

# Scottish Terms and Conditions Committee

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Ref: STAC(TCS05)2017

23 November 2017

To: Chief Executives,  
Directors of Finance,  
Directors of Human Resources -  
NHS Boards and Special Health Boards,  
NHS National Services Scotland (Common Services Agency) and  
Healthcare Improvement Scotland

CC: Members, Scottish Partnership Forum  
Members, Scottish Terms and Conditions Committee  
Members, Scottish Workforce and Governance Committee

Dear Colleague

## **TOIL FOR BAND 8 AND ABOVE**

The Agenda for Change Handbook is clear that staff in Band 8 and Above are not eligible for overtime. However, it does not specifically address time off in lieu (TOIL).

In response to questions being raised on this point, STAC would offer the following clarification. Where staff have been asked by their line manager to work beyond their contracted hours to assist with service delivery, staff are entitled to take time off in lieu for this additional agreed contribution.

The above does not prevent local agreements being made for flexible working arrangements.

Yours sincerely



Calum Campbell  
Chief Executive  
NHS Lanarkshire  
**STAC Management Side Co-Chair**



Colin Poolman  
Senior Officer  
Royal College of Nursing  
**STAC Staff Side Co-Chair**