



## Annual Leave Policy

### Introduction

#### Policy Statement

Horsforth Town Council recognises the importance of annual leave in improving individuals' quality of working life in balancing their personal and working life. In addition, annual leave provides individuals with a chance to relax and recuperate in what can be a hard working stressful environment.

The aim of this policy is to provide a uniform and fair approach to the calculation of annual leave and bank holiday entitlements.

The policy is in accordance with the Working Time Regulations (1998; Amended 2003 & 2007), the Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000), Fixed Term Staff (Prevention of Less Favourable Treatment) Regulations (2002)

#### Scope of Policy

The policy applies to all staff who are employed at Horsforth Town Council.

#### Annual leave year

The annual leave period shall be from 1 April to 31 March each year.

#### Compliance with Statutory Requirements

##### **Working Time Regulations (1998; Amended 2003 & 2007)**

Horsforth Town Council recognises the entitlements of its workers to request annual leave in accordance with The Working Time Regulations (1998; Amended 2003 & 2007).

**Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000)** The Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000) legislates that part-time staff should not be treated less favourably than full-time staff. Horsforth Town Council endeavours to ensure the prevention of discrimination or less favourable treatment in the provision of annual leave.

**Fixed Term Staff (Prevention of Less Favourable Treatment) Regulations (2002)** The Fixed Term Staff (Prevention of Less Favourable Treatment) Regulations (2002) prevent fixed term staff being treated less favourably than similar permanent staff. Horsforth Town Council endeavours to ensure the prevention of discrimination or less favourable treatment in the provision of annual leave.

#### Responsibilities

##### Staff

It is the responsibility of all staff to:

- give reasonable notice to their line manager in requesting annual leave. The minimum amount of notice given should be as shown in the following table:

Number of days leave	Notice period
Up to 1 day	Office staff are permitted to take up to one day's leave without prior notice to the manager provided this is agreed between the office staff and does not impact on office opening hours or

	the function of the office.
1½ - 7 days	1 week
7½ – 14 days	2 weeks
14½ days or more	3 weeks

- inform their manager of leave taken or to be taken of up to 1 day where prior notice to the manager is not required;
- ensure that any leave requested of more than 1 day is authorised by their manager before leave is taken and not assume that individual leave requests will be approved; and
- inform their manager as soon as possible in accordance with the local sickness reporting procedure if they fall sick during their annual leave.

### **Line Managers**

It is the responsibility of the line manager to:

- ensure that annual leave is managed equitably, balancing the needs of the service and the needs of individual staff, especially over holiday periods;
- confirm and authorise annual leave entitlements with the member of staff, as appropriate;
- give clearly explained reasons to the member of staff if their leave request is declined;
- record and monitor annual leave of staff so as to ensure that the appropriate annual leave is taken each leave year and that annual leave carried over or ‘banked’ is recorded;
- calculate (and re-calculate as appropriate) annual leave entitlements for their staff including part-time and fixed-term staff, and staff whose annual leave entitlement has increased due to length of service or increased decreased due to a change in hours

### **Annual Leave Entitlement**

Your paid leave entitlement is set out in your contract of employment. The basic leave entitlement for a full-time staff member is 23 days per annum in addition to Bank holidays and two additional statutory days. Part-time employees receive a pro-rated entitlement according to their hours of work.

### **Entitlement on joining**

All new members of staff will be entitled to annual leave plus Bank Holidays in the year of joining Horsforth Town Council. The leave entitlement will be calculated on a pro rata basis from the date of joining up to 31 March.

The Bank Holiday entitlement will be based on the number of Bank Holidays remaining in the current leave year from the date of joining.

### **Carrying over of annual leave**

It is expected that within the annual leave year staff should be provided with the opportunity to take all their annual leave. Up to five days’ annual leave or the equivalent hours per working week may be carried forward on agreement of the Manager and taken in the ensuing leave year.

### **Sickness occurring during Annual Leave or Bank Holidays**

If a member of staff falls sick whilst on annual leave, they should report their sickness to their manager as per the local sickness reporting procedure. In accordance with the Sickness Notification procedures of Horsforth Town Council. The manager will record the sickness and arrange for the

annual leave record to be amended to reflect the annual leave booked which was not subsequently taken – allowing the member of staff to take the annual leave another time.

### **Annual leave whilst on suspension**

In the event that a member of staff is suspended from duty, the Annual Leave Policy herein continues to apply in full, inclusive of carrying over annual leave and applying to take annual leave.

### **Unpaid Leave**

There may be circumstances when it is appropriate for a manager to allow an individual to take unpaid leave in addition to annual leave to enable a member of staff to take an extended period of leave. The manager may authorise up to two days' unpaid leave. Requests for unpaid leave exceeding two days must be approved by the Staffing and Employment Committee.

### **Death in service**

Where a member of staff dies whilst working for the organisation, an allowance equivalent to that part of the annual leave entitlement not taken at the date of death shall be paid to the member of staff's personal representative. No deduction from the final salary payment should be made in respect of annual leave taken in excess of entitlement at the date of death.

### **General Public Holidays ('Bank Holidays')**

A General Public Holiday shall be defined as a period of normal duty that starts within the period of 24 hours from midnight to midnight.

Staff will be entitled to all paid General Public Holidays (Bank Holidays) in the leave Year. All part time staff are entitled to the Bank Holidays pro rata to the full time allowance (For examples, see Appendix 1).

### **Half days**

It is expected that annual leave will normally be taken in periods of not less than 1/2 day.

### **Working part-time**

If your entitlement to Bank Holidays exceeds the number days that fall on your normal working days (typically because you don't work on Mondays) you will be able to take the excess as leave. If your entitlement to Bank Holidays is less than the number of Bank Holidays that fall on your normal working days, (typically because your normal working days include Mondays) then you can make up the difference by using your leave entitlement. With agreement from the Clerk (or the Council in the case of the Clerk), you may be able to work additional hours to make up the deficit or take unpaid leave.

### **Entitlement on Leaving**

Staff who leave Horsforth Town Council will receive 1/12th of their annual leave entitlement for each complete calendar month worked in the current leave year, less any annual leave taken.

On leaving Horsforth Town Council:

- Untaken annual leave will be paid in lieu;
- A deduction from the final salary payment will be made in respect of annual leave taken in excess of entitlement at the date of leaving.

### **Recording and Monitoring Annual Leave**

It is imperative that managers implement a leave reporting procedure appropriate for their service area.

Managers must record annual leave taken in order to ensure that leave granted is commensurate to the entitlement of the member of staff and in accordance with this policy.

### **Further staff leave entitlements**

For information on other leave available, please see the Special Leave Policy.

Horsforth Town Council

**Reviewed: 27 July 2023 and 30<sup>th</sup> May 2024**

**Next review date: May 2025**

## Appendix 1

Bank Holiday calculations for part-time staff should be calculated in hours and applied on a pro rata basis regardless of the days worked by the members of staff. Please see the following examples:

### **Example 1**

A full-time nurse would normally get 8 Bank Holidays a year. In hours this is 60 hours per year (37.5 hrs per week/5 days x 8 Bank Holidays). A part-time nurse working 15 hours a week would get a Bank Holiday entitlement for a full year of 24 hours (15 hrs per week/5 days x 8 Bank Holidays), regardless of the days normally worked.

### **Example 2**

A full-time administrator would normally get 8 Bank Holidays a year. In hours this is 57.6 hours per year (36 hrs per week/5 days x 8 Bank Holidays). A part-time administrator working 15 hours a week would get a Bank Holiday entitlement for a full year of 24 hours (15 hrs per week/5 days x 8 Bank Holidays), regardless of the days normally worked.

These hours should be converted into days and then taken either on bank holidays which fall on the days normally worked or at some other time, in agreement with the line manager on the same way that annual leave is agreed.

If the calculation results in a fraction, this should be rounded-up to the next half or whole day.