

EPHING FOREST DISTRICT COUNCIL

ANNUAL LEAVE POLICY

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1. INTRODUCTION

- 1.1 This policy sets out to inform managers and staff of the amount of annual leave which employees are entitled to request, and the proper procedure for requesting annual leave. It is also intended to ensure that annual leave is arranged and monitored in a consistent manner that is fair to all, whilst taking into account the exigencies of the service.
- 1.2 Both the employee and the manager have a responsibility under this policy to ensure that all annual leave is taken within the leave year.

2. SCOPE

- 2.1 All employees of Epping Forest District Council (EFDC) are covered by this Policy.

3. PRINCIPLES

- 3.1 The annual leave year runs from 1st April to 31st March in the following year.
- 3.2 Managers must keep accurate annual leave records for all their employees. Leave cards should be stored in a location accessible to the manager and employee.
- 3.3 The timing of annual leave shall be fixed by mutual agreement in advance between the Employee and their line manager.
- 3.4 Line managers have the right to refuse an application for annual leave if granting the leave would have an unacceptable impact on service provision.
- 3.5 Notice given by employees to take their leave must be equal to at least double the length of the annual leave to be taken, and the line manager may refuse a

request for leave by giving the employee notice equivalent to the length of absence requested.

Example: On the 1st of the month, an employee requests four days annual leave, to be taken 9th-12th of the month. The manager needs to notify the employee by the 5th if the leave cannot be granted.

- 3.6 Holidays should not be booked in advance of formal agreement of annual leave requests.
- 3.7 Managers should ensure that staff plan their annual leave effectively throughout the year and try to ensure that they have some unallocated annual leave to take in the event of emergencies or unplanned events.
- 3.8 Requests for blocks of more than 15 days annual leave must be authorised by the Director, Deputy Chief Executive or Chief Executive.
- 3.9 Managers will give priority consideration to leave requests in relation to religious observance.
- 3.10 Directors can give employees permission to carry forward 5 days annual leave, which is to be taken by 31 May in the following leave year.
- 3.11 A minimum of 28 days, inclusive of bank holidays and statutory days must be taken in a leave year. This will mean that not all staff are eligible to carry over 5 days. Employees will need to consider this when applying to bank annual leave under the Council's Extended Leave Policy. (See section 6 regarding Sickness Absence).

4. ENTITLEMENTS

- 4.1 Annual leave entitlements are as follows:-

4.1.1 Former APT&C officers

GRADE	BASIC	AFTER 5 YRS *	AFTER 10 YRS*
Up to and including SCP28	21	25	26
SCP 29 and above	23	27	28
Chief Executive/ Deputy Chief Executive/ Directors	25	30	33

- 4.1.2 In addition to the above entitlement, 2 extra statutory days are granted. The Council has fixed these 2 days until 2013 to facilitate a shutdown over the Christmas and New Year period. These arrangements will be reviewed in 2013.

- 4.1.3 North Weald Airfield is usually operational during the Christmas/New Year period. Therefore employees based here will be entitled to take the appropriate number of statutory days at a later date, but as close to the Christmas/New Year period as possible.

4.2.1 Grounds Maintenance Staff

BASIC	AFTER 5 YRS *	AFTER 10 YRS *
21	25	26

4.2.2 In addition to the above entitlement, 2 extra statutory days are granted.

4.2.3 Due to the pattern of seasonal hours working, annual leave is distributed as follows:-

Period	Staff with 21 days	Staff with 25 days	Staff with 26 days
Summer(1 April to 31 October)	10*	15	16
Winter(1 November to 28 February)	10*	10	10

*One additional day's leave will be added to either summer or winter allowance which will be decided by Grounds Maintenance management.

4.2.4 As the seasonal hours working pattern generates 5 lieu days, these days will be taken during the Christmas period each year. Precise dates will be determined by management, depending how the Bank Holidays fall each year.

4.3.1. Works Unit Staff

BASIC AFTER 5 YRS *

21 26

* Service requirement must be completed by 1st April to qualify for enhanced leave entitlement

4.3.2 In addition to the above entitlement, 2 extra statutory days are granted. The Council has fixed these 2 days until 2013 to facilitate a shutdown over the Christmas and New Year period. These arrangements will be reviewed in 2013.

4.4 All entitlements are for full time staff who remain in employment for the entire leave year. Pro-rata entitlements will apply to part-time staff, and those staff who are in service for less than the entire leave year.

4.5 Entitlements on Termination of Employment

4.5.1 If an employee resigns or is dismissed part way through the leave year, they will be paid for any outstanding leave. If more leave has been taken than the employee is entitled to, then the overpayment will be deducted from their final salary.

4.5.2 Statutory days are fixed at Christmas/New Year and are treated in the same way as bank holidays and should not be used to calculate an employee's annual leave entitlement. This means that if the employee leaves the Council before the bank holiday or statutory day, it will not be included as part of the final calculation of annual leave entitlement.

4.5.3 If an employee leaving the Council takes outstanding annual leave before their last day of service, the leave will be rounded up to the next 15 minutes. If an employee receives pay for outstanding annual leave, then an exact calculation will be made, and payment made accordingly

5. Annual Leave and Bank Holiday Entitlements for Part-time Employees

5.1 Annual Leave for Part-time Employees

5.1.1 For recording purposes the actual hours that would have been worked on the day the annual leave was taken should be recorded and deducted from the leave entitlement

5.1.2 If there is a contractual change to the number of part time hours worked, then the annual leave entitlement must be recalculated.

5.1.3 Calculation

$$\frac{\text{Contracted hours per week}}{5} \times \text{Full Annual Entitlement in days}$$

(Standard Council days per working week)

5.2 Bank Holiday for Part-time Employees

5.2.1 Part-time employees are entitled to public holidays on a pro rata basis in the same way they are entitled to annual leave on a pro rata basis. The formula in 5.2.4 takes account of any working arrangements in hours. Entitlements should be calculated in hours for each annual leave year as the number of bank holidays may vary each leave year. Once the entitlement to bank holidays has been calculated the hours must be recorded as a separate entitlement to annual leave.

5.2.2 For recording purposes, where a bank holiday falls on a day when the employee would normally be at work, average hours should be deducted from their bank holiday entitlement. The hours for bank holidays which do not fall on an employee's work day or for those who actually work would remain on the leave card and can be taken in accordance with the normal rules that apply for booking annual leave. However, the remaining hours must be taken as soon as possible after the bank holiday.

5.2.3 If a part-time employee's normal working day occurs on a bank holiday day then their average working day (in hours) shall be deducted from their bank holiday entitlement.

5.2.3 Calculation

$$\frac{\text{Contracted hours per week}}{5 \text{ days}^*} \times \text{Total number of Bank Holidays in annual leave year (not calendar year)\#} = \text{Bank Holiday Entitlement in hours}$$

*This will always be 5 days regardless of actual days worked

#Regardless of actual week days worked staff will receive the same amount of bank holidays as a full time employee

6. ANNUAL LEAVE AND SICKNESS ABSENCE

- 6.1 Annual leave entitlement continues to accrue during sickness absence
- 6.2 Employees who become ill during annual leave and wish to claim back their leave entitlement of 8 days or more will need to provide a medical certificate before any leave is reimbursed. Employees shall be regarded as being on sick leave from the date of the medical certificate.
- 6.3 Where employees become ill immediately before or during annual leave and wish to claim back their leave entitlement of 7 days or less they are required to notify their line manager as soon as possible. If it is not possible to have the discussion before the intended leave, then it must be within 5 working days of the employee's return to work for any reimbursement of leave to take place.
- 6.4 Permission can be obtained to carry forward 5 days' annual leave which is to be taken by 31 May in the next leave year (subject to para 3.11)
- 6.5. It is permissible, in cases of long-term absence, for employees to take annual leave during a period of sickness if they obtain the normal permissions for taking annual leave from their line manager.
- 6.6. If it is not possible for an employee who is on long-term absence to take their annual leave during sick leave, and they subsequently leave the Council, or are dismissed, they will be paid their outstanding statutory leave. The Council will off-set this payment against any debt the employee may have with the Council.
- 6.7 If the employee remains in employment any statutory leave can be carried over to the next annual leave year. Depending on the number of days to carry forward, the deadline of 31 May need not apply. Managers are advised to discuss any issues or concerns with HR.
- 6.8 The leave applicable in paras 5.6 and 5.7 is a maximum of 20 days statutory leave, which is provided by the Working Time Directive. It does not include any additional occupational leave, which is any leave entitlement above the 20 statutory days leave. Any additional occupational leave will be lost. Statutory leave will always be taken first before any occupational leave.
- 6.9 Statutory leave will be pro-rata for part-time employees.
- 6.10 It is not acceptable to use annual or flexi-leave instead of sickness absence.

7. ANNUAL LEAVE AND MATERNITY LEAVE

- 7.1 The employee will accrue annual leave during maternity leave.
- 7.2 Employees can carry forward 5 days annual leave from one year to the next but are advised to take any outstanding annual leave before commencement of maternity leave
- 7.3 Where maternity leave starts close to the beginning of the annual leave year and the employee takes their full maternity leave entitlement they will be able to carry over all their accrued leave. Managers are advised to discuss any issues or concerns with HR.

- 7.4 If the employee arranges to take annual leave immediately after any maternity leave they will be considered to have returned to work.
- 7.5 Employees will be paid for any bank/public holiday or statutory day that falls during both ordinary maternity leave and additional maternity leave.

8. ANNUAL LEAVE AND PATERNITY LEAVE

- 8.1 The employee will accrue annual leave during paternity leave.
- 8.2 Employees can carry forward 5 days annual leave from one year to the next (subject to para 3.11) but are advised to take any outstanding annual leave before commencement of paternity leave otherwise it will be lost.

9. UNPAID LEAVE

- 9.1 Directors will have authority to consider requests for up to 5 days unpaid leave per year (pro-rata for part time staff), for occasions when caring responsibilities arise for a dependent or close family member, e.g. extended hospital admissions or gaps in normal care arrangements that cannot be bridged in any other way.
- 9.2 If in exceptional circumstances, a request for an extension beyond 5 days is made, this will need to be considered by CEF.
- 9.3 It is expected that annual and flexi-leave will be exhausted before any application for unpaid leave is made, but this will be at the Director's discretion.