

Annual Leave Policy

August 2020



www.reading.gov.uk



Reading
Borough Council
Working better with you

Document History	
Version	1.2 (see below)
Status	Final
Date	August 2020
Target audience	All employees of Reading Borough Council with the exception of staff working term time only, teaching or school based staff and casual staff for whom alternative procedures apply
Ratification	None
Author	HR Employment Services Team

Version control	Reviewers
Version 1.0	Initial draft – January 2020
Version 1.1	Incorporating TU comments
Version 1.2	Final version agreed with Joint Trade Unions in August 2020 (Next review is due August 2022 or sooner if required by legislation)

Table of Contents

1	Introduction.....	3
2	Scope.....	3
3	Annual leave year.....	3
4	Requesting annual leave.....	4
5.	Annual leave pay.....	5
6.	Public and bank holidays.....	5
7.	Annual leave entitlement in year of joining.....	5
8.	Christmas closure dates.....	5
9.	Annual leave at the end of employment.....	6
10	Sickness during annual leave.....	6
11	Taking annual leave during sick leave.....	7
12	Buying annual leave.....	7
	Appendix 1.....	10

1. Introduction

- 1.1 This policy sets out Reading Borough Council's approach to annual leave and the basis on which it may be taken.

2. Scope

- 2.1 The scheme applies to all employees of the Council, except:

- Staff working term time only
- Teaching or school based staff
- Casual workers

3. Annual Leave Year

- 3.1 The annual leave year runs from 1 April to 31 March.
- 3.2 Annual leave entitlements are based on the employee's terms and conditions of employment and their length of service as follows:

	1 – 5 years' service	After 5 years' continuous Local Government service	After 10 years' service with Reading Borough Council
Reading Grades 1 to 10 (NJC for Local Government Services)	177.6 hours (24 days)	214.6 hours (29 days)	236.8 hours (32 days)
Reading Senior Manager Grades A to D and Director grades	222 hours (30 days)	No change	236.8 hours (32 days)
Trades Terms and Conditions	185 hours (25 days)	No change	222 hours (30 days)

3.3 Long service leave

- 3,3,1 In addition to the entitlements above, long service awards are given to Council employees in recognition of achieving 20 years' continuous service. The Council is currently running two long service award schemes:

- A one-off money award of £1,000 for those achieving long service with either the Council or a combination of the Council and Berkshire County Council, with the provision for employees to “trade in” all or part of the award for additional days’ leave, currently at the rate of £100 per day; or;
- £573 plus double leave for achieving 20 years’ service for employees appointed by the Council before 1 April 1999.

3.3.2 Further information about these awards can be found in the [Long service awards guidance](#) on the intranet.

3.4 Annual leave entitlements for staff who work less than 37 hours per week are pro rata based on the employee’s contractual weekly working hours using the formula below:

$$\text{Full time equivalent annual leave hours} \times \frac{\text{Contractual weekly working hours}}{37}$$

3.5 Under normal circumstances, all annual leave should be taken during the annual leave year in which it is accrued. Untaken annual leave of a maximum of one week’s contractual working hours can be carried over automatically to the next annual leave year.

3.6 Managers are advised that there are circumstances, generally maternity, adoption, shared parental leave or long term sickness absence, when employees are unable to take their full annual leave entitlement. In such cases the amount of annual leave that can be carried forward to the next leave year will not be capped at the number of hours equivalent to the employee’s contractual working week, i.e. a maximum 37 hours for full-time staff. In cases of sickness absence, see [Section 10](#) below.

3.7 If an employee needs to carry over untaken annual leave in excess of the automatic amount **for any other reason**, they should seek approval from their line manager by completing the form in [Appendix 1](#).

4 Requesting Annual Leave

4.1 Employees can check their annual leave entitlement, balance and leave taken by accessing iTrent Employee Self-Service (ESS).

4.2 All annual leave requests must be made on ESS.

4.3 All annual leave requests must be authorised before the leave is taken by the employee's line manager on Manager Self-Service (MSS).

4.4 As much notice as possible of proposed annual leave dates must be given to the line manager to ensure adequate staffing cover at all times. It is expected

that such notice should either be set out in locally agreed protocols or should be at least twice the number of working days that the employee wishes to take as annual leave. It is recognised that there may be occasions when notice cannot be given (e.g. in emergency situations) although agreement should still be sought from the manager before annual leave is taken wherever possible. Retrospective annual leave requests must still be entered onto ESS by the line manager.

5. Annual Leave Pay

- 5.1 Annual leave pay is calculated on the basis of the employee's current rate of pay.
- 5.2 There will be no payment for any untaken annual leave except on termination of employment (see Section 9).

6. Public and bank holidays

- 6.1 All recognised public and bank holidays are permitted as paid holiday as they occur, in addition to the annual leave entitlement. The exact dates of public and bank holidays are updated on iTrent ESS at the start of each annual leave year.
- 6.2 Public and bank holidays can only be carried over beyond the end of the leave year for those staff who have been on maternity, adoption or shared parental leave. The only other exception is where an employee is required to work on a bank holiday and is prevented from taking their bank holiday leave entitlement on an alternative date due to operational requirements before the end of the leave year.

7. Annual leave entitlement in year of joining

- 7.1 If the employee joins the Council part way through an annual leave year, they will be entitled to a proportion of their annual leave entitlement based on the number of days between the employee's date of joining and the end of the annual leave year. This will automatically be calculated and added to the employee's annual leave entitlement on iTrent ESS.

8. Christmas closure

- 8.1 The Council usually has a period of time between Christmas and New Year when there is a planned closure for all non-essential services. This usually starts at 5pm on 23 December and continues until 9am on 2 January the following year (or the first working day after 1 January). This not a contractual entitlement and is subject to agreement each year.

- 8.2 If a decision is made to close for all but essential services over the Christmas period, then staff working in non-essential services must take annual leave to cover the working days which occur within the closure period. Alternatively, staff can buy up to 2 days of annual leave at their normal rate of pay and be gifted the equivalent amount to use during this period. Staff who are required to work over Christmas can still take advantage of this offer but must use the leave before the end of the leave year (i.e. 31 March).

9. Annual leave at the end of employment

- 9.1 If the employee leaves their employment part way through an annual leave year, they will be entitled to be paid in lieu of any untaken annual leave accrued up to the date of termination.
- 9.2 However, the Council reserves the right to require the employee to take any outstanding annual leave entitlement during any period of notice, whether such notice is given by the Council or by the employee.
- 9.3 If, on the employee's date of termination, they have taken paid annual leave in excess of their accrued entitlement, they will be required to reimburse the Council (by means of deduction from salary if necessary) in respect of such annual leave.

10. Sickness during annual leave

- 10.1 Where an employee falls sick or is injured while on annual leave, the Council will allow the employee to transfer to sick leave and take replacement holiday at a later time. Please also refer to the Council's [Managing Sickness Absence Policy](#). This policy is subject to the following conditions:
- The total period of ill health must be fully certificated by a qualified medical practitioner. The cost of obtaining a certificate will be borne by the Council.
 - The employee must contact their line manager (by telephone if possible) as soon as they know that there will be a period of sickness during a holiday
 - The employee must submit a written request no later than ten days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time
 - Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of a medical certificate
- 10.2 Where the employee fulfils all of the above conditions, the Council will grant the employee the same number of days' replacement annual leave as the number of leave days lost due to sickness or injury.

- 10.3 An employee who is absent on sick leave will continue to accrue their contractual annual leave entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year, if they do not take their contractual annual leave entitlement due to being on sick leave. In such cases the amount of annual leave that can be carried forward to the next leave year will not be capped at the number of hours equivalent to the employee's one working week, i.e. 37 hours for full-time staff.
- 10.4 Annual leave accrued and carried over due to sickness absence must be taken within a period of 15 months of the end of the leave year of which the annual leave arose.
- 10.5 The Council reserves the right to require an employee to take all or part of the annual leave accrued and carried over due to sickness absence on particular days and will aim to provide reasonable notice.

11. Taking annual leave during sick leave

- 11.1 An employee who is absent on sick leave will continue to accrue their annual leave entitlement.
- 11.2 An employee on sick leave may apply to take annual leave while on sick leave. The annual leave dates must be approved in accordance with this policy ([See Section 4](#)).
- 11.3 If an employee takes part in activities inconsistent with their stated reasons for sickness absence, or something that worsens their illness or prolongs their absence, the Council reserves the right to stop statutory sick pay and/or contractual sick pay. In some cases, this may result in disciplinary action. Also see [Section 5 of the Managing Sickness Absence Policy](#). Advice from Occupational Health must be sought by the line manager before any such action is taken.

12. Buying annual leave

12.1 Amount

Employees can apply to purchase additional annual leave, up to a maximum of 74 hours (10 days) in any leave year. For part-time staff this entitlement is pro rata according to the number of hours they work each week (e.g. someone who works 18.5 hours per week can apply to purchase up to 37 hours).

12.2 Process for application

- 12.2.1 There is a separate process for buying leave to cover the Christmas closure. For existing employees, requests to buy additional leave can be made from 1st February for the following annual leave year. The last day that leave can

be purchased is 10th April. New employees can buy additional leave within their first month of joining.

12.2.2 You can make a request to your manager to buy additional leave through iTrent Employee Self-Service (ESS). Each application is subject to your manager's approval, as there will be budget and staffing implications to be considered. There is no guarantee that your request will be agreed, but no request will be unreasonably refused.

12.2.3 Your manager will consider your request and respond within 21 days. The response will:

- Confirm whether your request has been approved or;
- If it has not been approved, the reasons for the request being declined

12.2.4 Your manager may approve some, but not all, of your request and in the event of a 'part approved' application the manager will set out the reasons for not approving the full amount of leave requested.

12.3 **Buying additional leave – how it will be implemented**

12.3.1 Any deductions from your salary for the additional leave will be made monthly over a 12 month period and calculated at your rate of pay as at 1st April for each year requested.

12.3.2 One day is priced at 1/260th (or 0.385%) of your annual salary (this will include base salary, and regular payments like shift allowance, market supplement, first aider allowance, but not irregular payments like overtime unless this is contractual).

12.3.3 You can apply to buy additional leave at any time of the year; payments will be deducted at the point of agreement with your manager. This can be as a "one off" arrangement to provide additional days for a particular purpose or occasion. Alternatively, this can be a permanent arrangement each year going forward. If your application is agreed and made effective on this basis within an existing leave year (i.e. April to March), then you will receive a pro rata entitlement for the first part year (i.e. number of days approved /12 x remaining full months in the leave year).

12.3.4 If you work part-time, your entitlements will be pro rata. If you work less than 5 days per week, the maximum amount of leave that you can buy is the number of your contractual hours per week x 2. For example, someone who works 30 hours per week can buy 60 hours additional leave per year.

12.3.5 If you work variable hours then the maximum number of hours available to buy will be calculated on the average number of hours over a two week period.

12.4 **If your application is not accepted**

- 12.4.1 If your application is not accepted (in whole or in part), then you may appeal against the decision of your manager to your Assistant Director.
- 12.4.2 Your appeal should be made in writing setting out the full grounds of your appeal and be received by your Assistant Director within 10 working days of the rejection of your original application.
- 12.4.3 The Assistant Director will consider your appeal and respond to you within 15 working days. The decision of the Assistant Director will be final.

12.5 **Other impacts of buying annual leave**

- 12.5.1 There may be a small number of staff who, if they opt to purchase additional leave, will reduce their salary to below the current National Insurance limit. This may affect their entitlement to state benefits (e.g. Statutory Sick Pay; Statutory Maternity Pay).
- 12.5.2 It is important, therefore, that you seek your own independent advice about the impact of this decision.

12.6 **Buying leave to cover the Christmas closure**

- 12.6.1 There is a separate process for buying leave to cover the Christmas closure which will be notified to staff, usually in November each year. The process in 3.1 and 3.2 of this policy does not apply for Christmas leave.

12.7 **Worked Example**

A full-time employee (37 hrs per week) with a salary of £20,000 per annum as at 1st April requests to buy 37 hours (5 days) leave. Their leave year begins on 1st April.

They do not receive any other form of regular payments.

Their manager agrees to the request and the effective date for implementation is 1st September.

37 hours (5 days) additional days leave = 5/260th of annual salary. So the cost to the employee will be £384.62 in a full year (£32.05 per month)

Cost of period: September – March (7 months) = £384.62 / 12 x 7 = 2.91 days at a cost of £224.36

Appendix 1



APPLICATION FOR OUTSTANDING ANNUAL LEAVE TO BE CARRIED FORWARD TO NEXT LEAVE YEAR

SECTION A (to be completed by employee)	
Employee's name:	Directorate:
Employee job title:	Line manager's name:
Number of hours to carry forward beyond 31 March:	
Reason for request:	
If a previous request to carry forward has been made, please give details of amount, date and outcome:	

SECTION B (to be completed by line manager)	
I am the line manager of the applicant, and approve / refuse (delete as appropriate) the request, as detailed above.	
Reason for approval / refusal (delete as appropriate):	
Line manager's signature:	
Date:	

Please forward completed form to the Employment Services Officer

HR Department use only Decision?	
Authorised signature:	
Date actioned on iTrent:	