

**Revised Annual Leave Policy.**

**SUMMARY**

- 1.1 The new terms and conditions introduced in April made the existing Annual Leave Policy obsolete. The revised Annual Leave Policy has been updated to accommodate the new terms and conditions and address issues raised by the Trade Unions and managers. The Annual Leave during Absence Policy has been incorporated into the Annual Leave Policy to reduce the overall number of policies.
- 1.2 The main changes to the policy are contained in Appendix 2.

**RECOMMENDATION**

- 2.1 To agree the revised Annual Leave Policy.

**REASONS FOR RECOMMENDATION**

- 3.1 The Annual Leave Policy was prioritised for review in light of the changes to annual leave in the new terms and conditions.

**SUPPORTING INFORMATION**

- 4.1 The Annual Leave Policy must be updated in line with our new terms and conditions otherwise we will not be legally compliant.
- 4.2 While revising the policy to reflect the new terms and conditions it was efficient to make any further changes identified by Trade Union and Management feedback.

**OTHER OPTIONS CONSIDERED**

- 5.1 There were no other options considered for the Annual Leave Policy.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Tina Holmes  Janie Berry Diane Sturdy, Strategic HR manager – OD & Pay and Reward Strategy
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Tina Holmes 01332 643894 tina.holmes@derby.gov.uk None Appendix 1 - Implications Appendix 2 - Table of changes Appendix 3 - Annual Leave Policy

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 The financial implications of the new terms and conditions were considered at the time of implementation

**Legal**

- 2.1 If we do not revise our Annual Leave Policy it will not be legally compliant with our terms and conditions.

**Personnel**

- 3.1 None

**IT**

- 4.1 Protocols will be needed for the new HRIS system to administer the purchase of annual leave.

**Equalities Impact**

- 5.1 None

**Health and Safety**

- 6.1 None

**Environmental Sustainability**

- 7.1 None

**Property and Asset Management**

- 8.1 None

**Risk Management**

- 9.1 None

**Corporate objectives and priorities for change**

- 10.1 A skilled and motivated workforce

**Table of changes for the Annual Leave Policy.**

Annual Leave Table

<b>Old Policy</b>	<b>New Policy</b>	<b>Reason</b>
Sliding scale of leave according to grade	All employees on NJC terms and conditions have the same annual leave entitlement	New terms and conditions
Statutory and additional bank holidays are separate from all other leave entitlement. Employees not working over the Christmas Period are not required to put in annual leave for this period.	Statutory bank holidays are separate from leave entitlement but additional holidays have been incorporated into the annual leave entitlement. Employees not working over the Christmas Period or other service closure times are required to use annual leave to cover this period.	New terms and conditions
	Managers to inform employees of service closures or periods when leave may be restricted due to operational requirements.	Reflects new terms and conditions. Ensures employees are aware of any periods when leave may be restricted.
Recommended to schools	Not recommended to schools	Schools have not undergone the pay review, or accepted the new terms and conditions
Managers to respond to requests for annual leave in a reasonable time.	Manager to respond to requests within one week of receipt unless they are absent	Employee and Trade Union feedback on delayed responses to annual leave requests.
Employees reaching retirement age, retiring on ill health grounds or on length of service provision receive their full entitlement to annual leave, regardless of the date they leave	Only employees retiring on ill health grounds will be entitled to their full entitlement of annual leave regardless of what date they leave.	In line with retirement policy.
	Managers should not postpone leave outside of the annual leave year	Best practice
	Ability to purchase leave of up to ten days	New terms and conditions
Details of organisations	No details	Moved to guidance

where we count continuous service for annual leave purposes		
	Incorporates Annual Leave during Absence Policy	Reduces overall number of policies



## Appendix 3

# Annual Leave Policy

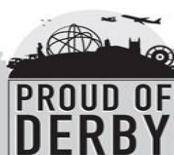
### Policy Purpose

Derby City Council promotes a positive and healthy work-life balance, and recognises the importance of annual leave in achieving this. Employees who take regular breaks are more likely to be, productive, healthy and efficient in their work. This policy aims to provide a fair and consistent approach to the use of annual leave, balancing the needs of the individual and service requirements.

Employees are encouraged to take regular annual leave breaks throughout the year to help maintain their health and wellbeing. This supports the Council's Health and Wellbeing Strategy and supports service delivery. Wherever possible all annual leave should be used within the annual leave year to which it applies. Carrying leave over may suggest that the employee has not taken sufficient leave to provide adequate breaks throughout the year. In addition, we need to comply with the Working Time Regulations 1998, so that all employees take a minimum of four weeks leave, or a proportional amount for part time employees.

### Document Control

Implementation date	
Author	Tina Holmes
Equality impact assessment date	Part of the new terms and conditions EIA
Revised/updated	November 2014
Version Control	2.0
Review required	Within 3 years, or subject to further legislation



## **1 Policy application**

- 1.1 This policy and procedure applies to all Council employees on National Joint Council condition for local government service.
- 1.2 This policy does not apply to Teachers or non-teaching staff in Schools.

## **2 Principles**

- 2.1 The leave year runs from 1 April to 31 March. Employees are entitled to 26 days annual leave, equating to 192 hours and 24 minutes, for each full working year. This does not include the eight statutory bank holidays. Employees working less than full time hours have a proportionate amount of annual leave and statutory bank holidays.
- 2.2 Annual leave entitlement increases after five years' service to 31 days, equating to 229 hours and 24 minutes. This does not include the eight statutory bank holidays. Employees working less than full time hours have a proportionate amount of leave and statutory bank holiday entitlement.
- 2.3 Details of annual leave entitlement for full-time employees are in Appendix 1. Employees joining or leaving part way through a leave year have their leave adjusted proportionately.
- 2.4 Employees who retire on ill-health grounds are entitled to their full annual leave entitlement regardless of their retirement date.
- 2.5 Managers should inform teams in advance of any service closures that require annual leave to be used or peak periods when leave requests will not be approved.
- 2.6 Annual leave should normally be requested in advance. Managers must make sure that there is adequate staffing to cover the service, prior to approving any leave.
- 2.7 Managers must respond within one week of receiving a request for annual leave to inform the employee whether or not it has been approved, unless the manager is absent at the time the request is made. Requests should be considered in the order that they are received.
- 2.8 Managers should not refuse an employee's annual leave request unless there would be inadequate staffing, or the request falls within a period previously notified under 2.5. Managers should not postpone requests outside the leave year.
- 2.9 Employees who are absent owing to sickness, maternity, adoption, paternity, parental leave or suspension from duty continues to accrue holiday entitlement. In these circumstances the carry forward of holiday is not limited. However, employees should make every attempt to return to work without excessive amounts of annual leave outstanding.

- 2.10 Employees who are absent owing to sickness, unpaid leave (including those periods of maternity, paternity, adoption and parental leave which are unpaid) or suspension from duties may apply to take annual leave. Requests should be made in advance and agreed prior to being taken. Managers should write to employees who are on long term absence reminding them of their leave entitlement. Annual leave can be taken during periods of sickness absence.
- 2.11 Employees who become ill during annual leave may take it as sick leave instead. Employees must provide a 'fit note' for the period that would have been annual leave. If a charge is incurred we will refund the cost.
- 2.12 Employees may request carry over of up to five days for full time employees. This is proportional for part time employees.
- 2.13 In exceptional circumstances approval for six to ten days may be requested. The Manager should recommend approval/ non approval to their line manager.
- 2.14 Employees may request to carry over leave from the current year and/or bring forward leave from the following leave year for unexpected or exceptional circumstances, for example to visit relatives living abroad. If this is for more than ten days, approval must be by a Head of Service or above.
- 2.15 Employees may purchase up to a maximum of ten days additional leave. The purchase must be made in the previous financial year. Full details of eligibility and the procedure for this are available from your manager or on iDerby (link to be inserted)

### **3 Support and guidance**

- 3.1 A full description of the process including guidance, supportive information and documentation is on the intranet under Human Resources:  
  
link

### **4 Roles and responsibilities**

- 4.1 The roles and responsibilities of key stakeholders are summarised in Appendix 1



## POLICY ROLES AND RESPONSIBILITIES OF KEY STAKEHOLDERS

Chief Executive and Chief Officers Tiers 1 and 2	Head of Service Tier 3	Managers	Employees	Human Resources
<b>Every employee must use the procedure and guidance on iDerby</b>				
<b>Fairness and equality</b>				
To ensure this policy is implemented in a fair, consistent and non-discriminatory manner.	To ensure this policy is implemented in a fair, consistent and non-discriminatory manner.	To provide reasonable adjustments as required.	To notify managers of reasonable adjustments required.	To ensure this policy is implemented in a fair, consistent and non-discriminatory manner.
<b>General Operation of the Scheme</b>				
To ensure employees are taking regular breaks preventing a build up of untaken leave at the end of the leave year.	To ensure employees are taking regular breaks preventing a build up of untaken leave at the end of the leave year.	To ensure employees are taking regular breaks preventing a build up of untaken leave at the end of the leave year.	To take regular breaks throughout the year, ensuring where possible all leave is taken within the annual leave year	Provide advice to managers and employees
To respond within one week of receipt to any leave requests.	To respond within one week of receipt to any leave requests.	To respond within one week of receipt to any leave requests.	To give appropriate notice of requested leave	Provide advice to managers and employees
To identify and implement any service closures	To identify and implement any service closures or peak periods where leave is limited	To ensure employees are aware of any service closures or peak periods where leave is limited	To use leave where appropriate to cover any service closures.	Provide advice to managers and employees
<b>Document Retention</b>				
		To maintain team records	To maintain own records	

