning or the end of a half day flexi leave. The rules must be followed for the flexi day so 3:30 deducted etc but if a person wants to finish for the leave within CORE time (10 – 12 and 2 – 4) then they can add TOIL to the leave. Half day flexi and half a day TOIL can also be used to make a full days leave (3.30 deduction from flexi credit and 3:30 deduction from TOIL balance)

#### *Example 1:*

Half a day flexi in the afternoon but want to finish at 11am.

Flexi Balance before leave: 7:00  
TOIL balance 5:00

Clocks in 8:30am  
Clock out 11am  
(Hours worked – 2:30)  
Flexi 3:30 leaving a shortfall of 1hour to be deducted from TOIL

New Flexi balance: 1:30  
New TOIL balance 4:00

#### *Example 2*

Half day flexi in the morning but want to start at 2:30

Flexi balance before leave: 6:00  
TOIL balance: 4:00

Clock in 14:30  
Clock out 17:30  
(Hours worked – 3:00)  
Flexi 3:30 leaving a shortfall of 30 minutes to be deducted from TOIL

New Flexi balance: 2:30  
New Toil balance: 3:30