

This policy is applicable to services provided by Heartlands, Good Hope and Solihull Hospitals Divisions

# Annual and Special Leave Policy

## V1.0

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<b>Relevant External Standards/ Legislation</b>	NHS Terms and Conditions of employment, Employment Rights Act, Equality Act
<b>Target Audience:</b>	All employees
<b>Further information:</b>	Operational HR

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**Version History:**

Version No.	Date of Release	Document Author	Ratified by	Date Ratified
1.0		Mark Tipton		

**Summary of changes from last version:**

1. Combined annual leave, incorporating Medical and Dental Staff annual leave, and time off work policy
2. Time off for domestic, personal and family reasons and compassionate leave due to bereavement re- categorised as:
  - Emergency Special Leave
  - Bereavement and funeral leave,
  - Unpaid Parental leave
3. Other time off categorised as :
  - Time off for gp, dentist, health care appointments
  - Time off for interviews
  - Time off for Jury Service/attending Court
  - Time off for members of Reserve Forces
  - Time off for Public Duties
  - Time off for Trade Union duties

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## 1. Introduction / Purpose

The purpose of this policy is to establish the process for employees to take time off work in accordance with contractual entitlements to annual leave and public holidays and to request additional discretionary paid leave in individual, exceptional circumstances.

## 2. Policy Statement

This document ensures that employees and managers are aware of the entitlements and process for employees to request for time off work balanced against the need to provide a service.

Under no circumstances should employees benefit financially during periods of discretionary paid leave.

Managers must seek advice from the Human Resources team if they are in any doubt about the application of this policy.

Employees are required:

- To ensure that leave is requested following the appropriate procedure.
- To contact their manager or, in their absence the nominated deputy, immediately upon becoming aware of the need for additional time off work (other than annual leave/study leave) at short notice and complete the form attached at Appendix 3
- To ensure that managers are kept informed as to potential leave requirements.
- To provide the appropriate certificated proof in support of the leave

In the event of an emergency or crisis situation occurring outside of work which may prevent an employee attending work, they must inform their manager at the earliest possible opportunity.

Employees should not:

- Assume that annual leave requested will be granted until it is formally authorised.
- Assume that paid Emergency Special leave or any other discretionary leave as detailed in paragraphs 4.2 to 4.11 of this policy will be authorised

### 3. Definitions

The definition of ‘dependant’ in this policy is

- A spouse or civil partner of an employee
- A child of the employee
- A parent of the employee

### 4. Policy Requirements

#### 4.1 ANNUAL LEAVE AND PUBLIC HOLIDAYS

##### 4.1.1 Individual responsibility

It is up to the individual to ensure that their annual leave is planned and taken at regular intervals throughout the leave year.

##### 4.1.2 Line Manager’s responsibility

It is up to the Line Manager to monitor and ensure that individuals are taking their annual leave at regular intervals and to apply and /or develop local arrangements for booking of annual leave to meet service requirements. The form at Appendix 2 can be used for this purpose unless annual leave is booked and recorded electronically (e.g. through E-Rostering)

##### 4.1.3 Leave Year

The leave year runs from 1<sup>st</sup>April to 31<sup>st</sup> March each year for all staff except Junior Medical Staff in Training Posts whose leave year runs from the anniversary date of their appointment.

##### 4.1.4 Entitlement

Annual leave entitlement for employees employed under Agenda for Change (AfC) terms and conditions, including Very Senior Manager (VSM) contracts is as outlined below:

<b>Length of service</b>	<b>Annual Leave Entitlement</b>	<b>Public Holidays</b>
On appointment	27 days	8 days
After 5 years’ service	29 days	8 days
After 10 years’ service	33 days	8 days

Annual leave entitlements for Medical and Dental staff are outlined below:

<b>Consultants/ Associate Specialist</b>	<b>Annual Leave Entitlement</b>	<b>Public Holidays</b>

On appointment	32 days	8 days
After 7 years' seniority	34 days	8 days
On Old Contract	33 days	8 days

<b>Specialty Doctors</b>	<b>Annual Leave Entitlement</b>	<b>Public Holidays</b>
On appointment	28 days	8 days
After 2 years	33 days	8 days
After 7 years	34 days	8 days

<b>Junior Doctors</b>	<b>Annual Leave Entitlement</b>	<b>Public Holidays</b>
On appointment	28 days	8 days
After 5 years' service	33 days	8 days

#### 4.1.5 Calculation Of Annual leave – non Medical staff

The Trust policy is to record annual leave in days for full time employees working 5 days a week and 7 ½ hours per day.

For all other working patterns, annual leave and general public holiday entitlements must be calculated on an hourly basis.

The calculation of annual leave entitlements pertaining to non medical employees is contained at Appendix 1. Hours have been rounded up or down to the nearest 0.5 decimal point (i.e. the nearest ½ hour).

It is expected that annual leave will normally be taken in periods of not less than half a day for employees whose annual leave is calculated in days or 4 hours for employees whose annual leave is calculated in hours.

#### 4.1.6 Calculation of Annual leave –Medical and Dental staff

Annual leave for Medical and Dental staff will wherever possible normally be taken in blocks of one or two working weeks in order to achieve a proportionate split between annual leave taken during Direct Clinical Care (DCC) and Supporting Professional Activity (SPA) sessions. At the end of the leave year the proportion of DCC to SPA in annual leave taken should reflect the job plan.

#### 4.1.7 General Public Holidays ('Bank Holidays')

A Public Holiday will be defined as a period of normal duty that starts within the period of 24 hours from midnight to midnight.

The 8 Public Holidays each calendar year are:

New Year's Day  
Good Friday  
Easter Monday  
May Day;  
Spring Bank Holiday  
August Bank Holiday  
Christmas Day  
Boxing Day

Full time employees will be entitled to take paid time off in relation to all public holidays.

Part time employees will be entitled to paid public holidays pro rata to their hours of work (the calculation of this entitlement is always proportional to the number of basic contracted hours worked rather than normal working days)

When a Public Holiday falls on a Saturday or Sunday, the following Monday or Tuesday is normally designated as a Public Holiday for leave purposes.

Employees required to work or to be on-call on a general public holiday are entitled to equivalent time to be taken off in lieu at plain time rates in addition to the appropriate payment for the duties undertaken.

#### **4.1.8 Establishing Reckonable Service**

An employee's continuous, previous service with an 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 purposes.

In order to have previous service regarded as reckonable service, employees will need to provide formal documentary evidence of this.

#### **4.1.9 Entitlement upon Joining the Trust**

All new employees will be entitled to annual leave plus public holidays in the year of joining the Trust on a pro-rata basis based on the number of complete months worked after the date of joining and before the end of the annual leave year. New employees who commence on the first working day of the month will be regarded as having worked that full month for the purposes of calculating annual leave entitlement.

Managers will make efforts to meet the needs of new members of staff in respect of commitments to holidays already made. Discussion about holiday commitments will

be held during the recruitment and selection process. Where the annual leave required exceeds the holiday entitlement, unpaid leave may be granted up to the maximum of the normal annual leave entitlement.

#### **4.1.10 Entitlement On Changing Contracted Hours**

Where an employee changes their contracted hours, this will result in a re-calculation of their annual leave entitlement based on completed months on the new and the old contracted hours to give the full year entitlement. The Trust policy is that where employees change their contracted hours part way through a month they should not lose entitlement. Therefore, in these cases the entitlement for the first month will be calculated on the average weekly contracted hours that they worked for that month.

#### **4.1.11 Entitlement on Leaving**

Employees who leave the Trust will be entitled to the pro rata of their annual leave entitlement for each complete month worked in the current leave year. Payment will be made for any outstanding annual leave at the date of leaving and an appropriate deduction will be made from final salary for any overtaken leave.

#### **4.1.12 Carry Over Of Leave**

The Trust expects that within the annual leave year employees should be provided with the opportunity to take all their annual leave. In **exceptional** circumstances, up to 1 week of basic contracted hours may be carried over to the following year, with the agreement of the appropriate designated manager within the service area. Ant carried over days must be taken within one month of the start of the new financial year.

#### **4.1.13 Sickness Occurring During Annual Leave Or Public Holidays**

If an employee falls sick whilst on annual leave, then subject to notifying their manager on the first day of sickness and the production of a medical certificate, the period covered will be treated as sick leave, allowing the employee to take the annual leave another time. In accordance with Agenda for Change Terms and Conditions, and the relevant Medical and Dental Staff Terms and Conditions employees will **not** be entitled to an additional day off if sick on a public holiday that they would otherwise have been required to work as part of their basic week.

#### **4.1.14 Late Return From Annual Leave**

If, for any reason, an employee cannot return from annual leave on the agreed date, they must make immediate contact with their manager to inform their manager of the reason for the delay (e.g. travel disruption) and the likely date of return. Failure to do so may result in disciplinary action against the employee for unauthorised absence.



The additional period of unauthorised absence will either be deducted from the employee's outstanding leave or recorded as unauthorised absence and pay withheld for each day of unauthorised absence.

#### **4.1.15 Departmental Holiday Rules**

Each area of service will develop departmental holiday rules which should include (but is not restricted to) the following :

- Any specified period when leave cannot be taken.
- Numbers of employees within the same team who may take leave at any one time.
- Arrangements to be followed where there are conflicting leave requests.
- Maximum amount of time off allowed.

Staff whose shifts are allocated through the Healthroster system (or any subsequent rostering system) should also refer to Section 6.12 of the [Trust's Rostering Policy](#).

Particular requirements of the Rostering policy, in relation to Annual leave, are as follows:

- Annual leave must be booked at least 6 weeks in advance, except in cases of domestic emergencies and must be authorised by the Ward/Department Manager or for Medical and Dental staff, the Relevant Supervising Consultant/Clinical Director/Divisional Director.
- For Medical and Dental Staff, if emergency leave is required, which may involve rescheduling of clinical commitments, then a discussion must take place with the relevant Supervising Consultant/ Clinical Director/Divisional Director to determine whether it can be authorised.
- A maximum of 14 consecutive, calendar days of annual leave can be requested. Any more than this will require approval from the Matron or, for Medical and Dental staff, the Clinical Director and Divisional Director.
- The amount of annual leave taken during school and bank holidays will be shared equally amongst those making requests.
- The allocation of annual leave over Christmas and New Year should be managed fairly and consistently. For example if staff book annual leave for the Christmas period and this is granted then it is unlikely that they will be considered for annual leave during the Christmas and New Year period in the following year.

- Where possible, all leave should be planned and booked in advance at the start the annual leave year.
- Staff should ideally take 25% of their leave every quarter.

#### 4.1.16 Entitlement for employees with term-time only contracts

Annual leave and general public holiday entitlement for this type of contract is based on the number of weeks actually worked. For term-time only posts, payment for annual leave is calculated for the year and added to the monthly salary in 12 equal amounts. Normally only one Public Holiday (May Day Bank Holiday) falls during term time and term-time only employees will be expected to work this day or make up the hours lost on this day.

#### 4.1.17 Entitlement for employees with annualised hours contracts

The annual leave entitlement for employees on annualised hours contracts forms part of the total number of contracted hours. The employee will therefore book annual leave on the basis of either an average working week or average working day.

### 4.2 PROFESSIONAL AND STUDY LEAVE FOR MEDICAL AND DENTAL STAFF

4.2.1 Consultants and Specialty Doctors may request Study Leave of up to 30 days over a 3-year period. This will be considered by the relevant Supervising Consultant/Clinical Director/Divisional Director using the same general principles as those laid out for authorising annual leave.

4.2.2 Doctors in training are entitled to the following Study Leave allowances:

Grade	Days per Annum
Foundation doctor Year 1	15 days
All other doctors in training	30 days

Full details of the purpose and nature of the Study Leave and conditions for granting such leave can be found in the Terms and Conditions of Service for Doctors in Training.

4.2.3 In order to release senior clinicians to undertake roles outside of the Trust which contribute to the broader benefit of the NHS, up to 5 days Additional Professional Leave per annum may be approved on a discretionary basis by the Divisional Director and up to a further 5 days may be approved by the Deputy Medical Director. Approval must be obtained prior to the role being accepted / leave taken.

Examples include:

- Advising the Department of Health or other government bodies.
- Participating in Medical Royal College or Professional Association duties
- Teaching on courses or examining.

Where consultants hold allocated PA's within their job plan for specified external roles, any related study or professional leave must be covered by these allocated PA's. Where the event does not fall within the specified time allocation for the external role arrangements must be made to cover clinical activity.

### **4.3 EMERGENCY SPECIAL LEAVE FOR DOMESTIC, PERSONAL AND FAMILY REASONS**

4.3.1 The aim of Emergency Special Leave is to provide a response to an employee's immediate and urgent needs in abnormal and urgent circumstances which cannot be predicted. It is not intended to cover issues such as minor or common health problems within an employee's family or to provide extra time off in circumstances which allow sufficient time to plan ahead, even if these circumstances are difficult (e.g. planned medical treatment for a dependant). In these situations employees may discuss the situation in advance with their manager in order to make alternative arrangements to have time off e.g. requesting annual leave or, if appropriate, unpaid Parental Leave.

4.3.2 In the event of an emergency situation arising requiring urgent time off work, employees must contact their line manager at the earliest opportunity to request Emergency Special Leave and they will be required to provide an overview of the emergency situation to their manager.

4.3.3 Managers may grant an employee up to 1 day's paid leave in the first instance and in exceptional circumstances managers have discretion to allow a further 2 consecutive days paid leave.

4.3.4 A maximum of 3 requests for emergency special leave may be made by each employee in any rolling 12-month period. If the need to take time off becomes a regular occurrence, the manager will discuss alternative arrangements with the employee which may include a permanent or temporary change to contractual hours or working pattern.

4.3.5 The types of circumstances where Emergency Special Leave may be granted are as follows (this list is not exhaustive and each case must be considered on its own merits)

- If an employee's dependant has a sudden and serious illness or injury.
- If there is unexpected disruption or breakdown of care arrangements for a dependent where the employee has a responsibility for making longer term care arrangements.

- If an incident occurs that needs immediate attention in the home of the employee home or the home of a family member for whom the employee is responsible, e.g. fire, flooding, burglary.

4.3.6 At the earliest opportunity the employee must complete the form attached at Appendix 3 and present this to their manager for completion.

4.3.7 Payment for Emergency Special Leave will be at the same rate as that for annual leave.

#### **4.4 BEREAVEMENT AND FUNERAL LEAVE**

4.4.1 Following the death of an employee's dependant, next of kin or immediate family member, the employee can request up to 5 days' paid leave (pro rata for part time employees) to make the necessary arrangements and for the funeral itself. The 5 days need not be taken consecutively. A further 3 days leave with pay may be granted if the employee has to travel abroad for either the funeral or to make necessary arrangements.

4.4.2 Following the death of an employee's close relative (e.g. aunt, uncle, niece, nephew) who is not a dependant, next of kin or immediate family member, 1 day's paid leave will be granted for the employee to attend the funeral. A further 2 days special leave with pay may be requested if the funeral is to take place at such a distance from the Trust that a single day does not allow sufficient time for travelling to/from the funeral.

4.4.3 Flexibility in the way bereavement leave is taken will be considered in order to meet the employee's needs.

4.4.4 In the event that the employee experiences a bereavement reaction which affects their ability to attend work this will be classed as sickness absence.

4.4.5 At the earliest opportunity the employee must complete the form attached at Appendix 3 and present this to their manager for completion and authorisation.

4.4.6 Payment for Bereavement and Funeral leave will be at the same rate as that for annual leave.

#### **4.5 UNPAID PARENTAL LEAVE**

4.5.1 Employees with more than 1 year's service who have or expect to have parental responsibility for child under the age of 18 have a legal entitlement to a maximum of 18 weeks' unpaid leave in total for each child and adopted child, up to their 18th birthday. This entitlement is set out in more detail at:  
<https://www.gov.uk/parental-leave>

- 4.5.2 At the earliest opportunity the employee must complete the form attached at Appendix 3 and present to their manager for completion and authorisation.

#### **4.6 TIME OFF FOR GP, DENTIST, HEALTH CARE APPOINTMENTS**

- 4.6.1 Doctors, dentists and other health care appointments should normally be made outside of normal working hours.
- 4.6.2 Where it is not possible to make the appointment outside of working hours (e.g. because of the need to attend a specific clinic at a fixed time) paid leave may be granted.
- 4.6.3 If an employee's health needs require frequent (i.e. more than every two months) attendance for medical appointments during their working hours they must discuss this with their manager. In these circumstances managers must be mindful of the rights of employees who are or may be classed as disabled under the Equality Act 2010 and advice should be sought from the Human Resources department where necessary.
- 4.6.4 Employees undergoing a procedure such as day surgery or inpatient treatment or attending for emergency appointments should be recorded as sick.

Appointment cards or letters may be requested by the manager.

##### **4.6.5 Time off for cosmetic surgery**

Time off and the period of recovery for voluntary cosmetic surgery will not be treated as sickness absence and employees should utilise annual leave. Should an employee subsequently become sick as a result of voluntary cosmetic surgery, i.e. complication, this will be recorded as sickness on their absence record.

Where cosmetic surgery is as a result of medical advice or religious belief, it should be recorded as sickness and the level of sickness absence managed appropriately in accordance with the Sickness Management Policy.

##### **4.6.6 Time off for fertility treatment**

Employees requiring time off to undergo fertility treatment may be granted up to 1 week's paid leave (pro-rata for part time employees) in a rolling 12-month period.

If treatment is required in excess of 1 week's full time hours, the employee should use annual leave. Proof of treatment must be provided to the manager at the time of making the request.

Should an employee subsequently become sick as a result of undergoing IVF treatment, then it will be recorded as sickness absence.

The employee must complete the form attached at Appendix 3 and present this to their manager for completion.

Payment will be at the same rate as that for annual leave.

#### **4.7 LEAVE FOR INTERVIEWS**

Reasonable time off with pay will be granted for employees to attend interviews for other positions within the Trust. Time off for interviews with other employers (including other NHS organisations) must be taken as annual leave.

An employee who is under notice of redundancy has a statutory entitlement to a reasonable amount of paid time off to look for another job, to prepare for and attend interviews or to arrange training. A manager may request documentary evidence accordingly.

#### **4.8 LEAVE FOR COURT SERVICE/ ATTENDANCE AS A WITNESS**

Most court service is for jury service, but employees may also be called as witnesses. Managers cannot refuse to release employee for jury service but can request that the employee applies for a postponement in exceptional circumstances where their absence would have a serious detrimental impact on the service. Employees must provide evidence from the courts i.e. a jury or witness summons before leave can be granted.

The employee must complete the form attached at Appendix 3 and present this to their manager for completion.

Payment will be at the same rate as that for annual leave.

##### **4.8.1 Jury Service**

All employees must notify their line manager immediately if they are summoned to attend for jury service. Employees will initially be entitled to up to 2 weeks' paid time off if called upon to attend jury service. Any monies received by the employee undertaking jury service, apart from allowances for travelling and subsistence expenses, must be reimbursed to the Trust.

If an employee is required to undertake Jury Service for longer than 2 weeks, they will be expected to claim for loss of earnings from the courts. In this situation the manager must consult with Human Resources.

As soon as the employee is informed by the court that they are released from jury service they must inform their manager and return to work on the next working day or rostered shift.

#### **4.8.2 Court Appearance as a witness**

All employees must notify their line manager immediately if they are summoned to attend court as a witness. Employees will initially be entitled to up to 2 weeks' paid time off if summoned as a witness. Any monies received by the employee for attendance as a witness, apart from allowances for travelling and subsistence expenses, must be reimbursed to the Trust.

If an employee is required to be available as a witness for longer than 2 weeks they will be expected to claim for loss of earnings from the courts. In this situation the manager must consult with Human Resources.

As soon as the employee is informed by the court that their attendance is no longer required they must inform their manager and return to work on the next working day or rostered shift.

#### **4.9 LEAVE FOR MEMBERS OF THE RESERVE ARMED FORCES**

Employees who are members of the Reserved Armed Forces have a responsibility to inform their line manager of their voluntary role, to ask for leave for training if required and to notify them if they are mobilised.

Employees who are members of the Reserved Armed Forces will be entitled to a maximum of 2 weeks' paid leave in any rolling 12-month period to attend reserve training.

At the earliest opportunity the employee must complete the form attached at Appendix 3 and present this to their manager for completion.

Payment will be at the same rate as that for annual leave.

In the event of an employee being "called-up" to serve with the Reserved Armed Forces they will be entitled to unpaid leave for the duration of their call-up, on submission of proof of their call-up.

#### **4.10 LEAVE FOR PUBLIC DUTIES**

Under Section 50 of the Employment Rights Act, 1996, employees who undertake certain public duties are entitled to a 'reasonable' amount of time off to carry out those duties (see <https://www.gov.uk/time-off-work-public-duties>)

In recognition of its wider social responsibilities and the value such experience can bring to the workplace, the Trust will allow up to 10 days' paid leave in a rolling 12-

month period (pro rata for part time employees) to those employees who have agreed to undertake public duties. Notice of required time off must be provided and authorisation received in line with annual leave arrangements for the team or department.

Paid time off will be granted to employees who act as one of the following:

- a magistrate
- a local councillor
- a school governor
- a member of a local police and crime commission
- a member of any statutory tribunal
- a member of the managing or governing body of an educational establishment
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency
- a member of the prison independent monitoring boards

The employee must complete the form attached at Appendix 3 and present to their manager for completion.

Payment will be at the same rate as that for annual leave.

Where claims can be made against these bodies in respect of loss of earnings, the employee will not be entitled to any paid leave. The employee must inform his/her manager and make this claim which will, if necessary, be made up to normal earnings by the Trust.

#### **4.11 TIME OFF FOR TRADE UNION DUTIES**

An employee who is an official of an independent Trade Union, recognised by the Trust through its Recognition Agreement, is entitled to reasonable paid time off during his/her working hours to carry out Trade Union duties or receive Trade Union training. Full details of entitlements are contained within the Trust's Recognition Agreement. Managers must seek advice from Human Resources in the event of any concerns about granting paid time off to any individual representative

### **5. Role and Responsibilities**

#### **5.1 Chief Executive**

To ensure that the policy is being implemented appropriately within the Trust.

#### **5.2 Directors**

To ensure that managers are aware of and correctly apply the policy.



### 5.3 Local Managers

Managers are required:

- To consider requests for time off work (annual leave, or other paid/unpaid leave) in accordance with the policy and ensure this is applied fairly, consistently and sensitively.
- To respond to requests as soon as possible and within 1 week.
- To maintain a full and up-to-date record of leave taken.
- To arrange for appropriate cover, where necessary.
- To determine local arrangements/procedures for applying for leave.
- To ensure employees are fully aware of the policy and procedure for requesting leave.
- To enter the relevant leave details on the turnaround document/ e-roster.
- To monitor the leave of all employees.
- To seek advice from Human Resources as necessary.

### 5.4 All Employees

Employees are required:

- To ensure that leave is requested following the appropriate procedure.
- To contact their manager or, in their absence the nominated deputy, immediately upon becoming aware of the need for leave at short notice and complete the form attached as Appendix 3.
- To ensure that managers are kept informed as to potential leave requirements.
- To provide the appropriate certificated proof in support of the leave

## 6. Training

Awareness of this policy will be through standard trust communications. No specific training is required.

## 7. Monitoring Matrix

Monitoring of implementation	Monitoring Lead	Reported to	Monitoring process	Frequency
That the policy is being applied appropriately by both managers and staff	HR Manager	Operational Workforce Group	An annual report which looks at grievances raised/complaints received over the use of the Annual and Special Leave policy	Annual

Appendix 1

## ANNUAL LEAVE/PUBLIC HOLIDAY TABLES

To calculate an employee's total leave entitlement inclusive of Public Holidays, Appendices 1&2 should be added together. They are shown separately so that the composition of an employee's full entitlement is clear.

Annual leave and Public Holiday entitlement for part years can be calculated using Appendices 1 and 2, but this must be pro rata to the number of months in the leave year since joining. Annual leave is calculated based on 1/12th for each complete calendar month, subject to the terms of the paragraph above. The Public Holiday hours entitlement will be based on the number of Public Holidays remaining in the current leave year from the date of joining.

On each and every occasion an employee takes paid time off on a Public Holiday as part of their basic week, the appropriate deduction of their normal basic working hours for that day will be made from their overall entitlement (i.e. Appendices 1+2 combined). Where operationally possible and subject to mutual agreement, an employee may change their days of working during a Public Holiday week and therefore retain their leave entitlement in respect of the Public Holiday. This can then be taken as time off at another time.

Example 1. Employee A is not required to work on May Bank Holiday. Their normal contracted hours of work are 18 per week. They would normally work 6 hours on a Monday and they have less than 5 years' service. So, using the above principle:,  
*6 hours will be deducted from their total entitlement of 126 hours (Appendices 1 and 2)*

Example 2 . Employee B works 30 hours per week. They would normally work 7.5 hours on a Monday and have over 10 years' service. They are required to work on May Bank Holiday so their leave entitlement remains intact as this day has not been taken off as leave. They are not required to work on August Bank Holiday so 7.5 hours will be deducted from their total leave entitlement of 246 hours (Appendices 1 and 2).

It is suggested, in the case of employees who are **never** required to work on any Public Holidays that fall on a normal working day that at the beginning of the leave year managers and employees may find it helpful to make the appropriate total Public Holidays deduction so that the balance of leave entitlement is identified and recorded. Clearly, this deduction cannot be made if the employee's working days vary.

There will be some years when fewer or greater than 8 Public Holidays fall within the leave year due to the timing of Easter (which can be in March or April). When this situation arises the appropriate hours adjustment i.e. plus or minus, will need to be made.

**TABLE A AGENDA FOR CHANGE: ANNUAL LEAVE ENTITLEMENT FOR COMPLETE YEARS EXCLUSIVE OF PUBLIC HOLIDAYS**

Weekly Basic Contracted Hours	On Appointment	After 5 Year's Service	After 10 Years' Service
	27 Days	29 Days	33 Days
Hours Equivalent			
37.5	202.5	217.5	247.5
37.0	200.0	214.5	244.0
36.5	197.0	211.5	241.0
36.0	194.4	209.0	237.5
35.5	191.5	206.0	234.5
35.0	189.0	203.0	231.0
34.5	186.5	200.0	227.5
34.0	183.5	197.0	224.5
33.5	181.0	194.5	221.0
33.0	178.0	191.5	218.0
32.5	175.5	188.5	214.5
32.0	173.0	185.5	211.0
31.5	170.0	182.5	208.5
31.0	167.5	180.0	204.5
30.5	164.5	177.0	201.5
30.0	162.0	174.0	198.0
29.5	159.5	171.0	194.5
29.0	156.5	168.0	191.5
28.5	154.0	165.5	188.0
28.0	151.0	162.5	185.0
27.5	148.5	159.5	181.5
27.0	146.0	156.5	178.0
26.5	143.0	153.5	175.0
26.0	140.5	151.0	171.5
25.5	137.5	148.0	168.5
25.0	135.0	145.0	165.0
24.5	132.5	142.0	161.5
24.0	129.5	139.0	158.5
23.5	127.0	136.5	155.0
23.0	124.0	133.5	152.0
22.5	121.5	130.5	148.5
22.0	119.0	127.5	145.0
21.5	116.0	124.5	142.0
21.0	113.5	122.0	138.5
20.5	110.5	119.0	135.5
20.0	108.0	116.0	132.0
19.5	105.5	113.0	128.5
19.0	102.5	110.0	125.5
18.5	100.0	107.5	122.0
18.0	97.0	104.5	119.0
17.5	94.5	101.5	115.5
17.0	92.0	98.5	112.0
16.5	89.0	95.5	109.5
16.0	86.5	93.0	105.5
15.5	83.5	90.0	102.5

15.0	81.0	87.0	99.0
14.5	78.5	84.0	95.5
14.0	75.5	81.0	92.5
13.5	73.0	78.5	89.0
13.0	70.0	75.5	86.0
12.5	67.5	72.5	82.5
12.0	65.0	69.5	79.0
11.5	62.0	66.5	76.0
11.0	59.5	64.0	72.5
10.5	56.5	61.0	69.5
10.0	54.0	58.0	66.0
9.5	51.5	55.0	62.5
9.0	48.5	52.0	59.5
8.5	46.0	49.5	56.0
8.0	43.0	46.5	53.0
7.5	40.5	43.5	49.5
7.0	38.0	40.5	46.0
6.5	35.0	37.5	43.0
6.0	32.5	35.0	39.5
5.5	29.5	32.0	36.5
5.0	27.0	29.0	33.0
4.5	24.5	26.0	29.5
4.0	21.5	23.0	26.5
3.5	19.0	20.5	23.0
3.0	16.0	17.5	20.0
2.5	13.5	14.5	16.5
2.0	11.0	11.5	13.0
1.5	8.0	8.5	10.0
1.0	5.5	6.0	6.5
0.5	2.5	3.0	3.5

Formula is  $\frac{\text{Weekly Contracted Hrs} \times \text{No. of Days Entitlement}}{5}$

**TABLE B AGENDA FOR CHANGE: CALCULATION OF PUBLIC HOLIDAY ENTITLEMENT**

Weekly Basic Contracted Hours	Hourly Entitlement For Full Leave Year( 8 Public Holidays )	Hourly Entitlement On Each Public Holiday As It Occurs
37.5	60.0	7.5
37.0	59.0	7.4
36.5	58.5	7.3
36.0	57.5	7.2
35.5	57.0	7.1
35.0	56.0	7.0
34.5	55.0	6.9
34.0	54.5	6.8
33.5	53.5	6.7
33.0	53.0	6.6
32.5	52.0	6.5

32.0	51.0	6.4
31.5	50.5	6.3
31.0	49.5	6.2
30.5	49.0	6.1
30.0	48.0	6.0
29.5	47.0	5.9
29.0	46.5	5.8
28.5	45.5	5.7
28.0	45.0	5.6
27.5	44.0	5.5
27.0	43.0	5.4
26.5	42.5	5.3
26.0	41.5	5.2
25.5	41.0	5.1
25.0	40.0	5.0
24.5	39.0	4.9
24.0	38.5	4.8
23.5	37.5	4.7
23.0	37.0	4.6
22.5	36.0	4.5
22.0	35.0	4.4
21.5	34.5	4.3
21.0	33.5	4.2
20.5	33.0	4.1
20.0	32.0	4.0
19.5	31.0	3.9
19.0	30.5	3.8
18.5	29.5	3.7
18.0	29.0	3.6
17.5	28.0	3.5
17.0	27.0	3.4
16.5	26.5	3.3
16.0	25.5	3.2
15.5	25.0	3.1
15.0	24.0	3.0
14.5	23.0	2.9
14.0	22.5	2.8
13.5	21.5	2.7
13.0	21.0	2.6
12.5	20.0	2.5
12.0	19.0	2.4
11.5	18.5	2.3
11.0	17.5	2.2
10.5	17.0	2.1
10.0	16.0	2.0
9.5	15.0	1.9
9.0	14.5	1.8
8.5	13.5	1.7
8.0	13.0	1.6
7.5	12.0	1.5
7.0	11.0	1.4
6.5	10.5	1.3

6.0	9.5	1.2
5.5	9.0	1.1
5.0	8.0	1.0
4.5	7.0	0.9
4.0	6.5	0.8
3.5	5.5	0.7
3.0	5.0	0.6
2.5	4.0	0.5
2.0	3.0	0.4
1.5	2.5	0.3
1.0	1.5	0.2
0.5	1.0	0.1

Formula is  $\frac{\text{Weekly Contracted Hrs} \times \text{No. of Days Entitlement}}{5}$

**TABLE C: MEDICAL AND DENTAL STAFF: ANNUAL LEAVE ENTITLEMENT IN PROGRAMMED ACTIVITIES (PAs) FOR COMPLETE YEARS (INCLUSIVE OF PUBLIC HOLIDAYS)**

Weekly Contracted PAs	28 Days Leave + 8 Public Holidays (PA Equivalent)	32 Days Leave + 8 Public Holidays (PA Equivalent)	33 Days Leave + 8 Public Holidays (PA Equivalent)	34 Days Leave + 8 Public Holidays (PA Equivalent)
1	7.2	8	8.2	8.4
2.0	14.4	16	16.4	16.8
3.0	21.6	24	24.6	25.2
4.0	28.8	32	32.8	33.6
5.0	36	40	41	42
6.0	43.2	48	49.2	50.4
7.0	50.4	56	57.4	58.8
8.0	57.6	64	65.6	67.2
9.0	64.8	72	73.8	75.6
10.0+	72	80	82	84

Formula is 1 day = 2 PAs.

## **CALCULATION OF ANNUAL LEAVE: EXAMPLE**

An employee works 25 hours per week over 5 days; their joining date is 25 November 2007 and they are new to the NHS:

Their annual leave and Public Holiday entitlement for a full leave year would be 175 hours (i.e. 135+40 hours as per Tables 1&2 below).

They are entitled to 4/12 of 135 hours for full months worked, which equates to 45 hours.

In addition, for the month of November they accrue annual leave for 6/30 days (i.e. 25 to 30 November inclusive), which equates to 0.2 of a monthly allowance

Their total leave entitlement is therefore 4.2/12 of 135 hours, which equates to 47 hours. Public Holiday hours must be added to this.

This total will vary depending upon where the Public Holidays fall during the calendar year but for the purposes of this example, assume that there are 3 Public Holidays remaining in the leave year.

Therefore, using Appendix 2, 3 Public Holidays x 5 hours per Public Holiday = 15 hours. So the total leave entitlement for the part leave year will be 47hrs +15hrs = 62 hours to be taken by 31 March in the following year.

Appendix 2

Heart of England   
NHS Foundation Trust

**REQUEST FOR ANNUAL LEAVE**

**1<sup>ST</sup> APRIL 20XX TO 31<sup>ST</sup> MARCH 20YY**

<b>Name:</b>						
<b>Post Title:</b>						
<b>Hours worked per week:</b>						
<b>Entitlement:</b>			<b>Annual Leave</b>			
			<b>Public Holidays</b>			
			<b>Total Hours (if booking in hours)</b>			
DATE OF REQUEST	DATES		NUMBER OF DAYS/HOURS REQUESTED	REMAINING ENTITLEMENT	APPROVED BY	DATE APPROVED
	From	To				



Appendix 3

**REQUEST FOR TIME OFF WORK (OTHER THAN ANNUAL LEAVE)**

<b><u>Section 1: to be completed by the employee</u></b>	
<b>Name:</b>	<b>Job Title:</b>
<b>Personal No:</b>	<b>Department/Ward:</b>
<b>Period of leave requested from .....(date) to .....(date):</b>  <b>Number of paid days/shifts/ hours requested:.....</b>	
<b>Reason for request:</b>	
<b>Signature:</b>	<b>Date:</b>
<b><u>Section 2: to be completed by the manager</u></b>	
<b>Name:</b>	<b>Job Title:</b>
<b>Period of leave approved from .....(date) to .....(date):</b>  <b>Number of paid days/shifts/ hours approved:.....</b>	
<b>Signature:</b>	<b>Date:</b>
<b>Reason for refusal, if appropriate:</b>	