



West Midlands Ambulance Branch

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BANK HOLIDAYS - TOIL, ANNUAL LEAVE and OVERTIME

BACK GROUND

The issue regarding Time Off in Lieu (TOIL) for additional hours accrued by staff working on a bank holiday has been the subject of discussion for some time. The introduction of rosters with built in leave and changes to relief planning has resulted in Staff and Managers being unsure on how to calculate the hours accrued and how to manage the TOIL earned.

It has become apparent that clarification of bank holiday TOIL is required to ensure a consistent and fair approach is used across all Areas of the organisation. This document aims to provide such clarification.

Agenda for change (AFC) section 13.5 Annual leave and General Public Holidays states:

'Where staff work standard shifts other than 7.5 hours excluding meal breaks, annual leave and general public holiday entitlements should be calculated on a hourly basis, to prevent staff on these shifts receiving greater or less leave than colleagues on standard shifts.'

There are broadly two methods for managing the hours accrued on Bank Holidays and its Time Off in Lieu (TOIL) across the Trust; for simplicity these are referred to as the rota leave (RL) and rota relief (RR) methods.

BANK HOLIDAY

All staff are entitled to 8 paid bank holidays in a normal leave year, due to rosters these may fall on a rostered working day or a rest day. The hours accrued from these bank holidays are added to the individual member of staff leave entitlement for the full year, for full time staff based on a 7.5 hours working day this equates to 60 hours per year. Part time staff entitlement is calculated pro-rata in line with their basic weekly contracted hours.

BANK HOLIDAY LEAVE ALLOCATION

For Staff Rota relief (RR)

The basic bank holiday entitlement (60 hours) is added to a member of staff leave at the start of the year and this can be booked through their local Scheduling department in line with local procedures.

For Staff on Rota leave (RL)

The basic bank holiday entitlement (60 hours) is added to a member of staff leave at the start of the year. There is no requirement for those staff who work a RL style rota to book this time off as it has already been included within the leave allocation built into the rosters.

TIME OFF IN LIEU (TOIL)

RL style rosters do accrue hours for the bank holiday working but the time off to compensate for these hours is included within the rota pattern. There is no additional time off above that allocated within the rota.

RR style roster patter needs to book the bank holiday TOIL as shown below.

Additional time off is accrued by members of staff who work a normal basic shift that falls on a bank holiday and is greater than 7.5 hours (excluding meal breaks). Any additional hours worked will be added to the individuals leave entitlement and can be taken as TOIL.

For those staff who are required to book their leave, this should be requested as TOIL and should be made by the individual to their local scheduling department in line with local procedures. This additional time is based on hours worked and not roster and as such is only available for staff who are at work on the bank holiday.

Staff who work rosters that have annual leave built into their pattern, will have already been compensated for this accrued time, as the TOIL is built within the rota pattern.

Any other accrued hours as part of a member of staffs normal working week should be booked in line with local procedures.

OVERTIME

Staff who work overtime on a bank holiday are paid for the hours worked (excluding meal breaks) and are not entitled to any additional TOIL.

CALCULATION METHODS:

Standard meal break calculation (12 hours shift = 45 mins)

Shift length	Hours worked (exc. Meal break)	Additional BH hours accrued	Overtime (hours) claimed for BH worked
12 hrs	11.25	3.75	11.25
11 hrs	10.31	2.81	10.31
10 hrs	9.37	1.88	9.37
9 hrs	8.44	1	8.44
8 hrs	7.5	0	7.5

Alternative meal break calculation (all breaks are 30 mins)

Shift length	Hours worked (exc. Meal break)	Additional BH hours accrued	Overtime (hours) claimed for BH worked
12 hrs	11.5	3.75	11.5
11 hrs	10.5	2.81	10.5
10 hrs	9.5	1.88	9.5
9 hrs	8.5	1	8.5
8 hrs	7.5	0	7.5

There is no additional BH TOIL within the alternative meal break calculator. Additional hours worked as a result of this meal break agreement are accrued in the normal way and have been excluded from this calculator.

