

# Annual Leave and Time Off Policy v0.4

April 2016 revised June 2023

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## 1. PURPOSE

This policy is to inform all employees of their allocated annual leave and options for time off if an emergency arises that may require the employee to take time off work. All employees

must take regular breaks from their employment as part of wellbeing and to prevent the building up of excessive leave at the end of the annual leave year.

The annual leave year runs from 1st April to 31st March each year and the annual leave entitlement is on a rolling 12-month period. Details of all other types of leave are included in this policy. Read this policy alongside the annual leave and time off practice notes for further guidance.

## **2. SCOPE**

The policy applies to all Council employees, except teachers and staff appointed by schools operating under their own local management and policies.

## **3. GENERAL PRINCIPLES**

Annual leave entitlement is based on the leave year from 1<sup>st</sup> April to 31<sup>st</sup> March and it is allocated according to grade and length of service. Managers have the responsibility to manage leave requests and monitor employees' leave to ensure that adequate leave is taken throughout the year.

### **3.1 Employees on Sickness Leave**

Employees who are currently on long-term sick leave have the opportunity to take their annual leave during sickness. Further information is in the [Sickness Absence Policy Practice notes](#).

### **3.2 Employees on Parental Leave**

Annual Leave will continue to accrue at the normal rate during any period of parental leave. All employees must ensure to use up all their accrued leave at the same contractual hours during parental leave before commencing any flexible working pattern such as reducing working hours after returning from parental leave. The management of annual leave accrued during Parental leave is detailed within [Parental Leave Policy](#).

### **3.3 Employees going through menopause**

Employees who are currently going through menopause should refer to the [menopause in the workplace policy](#).

### **3.4 Employees wishing to volunteer**

Employees who wish to take time off for volunteering can do so by requesting through their line manager. Further information is in the [Employer Supported Volunteering Policy](#).

### **3.5 Employees on Secondment**

Employees on Secondment will have their annual leave during the secondment managed by the host employer in line with the terms of Haringey Council and the secondment

agreement. Further information can be found in [Honorarium, acting up and secondment policy](#).

## **4. ANNUAL LEAVE ENTITLEMENT**

### **4.1 New starters**

New starters that have previously worked in local government or an associated employer will be able to count this service towards their annual leave entitlement, except in cases where there has been more than a 1-week break covering two consecutive Sundays. New employees who complete their qualifying years of service will only be entitled to the increased annual leave entitlement the following leave year. For example, if an employee qualifies for 5 years entitlement in July, the entitlement will be added from April the following leave year.

If an employee starts their employment in the Council partway through the leave year, their annual leave allocation will be apportioned according to the months and weeks up to the last day of the leave year. The extra statutory and privilege days will also be apportioned.

### **4.2 Leavers**

Employees leaving the Council will be entitled to proportionate (pro-rata) annual leave based on their complete service during the annual leave year including part months. The annual leave calculator will provide the total annual leave entitlement for employees who are leaving.

Employees who have exceeded their pro-rata entitlement in the annual leave year will have the excess leave in hours deducted as pay from their final salary payment. Employees are advised to use all their leave before their last day of employment, however there are exceptional circumstances such as service needs that the employee will not be able to take their leave. In these circumstances, annual leave may be paid in lieu.

### **4.3 Part-time, Job shares and Compressed hours employees**

For part-time employees and employees who job share, their annual leave entitlement including the public holidays will be pro-rata from the full-time equivalent (FTE). Employees working part-time and job shares will not be paid for public holidays if it falls on their non-working day. Where an employee works part-time, they will be credited with a portion of each public holiday based on their FTE, these hours are included in their annual leave entitlement. If the employee working day falls on public holiday, the hours will be deducted from their annual leave entitlement.

Employees on compressed hours contracts, their entitlement including any public holidays will be calculated in hours. Public holidays entitlement for compressed hours employees will be deducted only when a public holiday falls on their working day. The total hours deducted will be the same hours worked on the day. For example, if an employee normally works 8 hours on a Monday and the public holiday falls on a Monday then 8 hours will be deducted

from the annual leave entitlement. If an employee on compressed hours requests for special leave, this will be calculated in hours as per the annual leave entitlement allocation.

#### **4.4 Casual Workers, Sabbatical and Term-time Contracts**

Employees with a casual workers contract, their annual leave is calculated every 3 months using the hours that they have worked in the council per week during the 3 months. Then the annual leave is paid to the employee through their normal payday. Employees on term-time only contracts, their annual leave is incorporated into their monthly pay. Annual leave does not accrue during sabbatical leave.

#### **4.5 Booking Annual Leave**

Employees must request their annual leave through their line manager and ensure it is confirmed before going on leave. Failure to do so may result in disciplinary action as it would be considered an unauthorised absence. Employees should request annual leave at least twice as far in advance as the amount of time they want to take off. For example, if the request is 5 days, then the notice should be at least 10 working days. Managers are advised to respond to annual leave requests within 5 working days from the request date. The manager should inform the employee of any potential delays and when they can expect to get a response. For emergency annual leave requests or annual leave for less than 5 days, the employee must request through their line manager and inform of any urgency related to the annual leave. The manager has the discretion to accept the leave request. Managers can approve up to 3 weeks of annual leave. However, if the employee requires more than 3 weeks of leave, then this request will need to be approved by the Assistant Director.

#### **4.6 Carry-Over Leave**

Managers and employees should ensure that all annual leave is taken within the leave year as payments will not be made in lieu of leave. However, if an employee is unable to take time off due to service needs, sickness, or any other reason, then there is an option to transfer up to 5 days of annual leave to the following annual leave year. In exceptional circumstances and with mutual agreement, the Assistant Director may approve more than 5 days to be carried over, this will be assessed on a case-by-case basis depending on circumstances and service needs.

#### **4.7 Borrowing Annual Leave**

Employees who are unable to purchase annual leave due to cost or any other reasons may borrow leave from the following annual leave year entitlement. They may borrow up to 5 days of leave from the following leave year. This is limited to two consecutive years, after which the employee will be unable to borrow any leave for a period of two years. This request is subject to Assistant Director approval.

#### **4.8 Purchasing Annual Leave**

Employees have the option to purchase up to 10 days of additional annual leave and the payments will be deducted in instalments through payroll. Further information can be found in the [Purchasing Additional Annual Leave Policy](#).

#### **4.9 Working on public holidays**

Employees who are scheduled to work on a public holiday, will have the opportunity to take their public holiday on an alternative day.

### **5. SPECIAL LEAVE**

This section details the Council's policy on Special Leave. Special leave is approved leave given in specific circumstances where an employee needs to take time off work for an emergency or other life events. Employees are required to inform their line manager of any emergency and life events for which they require to take time off work. Special leave of any type is given on a rolling 12-month period. It should be emphasised that there is no automatic entitlement to special leave except for sick dependant leave for employees employed before 1<sup>st</sup> April 1993. Special leave can be paid or unpaid at the discretion of the Assistant Director. The maximum of special leave per 12 months is 5 days of paid leave excluding sick dependents leave which is 10 days. However, for compassionate leave, employees can request for an extension which it will be assessed on a case-by-case basis.

#### **5.1 Compassionate Leave**

Employees are eligible to take up to 5 paid days of emergency leave related to serious illness or death of a spouse, parents, children, close family member or a person the employee shares a home with. If an employee requires an extension of the compassionate leave, this will be at the discretion of the Head of Service/Assistant Director. This leave can be taken in days or in hours. This extension may be paid or unpaid depending on the circumstances and it will be assessed on a case-by-case basis. For example, the employee has lost a very close relative or partner and is heavily involved in funeral arrangements.

The employee should discuss with their line manager if they need to take time off during working hours to visit family members who are hospitalised. In these circumstances, the flexitime policy may apply and managers should refer to the [Flexible Working Policy Practice Notes](#).

#### **5.2 Sick Dependents Leave**

Employees who commenced their employment before 1st April 1993 are entitled to up to 10 days of sick dependants leave in a rolling 12-month period. A statement from the employee confirming the sickness of the dependent will be required to justify the request for the leave

and it will cover from the first day of absence. Further guidance on how to apply for this leave is covered in the practice notes.

### **5.3 Carers Leave**

All employees with caring responsibilities can take up to 5 paid days of carers leave on a rolling 12-month period and this leave can be taken in full days or in hours (part days). This will apply to all employees from the first day of employment. Employees are required to have an informal discussion with their line manager before taking the leave.

### **5.4 Disability Leave**

Employees with a disability or long-term conditions can take up to 5 days of leave if needed, to help manage their condition. This can be applied when the employee is fit to work but may require additional leave for treatment and/or assessment. The employee has the option to take this leave in full days or in hours and they must inform their line manager in advance before going on leave. However, there are exceptional circumstances where leave may be approved retrospectively. Further guidance on disability leave can be found on annual leave and time off practice notes.

### **5.5 Study Leave**

Employees can request study leave through their line managers to take time off for courses related to the role or career development. Managers should contact the HR Learning and Development team through HALO for further advice on managing study leave.

### **5.6 Witness for court appearances**

Employees who are called as ordinary witnesses in court or before a tribunal may be allowed special paid leave at the discretion of the Head of Service/Assistant Director. Employees who are required to attend court as a witness as part of their special constable position must use their 15 days public duties leave, or unpaid leave. For further information on special constable leave, **see section 8.3**. Employees required to attend court as a witness for the authority are not required to use any form of leave to attend the hearing.

### **5.7 Unpaid Special Leave**

Employees are eligible to request unpaid special leave in exceptional circumstances where annual leave would not be suitable to use. The unpaid special leave can be taken in days or in hours. The request for unpaid special leave is at the discretion of the Head of Service/Assistant Director. An example of a situation that would qualify for unpaid special leave would be an emergency such as a fire or flood incident at home.

## **6. TIME OFF FOR MEDICAL APPOINTMENTS AND SCREENINGS**

Employees with planned appointments that are not for any long-term conditions or disability are encouraged to arrange the appointments outside working hours, wherever possible. However, if this is not possible, the employee may request to take annual leave or discuss flexitime such as TOIL (time off in lieu) arrangement with their line manager.

### **6.1 Medical Appointments (Disability, Long-Term Conditions, and Medical Screening)**

Employees with a disability, or long-term conditions or are having cancer screening are entitled to paid time off to attend regular planned appointments and screenings. Under the Equality Act 2010, paid medical appointments and screening are considered a reasonable adjustment. For cancer screening, all employees will be given necessary paid time off, this includes employees who do not have long-term conditions or disabilities. Employees are required to give a redacted copy of the appointment letter to their line manager, and this should be saved locally.

### **6.2 Medical Appointments (Antenatal and IVF)**

Employees who need to take time off for antenatal and IVF appointments should refer to the [parental leave policy](#) for further information.

## **7. MANAGING ATTENDANCE IN EXCEPTIONAL CIRCUMSTANCES**

### **7.1 External disruptions (Including Adverse weather, transport strikes and others)**

In the event there is adverse weather, transport strikes or any other exceptional circumstances that would have an impact on the employee's travel to work, it is the employee's responsibility to make a judgement if they should travel. The Council works on a hybrid working approach but understands this does not apply to all roles. If the employee can work from home, then it is advisable to do so. However, if the employee is required to be onsite, but their working hours are unavoidably disrupted (arriving late/leaving early due to train strikes for example) this will be treated as working a full day.

### **7.2 Industrial Action**

Employees who are participating in industrial action (strike), are unable to take leave for this, and this will be recorded as unpaid absence. If an employee not participating in an industrial action wishes to request annual leave, any requests during this period are subject to the usual notification of leave. Managers should consider the operational requirements of the service when making decisions on annual leave requests.



Managers must keep a record of all employees who attended work, especially if they are working from home or working in an alternative location due to the strike. Managers need to inform their employees of any adjustments on the day of strike, for example if the location of work has changed or if there is an alternative entrance to the building onsite.

## **8. ATTENDANCE DURING PUBLIC DUTIES**

### **8.1 Jury Service**

An employee who receives a summon to serve on a jury must inform and give the letter to their line manager so this leave can be recorded on SAP as a special leave. The employee will be required to claim for their jury service daily allowance and then provide a certificate of loss of earnings to their line manager so they can receive the rest of their salary as a top up of the jury service allowance. The manager is required to keep a copy of the letter and certificate locally.

### **8.2 Reservists Duties**

Employees who are registered reservists (which includes volunteering and part-time reservists) are offered 5 days of paid leave on a rolling 12-month period for public duties to cover the yearly required training. Employees are required to inform their line manager of their reservists' duties and provide information to the commanding officer of their employment at the Council. If the employee is called up for duty, they must notify their manager as soon as possible. Managers are responsible to keep a copy of the MOD (Ministry of Defence) letter locally in the employee file.

### **8.3 Other Public Duties**

Employees who undertake other public duties are offered additional paid time off to conduct these public duties. The paid leave is subject to the deduction of any payments received from the relevant authority in respect of the duties performed or earnings received. All earnings received must be declared at the end of the public duty to the Council. The paid leave can be claimed as a full day, or in hours (as half days). If the duties qualify as volunteering, the employee will be able to claim through the [employer supported volunteering policy](#). Any additional public duties leave will be unpaid.

Employees with public duties such as being a member of a local authority, a member of a health authority, a magistrate/justice of the peace, or a special constable are offered up to 15 days per year for their public duties. Employees with public duties as school governors are offered up to 5 days per year.

Employees who wish to take time off for public duties must discuss this with their line manager. Employees must advise their manager of the estimated time off required for public

duties per year and provide evidence such as a letter confirming the public duty role and the requirements. Whilst the Council will endeavour to agree to public duties leave, it may be refused. Further guidance will be provided in the practice notes.

## 9. UNAUTHORISED ABSENCE

Unauthorised absence is when an employee is absent from work without a reasonable explanation or prior permission, pay may be deducted and action taken under the Disciplinary Policy. Managers should refer to the [section 5.2 Unauthorised Absence](#) in the Disciplinary Policy Practice Notes when managing unauthorised absences.

## 10. FURTHER REFERENCES

- Sickness Absence Policy
- Parental Leave Policy
- Purchasing additional leave policy
- Employer Supported Volunteering Policy
- Disciplinary Policy
- Menopause in the workplace policy.

## Document Control

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<b>Version</b>	<b>Date</b>	<b>Summary of Changes</b>	<b>Name</b>
0.1	April 2016	Updated to insert at section 8.5 the entitlement to purchase additional annual leave. This entitlement replaces the Other Special Leave entitlement detailed in the previous policy approved by General Purposes Committee in April 1998 and updated in September 2012. This policy replaces all previous versions.	
0.2	2 <sup>nd</sup> April 2017	Section 7 updated relating to leave given for Volunteering and Public Duties	
0.3	14 <sup>th</sup> September 2022	Updated section 7.6 to include details of how much leave employees can have for public duty roles. This policy replaces all previous versions.	
0.4	July 2023	Revised the annual leave and time off policy	AL