



Annual Leave Policy

RBC recognises the importance of supporting its employees in a way that promotes and supports a positive work-life balance. RBC provides annual leave entitlements that exceed the requirements of current employment legislation.

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Related policies/guidance:

- [Selling Annual Leave Scheme Policy](#)
- [Annual leave Purchase Scheme Policy](#)
- [Tool to calculate part-time annual leave](#)

Relevant forms and letters:

- [Sell Annual Leave form](#)
- [Purchase Annual Leave form](#)

If you have any questions about this policy, or require any further support, please contact the HR Team on 0115 914 8289 or by email to hr@rushcliffe.gov.uk

Please note:

- This policy applies to all employees within Rushcliffe Borough Council unless stated otherwise within the policy.
- This policy does not form part of contracts of employment.
- Rushcliffe Borough Council reserves the right to amend this policy from time to time.

1.0 Policy Statement

RBC recognises the importance of supporting its employees in a way that promotes and supports a positive work-life balance. RBC provides annual leave entitlements that exceed the requirements of current employment legislation. All employees have an entitlement to annual leave and RBC expects that employees and line managers ensure that full use is made of individual leave entitlements to maintain a positive and safe working environment.

The purpose of this policy is to ensure that the provision, entitlement and calculation of annual leave is understood by all. Individual employees will understand their own responsibilities relating to annual leave. Line managers will understand their responsibilities in managing leave within their teams and work areas and helping their employees achieve a positive work life balance.

The policy provides the rules on part year annual leave entitlement and procedures for the allocation of leave for part time staff.

2.0 Scope

All employees have an entitlement to annual leave and RBC want to ensure that this entitlement is correctly calculated, managed and understood.

3.0 Responsibilities

Employees

An employee is responsible for making requests to book their annual leave by following the appropriate process as explained to them by their line manager. For office-based staff this will be using the electronic annual leave booking system, accessed via the Councils intranet, other employees will use a paper based procedure. Employees should give consideration for taking their annual leave over the whole year to give them adequate rest periods away from work.

Holiday reservations should not be made before annual leave requests are authorised. Managers will not be able to authorise annual leave requests based on whether a holiday has been booked or not. Employees who do this must be mindful of the risks involved.

Annual leave requests cannot be submitted more than one year in advance unless there are exceptional circumstances e.g. A wedding /honeymoon that needs an advanced booking. Employees will be reminded over the year to request annual leave, but it is their responsibility to submit requests to take annual leave.

Line Managers

Line Managers will receive annual leave requests and are required to review the request and consider the impact on the team, staffing levels and service provision within the team before authorising leave.

Line Managers should consider leave requests fairly and on a first come, first served basis. Line Managers will inform the employee whether an annual leave request has been authorised or not. If the Line Manager is unable to authorise the requested annual leave then an alternative date

may be suggested.

Line managers will maintain an overview on the levels of annual leave that have been booked and taken over the year. If at the mid – year point an employee has not booked any leave the Line Managers should approach the employee and have a discussion about booking leave. A Line Manager may be required to allocate leave to an employee if they do not indicate their plans to book leave following the mid-year point.

It is a joint responsibility for employees and managers to discuss and manage leave throughout the year and ensure that leave is taken before the end of the leave year but primarily the responsibility rests with the employee.

Human Resources

Members of HR can advise individuals and line managers on their entitlement and the process of calculating annual leave. For procedures relating to booking annual leave Line Managers are responsible for managing this. The annual leave system will automatically increase leave entitlement in-line with continuous service. HR will at the start of each calendar year meet with Leave Administrators for manual staff to ensure they receive increases to their annual leave entitlement due to their continued service.

HR will audit leave booked at specified times of the year e.g. Christmas to ensure procedures are being followed and managed appropriately.

Annual Leave Administrators

Leave Administrators are the individuals responsible for inputting new team members on the annual leave system within their area, this could be the Line Manager or someone instructed by a Line Manager. HR will support the Leave Administrator with any requests to calculate leave /part time/pro-rata entitlements.

Leave Administrators will make changes to annual leave records as instructed by HR and Line Managers.

4.0 Annual leave entitlement

All employees will have their annual leave entitlement stated in their contract of employment as below:

Your basic entitlement is 26 days. This will rise by an additional day on the anniversary of your continuous service until you have completed 5 years continuous local government service where your leave will rise to 32 days. After completion of 10 years or more continuous local government service your leave will raise to 35 days. See table [below](#).

If you are graded at Service Manager or above your leave entitlement is 35 days irrelevant of previous continuous service

For part time staff leave entitlements will be pro rata.

Bank Holidays and concessionary days

In addition to the above, there are 8 public bank holidays per year and an additional **fixed**

concessionary day to be taken as directed by RBC usually at Christmas. Within RBC it is common practice to refer to the number of bank holidays each year as 9, this comprises the 8 public bank holidays and the additional **fixed concessionary** day.

Where any additional Bank Holiday is agreed by Government, the Council will determine if and how this bank holiday will be implemented and will communicate this to staff at the earliest opportunity.

The calculation of public holidays for part time staff

Full time employees are entitled to a day off with a normal day's pay for each public holiday as it occurs. If you work part-time, you'll be given a pro rata amount of leave to cover public bank holidays based on the number of hours you work. A [calculator](#) is available on the intranet to assist with this. You have to use this to cover any public bank holidays that fall on a day you'd normally be working. All public bank holidays will be booked automatically on the annual leave system at the beginning of the leave year to help you manage your annual leave entitlement. This entitlement should be calculated for each new annual leave year as it may differ year-to-year.

If you work part-time or days of differing lengths, your annual leave and public holiday entitlements will be calculated and expressed in hours over the leave year.

Start of the leave year

If you started work for the Council before 1st April 1996, your leave year will run from the 1st April to 31st March in any year.

If you started work for the Council after 1st April 1996, your leave year will run for 12 months from the 1st of the month following your appointment.

Leaving part way through the year

If you leave the Authority before the end of your leave year, you will be required to make a repayment for any holidays taken beyond your pro-rata entitlement. You will normally be expected to take any holiday outstanding before you leave, unless there are operational reasons for you not to do so in which case payment will be made. This must be authorised by your Line Manager.

Where any outstanding leave entitlement remains at the end of your contract of employment, an amount equivalent to the number of days outstanding will be paid to you in your final wages. On leaving it must be noted that to be eligible for entitlement for a particular month, the **full** calendar month must be worked. See the table in item 14 to calculate part year entitlement. If an employee leaves the month following the end of their annual leave year and has worked for part of the month in the new leave year they will be entitled to the statutory leave entitlement for the days worked in that month.

Transfer of annual leave from one year to the next

Bringing Leave forward - In exceptional circumstances your Director, may allow you to bring forward up to a maximum of 3 days leave (pro-rata for part time staff) from the next leave year.

Carrying forward leave – with advanced agreement with your Director you may be allowed to carry forward up to a maximum of 1 weeks annual leave entitlement from your current leave year into next leave year. Alterations to your current leave year will be made by the annual leave administrator in your service area and shown as 'leave adjustments' on the Annual Leave Request

System.

Employees must be aware that leave not taken over and above the carry forward allowance will normally be lost.

5.0 Requesting Annual Leave

Ideally all requests for leave must be made at least two weeks in advance of the dates requested and must be approved by the designated line manager. However, it is accepted that some annual leave might be needed on a shorter notice and Managers can authorise this annual leave if it does not affect the needs of the service. Managers have the right to refuse annual leave requests in-part or in-full if there are operational/business reasons why they cannot be agreed.

Leave requests that are for 3 weeks or more must be agreed by the relevant Director. Employees need to be aware that annual leave is to support their health and well-being and ideally should be spaced throughout the year.

6.0 Sell and Purchase Schemes

Additional annual leave can be purchased via the Annual Leave Purchase Policy scheme. See the appropriate [policy](#) for further details.

Unused annual leave may also be sold via the Annual Leave Selling Policy Scheme. See the appropriate [policy](#) for further details.

7.0 Christmas Closure Arrangements

The Council may close offices over the Christmas period, and the fixed concessionary day and annual leave together with the statutory bank holidays will be used to cover this period. The actual days on which these holidays are taken will normally be in accordance with a table produced and found on the Council's intranet. These arrangements may be varied from time to time. Employees can purchase additional leave to cover these days in accordance with the Annual Leave Purchase Policy.

For staff requesting to take additional leave at the Christmas period, this will be considered on a fair and shared basis of past leave requests at the Christmas period.

There are separate arrangements for Christmas opening at some of our other venues.

8.0 Annual leave for part time employees

For employees who work part time their entitlement to leave is the same as full time employees but on a pro rata basis. An allowance for the additional concessionary day will be given (see para 5.4). Part time employees will have the statutory (bank) holidays booked on the annual leave system automatically at the start of their new leave year. Please see methodology for calculating part-time annual leave entitlement in Appendix 1 and calculating [tool](#).

9.0 Employees working Annualised hours

For employees who work on an Annualised hours basis their entitlement to annual leave is deducted from their contracted hours that they are expected to work in a year.

There is no requirement to make extra adjustments for bank holidays or any part time working as this will have been calculated in the total.

HR will advise the employee's line manager of the required total number of hours to be worked. This is calculated by multiplying the weekly hours by 52. Then calculate the annual leave entitlement based on length of service, concessionary days and bank holidays. This will then be deducted from the total hours to be worked.

10. Annual leave for employees working compressed hours

Full time staff working compressed hours (e.g. a 9 day fortnight or 19 out of 20 days), have the annual bank holidays usually 9 days, (8 nationally recognised bank holidays and one extra given for Christmas closure) added onto their annual leave entitlement and are required to book leave if they are due to be working on a day that a bank holiday has fallen. The annual leave system will automatically book the bank holiday on the individuals annual leave record.

The annual leave system will automatically give an allowance of 7.4 hours for each bank holiday, so if the employee's scheduled hours for the day of the week that the bank holiday falls are higher than then 7.4 hours, the difference is taken from their annual leave entitlement. Likewise, if the scheduled hours are less, only the number of scheduled hours will be deducted.

If the Non-Working day falls on the bank holiday, the employee will take another working day as their non-working day and should therefore book this alternative day off as a substitute to booking the bank holiday.

11. Annual leave for employees working non-standard hours

The standard working pattern for full time staff is 4 days at 7.5 hours and 1 day at 7 hours totalling 37 hours per week. For staff that work a varied work pattern for example - 3 days at 8 hours and 2 days at 6.5 hours the bank holidays are managed in the same way as for staff working compressed hours. See above

12. Minimum Leave period

The minimum amount that can be taken at one time is 1 hour. There is no limit of how many requests you can make in hour blocks but this may be monitored by your manager to ensure you are having sufficient longer rest breaks.

13. Sickness before or during a period of planned annual leave

If an employee is absent through sickness immediately before a period of authorised annual leave is due to begin it is their responsibility to inform their line manager that their period of sickness is over and they will be taking annual leave. If no contact is made by the employee and the line

manager is unable to contact the employee, the annual leave will be recorded as sickness absence, and the employee will need to provide the appropriate certification for the absence on their return. The annual leave record will be adjusted to credit the untaken annual leave back onto the employee's record.

Where an employee has an authorised period of annual leave, but subsequently falls ill for part or all of that annual leave period, the days on which they are ill may be classed as sickness absence, so long as the employee follows the same reporting requirements as if they were due to attend work for that period. They should also provide the appropriate self-certification or medical certification as stipulated in the absence reporting procedure.

14. Pro-rata leave entitlement table for full time employees who start or leave part-way through an annual leave year.

This table indicates full time leave entitlement (dependant on length of service) excluding the fixed concessionary day if a member of staff enters or leaves the authority part way through their leave year.

To be eligible for entitlement for a particular month, the full calendar month must be worked.

Your leave entitlement based on local government service

Per month	12	11	10	9	8	7	6	5	4	3	2	1
Less than 1 years' service	26	23.8	21.7	19.5	17.3	15.2	13.0	10.8	8.7	6.5	4.3	2.2
1 years service	27	24.8	22.5	20.3	18.0	15.8	13.5	11.3	9.0	6.8	4.5	2.3
2 years service	28	25.7	23.3	21.0	18.7	16.3	14.0	11.7	9.3	7.0	4.7	2.3
3 years service	29	26.6	24.2	21.8	19.3	16.9	14.5	12.1	9.7	7.3	4.8	2.4
4 years service	30	27.5	25.0	22.5	20.0	17.5	15.0	12.5	10.0	7.5	5.0	2.5
5 years service	32	29.3	26.7	24.0	21.3	18.7	16.0	13.3	10.7	8.0	5.3	2.7
10 years service and above (or Service Manager or above)	35	32.1	29.2	26.3	23.3	20.4	17.5	14.6	11.7	8.8	5.8	2.9

15. Continuous Service from another employer

When an employee joins RBC their previous service from another employer may count towards their continuous service. The criteria used for determining continuous service are those employers who are listed on the Modification Order.

These are generally employers who are in the local government 'family' but there are also, non-local authority bodies on the Order who have at some point have been funded wholly or partly by the local authority or provide a service that used to be entirely provided by an authority. A list of the key employers is in Appendix 2.

16. Entitlement to additional leave through Continuous service part way through a leave year

As per para 5.1 there are various entitlement increases on the anniversary of continuous (Local Authority) service.

If the employee reaches their anniversary of continuous (Local Authority) service at a point other than at the start of their annual leave calendar the additional days will be calculated on a pro rata basis for the current annual leave year. Use the table in section 14 for full time staff and use the tool ([link](#)) for part time staff.

e.g.

Employee A has continuous Local Authority service from 2 January 2015

They join RBC on 31 July 2019. At this point their leave year will start on 1 August and their entitlement will be based on 4 years service.

On 2 January 2020 they will reach service and be eligible for the over 5 years' service leave entitlement.

Their annual leave record for 1 August 2019 to 31 July 2020 needs to be re-calculated - Please use the table in section 14 to help.

*1 August – 31 December = 5 months based at 4 years service entitlement which is **12.5** days*

*1 January – 31 July = 7 months based at 5 years service entitlement which is **18.7** days*

This adjustment would be done after they have completed the 4 years' service.

In their next full leave year, from 1 August 2020 their leave entitlement will be increased to the over 5 year but under 10 years. Therefore, their full year entitlement will be 32 days.

On 2 January 2025, they will reach 10 years continuous service, and as before their current leave year will need recalculating to be 5 months at over 5 years but under 10 years and 7 months at the over 10 years' service.

Appendix 1 - How to calculate a part time employee annual leave entitlement for a full year

This calculation should be checked each annual leave year (please note a calculator is available on the [intranet](#))

1. Calculate the number of days' basic entitlement for the employee in question based on their length of service at the start date of their annual leave year, i.e.
 - a. 26 days (less than 1 years' service)
 - b. 27 days (1 years' – 2 years' service)
 - c. 28 days (2 years' – 3 years' service)
 - d. 29 days (3 years' – 4 years' service)
 - e. 30 days (4 years' – 5 years' service)
 - f. 32 days (5 years' – 9 years' service)
 - g. 35 days (10 years' service and above)
2. Add on the Bank Holidays that fall in that employee's annual leave year **plus** the additional fixed concessionary (always to be taken within the Christmas break, unless advised otherwise) This is usually 8 + 1 so will be **9**. It may vary if Easter is in March.
3. This gives 'x'
4. Then calculate the average hours per working day for that employee based on contracted weekly hours, e.g. 34 hours divided by 5 (this figure is **always** divided by 5 irrespective of the number of days actually worked in that employee's week)
5. This gives 'y'.
6. Then multiply 'x' by 'y' – this gives the total entitlement in hours
7. **Important** – the employee then needs to book leave from this total entitlement to cover the hours that would have been worked on the bank holidays that fall in the forthcoming annual leave year.

Annual leave calculation for part-time staff – part year/pro-rata calculations.

Annual leave entitlement for year as above divided by 12 to give entitlement per month
 Monthly entitlement then multiplied by the number of whole months worked before end of employment to give pro rata entitlement.

E.g. Entitlement for year = 122 hours

122 hours/12 months = 10.16 per month

Whole months worked during current leave year = 5

10.16 x 5 = 50.8 hours

Pro rata entitlement = 50.8 hours

Appendix 2 - Modification Order and continuous service

Police officers and support staff

Police officers are not covered by the Order because they are independent office holders and therefore not employees. Support staff are covered as they are employees. Note (It used to be the case that support staff in the Metropolitan police were not covered by the Order, as they were employed by the Secretary of State. However, the Metropolitan Police Authority was placed on the Order after it was established in July 2000).

Housing

Housing Associations are not on the Order but Housing Action Trusts are. Where authorities have transferred their housing stock to an Arms' Length Management Organisation (ALMO) it is the DTI's advice that such an organisation is covered by the Modification Order (under paragraph 6 of Schedule 1).

Universities

The basic rule is that universities which used to be polytechnics are included whereas those that were always universities are not, for example, Leeds Metropolitan University (formerly Leeds Polytechnic) is covered but Leeds University is not.

Further education colleges

Colleges which were funded by the local authority before 1992 are included whereas those which have always been independent are not.

The Civil Service

Central government bodies are not included.

Audit Commission

The Audit Commission is not on the Order.

The NHS

NHS bodies are not included, except for Care Trusts set up under s45 of the Health and Social Care Act 2001. Care Trusts are different from Primary Care Trusts which were never included.

Town councils

The category of parish councils also covers town councils. This is because a town council is simply a parish council that has resolved to have the status of a town.

Geographical locations

Generally speaking, English, Scottish and Welsh councils (including the Council of the Isles of Scilly) are covered but Northern Ireland, the Channel Islands and the Isle of Man are not.