



# **Coxhoe Parish Council**

## **Annual Leave Policy**

**Approved: May 2023**

**Review Date: May 2024**

## 1 Annual Leave

The Council takes a positive view on work life balance issues and believes that employees should take responsibility for regularly taking annual leave to ensure their own health, safety, and wellbeing in accordance with the Working Time Directive.

Annual leave entitlement should be agreed when an employee starts work. Once an employee starts work details of holidays and holiday pay entitlement should be found in either the employee's written contract, where there is one or a written statement of employment particulars given to employees by their employer.

Annual leave must only be taken with Line Manager approval. Employees must give as much notice as possible when requesting annual leave. A Holiday Card will be issued to each employee and must be kept up to date and authorised by the Parish Clerk (or the Chair of the Human Resources Committee, Chair or Vice Chair of the Council, for the Clerk). Central records will also be kept and must correspond with the Holiday Card.

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

The Parish Council's basic holiday entitlement is 21 working days per annum plus bank holidays. There are 8 bank holidays in most normal years (Good Friday, Easter Monday, May Day, Whitsun, August, Christmas Day, Boxing Day and New Year's Day). Parish Council employees also benefit from 4 additional statutory days. This gives  $21 + 8 + 4 = 33$  days in total. Those employed part-time will be entitled to leave on a pro-rata basis – ***for calculations refer to addendum below - Annual Leave Policy and Procedure for Casual and Part Time staff***

After completing 5 years of service holiday entitlement increases. For the purposes of calculating complete years of service employment started before July will count as a full year for calculating additional holiday entitlement. The additional days' holiday entitlement will start in the April of the sixth year of service (i.e. after 5 complete years of service).

Employees who join and or leave the Council during the annual leave year will receive a holiday entitlement proportionate to their completed service during the leave year.

Any employee leaving the Council, unless dismissed for gross or serious misconduct, will receive any outstanding holiday pay in their last salary payment; conversely, payment for any leave which has been taken in excess of their accrued part year entitlement will be deducted from the final wage payment.

## 2 Bank or Public Holidays

All employees are entitled to paid bank or public holiday leave. The Council recognises the number of bank holidays during the year, although the dates of these may vary from year to year.

Part-time employees have a pro rata entitlement to bank or public holiday leave. This is calculated with reference to the annual entitlement of a fulltime employee – ***for calculations refer to the Addendum below - Annual Leave Policy and Procedure for Casual and Part Time staff***.

### 3 Booking Holidays

As a general rule of thumb, employees with the same job function and or in the same team will not be granted leave at the same time. Holidays will be granted on a 'first-come, first-served' basis and will be granted at the discretion of the Parish Clerk.

Holidays cannot be taken in blocks of more than 3 weeks unless by express prior (four weeks in advance) approval of the Council. To allow time for Council to consider, such requests should be made at least three months in advance.

### 4 Carry Over of Annual Leave

All annual leave should be taken in the leave year during which it is accrued. In exceptional circumstances, a maximum of five days' leave can be carried over into the next leave year with the written permission of the Parish Clerk (or the Chair of the Human Resources Committee, and Chair or Vice Chair of the Council, for the Clerk).

### 5 Jury Service

Paid leave of absence will be granted for employees undertaking jury service. Where an allowance is claimable for loss of earnings, the employee should claim this and pay the allowance to the Council.

### 6 Additional Leave

Additional leave without pay may be granted in special circumstances at the discretion of the Parish Clerk (or the Chair of the Human Resources Committee, and Chair or Vice Chair of the Council, for the Clerk).

### 7 Unpaid Leave

Unpaid leave of up to a maximum of 5 days a year may be granted for exceptional purposes at the discretion of the Parish Clerk (or the Chair of the Human Resources Committee, and Chair or Vice Chair of the Council, for the Clerk).

### 8 Parental Leave

This will be offered as appropriate using the Green Book for guidance.

### 9 Time Off for Dependants

Under the Employment Rights Act 1996, all employees (regardless of their length of service) have the right to take a reasonable amount of unpaid time off work in order to deal with particular unexpected emergencies affecting their dependants.

A dependant is:

- A spouse;
- A civil partner;
- A child;
- A parent;
- A person who lives with the employee other than as his or her employee, tenant, lodger, or boarder;
- Any other person who would reasonably rely on the employee for assistance if he or she fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- In relation to the disruption or termination of care for a dependant or any other person who reasonably relies on the employee to make arrangements for the provision of care.

Under this provision, an employee is entitled to take time off work:

- Where a dependant falls ill, gives birth, or is injured or assaulted;
- To provide assistance following the death of a dependant;
- Where there has been an unexpected disruption to, or termination of, the arrangements for the care of a dependant; and
- To deal with an emergency relating to a child of the employee that occurs unexpectedly at the child's school.

Although there is no requirement to give notice the employee must, as soon as possible, tell their line manager the reason for their absence and how long they expect to be away from work.

A reference in this section to illness or injury includes a reference to mental illness or injury.

**10 Planned Closure of facilities (i.e. 24 hours' notice as a minimum has been given):**

**Casual staff with no contracted hours or days of work** will have no entitlement to pay in respect of any planned closure of Parish Council facilities, howsoever caused.

**Staff with annualised contracts** will be expected to take holiday to cover planned closures; if insufficient holiday entitlement remains these hours will be unpaid. This particularly applies to the closure of the Parish Council's operations over the Christmas and New Year period.

**11 Unplanned Closure of facilities (i.e. with less than 24 hours' notice given):**

**Staff with casual and annualised hours contracts** will be paid for the hours booked to work if the facility is closed by the Parish Council unexpectedly and at short notice (less than 24 hours' notice). This payment is paid on a good will basis at the discretion of the Parish Clerk subject to affordability and business needs. Staff may be reasonably asked by their line manager to use the time for administration tasks or for example training or understanding policies and procedures.

## ADDENDUM: Annual Leave Policy and Procedure for Casual and Part Time staff

### Purpose and Scope:

In addition to the above, this policy and procedure is for staff on the following contracts:

- casual (i.e. no guaranteed hours)
- annualised (i.e. part-time with some contractually guaranteed hours but with the flexibility to work additional casual hours)

This policy is in line with advice given on the Government website <https://www.gov.uk/holiday-entitlement-rights>.

### Policy and Procedure

#### *Leave entitlement:*

In order to ensure that staff on casual and annualised contracts are not disadvantaged it is the Council's policy to give them pro-rata entitlements to time off in lieu of bank holidays and statutory days, according to the number of hours they work. This is achieved by factoring bank holidays and statutory holidays into their holiday entitlement as explained earlier.

Holiday entitlement for staff on casual and annualised contracts is expressed in hours. Holidays for staff on casual and annualised contracts are pro-rata to the hours worked based on a 37 hour week. In a 37 hour week, one day is 7.4 hours (37/5). There are 52.142 weeks in a year (365/7).

#### *Taking Holiday:*

Casual staff will be paid any remaining holiday entitlement at the end of each year i.e. on 31 March, pro rata to the hours worked that year. Staff on annualised contracts will receive an annual holiday entitlement (in hours) based on their contracted hours. Staff will be paid any entitlement due as the result of working additional hours. This will be paid at the end of each financial year.

#### *Booking Holidays:*

Agreed holiday must be recorded on the member of staff's time-sheet and will be covered by paid hours subject to there being sufficient holiday entitlement available within the individual's annual holiday entitlement.

Staff on annualised contracts are expected to manage their holiday in order to have holidays available to cover for planned closures. In particular staff should plan to cover a maximum of one week during the Christmas and New Year period. Staff will be given notice of the planned Christmas and New Year closure three months in advance. If annual holiday entitlement hours are not available to be used to cover planned closures staff will not be paid for those hours.

**Casual staff** are requested to let their line manager know well in advance when they will be able and unable to work.

#### *Completion of timesheets:*

All staff are required to complete monthly time-sheets.

If work is undertaken on a bank holiday it should be recorded and will be paid at the contractual rate. All bank holiday time off in lieu entitlement is covered in the calculation of holiday entitlement.