**Annual Leave & Bank/Public**

**Holidays**

|  |  |  |
| --- | --- | --- |
| Version Control | Changes Made | Author |
| Version 1 – April 2023 |  | HR/OD |
| Version 2 – April 2024 | Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023 – pro rata for part year and irregular hours workers | HR |

Contents

[Section 1 – Annual leave and bank holiday entitlements](#Annual_leave_and_BH_entitlements)

* [Introduction and overview](#Overview)
* [Part time / part year staff](#Part_time_part_year_staff)
* [Continuous service](#Continuous_service)
* [Joining or leaving the Council during a leave year](#Joining_or_leaveing_during_leave_year)
* [Combination of jobs](#Combination_of_jobs)
* [Carrying annual leave over to the next leave year](#Carry_over_of_AL)
* [Annual leave purchase scheme](#Annual_leave_purchase_scheme)
* [How to calculate entitlements](#How_to_calculate_entitlement)

[Section 2 – Taking annual leave and bank holidays](#Taking_annual_leave_and_BHs)

* [Arranging leave](#Arranging_leave)
* [Recording leave](#Leave_records)

[Section 3 - Effects of sickness absence and maternity on leave entitlements](#Maternity_leave_sickness_absence)

* [Sickness absence](#Sickness_absence)
* [Sickness absence - accrual of contractual annual leave and bank holidays](#Sickness_absence_and_accrual_of_leave)
* [Maternity leave - accrual of contractual annual leave and bank holidays](#Maternity_leave)

[Appendix 1 – Bank holidays (further guidance](#Appendix1_Bank_holidays)**)**

[Appendix 2 (a) – Leave Record (blank)](#Appendix_3a)

[Appendix 2 (b) – Leave record (completed example](#Appendix_3b)**)**

**Appendix 3 – Annual Leave and Bank Holiday Entitlements – FAQs**

To move to a particular point in the document, hover over the relevant heading above and click to follow link.

[Section](http://www.intouch.ccc/elibrary/Content/Intranet/536/671/5053/6001/41410105256.doc) 1-Annual Leave and Bank/Public

**Introduction and overview**

Managers and head teachers are responsible for the calculation, recording (manually on a leave record or electronic equivalent) and management of leave entitlements for their employees.

Employees are required to check the information being used for their leave entitlement calculation (e.g. birthday, continuous service date) and to indicate if these are incorrect in any way.

An electronic calculator is provided on the Intouch in order to assist with leave calculations. The calculator can be used by managers and employees, instructions and guidance for using it can be found on the Council’s HR pages.

The calculator provides leave and bank holiday entitlements and takes into account any increase in entitlement that occurs due to a service increment during the leave period. The calculator also includes options to calculate entitlement for new starters and leavers.

A full year’s annual leave and bank / public holiday entitlement is as shown below (full time equivalent).

|  |  |  |
| --- | --- | --- |
| On appointment (in Year 1) | 25 days | Plus 8 bank / public holidays |
| In Year 2 | 26 days | Plus 8 bank / public holidays |
| In Year 3 | 28 days | Plus 8 bank / public holidays |
| In Year 4 | 30 days | Plus 8 bank / public holidays |
| In Year 5 | 31 days | Plus 8 bank / public holidays |

Entitlements for part-time and part year (e.g. term-time-only) employees are calculated and allocated in hours on a pro-rata basis (as outlined below).

Where recognised, continuous service counts towards annual leave entitlement (see later section “Continuous Service”).

In order to stagger the ending of leave years, a leave year is based on birthdays and runs for 12 calendar months from birthday to birthday for each individual. The exception to this is apprentices whose leave year runs for 12 calendar months from their start date, e.g. September.

Annual leave / Bank / Public Holiday entitlement is proportionate to the number of completed day’s service during the annual leave year (again on a pro rata basis for part time / part year employees).

Line managers are responsible for recording an employee’s Annual Leave and Bank / Public Holiday entitlements appropriately on a Leave Record at the beginning of each leave year. Most annual leave will be through [MyHR](https://ess.cumbria.gov.uk/trentl_ess/ess/dist/#/login?page=login).

Any deductions to the employee’s entitlement during the leave year must be noted on the Leave Record and authorised by the line manager prior to leave being taken. Where local procedures allow, leave request entries can be entered onto the Leave Record by the employee following discussion and agreement with the line manager, who will then authorise or decline leave requests as appropriate. If the Leave Record is kept electronically, authorisation of leave requests by email is acceptable.

Authorised absence on leave will be paid at full basic rate.

Part Time

A **part time** employee’s leave entitlement is based on the legal principle of a ‘pro-rata’ entitlement. This means that leave is calculated according to the proportion of hours that a part-timer works compared to a full time employee (standard 37 hours per week), not by the days of the week on which the part-timer works. This applies to both annual leave and bank / public holidays.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Weekly working hours | X | Total annual leave entitlement | = | Pro rata entitlement |
| 37 |  |

Part Year – (e.g. Time Time)

A **part year** employee (e.g. term time), is, from leave years on or after 1 April 2024, also based on the legal principle of a ‘pro-rata’ entitlement. This means that leave is calculated according to the number of weeks actually worked in proportion to the number of weeks an equivalent full-year employee with the same service actually works (i.e. full year less their leave entitlement).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Part-year actual working weeks | X | Total annual leave entitlement | = | Pro rata entitlement |
| Full year actual working weeks  (i.e. full year less service-based leave entitlement) |  |

Entitlements will be expressed in hours and employees who work both part time and part year will require both pro rata calculations as follows:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Weekly working hours | x | Part-year actual working weeks | x | Total annual leave entitlement | = | Pro rata entitlement |
| 37 | Full year actual working weeks  (ie full year less service-based leave entitlement) |

The electronic [Leave Calculator](http://www.intouch.ccc/servicecentre/hr/absence/default.asp?row=1&tab=1) available on the Council’s HR pages will assist with leave calculations.

Irregular Hours Workers

An **irregular hours** worker’s leave entitlement is also based on the legal principle of a ‘pro-rata’ entitlement. Leave will be calculated by applying an entitlement to each actual hour worked.

Continuous Service

Previous continuous service with an organisation covered by the Redundancy Payments (Local Government) (Modification), Orders, or any subsequent amending legislation which covers local authorities and related bodies will count in calculating the entitlement to annual leave and bank / public holidays.

If the date of continuous service falls part way through an individual’s leave year and results in an increase in entitlement (i.e. up to 5 years’ service), a pro-rata increase will be applied for that year. The leave calculator available on the Council’s HR pages accounts for any previous continuous service when the correct dates are inputted.

Joining or Leaving the Council during the leave year

Employees who join or leave the Council during their leave year are entitled to annual leave and bank holidays based on the number of completed days service. Please note that for employees who work term time and are paid on equated pay, a calculation will be undertaken to ensure that paid leave is pro-rated to reflect the part year of service. Any under or overpayment will be paid of deducted from the final salary wherever possible or paid by another means if this is not possible. Please see details here [Human Resources - Leaving employment](https://legacy.cumberland.gov.uk/hr/leaving_employment/default.asp) .

For those who leave the Council’s employment, payment in lieu of any outstanding proportionate leave will only be made if operational requirements or sickness absence prevent the employee from taking any outstanding leave. Any annual leave taken in excess of the proportionate entitlement will be deducted from the leaver’s final salary payment.

Combination of jobs

Some employees have more than one job in the Council. For the purpose of the relevant leave calculations, these jobs are to be treated separately and leave entitlement calculated for each job using the pro rata principle. Separate Leave Records should be kept for each job.

Carry over of annual leave

With effect at the end of the first full birthday leave year, a maximum of 5 days (standard 37 hours) annual may be carried forward into the following leave year, subject to mutual agreement between the manager and employee. Part-time employees may carry forward the pro rata equivalent of 5 days (37 hours). Payment will not be made for annual leave not taken in any leave year or within the carry forward period (with the exception of on leaving as set out above and any statutory provision in relation to sickness and / or maternity absence).

The following guidelines must be followed:

* Carry forward of leave must be agreed between the employee and their line manager at a date when it is still possible for the leave to be taken.
* It is acceptable for services to seek to avoid the routine carry forward of leave by asking employees to organise their leave within the leave year.

In addition, Chief Officers can, in exceptional circumstances and by mutual agreement, agree to the carry forward of annual leave of more than 5 days (37 hours). This would usually apply in a situation where an employee is asked, for business or operational reasons, not to take leave at a particular time. This would not apply where an employee had been absent on sick or maternity leave (see section 3).

Annual leave purchase scheme

Application may be made for a maximum of 2 weeks’ additional annual leave (pro-rata if appropriate) to be purchased under the Council’s Annual Leave Purchase Scheme, which is available from the Council’s Human Resources pages. Participation in the Council’s Annual Leave Purchase Scheme is not a contractual right and is subject to the provisions of the Scheme (link to [Additional Annual Leave Purchase Scheme](http://www.intouch.ccc/hr/annual_leave_timeoff/default.asp?row=1&tab=3) Intouch page).

How to calculate entitlement

An electronic calculator is available on the Council’s HR pages to assist in carrying out the relevant calculations for annual leave and bank / public holidays.

The calculator ensures that pro rata entitlements are calculated consistently across the Council and in accordance with the requirements of the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

In the calculation:

* The ‘Full Time Equivalent’ (FTE) hours of work are **37** per week.
* A standard day is **7.4** hours (7 hours, 24 minutes).
* The number of weeks actually worked in a year by a full year employee is **52.14** **less** their leave entitlement, which is dependant on their length of service.
* The full year equivalent number of days leave/bank/public holidays is as set out as in the entitlement table on page 1, this is dependent on the employee’s length of service.

Rounding of entitlements

Entitlements should be rounded **up** to the nearest half hour for part time staff.

Entitlements should be rounded **up or down** to the nearest half day for full time employees. (Part day leave entitlements for full time employees will only apply to new starters, leavers and employees who have than 5 years’ service.)

Entitlements are provided in days and hours – **part time/ part year individuals should record any deductions from their entitlement on their leave record in hours. Full time, full year staff have the option to record their entitlement in hours if they wish**

[Section](http://www.intouch.ccc/elibrary/Content/Intranet/536/671/5053/6001/41410105256.doc) 2-Taking Annual Leave and/or Bank/Public Holidays

Arranging Leave

Annual leave must be arranged in advance and taken by mutual agreement between the employee and their line manager, subject to operational and service delivery needs.

Subject to operational requirements, individuals may be required to take annual leave out of term time or where a unit or department closes for specific holiday periods or some other significant reason.

How much leave to take

When taking leave full time employees should deduct **7.4** hrs (i.e. 7 hours 24 minutes) of leave for each day off, either their annual leave or bank holiday entitlement, whichever is appropriate.

Part-time employees should deduct leave hours from their leave entitlement equivalent to the daily hours they would normally work on the day(s) on which they take leave.

e.g. A part-time employee works 30 hours per week in the following pattern:

Monday to Wednesday 7 hours per day and Thursday/Friday 4.5 hours per day

* If the employee took leave on a Monday, Tuesday or Wednesday they would use 7 hours leave for a full day
* If the employee took leave on a Thursday or Friday they would use 4.5 hours leave.

This applies irrespective of whether the hours are being taken for annual leave or a Bank / Public Holiday. Depending on the part time worker’s working pattern, it may be useful when recording leave to divide the Bank Holiday entitlement by the number of Bank Holiday days in the leave year and deduct this number from the full entitlement each time a Bank Holiday is taken (see completed example leave sheet, Appendix 2).

It may be possible, subject to operational need and line manager approval, for a part time employee to attend work on a different day of the week to their normal attendance pattern as an alternative to deducting time for a Bank / Public Holiday from their entitlement where, for example they normally work a full day.

The Council will normally close its offices on recognised Bank / Public Holidays, except where there is a need to maintain essential services. Employees must ensure they retain sufficient hours to cover the time they will require in order to take the day off. Further guidance regarding Bank / Public Holidays is provided at [Appendix 1](#Appendix1_Bank_holidays).

Leave Records

All leave entitlements and deductions are recorded on a Leave Record (see Appendix 2 (a)). Recording of leave can be manual (hard copy) or electronic (soft copy), templates of these can be found on the Council’s HR pages . All staff, without exception, are required to record both their annual leave entitlement and bank holiday leave on their personal Leave Record, noting the relevant bank holiday dates appropriately.

Any additional annual leave purchased should be recorded on the Leave Record in line with the [Additional Annual Leave Purchase Scheme](http://www.intouch.ccc/hr/annual_leave_timeoff/default.asp?row=1&tab=3).

The Leave Record also makes provision to record any Flexi time/other types of leave taken.

Leave entitlements are allocated in decimal hours. Part-time employees can use the calculator provided on the Leave Record to convert decimal minutes to ordinary minutes to ease recording of leave taken. For example, an employee who works 20 hrs 45 minutes per week does 3 x 7 hrs 15 minute shifts, this converts to 20.75 decimal hours and minutes for a week, 7.25 decimal hours per day. Therefore, the employee would need to deduct 7.25 hours from their leave entitlement when taking a day’s leave.

An example of a fully completed leave record sheet for a part time member of staff who works 18.5 hrs per week, Monday to Wednesday, with a working pattern of Mon/ 7.4 hrs, Tues/ 7.4 hrs and Weds/ 3.7hrs, is shown in Appendix 2 (b).

Full time (37 hours per week) employees have the option to complete their leave record sheet using days or hours. An employee who records their leave in days needs to deduct 7:24 (7.4 hrs) from both their leave record and their flexi sheet when a day’s leave is taken. If the leave is recorded in hours then there is the flexibility to apply the actual number of hours of leave taken, which is beneficial where 37 hours are worked over a different working pattern to the standard 5 x 7.4 hrs, for example where an employee has a working pattern of:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Monday | Tuesday | Wednesday | Thursday | Friday |
| 9.15 | 9.15 | 9.15 | 9.15 | 0.00 |

the actual number of hours taken as leave can be applied to both the flexi sheet and the leave record when a deduction for leave occurs.

Managers should ensure that recorded leave authorised for their team / unit etc is kept up to date in line with their service’s requirements on Leave Record sheets.

[Section](http://www.intouch.ccc/elibrary/Content/Intranet/536/671/5053/6001/41410105256.doc) 3-The Effect of Sickness Absence or Maternity Leave and Bank/Public Holidays

Sickness Absence

If an employee falls sick whilst on previously booked annual leave, or where a bank/public holiday falls, the usual notification of sickness absence procedure applies.

Once recovered, an employee can request to reschedule any previously booked annual leave and/or bank holiday leave due to them during their period of sickness absence. To do so, an employee must provide a medical practitioner’s certificate to cover the related period of sickness and agree any alternative period of leave with their line manager.

Sickness absence and accrual of contractual annual leave, bank/public holiday

An employee who is off on sickness absence will accrue and can request to take their contractual annual leave and Bank / Public Holiday accrual during their sickness absence period using existing procedures.

In exceptional circumstances when the accrued leave can’t be taken or granted in the leave year in which the sickness absence occurred it will automatically be carried forward into the following leave year. In these circumstances there is no requirement to request the leave to be carried over.

An employee cannot be on sickness absence and on annual leave at the same time. The type of leave must be switched from one to the other and will be recorded as such. Moving between sick leave and annual leave will not “break” the period of sickness, i.e. the period of sickness absence will be continuous if it relates to the same sickness or injury as prior to the period of annual leave. So taking annual leave during a period of sickness absence should not trigger a new entitlement to sick pay. However, moving from sickness absence to annual leave, and then back to sickness absence may impact on the 12-month rolling year sickness calculation. Medical certificates continue to be required.

Payment in lieu of untaken leave cannot be made unless the contract is terminated. Employees who were on sickness absence at the point of termination of employment are entitled to pay in lieu of untaken contractual annual leave and Bank / Public Holidays accrued during the leave year in which the contract of employment is terminated.

Maternity leave and contractual annual leave and bank/public holiday accrual

An employee on maternity leave continues to accrue contractual annual leave and bank / public holidays and, on their return to work, will be able to take any accrued leave. As the maximum maternity leave entitlement is 52 weeks this may result in a carry forward in excess of 5 days. Alternatively, individuals may wish to take leave prior to the commencement of maternity leave.

Payment in lieu of untaken leave cannot be made unless the contract is terminated.

If an employee decides not to return to work but to resign, they will be entitled to pro-rata annual leave for the months in that leave year for which they have been employed. This period of employment will include both paid and unpaid maternity leave periods.

For more details about maternity leave please consult the current Maternity Scheme which is available on the Council’s Council’s HR pages site.

Other time off

Other provisions for time off work are contained in the Council’s ‘Time Off’ work procedure, which is available on Council’s HR pages.

**Appendix 1: Bank/Public Holidays-further guidance**

* Entitlement for bank / public holidays is calculated on a pro-rata basis. The Leave Calculator available on Council’s HR pages / school’s portal ensures any additional days allocated, e.g. Kings Coronation, are accounted for.
* Entitlements and time taken off on each bank holiday must be recorded on their leave record **for all employees** (full and part time).
* Entitlements for part time / part year employees are pro rata, these should be expressed in hours – the Leave Calculator available on Council’s HR pages / school’s portal will assist with these calculations.
* Entitlements for part time / part year employees are allocated on a pro rata basis **proportionate to their weekly working hours**, for example someone on 15 hours per week has an entitlement of 15/37ths of a standard working day of 7.4 hours, which is 3 hours.

An employee who works a standard week Monday to Friday, i.e. 5 days at 3 hours per day gets enough pro rata bank holiday entitlement to cover their bank holiday days off.

However, if an employee only works 3 days in the week, e.g. Monday to Wednesday (5 hours per day), they will have a shortfall of 2 hours in their entitlement for any bank holiday they take off which falls Monday to Wednesday (their entitlement is 3 hours, their working day is 5 hours). Therefore, they would need to deduct an extra 2 hours from their flexi and/or annual leave entitlement if they need to take the full day off.  Given that the majority of bank holidays fall on a Monday these employees will need to ensure they keep sufficient flexi / annual leave for this purpose, and manager’s need to ensure appropriate Leave Records are maintained to show this. Alternatively, and with the line manager’s agreement, they could come in and work the shortfall of hours, or they could move the working days in that week from Monday to Wednesday to Tuesday to Thursday, which means they wouldn’t need to take any leave hours from their annual leave / bank holiday entitlement and would maintain their current credit balance.

Where the bank holiday falls on a “non-working day”, e.g. Thursday or Friday for Monday to Wednesday employees, an employee’s leave credit balance would remain the same as they don’t need to use any hours as they are already not at work, and so they can "keep" the entitlement in order to offset the shortfalls on bank holiday Mondays.

People who only work Wednesday to Friday are generally likely to maintain greater credit balances during their leave year in their bank holiday entitlement to those who do regularly work Mondays, as they don’t need to take time off in order to have Mondays off. In these cases, managers need to be flexible around when bank holiday leave entitlement is taken and ensure appropriate records are maintained so that leave balances are properly managed.

* The principle outlined above applies in all circumstances, ensuring everyone who works part time gets the correct proportionate entitlement to a full-time person. Entitlement to leave for bank holidays is statutory (8 days) and must be given to all employees, regardless of whether they work the days or not.
* There is no right to take the day off on the actual date of a bank holiday. The Council will normally close offices etc on bank holidays, except where there is a need to maintain essential services. Closure of workplaces will be notified at a local level but you may need to consider providing alternative workplaces where employees wish to attend work.
* Where employees are required to work on a bank holiday as part of their normal working week in order to ensure the council maintains essential services, the relevant flat sessional payment will be paid. Bank holiday leave entitlement will be included in the annual allocation (pro rata for part time). Where there is a re-designated bank holiday the flat sessional payment will only apply once, ie on the actual day if worked or on the re-designated day if worked instead, but not on both if both are worked.
* Managers are required to consider requests from employees who wish to re-designate some or all of the bank holidays (e.g. for an alternative religious festival) and to ensure appropriate recording and management of such requests.

**Appendix 2 (a): Leave Record**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Employee name: |  | | | Post: | | |  | | |
| Directorate: |  | | | Line Manager: | | |  | | |
| Birthday: |  | | | Date of Continuous Service: | | |  | | |
| Hours per week: |  | | | Working weeks per year: | | |  | | |
| Pattern of work:  (number of hours  per day): | **M** | **T** | **W** | | **T** | **F** | | **S** | **S** |
|  |  |  | |  |  | |  |  |

**Notes:**

1. The leave year runs from the birthday to the day prior to the next birthday.
2. Annual increases in leave entitlement will commence from an employee’s start date and increase up to the maximum number of days (30).
3. This leave record should be completed in ink by the employee named above. Any request for leave must be agreed and authorised by the Line Manager named above prior to any leave being taken (including flexi-time).
4. Leave entitlements to be calculated on a pro rata basis for part time and / or part year (TT) staff. Part-time workers leave must be recorded and taken in hours, not days.
5. Use the **leave calculator** available on Council’s HR pages to assist with entitlement calculations.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Full Year (Full Time Equivalent) Annual Leave Entitlements, with effect from 01/10/11:** | | | | | |  | **Full Year (Full Time Equivalent) Bank / Public Holiday Entitlements, with effect from 01/10/11 (to be allocated on date they fall)** |
|  | *In Year 1* | *In Year 2* | *In Year 3* | *In Year 4* | *In Year 5* |  |
| *Days:* | 24 | 25 | 27 | 29 | 30 |  | 8 days |
| *Hours:* | 178 | 185 | 200 | 215 | 222 |  | 59.2 hours |

|  |  |  |  |
| --- | --- | --- | --- |
|  | | Annual leave entitlement  (days/hours):  **AL** | Bank holiday entitlement  (days/hours)  **BH** |
| **Leave carried forward from previous year:**  (maximum of 5 working days, to be taken within 6 months) | |  |  |
| Leave year period from  (last birthday): | Leave year period to  (next birthday): |  |  |
|  |  |
| **Additional annual leave purchased:**  (must be taken within relevant leave year) | |  |  |
| **Total for current leave year:**  (round hourly entitlements up to nearest half hour) | |  |  |
| **Line Manager certification:**  (signature) | |  | |

| **Date From** | **Date To**  **(inclusive)** | **No of Days /Hours taken** | **Leave Type**  (AL/BH/Flexi) | **Days / Hours remaining** | | **Authorised (Line Manager)** | **Noted in Dept/ Directorate** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **AL** | **BH** |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
| Carried forward from page 1 | | | |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |

This Leave Record is also available electronically:

[Leave Record – Full time/Days (electronic version)](http://www.cumbria.gov.uk/eLibrary/view.asp?ID=50960)

[Leave Record – Part time/Hours (electronic version)](http://www.cumbria.gov.uk/eLibrary/view.asp?ID=51010)

Note: Leave requests by the employee and authorisation by a line manager can be done electronically by email between the people concerned.

**Appendix 2 (b) Leave Record-A completed example**



|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Employee name: | **Grace Williamson** | | | Post: | | | **Business Support Team Leader** | | |
| Directorate: | **Adult and Local Services** | | | Line Manager: | | | **Caroline Reardon** | | |
| Birthday: | **31 December** | | | Date of Continuous Service: | | | **16 August 2009** | | |
| Hours per week: | **30** | | | Working weeks per year: | | | **52.14** | | |
| Pattern of work:  (number of hours per day): | **M** | **T** | **W** | | **T** | **F** | | **S** | **S** |
| **7.5** | **7.5** | **7.5** | | **7.5** |  | |  |  |

**Important notes:**

1. The leave year runs from the birthday to the day prior to the next birthday (inclusive).
2. Annual increases in leave entitlement will commence from an employee’s start date and increase up to the maximum number of days (30).

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Full Year (Full Time Equivalent) Annual Leave Entitlements, with effect from 01/10/11:** | | | | | |  | **Full Year (Full Time Equivalent) Bank / Public Holiday Entitlements, with effect from 01/10/11 (to be allocated on date they fall)** |
|  | *In Year 1* | *In Year 2* | *In Year 3* | *In Year 4* | *In Year 5* |  |
| *Days:* | 24 | 25 | 27 | 29 | 30 |  | 8 days |
| *Hours:* | 178 | 185 | 200 | 215 | 222 |  | 59.2 hours |

1. This leave record should be completed by the employee named above. Any request for leave must be agreed and authorised by the Line Manager named above prior to any leave being taken (including flexi-time).
2. Leave entitlements to be calculated on a pro rata basis for part time and / or part year (term time) staff. Part-time workers leave must be recorded and taken in hours, not days.
3. Use the **leave calculator** available on the Council’s HR pages to assist with calculations.

|  |  |  |  |
| --- | --- | --- | --- |
|  | | Annual leave entitlement  (days/hours):  **AL** | Bank holiday entitlement  (days/hours)  **BH** |
| **Leave carried forward from previous year:**  (maximum of 5 working days, to be taken within 6 months) | | 30 |  |
| Leave year period from  (last birthday): | Leave year period to  (next birthday): | 176.5 | 48  (6hrs per BH (8)) |
| 31/12/12 | 31/12/13 |
| **Additional annual leave purchased:**  (must be taken within relevant leave year) | |  |  |
| **Total for current leave year:**  (round hourly entitlements up to nearest half hour) | | **216.5** | **48** |
| **Line Manager certification:**  (signature) | |  | |

| **Date From** | **Date To**  **(inclusive)** | **No of Days /Hours taken** | **Leave Type**  (AL/BH/Flexi) | **Days / Hours remaining** | | **Authorised (Line Manager)** | **Noted in Dept/ Directorate** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **AL** | **BH** |
| 1/1/13 | 3/1/13 | 24 | 6BH/18AL | 198.5 | 42 |  |  |
| 11/2/13 | 14/2/13 | 30 | 7.5 FL/22.5AL | 176 | 42 |  |  |
| 1/4/13 | 4/4/13 | 30 | 12BH/18AL | 158 | 30 |  |  |
| 6/5/13 | 7/5/13 | 15 | 6BH/9AL | 149 | 24 |  |  |
| 27/5/13 | 6/6/13 | 60 | 6BH/54AL | 95 | 18 |  |  |
| 29/7/13 | 29/7/13 | 7.5 | FL | 95 | 18 |  |  |
| 5/8/13 | 8/8/13 | 30 | AL | 65 | 18 |  |  |
| 26/8/13 | 29/8/13 | 30 | 6BH/2.5FL/21.5AL | 43.5 | 12 |  |  |
| 28/10/13 | 29/10/13 | 15 | 2.5FL/12.5AL | 31 | 12 |  |  |
| Carried forward from page 1 | | | | 31 | 12 |  |  |
| 4/12/13 | 5/12/13 | 15 | 7.5FL/4.5AL | 26.5 | 12 |  |  |
| 23/12/13 | 26/12/13 | 30 | 12BH/18AL | 8.5 to c/f | 0 |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |

Appendix 3:

**ANNUAL LEAVE / BANK HOLIDAYS ENTITLEMENTS – FAQs**

Please also refer to the document:

[ANNUAL LEAVE and PUBLIC HOLIDAYS – SCHEME GUIDANCE](http://www.intranet.ccc/eLibrary/view.asp?ID=3746)

|  |  |
| --- | --- |
| **Q** | **Will there be a helpline if I think my leave has been calculated wrongly?** |
| *A* | *Your line manager/supervisor is your first line of contact if you feel that your leave entitlement has not been calculated correctly. You should check the information they have used and let them know if they have any of your details incorrect. For example, if an incorrect date of service or date of birth has been used they can then check this with you and make any amendments necessary..* |
| **Q** | **There seems to be a lot of different days and dates to consider – will this be written down in a simple form for me to follow?** |
| *A* | *The leave calculator has been developed to be as straight-forward and easy to use as possible. It takes into account the range of different dates and entitlements there may be and is able to calculate the majority of scenarios.*  *There is guidance on how to use the calculator provided for more complex leave scenarios. There is also advice available in the ‘Annual Leave and Public Holidays’ scheme guidance document.* |
| **Q** | **I work part time, how does this affect how my leave hours are worked out?** |
| *A* | *The calculator will automatically work out your entitlement on a pro rata basis against a standard working week of 37 hours, e.g. if you work for 25 hours per week your leave will be 25 / 37ths of your relevant full time equivalent entitlement. Bank holidays entitlement is also be pro-rated according to the number of part-time hours worked..* |
| **Q** | **How does the Leap Year next year affect my leave entitlement?** |
| *A* | *Using 366 days could potentially make a very small reduction in leave entitlements; therefore, in order to be fair to everyone, leave calculations are based on a “normal” year of 365 days.* |
| **Q** | **How much annual leave can I take at any one time?** |
| *A* | *This will be dependant on your department and the needs of the service. You should always discuss and agree your leave requirements with your manager prior to making any definite travel arrangements, particularly if you are considering taking a longer than normal period of time, eg more than 2 weeks. Your manager will look at all the relevant circumstances, including both yours and the department/organisation’s needs, prior to approving or rejecting your request.* |
| **Q** | **My leave is recorded in hours. When I take a full day off do I record 7 hrs 24 mins?** |
| *A* | *This depends on your working pattern and the number of hours worked per day, and whether you record leave in days or hours. If you are a full time worker it’s likely you will record your leave in days, though you do have the option to record leave in hours. An employee who records their leave in days need’s to deduct 7:24 (7.4 hrs) from both their leave record and their flexi sheet when a day’s leave is taken. If a full time worker’s leave record is in hours then there is the flexibility to apply the actual number of hours of leave taken to both the flexi sheet and the leave record, which is beneficial where 37 hours are worked over a different working pattern to the standard 5 x 7.4 hrs.*  *If you are a part time worker who is required to record your leave in hours you will need to deduct whatever your normal working hours would have been on the day(s) you were due to work.*  *The Leave Record sheet contains a table to record your working pattern, making it easier to make deductions from any leave entitlement remaining. For example if you work part time doing 22 hrs 30 minutes (22.5 hrs) per week (3 x 7 hrs 30 minutes) 9am-5pm with 1/2 hour lunch break, you will deduct 7.5 decimal hours for each day taken (7 hrs 30 mins); if you normally work a part day, again you will record your normal working hours for that particular day, eg if you work 8am-1.15pm without a lunch break you will deduct 5.25 decimal hours (5 hrs 15 minutes).*  *The Leave Calculator provides leave entitlements in decimal hours. A decimal hours/minutes converter is provided within the leave calculator to enable easy conversion of traditional minutes (60 per hour) to decimal minutes (100 per hour).*  *If you work flexi-time and take flexi time off, you will debit your flexi sheet with the same number of hours and minutes taken and recorded on your Leave Record.* |
| **Q** | **I will be changing my working hours from full-time to part time in November. How will I work out my leave entitlement after that?** |
| *A* | *The mandatory fields contained in the Leave Calculator can be used to calculate changes to your working hours during your leave year.*  *In these circumstances please refer to and use the ‘Leave Calculator – Guidance Notes’ to work through a particular change in personal circumstances.*  *Any changes to your leave entitlement during the leave year should be recorded on the Leave Record.*  *If you are having problems speak to your line manager and if necessary the HR team for further guidance on calculating your pro rata entitlements for the different periods of time before and after a change in hours.*  *Any part time calculation will be as a proportion of the standard 37 hour week (eg if you work for 25 hours per week your leave will be 25 / 37ths of your relevant full time equivalent entitlement.)* |
| **Q** | **Why did the way bank holidays were calculated change in October 2011?**  **And why do full time staff now have to record bank holidays? Prior to October 2011 we just took the time off when the bank holiday came round and didn’t record it on our leave record sheet?** |
| *A* | *There was confusion for some time about how entitlements for bank holidays were calculated for part time staff.*  *We reviewed the process and standardised the position for bank holidays for all staff, regardless of whether they work full or part-time (part-time staff receive a pro rata entitlement for bank holidays). Everyone is required to record entitlements and deductions for both leave entitlements separately on their leave record (annual leave and bank holidays) when they take time off.* |
| **Q** | **How do I know how many hours I need to add to my leave for the bank holidays?** |
| *A* | *You will not be required to “add together” the bank holiday entitlement to your annual leave entitlement to make one leave entitlement total. You will need to show bank holiday and annual leave entitlements separately on the leave record and make any deductions as appropriate using the two columns on the leave record.*  *The calculator will tell you how many bank holiday hours in total you will receive in the period you are calculating, This will be done on a pro rata basis for part time staff.* |
| **Q** | **Is there any guidance if staff wish to come in and work on the bank holidays and therefore take their day at a different time?** |
| *A* | *Except where there is a need to maintain 24/7 services, it is normal practice for staff to take the bank holiday on the actual bank holiday (where they would have normally worked that day).*  *However, there may be circumstances where “re-designation” could be possible, e.g. if you wish to take time off to coincide with a particular religious festival of your own faith. If you wish to do this you should speak to your line manager and re-designate all relevant dates prior to the start of your leave year. Premia payments will not be made for any bank holidays you choose to work in this manner. Further advice is available from the HR team if required.* |
| **Q** | **Does the calculator include any extra bank holidays when they are given, for example a royal celebration?** |
| *A* | *Yes, these will be added into the calculator as they arise and will be included in full year calculations, staff who are already in the leave year where an additional bank holiday is granted can add the additional leave to their leave record (pro rata for part time staff).* |
| **Q** | **I work part-time over 3 days (Monday-Wednesday). I don’t normally work on a Friday, how does it work when a bank holiday falls on a Friday?** |
| *A* | *The calculator will provide you with the statutory amount of pro-rata entitlement for each bank holiday throughout your leave year regardless of the day on which they fall and whether or not this is a normal working day for you. You will record this entitlement on your leave record in the same way as all staff. As you don’t normally work on a Friday you then don’t need to take any hours off and will effectively "gain" the hours on this occasion which you will then be able to take in the same way as annual leave.*  *However, you need to be aware that the majority of bank holidays fall on a Monday and if you work full days on Mondays you will only get a pro rata entitlement for these days and will either need to take leave / flexi in order to take the full day off or will need to come into work the extra hours.* |
| **Q** | **I work in a school, can I use the Leave Calculator?** |
| *A* | *If you are employed by the Council in a school you can still use the leave calculator, however if you work term time only please refer to your HR provider for assistance.* |