



TRAFFORD COUNCIL

ANNUAL LEAVE POLICY

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1. Purpose

- 1.1 The annual leave policy supports employee choice and helps staff achieve work-life balance. This policy details entitlement, how this is calculated, the application process and other information.

2. Definition

- 2.1 Annual leave is paid time off work that an employer gives staff on an annual basis. There is a difference between Annual Leave, Bank Holidays and other types of leave such as Special Leave and Maternity Leave etc. For further information on these please refer to the relevant policies.
- 2.2 Statutory entitlement to annual leave, i.e. the legal minimum, is 5.6 weeks (28 days for those working a 5 day week). An employer can include bank holidays as part of statutory leave.

3. Scope

- 3.1 This policy applies to all employees of Trafford Council, with the exception of employees within the Local Authority's schools, where separate arrangements are in place.
- 3.2 This procedure does not apply to casual staff, contractors, external consultants and agency staff where separate arrangements are in place.

4. Entitlement

- 4.1 The standard leave year in the Council is 1st April to 31st March but this may be different in some service areas.
- 4.2 All employees are entitled to annual leave and bank holidays (or compensatory hours if they have to work on a bank holiday). The amount of annual leave they are entitled to is based on their level of seniority, length of continuous service, their hours of work and the number of weeks they work each year. Where leave is quoted in days below, this is based on an employee who works full time hours over the standard 5 day working week.
- 4.3 In line with national terms and conditions, leave for Council employees includes 2 extra statutory days. The dates for these days may be fixed in advance by the Council at its discretion.
- 4.4 Annual Leave entitlement for **Chief Officers** is 30 days (which includes 2 extra statutory days) on commencement of employment and remains at this level regardless of length of service.
- 4.5 Annual leave entitlement for **all staff below Chief Officer** level is as follows:
- 25 days (which includes 2 extra statutory days), on commencement of employment.

- 30 days (which includes 2 extra statutory days), after 5 years' continuous service*

* The system will automatically calculate leave based on continuous service, for example if a member of staff is coming from another local authority, and increase entitlement when they reach 5 years' service.

4.5 In addition, leave is given for bank holidays and leave is normally quoted inclusive of bank holidays (however this may depend on service area).

4.6 The Bank or Public Holidays are as follows:

- New Year's Day
- Good Friday
- Easter Monday
- May Day
- Spring Bank Holiday
- Late Summer Bank Holiday
- Christmas Day
- Boxing Day

4.7 Staff on term-time only contracts take their annual leave within the school holidays and don't normally have any leave to take during term-time, unless this is agreed as part of their contract. For staff on any other non-standard working patterns, leave will be pro-rata to weekly hours worked and number of weeks worked each year.

5. Calculating leave

5.1 Leave entitlement for the full leave year is 25 or 30 days, plus 8 bank holidays (6.6 or 7.6 weeks in total). As the number of bank holidays is variable, this allowance of hours is automatically recalculated each leave year. The figure shown in MiTrent will show leave entitlement in hours, including bank holidays. Managers must ensure that working patterns are set up correctly in ITrent so that leave is calculated correctly.

Annual Leave (including bank holidays) can be calculated as follows:

Number of weeks of leave x weekly contracted hours = total entitlement in hours

The number of weeks of leave is worked out by taking total number of days of leave divided by 5 (as there are 5 days in a standard working week). The weekly contracted hours for a full-time employee are 36.25 hours.

For example:

For a full-time employee with standard annual leave entitlement of 25 days, the calculation would be:	6.6 wks x 36.25 hrs = 239.25 hrs
For a full-time employee with continuous service additional annual leave entitlement of 30 days, the calculation would be:	7.6 wks x 36.25 hrs = 275.5 hrs
For a part-time employee working 18.125 hours a week with standard annual leave entitlement of 25 days, the calculation would be:	6.6 wks x 18.125 hrs = 119.63 hrs
For a part-time employee working 18.125 hours a week with continuous service additional annual leave entitlement of 30 days, the calculation would be:	7.6 wks x 18.125 hrs = 137.75 hrs

5.2 Staff on maternity, adoption and shared parental leave, accrue annual leave and public holidays that fall during the period that they aren't in work. Often this can be taken immediately before and/or after the period of leave.

5.3 When a change of contractual hours occurs, an automatic adjustment will be applied and the annual leave entitlement amended accordingly.

6. Leave application procedure

6.1 Although managers will try to agree annual leave where at all possible, in order for them to be able to maintain an appropriate level of service in their department, it will sometimes be necessary to refuse annual leave requests. This may occur in the following situations amongst others: if there are too many requests for the same dates; at particularly busy times of the year; where leave has been requested at short notice.

6.2 Requests should be made in good time and with reasonable notice (what constitutes reasonable notice can be agreed locally by management to support delivery of service requirements).

6.3 It is suggested that staff contact their manager in the first instance regarding the dates on which they would like to take leave to obtain agreement.

6.4 For staff using the Mitrent HR system, requests should be submitted through Employee Self Service. The request will generate an e-mail to the manager who can approve or refuse the request. The employee will be notified via email when the request has been submitted, and again with the outcome.

6.5 For staff who do not have access to the Mitrent HR system, their manager will outline the process for requesting annual leave. This is often through a request form submitted to the manager for approval, and which can then be inputted and calculated on the system.

- 6.6 For staff who are not required to work on bank holidays, the system will automatically book these out and leave entitlement is adjusted to take the appropriate number of hours out.
- 6.7 For staff on non-standard working patterns, dependant on their pattern and how the bank holidays fall each year, they may either have more flexibility around how they use their hours of bank holiday leave or they may need to use some normal leave to cover bank holidays. For example employees who don't work on Mondays will have extra bank holiday leave to use at another time (as the majority of bank holidays are on Mondays).

7. Unused annual leave

- 7.1 Staff have a responsibility to ensure that they take their full leave entitlement each year.
- 7.2 Where staff are on a period of extended leave from the Council, for example maternity or adoption leave, they should agree with their manager how to take their annual leave. Options to take it in the corresponding leave years are to add it to the beginning or end of the period of maternity or adoption leave or to take a day or 2 of leave each week upon return to work.
- 7.3 There is no automatic right to carry over leave which has not been taken in the leave year. If leave is not being taken through the first few months of the year, the employee should raise this with their manager as soon as possible, so that plans for taking the leave can be agreed.
- 7.4 Managers can authorise the carry forward of up to one working week (36.25 hours). Requests to carry forward more than this require authorisation by the Corporate Director of People. Requests to carry forward leave must be submitted via the relevant form on the GMSS webpage. The request will require appropriate sign-off as detailed above.
- 7.5 There is an expectation that leave carried forwards will be used within the first 2 months of the next leave year.
- 7.6 Any remaining hours of annual leave cannot be exchanged for pay. Holiday entitlement must be taken as leave.

8. Annual Leave and sickness absence

- 8.1 Please see the Attendance Management policy for guidance as to what happens in situations such as when an employee is unwell whilst on annual leave or is off work due to sickness and wants to take annual leave.

9. New members of staff

- 9.1 New members of staff who have continuous service through one of our continuous service schemes (see the Continuous Employment policy) will

have their leave calculated automatically by the system based on their continuous service date.

- 9.2 Most employees start or finish part-way through the leave year. The leave entitlement will be reduced to take account of this, based on a pro-rata amount to the period of the year that the individual is employed.

10. Staff leaving the Council

- 10.1 When staff know that they are leaving the Council, particularly when they have advance knowledge of this, such as in the case of Retirement, they should plan their leave so that they don't overtake leave or have too much untaken at the date that they leave.
- 10.2 When staff leave the Council their annual leave and bank holidays for the year should be calculated based on the number of days of the year that they have been employed. Once leave booked in the year so far is taken off they will have either have some remaining leave to take or they may have taken too much leave. If they have leave to use, they should agree with their manager when they will take it before they finish. If they have taken too much leave, then the appropriate deduction will be made from their final salary payment.

11. Leave Purchase Scheme

- 11.1 Staff can purchase additional leave through the Leave Purchase Scheme, which is subject to management authorisation. Staff can request between 1 and 10 days (a day will be pro-rata to part-time workers and other flexible working patterns). Salary deductions for the additional leave will be spread evenly across the leave year (i.e. April to March). Leave must be taken within the leave year, i.e. unused leave cannot be carried forward to the next leave year. Please see the scheme intranet page for more information.

12. Review

- 12.1 This policy will be periodically reviewed in order that it remains appropriate to the Council's operation, is best practice and meets legal requirements.