

## ANNUAL LEAVE AND PUBLIC HOLIDAYS



All staff have an annual leave entitlement that should be fully taken in a leave year. In limited circumstances holiday can be carried over to the next holiday year or for support workers only, in exceptional circumstances, traded in.



Leave is calculated and recorded in hours to allow flexibility in taking bank/public holidays.



All leave should be requested in advance, pre authorised by the line manager and recorded on the HR System, Vizual.



Line managers need to consider requests for leave fairly and also ensure that services are covered and operational needs met before leave is granted.



This policy is for permanent employed staff, the policy for casual and sessional staff has some differences. Queries on annual leave entitlement, records or policy should be referred to the HR contact centre.

### Entitlement

- The annual leave year for all staff is 1st April – 31st March and all staff are entitled to the equivalent of 25 days' paid annual leave per year. For each completed year of service after the first year, one additional day's holiday will be granted to a maximum of 30 days after 5 years' service.
- In addition staff are entitled to public holidays (normally 8 days per year).
- Part-time staff will receive a pro-rata entitlement equivalent to this amount and annual leave will be pro-rated for those staff who join or leave part-way through the annual leave year.
- Annual leave, including public holidays, will be expressed in hours.

### Procedure

Employees must have the opportunity to take the leave to which they are entitled in accordance with the Working Time Regulations 1998. Managers should endeavour to ensure that the workload does not prevent this whilst the operational needs of Advance are taken into account. As a minimum all staff will be expected to have taken the minimum leave entitled specified in the Working Time Regulations 1998.

### Obtaining Approval

All annual leave must receive line management approval before being taken.

- All requests for annual leave should be made to the line manager through the HR system, Vizual, at the earliest reasonable opportunity and generally no later than four weeks before the required start date unless it's for a period of extended leave and then at least 3 months notice should be given.

- The line manager will consider the application having regard to the operational needs of the service and the rules on annual leave.
- Where leave is approved it should be authorised by the manager on the HR system, Vizual. The line manager should review the on-going record of what leave an employee has taken throughout the leave year on the HR system, Vizual. Only after authorisation is confirmed, should the employee commit to any holiday plans.
- The line manager will ensure that all staff have equal opportunity to book their desired leave and will ensure that time off is fair and equitable, in particular around occasions such as Easter, Christmas and different cultural festivities where demand for time off may be higher.
- In the event of an employee disputing the line manager's decision, the issue should be raised with the line manager's manager for resolution.
- Once approval for annual leave has been given it will not normally be withdrawn. However, Advance reserves the right to withdraw such approval should the circumstances warrant it. Where this has to be done because of the needs of Advance, every effort will be made to minimise any inconvenience or hardship for the employee.

### **Carrying Annual leave over**

All annual leave entitlement for the year must normally be taken within the holiday year. No payment in lieu will be made for untaken leave (apart from as Annual leave Trade-In). Carry over of holiday to the next holiday year should be limited and due to special circumstances or pre agreed business needs. All staff must take the statutory minimum holiday in any one holiday year (currently 28 days for a full year) **therefore no carry over can be taken unless 28 days holiday, including all bank holidays, (or pro rata for part time staff or a part year) has been taken.** Requests for carry over holiday must be submitted by 28 February each year. A maximum of 5 days carry over can be authorised by a Head of Operations or equivalent level, any request in excess of 5 days would be exceptional and must additionally be authorised by the HR Director. **Holiday entitlement not taken or authorised for carry over at 31 March each year will be lost.**

### **Annual Leave Trade-In**

**For front line support staff only**, (Support Workers, Link Workers and Personal Assistants supporting customers) some of the annual leave entitlement may be traded-in for payment each year **if required to ensure operational requirements are met.** However, this will only apply to holiday in excess of the statutory minimum (currently 28 days full time for a full year). The use of trade in should be planned to meet any operational needs; trade in therefore can be requested 3 times a year; end July, end November, end February and requests should be submitted by line managers to the Head of Operations. As the use of trade in should be used to support operational needs and planned, no more than 4 days trade in should be paid on each occasion subject to the maximum personal entitlement of the individual.

### **Holiday Accrual**

Annual leave entitlement accrues for employees on a weekly basis at the rate of the annual entitlement in hours divided by 52.14. No service with any other employer counts for these purposes unless staff have been TUPE'd into the organisation in which case different rules may apply (advice on this should be sought from HR). New employees will receive a pro rata entitlement if they join Advance part way through the leave year. Annual leave accrues

during maternity leave and sick leave, but Advance reserves the right to remit this to the statutory entitlement under the Working Time Directive.

### **New Employees**

Every effort will be made to meet the needs of new employees in respect of commitments to holidays already made. New employees should inform the line manager of any existing holiday plans at the earliest opportunity. Where the booked holiday exceeds the new employee's annual leave entitlement, consideration will be given to granting unpaid leave up to a maximum of one week.

### **Holiday Rules**

The following rules apply to all holidays:

- The needs of the service should be taken into account when authorising more than one employees leave request to ensure that the service is sufficiently staffed to cover this. Where there are conflicting holiday requirements, priority will be given to the employee whose request was received first.
- Usually no more than two weeks of annual leave may be taken at any one time. In the case of an employee wishing to take an extended period of leave, for whatever reason, consideration will be given to this balancing up the wishes of the individual, length of leave requested and the operational requirements of the service.
- Any employee who takes annual leave which has not been authorised may be subject to disciplinary action, which may include dismissal.

### **Illness during Holiday**

Employees who fall ill during a period of annual leave should contact their line manager without delay and follow the reporting process contained within the Managing Sickness Absence Policy. Employees who fall ill during a period of annual leave may be entitled to treat the days as sick days in accordance with the Sickness Absence Policy if they were not able to benefit from the break away from work. Each situation will be considered and dealt with on a case by case basis. To reclaim annual leave a doctor's medical certificate along with other relevant supporting evidence, if appropriate, must be provided. Failure to contact the line manager at the earliest opportunity or to provide a doctor's medical certificate will result in the employee being unable to reclaim their annual leave.

### **Late Return**

If, for any reason, employees know that they will be late returning from holiday they must contact Advance and notify their late return as soon as possible. Failure to do so will render the employee liable to disciplinary action for unauthorised absence. Such disciplinary action may result in dismissal.

### **Termination of employment**

Employees who are working their notice period will be allowed to take annual leave during this period, provided it has been booked in advance. Requests to take leave during a notice period will be approved wherever possible. However, this may not always be practicable because of the need to complete outstanding work, hand over to a successor, etc. Advance therefore reserves the right to refuse requests for leave at this time.

- Outstanding leave accrued to the date of leaving but not taken will be paid; payment will be subject to deduction of tax and national insurance.

- Where staff leave employment, for whatever reason, and have taken more annual leave than their accrued entitlement, appropriate deductions will be made from their final salary.
- Advance reserves the right to withhold accrued annual leave pay from employees who are dismissed for gross misconduct, or who leave the company without giving due notice, or where the employee has received more pay than their entitlement.

**PUBLIC/BANK HOLIDAYS**

There are normally 8 Public/Bank Holidays in the United Kingdom each year. Public holidays are nationally recognised and are largely based around Christian festivals, e.g. Easter, Christmas. However, Advance employs a workforce that reflects the diverse community that it serves and recognises that this will be accompanied by a wide variety of different cultures, religions and beliefs.

Therefore to ensure that discrimination in the workplace on the grounds of religion or belief does not occur, and to recognise that many religions or beliefs have special festival or spiritual observance days which are not covered by Public/Bank Holidays, this additional entitlement is added to employees annual leave to enable staff to choose when they take this time off. Please note that this entitlement cannot be carried over from one leave year to the next.

It also gives equality of holiday access to all Advance staff whether they are office or service based. However, where some offices and/or services are closed on a Public/Bank Holiday or workflow/work level demands mean that working on such a day is impractical; staff at those offices/services may have to take those days off as leave days since it is not feasible to accommodate their wish to work on those days. Where it is agreed that office based staff may work on a Public/Bank Holiday this may need to be working from home, as it will not always be practical to open an office for one or two staff on these days.

The procedure for booking leave for Public/Bank Holidays, or other festivals/spiritual observance days, is the same as the Annual Leave procedure.

<b>Policy owner</b>	HR Director
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