

# ***Overtime Working and TOIL Policy***

Reviewed: ~~Aug 2018~~ June 2022

Next Review: ~~2021~~ 2025



250 Peat Road, Glasgow, G53 6SA



## 1. Purpose

The purpose of this Policy is to set out our approach to compensating staff for working additional hours.

## 2. Authorisation

2.1. All members of staff (~~with the exception of~~except for the Director) can claim time off in lieu (TOIL) or an overtime payment for any additional hours worked which have been properly authorised in advance.

2.2. All overtime working must be authorised in advance by the Director ~~or Depute~~ who will also decide whether TOIL or an overtime payment will be given. TOIL will be given only where, in the opinion of the Director ~~or Depute Director~~, service delivery will not be adversely affected.

## 3. Rates

3.1. Attendance at Committee meetings will normally attract an overtime payment to avoid staff being absent from work for an excessive number of days over the year.

3.2. The conditions of service limits overtime payments to a maximum of 20 hours per month.

3.3. Overtime will be paid at time plus one half for all overtime worked except for time worked on Sundays which will be at double time. However, double time will only be payable when ~~either~~ the Director ~~or Depute Director~~ decides that Sunday working is necessary. If staff ask to work on a Sunday, instead of any other time, because it suits them better, then payment will be at time plus one half.

3.4. TOIL will always be given at plain time i.e.i.e., work two hours and receive two hours TOIL.

#### 4. Claim Times

- 4.1. Staff who work overtime including attending Committee meetings can claim overtime or TOIL, ~~as the case may be, from from 5.00pm 30pm on a week night~~ Monday – Thursday, and 4.30pm Friday. In the case of committee meetings staff must be in the building and working to be able to claim from ~~5.00pm 30pm~~ otherwise the claim time begins when they return to work and ends when they leave the meeting. At weekends only the actual time worked can be claimed. Time claimed must not be rounded up or down.
- 4.2. When TOIL is granted the Director ~~or Depute~~ will provide details to the Receptionist-Customer Services Officer, who administers the Kelio time recording system. Due to system configurations this will be held manually and only credited when the Director ~~or Depute~~ advises the Receptionist-Customer Services Officer that earned TOIL is being taken by a particular member of staff. *(This is because the system will delete credit balances over 7 hours at a particular time)*
- 4.3. TOIL must be taken within four weeks of the date it is earned otherwise it will be lost. The exception to this is where you have asked to take it and your request has not been approved for business reasons, in these circumstances it will be carried forward for one more month only.

#### 5. Overtime Required by Management

- 5.1. Staff are reminded that they may be required to work out with and in excess of normal working hours from time to time. Where staff are given reasonable notice of overtime ~~working~~ working, they must do it unless they can demonstrate and evidence exceptional reasons why this wouldn't be possible, ~~e.g.e.g.~~ e.g. pre-booked tickets for an event.

#### 6. Data Protection

- 6.1. On the ~~25th~~ 25th of May 2018, the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR).
- 6.2. We hold a variety of Personal Data relating to individuals including tenants, waiting list applicants, factored owners, other service users, ~~employees~~ employees, and Committee Members. Our

Privacy Policy sets out the basis on which we can process and share such data with third parties, it also sets out how we will securely store individuals' data, whether electronically or in paper format. It also

provides information on individuals' rights under GDPR including: to view personal data held about them by us; to request a restriction of processing of their data; the right to be forgotten and a right to object to us processing their data. In terms of the rights to be forgotten and to restrict or object to processing of Personal Data, any such requests will require to be considered on their own merits and legal advice will need to be obtained in some circumstances. We have the responsibility for accepting or refusing such requests and will do so in writing.

- 6.3 Under GDPR we are required to provide individuals whose Personal Data we hold with a Fair Processing Notice (also known as a Privacy Notice). The Notice sets out the Personal Data we process and the basis for doing so.
- 6.4 We will only keep and process Personal Data for the original purpose we gathered it ~~for~~, and we will not keep it for any longer than necessary. Attached to our Privacy Policy is a table of Retention Periods for Personal Data held and processed by us. We recognise that not all Personal Data can be processed and kept for the same ~~period of time~~, and this will vary depending on the individual circumstances of each person whose Personal Data we hold.
- 6.5 The Privacy Policy sets out what should happen in the event of a Data breach ~~e.g.~~, does the breach require reporting to the Information Commissioner's Office and whether the individual affected should be notified. Timescales are set out for dealing with data breaches.
- 6.6 A full copy of our Privacy Policy is available to employees through the Central Library, GDPR\Final Documents or from our website [www.rosehillhousing.co.uk](http://www.rosehillhousing.co.uk)

## 7. Equality and Diversity

- 7.1 We are committed to ensuring equal opportunities and fair treatment for all people in our work. In implementing this Policy, we will provide a fair and equal service to all people, irrespective of factors such as gender,

race, disability, age, sexual orientation, language or social origin, or other personal attributes.

## 8. Risk Management

8.1 In all key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from ~~this flow~~these flows our Risk Register. We have identified our material risks which are regularly monitored by our Management Team and Audit Sub-Committee.

8.2 To ensure we continue to manage the associated risks we will periodically review this policy to ensure compliance with all legislative requirements and regulatory and best practice guidance.

## 9. Policy Review

9.1 This policy will be reviewed every three years to ensure it still meets Rosehill's needs.