

Reference Number: UHB 586 Version Number: 1	<i>Date of Next Review: August 2027</i> <i>Previous Trust/LHB Reference Number: n/a</i>
Time Off in Lieu (TOIL) Procedure	
Introduction and Aim Cardiff and Vale University Health Board (the UHB) is committed to developing and maintaining arrangements which make it a great place to train, work and live, with inclusion, wellbeing and development at the heart of everything we do to ensure we can deliver a quality service. We want to create a more responsive, efficient and effective organisation which can meet the changing service needs, deliver our Strategy Shaping Our Future Wellbeing, as well as care for the needs of our staff. It is recognised that on occasion employees may be asked to work over their contracted hours due to service requirements. This Procedure sets out the arrangements for Time Off in Lieu (TOIL) and aims to ensure that all employees are treated fairly and consistently in line with existing NHS Terms and Conditions of Service.	
Objectives • To ensure fairness and consistency in the application of TOIL across all Agenda for Change staff groups; • To establish parameters in which TOIL can be accrued, recorded and taken; • To provide clear guidance to managers and employees regarding the principles and operational arrangements of TOIL; • To ensure compliance with the NHS Terms and Conditions of Service and associated UHB policies/procedures.	
Scope • This procedure applies to all employees covered by the NHS Terms and Conditions of Service Handbook (Agenda for Change), whether full-time or part-time.	
Equality and Health Impact Assessment	An Equality and Health Impact Assessment has not been completed because a procedure has been written to support the implementation the Adaptable Workforce Policy. The Equality Impact Assessment completed for the policy found here to be a positive impact.
Documents to read alongside this Procedure	Adaptable Workforce Policy NHS Wales Flexible Working Policy

Document Title: Time Off in Lieu (TOIL) Procedure	2 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

	NHS Terms and Conditions of Service Handbook (Agenda for Change) NHS Wales Special Leave Policy NHS Wales Managing Attendance at Work Policy NHS Wales Respect & Resolution Policy Working Times Procedure Rostering Procedure
Accountable Executive or Clinical Board Director	Executive Director of People and Culture
Author(s)	Senior People & Culture Business Partner / Trade Union Representative

Document Title: Time Off in Lieu (TOIL) Procedure	3 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Governance Directorate](#).

Summary of reviews/amendments

Version Number	Date Review Approved	Date Published	Summary of Amendments
1	19.08.26 via Chairs Action	24/08/2026	New Document
2			

Document Title: Time Off in Lieu (TOIL) Procedure	4 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

Contents

1	Procedure 1.1 Definition of TOIL 1.2 Exceptions 1.3 TOIL Parameters and Approval 1.4 Claiming TOIL 1.5 Cancelling TOIL Arrangements	5
2	Overtime Payments and TOIL 2.1 Bands 1-7 2.2 Bands 8-9	7
3	Training and Travel Time 3.1 TOIL for Training 3.2 TOIL for Travel Time	7
4	Concerns	8

Document Title: Time Off in Lieu (TOIL) Procedure	5 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

1	Procedure
1.1	Definition of TOIL Time Off in Lieu (TOIL) is time accrued for approved additional hours worked in excess of an employee's contracted hours. It provides a mechanism for recognising and recording additional time worked where service requirements have necessitated hours beyond those originally planned. Cardiff and Vale University Health Board expects employees to work their contracted hours as agreed with their Line Manager. Planned service requirements should be managed through appropriate workforce planning, rostering and staffing arrangements and TOIL should not be used to support routine or ongoing additional hours. It is recognised, however, that unplanned operational circumstances may occasionally require employees to work beyond their contracted hours in order to maintain service delivery or respond to unforeseen situations. Where such additional hours have been approved in accordance with this procedure, TOIL may be accrued. TOIL is not an alternative to flexible working and should not be used as a means of varying an employee's contractual working pattern. Requests to change working arrangements should be considered under the NHS Wales Flexible Working Policy. In line with the NHS Terms and Conditions of Service Handbook (Agenda for Change), employees in Bands 1–7 may request TOIL as an alternative to receiving overtime payments where approved additional hours are worked. This does not remove the contractual right to payment at the appropriate overtime rate where overtime provisions apply. Where TOIL is agreed but cannot be taken within the required timeframe, payment will be made in accordance with Section 2.1 of this procedure. The recognition of time worked over an employee's contracted hours should normally be agreed in advance with the Line Manager, or with a designated senior manager where approval authority has been delegated. However, it is recognised that there will be occasions where, due to unplanned operational circumstances, service pressures or the need to exercise professional judgement in the interests of patient care, service delivery or safety, it is not possible to obtain approval in advance. In such circumstances, employees should notify their Line Manager, or the designated senior manager, at the earliest reasonable opportunity and seek retrospective approval for the additional time worked. The UHB recognises that the effective operation of this procedure relies upon mutual trust and professional responsibility. Employees and Managers are expected to accurately record additional hours worked, and managers are expected to consider requests fairly and consistently. Where retrospective approval becomes a regular occurrence, or where significant amounts of TOIL are being accrued, the Line Manager should review the circumstances

Document Title: Time Off in Lieu (TOIL) Procedure	6 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

	with the employee to understand the underlying causes and consider whether any action is required in relation to workload, service delivery, rostering, workforce planning or working practices.
1.2	Exceptions Examples of circumstances where TOIL should not be accrued include (but are not limited to): • Where additional time worked results from an employee choosing to vary their normal start or finish time for personal reasons rather than service requirements. Employees wishing to vary their working pattern should discuss this with their Line Manager and consider whether a flexible working arrangement may be more appropriate. Within the designated hours of a flexitime system being utilised by the employee; • Where required rest periods have not been taken or a breach Working Time Regulations. Employees and Line Managers must ensure appropriate breaks and rest days are taken; • Where additional hours are worked for reasons unrelated to service requirements. Where concerns arise regarding workload management, working practices or the completion of duties within contracted hours, these should be discussed between the employee and Line Manager to determine whether any support, training or other action is required. As a means of accruing extra leave; • As a substitute for planned staffing; • To routinely extend working hours to cover roster gaps; • Time spent on activities outside of contracted hours (e.g. events attended voluntarily, secondary employment).
1.3	TOIL Parameters and Approval
1.3.1	TOIL is accrued and taken on a plain time basis, with one hour of approved additional work generating one hour of TOIL.
1.3.2	All approved TOIL, including retrospectively authorised TOIL, must be recorded on the electronic rostering system or other agreed local recording mechanism as soon as reasonably practicable. All Line Managers are responsible for monitoring TOIL accrual and usage to ensure it is applied consistently and fairly across teams. Frequent or sustained accrual of TOIL should prompt consideration of the underlying causes. Managers should consider whether TOIL accrual reflects short-term operational pressures or whether it indicates wider issues relating to workforce planning, staffing levels, rostering arrangements, workload allocation, service demand or working practices. Where patterns of regular TOIL accrual are identified, Line Managers should take reasonable steps to address the underlying cause and reduce reliance on additional hours wherever possible.

Document Title: Time Off in Lieu (TOIL) Procedure	7 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

	This may include reviewing roster arrangements, staffing models, workload distribution or other workforce management practices. Employees are encouraged to raise concerns where workload pressures or service demands are resulting in the regular accrual of TOIL. Such concerns should be considered constructively, with a shared focus on supporting staff wellbeing and maintaining sustainable service delivery.
1.3.3	Each department should identify appropriate managerial arrangements for the authorisation of TOIL in the absence of the Line Manager. Any manager authorising TOIL under delegated arrangements must have appropriate supervisory responsibility and be senior to the employee concerned. In circumstances where authority to approve TOIL has been delegated, the principles and processes outlined within this procedure will continue to apply, including the requirement to record approved TOIL through the agreed local recording mechanism
1.3.4	Employees should generally take small amounts of TOIL (for example, 30 minutes) as soon as service requirements permit. This may include an extended lunch break or leaving work earlier/starting later by agreement with the Line Manager. Where service requirements prevent small amounts of TOIL from being taken, employees may accumulate time. It is expected that accrued TOIL is taken within 4 weeks, however, where due to service requirements it is not possible to take TOIL within this timeframe, Line Managers should work with employees to ensure it is taken within 3 months of accrual.
1.3.5	TOIL is intended to provide a mechanism for recognising and recovering time worked in excess of contracted hours arising from approved service requirements. It should not be accrued for the purpose of creating extended periods of leave or supplementing annual leave entitlement. Line Managers should actively monitor TOIL balances and take reasonable steps to ensure accrued TOIL is taken within the timescales set out in this procedure. Excessive accrual of TOIL should be avoided, as it can create operational pressures, reduce workforce capacity and make it more difficult for employees to take TOIL within the required timeframe. Employees who wish to take an extended period away from work should discuss this with their Line Manager through the appropriate arrangements, including annual leave, purchased annual leave or other relevant policies.
1.4	Claiming TOIL Line Managers should agree when TOIL can be taken, at a mutually convenient date/time for the service and employee. Where possible this should be within a four-week period.

Document Title: Time Off in Lieu (TOIL) Procedure	8 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

	Every effort will be made to accommodate employee requests to take TOIL, subject to service requirements and staffing arrangements. Bank, agency, or overtime must not be used to facilitate an individual taking TOIL. If TOIL has been accrued by working a whole day or shift, where possible, TOIL should be taken as a whole day or shift. However, there may be occasions in line with service requirements where Line Managers may request shorter periods of TOIL are taken.
1.5	Cancelling TOIL Arrangements There may be times where the Line Manager has approved a date/time for TOIL to be taken but may need to cancel due to service requirements. Wherever possible, approved TOIL should not be cancelled within 24 hours of the agreed date/time. Where this is unavoidable, the reason should be discussed with the employee and an alternative date/time agreed as soon as possible. The manager will ensure any amendments to the TOIL record are recorded.
2	Overtime Payments and TOIL
2.1	Band 1-7 Under the national agreement set out in the NHS Terms and Conditions of Service Handbook (Agenda for Change), employees may request TOIL as an alternative to receiving overtime payments. However, where employees are unable to take accrued TOIL within three months, payment will be made. The Line Manager will approve this and document the authorisation and will be responsible for ensuring overtime payments are processed in these circumstances. Payment will not be made where the Line Manager has made reasonable efforts to facilitate and agree with the employee the taking of accrued TOIL within the required timeframe, but the employee has declined the opportunities available. Before reaching this position, managers should ensure that all reasonable options have been considered, taking into account the individual's circumstances and the needs of the service. Employees in Bands 1-7 have a contractual right to be paid at the appropriate overtime rate for approved additional hours worked in excess of the standard full-time hours of 37.5 hours per week. Part-time employees will receive payment at plain time rates until their additional hours exceed the standard full-time working week of 37.5 hours, after which the appropriate overtime rate will apply.
2.2	Bands 8-9 Senior employees (Bands 8 and 9) are not entitled to overtime payments but may accrue TOIL. It is recognised that employees in these bands are required to work reasonable additional hours from time to time as part of their role. TOIL may be granted where additional hours worked become excessive, to enable the employee to rest and recover

Document Title: Time Off in Lieu (TOIL) Procedure	9 of 9	Approval Date: 19.08.26
Reference Number: UHB 586		Next Review Date: 19.08.27
Version Number: 1		Date of Publication: 24/08/2026
Approved By: Chairs Action 19.08.26		

	following a period of sustained additional working. Any TOIL accrued under these arrangements must be approved by the employee's Line Manager or an appropriate senior manager.
3	Training and Travel Time
3.1	TOIL for Training Where an employee is required to attend a training activity on a day that they would not normally work, and this results in additional hours being worked over and above their contractual hours, TOIL may be accrued with the approval of the Line Manager.
3.2	TOIL for Travel Time TOIL should not be accrued due to an overnight stay as a result of working away from home. TOIL should be calculated on a fair and reasonable basis, reflecting the principles set out in this procedure. The amount of TOIL to be accrued should be discussed and agreed between the employee and Line Manager, taking into account the individual's normal contractual working arrangements, usual travel requirements and the circumstances of the work or training undertaken. For example: If an employee's contractual work pattern is 7.5 hours per day with a total daily commute of 1.5 hours (a total of 9 hours away from home). The employee is required to travel to another site with a total travel time of 3 hours (a total of 10.5 hours away from home). In this case the employee would accrue TOIL of 1.5 hours. For employees who work compressed hours, have more than one contractual base, or whose working arrangements differ from a standard working pattern, TOIL should be calculated using the same principle of comparing the total time spent working and travelling with the employee's normal contracted working day and usual travel requirements."
4	Concerns
	Employees are encouraged to raise any concerns regarding the application of this procedure with their Line Manager in the first instance. Where concerns cannot be resolved informally, employees should refer to the NHS Wales Respect and Resolution Policy, which aims to secure constructive and lasting solutions to workplace disagreements, conflicts and complaints. Any concerns should be addressed in a manner consistent with Cardiff & Vale UHB's values and behaviours .