

# SPENNYMOOR TOWN COUNCIL



## ANNUAL LEAVE AND BANK HOLIDAYS POLICY

<b>Author of Policy:</b>	Town Clerk
<b>Date Effective From:</b>	24 <sup>th</sup> May 2022
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In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website [www.spennymoor-tc.gov.uk](http://www.spennymoor-tc.gov.uk) and copies of this document will be available for inspection on deposit in the Council Offices, Town Hall, Spennymoor. Costs are as per the publication scheme.

# 1. Statement

The councils' annual leave entitlement is above the statutory minimum. How much annual leave you receive will vary according to how many hours you work and your length of service. Employees are encouraged to take their leave during the current leave year, to help ensure an effective work-life balance. However, annual leave arrangements are subject to prior approval by Managers, who must take into account the operational needs of the Council.

# 2. Purpose

The purpose of the Procedure is to ensure annual leave is managed fairly and consistently across the Council, in relation to the operational needs of each service area, and to inform employees of the procedure for applying for and approving annual leave.

# 3. Annual Leave Guidelines

- The Council's leave year runs from 1st April to 31st March.
- The following notice would normally be required for annual leave:
  - 1 – 3 days 5 days' notice
  - 3 – 10 days 3 weeks' notice} But left at Managers' discretion
- Requests for annual leave should generally not be made more than 12 months in advance of the planned leave.
- The maximum single period of leave, under normal circumstances, will be two weeks. Requests for longer periods of leave will require the approval of the Town Clerk.
- All leave should be taken within the current leave year. In **exceptional circumstances**, employees may be allowed to carry over a maximum of 3 days untaken leave into the following year. Prior approval of the Manager and Town Clerk must be obtained. The carried over days must be taken before the end of May of that financial year.
- Subject to the above, and the provisions of the Council's Sick Pay and Maternity/Paternity/Shared Parental and Adoption Leave Policies, any **untaken leave will be carried over into the next financial year**. Employees **will not be entitled to pay in lieu of untaken holidays**, except where protected employed rights apply.

- Annual leave should be planned over the year and not 'saved' until the end of the financial year.
- In some years, employees will be required to retain annual leave for use during any period of Council close down e.g. Christmas and New Year period. Employees will be notified at the start of the leave year in question of any close down periods.
- Every effort will be made to accommodate requests for annual leave. However, during peak operating periods or when planned major events are taking place, approval of leave requests will be at the Manager's discretion.
- Where multiple requests are received in the same operational area for leave during the same peak period - e.g. school summer break - it may not be possible to approve all requests. In such circumstances, approval will be granted on the basis of the date the request is received. In subsequent years where the same employees request the same period, a rota arrangement will be applied.
- The operational needs of the service must be given priority over any annual leave requests.
- Any leave taken without the prior approval of the Manager will be classified as unauthorised absence and may result in disciplinary action being considered and pay being withheld depending on the outcome of any disciplinary action.
- Employees must advise their Manager of any changes to their holiday plans in advance of such changes. This includes changes to dates of holidays which will require further management approval and cancellation of a planned holiday which may require consequent changes to holiday relief cover arrangements.
- If you are a part time employee your annual leave will be pro rata (the same way that your salary is pro rata), and expressed in hours. This is because we can more accurately pro rata annual leave into hours, and because your days may vary in length and you may not have a standard working day as with full time employees.
- If your employment terminates part of the way through the holiday year, your annual entitlement to holidays during that year will be assessed on a pro rata basis. Deductions from final salary due to you on termination of employment will be made in respect of any holidays taken in excess of entitlement.

## 4. Procedure for Obtaining Approval For Annual Leave

The employee's manager must approve all annual leave in advance. Members of staff wishing to take annual leave should follow the procedure set out below in order to accommodate cover:

- All requests for annual leave should be made in writing on the Annual Leave Request form, at the earliest reasonable opportunity.
- The Manager will consider the application, having regard to the needs of the service and leave already in place before a final decision is made.
- Only on receipt of a signed leave form authorised by the Manager, should the member of staff commit him or herself to any leave plans, particularly where a deposit has to be paid.
- If leave is refused, the Manager will notify the member of staff within 7 days. Failure to do this will result in acceptance of the holiday request.
- For the purposes of this policy, in all matters relating to the leave of the Town Clerk, the Chair of Policy And Resources of the Council will perform the functions of the 'Manager'.

## 5. Bank holidays

There are usually eight bank holidays in England. These are:

- New Year's day
- Good Friday
- Easter Monday
- May Day (early May)
- Spring Bank Holiday (usually late May)
- Summer Bank Holiday (late August)
- Christmas Day
- Boxing Day

If you are a full time employee you will receive all bank holidays in addition to your annual leave. If you are required to work on a bank holiday you will receive overtime pay and a day off in lieu of this.

If you are a part time employee and work the same hours each day across five days, you will receive all bank holidays in addition to your annual leave. If you are required

to work on a bank holiday you will receive overtime pay and another day off in lieu of this.

If you work part time and/or have any other working pattern you will receive all your bank holidays pro rata. As with annual leave, your bank holiday is given to you in hours, it is added to your annual leave entitlement. Any bank holidays that fall on the days you normally work (or would have been due to work if you are on a variable roster) are then deducted from your total bank holiday and annual leave entitlement. The specific hours you were due to work that day are deducted. Your bank holiday entitlement will be based on the actual period you work part time.

If your entitlement to Bank Holidays exceeds the number of days that fall on your normal working days (typically because you don't work on Mondays) you will be able to take the excess as leave. If your entitlement to Bank Holidays is less than the number of Bank Holidays that fall on your normal working days, (typically because your normal working days include Mondays) then you can make up the difference by using your leave entitlement. With agreement from the Clerk (or the Council in the case of the Clerk), you may be able to work additional hours to make up the deficit or take unpaid leave.

If an employee wishes to make a complaint regarding the application of the procedure, they should do so within the provisions of the Council's Grievance Procedure.