

## ANNUAL LEAVE POLICY

### For Employees on Agenda for Change Terms and Conditions

Policy Type	People & Organisational Development
Directorate	Corporate
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Policy Author	Employee Relations Team
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**This policy will be reviewed in line with the Document Control Policy, please read the policy in conjunction with any updates provided by National Guidance**

## DOCUMENT HISTORY

(Procedural document version numbering convention will follow the following format. Whole numbers for approved versions, e.g. 1.0, 2.0, 3.0 etc. With decimals being used to represent the current working draft version, e.g. 1.1, 1.2, 1.3, 1.4 etc. For example, when writing a procedural document for the first time – the initial draft will be version 0.1)

Date of Issue	Version No.	Date Approved	Director Responsible for Change	Nature of Change	Ratification / Approval
July 2022	0.1	05/07/22	Director of People & Organisational Development	Draft	Staff Partnership Forum
August 2022	1.0	02/08/22	Director of People & Organisational Development	Approval	Staff Partnership Forum
August 2022	1.0	13/09/22	Director of People & Organisational Development	Draft	People & OD Sub Committee

NB This policy relates to the Isle of Wight NHS Trust hereafter referred to as the Trust

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## **1 Executive Summary**

The Isle of Wight NHS Trust is committed to caring for the health, safety and welfare of all its employees. The Trust recognises that the ability to spend time away from the workplace is an important component of work-life balance and helps to reduce burn-out and stress. The Trust's People Plan aims to ensure that employee's are able to take the leave to which they are entitled and managers should endeavour to ensure that workload does not prevent this whilst balancing the service needs of the Trust. Employees are equally responsible to ensure they take ownership of their entitlement and ensure they take time away from work to remain at their best.

## **2 Introduction**

This policy will ensure that the calculation and granting of annual leave and public holiday time is carried out fairly and consistently in accordance with entitlements and arrangements defined under agenda for change terms and conditions of employment, while ensuring the quality of care provided patients and clients is not compromised.

The annual leave year for all employees runs from 1 April to 31 March.

## **3 Scope**

This policy applies to all staff employed on agenda for change terms and conditions of employment on a full-time, less than full time, fixed term or permanent basis. It is not applicable to medical staff or bank workers.

This policy does not cover provisions for special leave, such as compassionate leave or carer's leave as these are covered in the Trust's Special Leave Policy.

## **4 Purpose**

The purpose of this policy is to provide a framework for managing annual leave within each department or ward area. The allocation of leave should ensure that a consistent, fair and equitable approach is taken by all employees in order to provide adequate cover to meet the needs of the service.

## **5 Roles and Responsibilities**

### **5.1 Employees are responsible for:**

- Managing their yearly annual leave allocation; ensuring 25% of their leave is taken within each quarter and being mindful of their own health and well-being.
- Ensuring that all annual leave is requested via Employee Online and in accordance with the departments annual leave protocol.
- Ensuring bank holidays are recorded via HealthRoster if they would normally work on the day in which a bank holiday falls and if the service does not require them to work.

- Following the local departmental procedure when requesting annual leave, giving the required period of notice in line with the Trust's Rostering Policy or departmental protocol.
- Cooperating with other team members when requesting leave for critical holiday periods.
- Where appropriate, using annual leave to support an extended phased return following a period of long-term sickness absence.
- Not taking annual leave until it has been authorised by the appropriate manager. Employees should not commit to plans until leave is agreed.
- Giving appropriate notice should they wish to cancel annual leave already booked.
- Advising their manager when their annual leave entitlement increases in line with their length of service and informing their manager if they have NHS reckonable service years that will impact on their annual leave entitlement, providing proof as required.
- Ensuring that the annual leave entitlement allocated to them for the year is correct.
- Ensuring all annual leave is taken within the relevant leave year.

## **5.2 Managers are responsible for;**

- The calculation and monitoring of annual leave entitlements
- Managing departmental annual leave in a fair, consistent and equitable manner;
- Drafting, agreeing and communicating a departmental annual leave protocol that is in line with this policy and the Rostering policy, ensuring all employees are aware of the local procedure for requesting annual leave.
- Monitoring annual leave entitlements ensuring employees take all of their annual leave in the relevant leave year and encouraging 25% of their leave is used in each quarter.
- Ensuring that the employees annual leave entitlements within the HealthRoster System are accurate and calculated in accordance with the Agenda for Change terms and conditions of employment.
- Undertake regular data checks to ensure annual leave is being recorded accurately.
- Ensuring all employees are given opportunities to take leave.
- Considering and authorising requests to take annual leave in a timely manner, taking into account the needs of the service;
- Considering reasons for employees wanting to carry over leave into the next leave year and approving if appropriate
- Where required, allowing employees returning from long term sick leave to use annual leave to extend a phased return to work.

## **5.3 The People Services Team will;**

- Provide advice and guidance on the application of the annual leave policy and the use of HealthRoster for managing annual leave.
- Provide updates via the E-Bulletin of any changes that affect annual leave during the annual leave year (such as additional bank holiday arrangements).
- Ensure that the policy is maintained and updated in line with any organisational and legislative changes.

## 6 Policy detail/Course of Action

### 6.1 Annual leave entitlement

Annual leave entitlements are set out in Section 13 of the Agenda for Change Terms and Conditions handbook [here](#).

Annual leave and bank holiday entitlement is determined in hours to guarantee equity for all by ensuring that employees who work variable hours/ shifts do not receive either more or less leave than colleagues who work a standard pattern.

Annual leave entitlement for part-time staff will be pro rata to full-time hours.

Employees joining the organisation part-way through the leave year will have their leave entitlement calculated on a pro rata basis for the remainder of the year.

Employees must work a full calendar month to accrue annual leave, therefore if employees start or leave part way through a month, they will not be entitled to accrue leave for that month.

In order to calculate annual leave entitlements upon appointment or for a leave year where there is a change to an entitlement, please refer to the annual leave calculator [here](#)

Staff are responsible for informing their line manager when their annual leave entitlement increases (after 5 and 10 years' service respectively). If a staff member does not notify their line manager of the increased entitlement immediately prior to the year in which the uplift occurs, then the additional leave due can only be taken if there is sufficient time, subject to service delivery requirements, for the leave to be accommodated before the end of the annual leave year.

### 6.2 Reckonable service

An employee's continuous previous service with a NHS employer will count as reckonable service in respect of annual leave.

In addition, aggregated NHS service, i.e. any period of time that has been worked in the NHS, regardless of whether or not there has been a break in service, will count as reckonable service for annual leave.

For purposes of aggregated service, time spent in a highly relevant role in organisations other than the NHS i.e. roles that are comparable in their function and qualification to the role for which they have applied in the trust, may at the discretion of the line manager (after seeking advice from the Employee Relations Team) be counted as aggregated service.

### 6.3 Bank holidays

Employees will be entitled to all paid General Public Holidays (Bank Holidays) in the leave Year. All part time staff are entitled to the Bank Holidays pro rata to the full time allowance.

The 8 General Public Holidays in the year are:

**Christmas Day**      **Good Friday**

**Boxing Day  
New Year's Day  
Easter Monday**

**May Day  
Spring Bank Holiday  
August Bank Holiday**

Employee's whose normal working day would fall on a bank holiday but who are not required to work on that day will be required to book this time off out of their entitlement.

Employee's who are required to work or be on call on a bank holiday are entitled to the equivalent time to be taken in lieu at plain time rates, in addition to the appropriate payment for the duties undertaken.

There will be some years when as many as 10 or as few as 6 paid general public holidays fall within the leave year, because the Easter holidays can fall in March or April. When this occurs annual leave entitlement will be recalculated at the start of the annual leave year to ensure the annual leave entitlement is reflective of the number of general public holidays in each annual leave year.

#### **6.4 Religious and Cultural observance**

The Trust will endeavour to support requests, depending on service need, for time off during religious festivals which are not covered by statutory public holidays. Line managers should use discretion to grant annual leave, time off in lieu, flexible working or unpaid leave when considering requests for such leave. It is advisable that staff make their request for time off as soon as the dates are known to facilitate the advance planning of leave arrangements. Line managers should keep in mind that some religious festivals are determined by the lunar calendar and, therefore, dates change from year to year. Managers will be expected to consider such requests in accordance with service needs and accommodate these where reasonable to do so.

#### **6.5 HealthRoster/Employee Online**

Annual leave and bank holiday entitlements should be managed and held within HealthRoster and it is the responsibility of the employee and line manager to ensure entitlements are updated upon any changes to entitlements.

Annual leave should be requested using the Employee Online system.

Regular data checks should be undertaken to ensure annual leave is recorded accurately.

Annual leave entitlements should be checked and amended ahead of the start of a new leave year. The E-Rostering team can provide guidance on adding to and amending entitlements and further information can be found on their intranet pages [here](#)

#### **6.6 Managing annual leave**

In line with the Trust's Rostering Policy, each Directorate/Division may have their own procedure or protocol for the management/approval of annual leave considering minimum and maximum departmental staffing needs but as a minimum should cover the following.

Annual leave should be booked within the timescales outlined in the departmental protocol or the Trust Rostering Policy. Short notice requests may be approved depending on the requirements for the department.

To support health and well-being of employees and to ensure an even distribution of annual leave in any year employees should aim to book leave in line within these guidelines:

- 25% of leave to be taken in the period April / May / June
- 25% of leave to be taken in the period July / August / September
- 25% of leave to be taken in the period October / November / December
- 25% of leave to be taken in the period January / February / March

Employees should be encouraged to use all of their entitlement across the leave year in the interests of health and well-being, however there may be periods where increased levels of demand for services, for example, seasonal pressures or pandemics, where it may be necessary to temporarily ask staff to reduce the amount of annual leave being taken. In these exceptional circumstances there may be Trust wide agreement to allow annual leave carry over to be increased should employees be prevented from taking annual leave due to additional pressures.

A maximum of 14 consecutive calendar days of annual leave can be requested at any one time (ten working days and four days off)

Staff requesting more than 14 days leave at a time must have it approved in writing. Unpaid leave may be given at the managers discretion depending on service demands and service delivery.

## **6.7 Approval procedure**

Annual leave is approved at the discretion of the line manager, considering the needs of both the service and the circumstances in line with the principles of this policy.

Employees should not finalise holiday arrangements or take annual leave before line manager approval has been given. Where an employee takes annual leave prior to this approval being given, the line manager may consider invoking the Trust's Disciplinary and Dismissal Policy. Where staff have booked and paid for holidays which have not been approved, the Trust will not compensate them for any loss of monies, should it not be possible to grant annual leave for that period.

In normal circumstances, requests for annual leave cannot be made more than 12 months in advance of the requested annual leave dates. However, consideration will be given to exceptional circumstances in which annual leave may need to be booked further in advance.

## **6.8 Carrying forward annual leave into the next leave year**

Where employees have been prohibited from taking their full leave entitlement due to organisational reasons or needs of the department or service then up to 5 days (pro rata for staff that are less than full-time or who work a compressed work pattern) can be carried forward into the next year and this must be authorised by the line manager. These carry over provisions exclude leave that is accrued during sickness absence, maternity or adoption leave. Please refer to the Attendance Management, Maternity Leave or Adoption Policies in relation to this.

Accrued annual leave can only be paid upon termination of employment.



## **6.9 Annual leave on moving departments internally**

Where possible, employees moving departments internally within the Trust should use their accrued annual leave up to that point before moving into their new post. This prevents the receiving department having to incur the cost and impact of the annual leave that should otherwise have been taken.

Where this is not possible and/or where there is an agreed pre-booked and authorised period of leave, a discussion should take place between departments to agree how leave can be taken between the transfer of job roles or carried over to the new department if a pre booked holiday is planned.

## **6.10 Term-time only**

As part of flexible working the Trust encourages a range of flexible contracts, including Term Time working. The salary for this type of contract is based on the number of weeks actually worked and will be paid in 12 equal payments. Although payment is made for pro-rata annual leave and general public holidays, it is assumed to be allocated during the non-term time period; exceptions to this need to be agreed with the line manager. For further guidance please refer to the Annual Leave page of the Intranet.

## **6.11 Annual leave and sickness absence**

In line with the Attendance Management Policy & Procedure, If an employee is ill or injured during a period of pre-arranged annual leave, the employee must inform their manager of their incapacity and its likely duration as soon as possible, even if they are abroad.

The manager may request a GP fit note to cover the period of illness in these circumstances. The annual leave can then be credited back and rearranged for a mutually agreeable time.

Members of staff wishing to take holiday, while certified off sick, must follow the normal booking and approval procedure in order that payroll correctly processes payments. If staff wish to continue to go on holiday whilst on GP certified sick leave, they should confirm with their line manager that the holiday will not be detrimental to their return-to-work date.

Where a member of staff is unwell on a bank holiday, they will not be entitled to an additional day off in lieu and the bank holiday hours will be deducted from their entitlement.

## **7 Consultation**

The policy will be published on the draft policy site. Formal consultation with Trade Union Representatives will take place via Staff Partnership Forum.

## **8 Training**

The policy does not have a mandatory training requirement.

## **9 Monitoring Compliance and Effectiveness**

The responsibility for monitoring and managing annual leave lies with the Head of Department and with those to whom the day-to-day supervision of staff is delegated to.

Departments may develop their own departmental protocols but these must be inline with this policy and the Trust Rostering Policy for Clinical based staff.

Internal audit may be used to audit compliance to this policy as part of the organisations audit cycle.

## **10 Links to other Organisational Documents**

- Rostering Policy for all Clinical Staff
- Attendance Management Policy and Procedure
- Maternity Leave Policy & Procedure
- Adoption Leave Policy
- Paternity & Parental Leave Policy
- Shared Parental Leave Policy
- Flexible Working Policy
- Special Leave Policy

## **11 References**

- Agenda for Change Terms and Conditions of Service Handbook

## **12 Appendices**

Appendix A Financial and Resourcing Impact Assessment on Policy Implementation  
Appendix B Equality Impact Assessment

## Financial and Resourcing Impact Assessment on Policy Implementation

*NB this form must be completed where the introduction of this policy will have either a positive or negative impact on resources. Therefore this form should not be completed where the resources are already deployed and the introduction of this policy will have no further resourcing impact.*

<b>Document title</b>	<b>Annual Leave Policy for Agenda for Change Employees</b>
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<b>Totals</b>	<b>WTE</b>	<b>Recurring £</b>	<b>Non Recurring £</b>
Manpower Costs	0	0	0
Training Staff	0	0	0
Equipment & Provision of resources	0	0	0

### Summary of Impact:

### Risk Management Issues:

### Benefits / Savings to the organisation:

### Equality Impact Assessment

- Has this been appropriately carried out? **YES/NO**
- Are there any reported equality issues? **YES/NO**

If "YES" please specify:

**Use additional sheets if necessary.**

Please include all associated costs where an impact on implementing this policy has been considered. A checklist is included for guidance but is not comprehensive so please ensure you have thought through the impact on staffing, training and equipment carefully and that ALL aspects are covered.

<b>Manpower</b>	<b>WTE</b>	<b>Recurring £</b>	<b>Non-Recurring £</b>
Operational running costs	0	0	0
<b>Totals:</b>	0	0	0

Staff Training Impact	Recurring £	Non-Recurring £
	0	0
<b>Totals:</b>	0	0

Equipment and Provision of Resources	Recurring £ *	Non-Recurring £ *
Accommodation / facilities needed	0	0
Building alterations (extensions/new)	0	0
IT Hardware / software / licences	0	0
Medical equipment	0	0
Stationery / publicity	0	0
Travel costs	0	0
Utilities e.g. telephones	0	0
Process change	0	0
Rolling replacement of equipment	0	0
Equipment maintenance	0	0
Marketing – booklets/posters/handouts, etc	0	0
	0	0
<b>Totals:</b>	0	0

- Capital implications £5,000 with life expectancy of more than one year.

Funding /costs checked & agreed by finance:	
Signature & date of financial accountant:	
Funding / costs have been agreed and are in place:	
Signature of appropriate Executive or Associate Director:	

## Equality Impact Assessment

This Equality Analysis is a written record that demonstrates that you have shown *due regard* to the need to **eliminate unlawful discrimination, advance equality of opportunity** and **foster good relations** with respect to the characteristics protected by the Equality Act 2010.

<b>Name of policy/procedure</b>	Annual Leave Policy for AFC Employees
<b>Date of assessment:</b>	28 June 2022
<b>Responsible department:</b>	Employee Relations Team
<b>EIA Author:</b>	Nikki Butler
<b>Intended equality outcomes:</b>	To ensure that the calculation and granting of annual leave and public holiday time is carried out fairly and consistently in accordance with entitlements and arrangements defined under Agenda for Change, while ensuring the quality of care provided patients and clients is not compromised.

<b>Who was involved in the consultation of this document?</b>
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<b>Date</b>	<b>Forum</b>
5 July 2022	Staff Partnership Forum

Please describe the positive and any potential negative impact of the policy on service users or staff.

In the case of negative impact, please indicate any actions to mitigate against this by completing stage 2. Supporting Information can be found by following the link:  
[www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)

Protected Characteristic	Equality Analysis	EIA Impact (Positive/Negative)
Age	Policy framework aims to provide a consistent and fair approach to the management of annual leave across the trust in a non-discriminatory manner	Positive
Disability	As above	Positive
Gender reassignment	As above	Positive
Marriage & civil partnership	As above	Positive
Pregnancy & maternity	As above	Positive
Race	As above	Positive
Religion/Belief	As above	Positive
Sex	As above	Positive
Sexual orientation	As above	Positive

### Stage 2: Full impact assessment

What is the impact?	Mitigating actions	Monitoring of actions