Annual Leave Guidance

Approved by	Full Council
Date approved	**19/05/14**
Date implemented	**19/05/14**
Owner	DK
Review date	21/03/29

Mae'r ddogfen hon ar gael yn Gymraeg. This document is available in Welsh.

Annual Leave Guide

Version control

This document is subject to regular review due to legislative and policy changes. The latest versions of all our publications can be found on our website. Before contacting us about the content of this document, we recommend that you refer to the most recent version on the website and any relevant guidance.

Version	Date approved	Approved by	Notes/changes
5.11	24.10.19	DK	New annual leave procedure New leave card and holiday planner
5.2	17.02.20	DK	Non guaranteed over time
5.3	01.10.20	DK	Pay award
5.4	22.02.21	DK	Attachment deleted
5.5	24.03.21	DK	Reformatting
5.6	18.02.22	DK	Reformatting and leave card
5.7	18.03.22	DK	Update leave calculations
5.8	22.06.22	DK	Update leave calculations
5.81	21.07.22	DK	Minor amendments
5.82	08.08.22	DK	Minor amendments
5.9	21.03.23	DK	Pay award and review
5.91	08.10.24	DK	PAL form amended
5.92	01.06.26	Catrin Roberts	Clarification. Annual leave balance on leaving employment

Annual Leave Guide

Contents

Version control 2
Contents 3
ROLES AND RESPONSIBILITIES 4
- Employee 4
- Manager 4
- Human Resources 4

Scope 4
Entitlement and calculation 5
Annual leave schemes 6
- NJC and Soulbury schemes 6
- JNC (Youth Worker) scheme 6
- Head of Service (and above) scheme 7

Statutory leave 7
Calculating leave 7
Long service increments in annual leave entitlement 8
Teachers 9
Term time only 9
Changes in contractual hours 10
Annual leave and sleep ins 10
Over time 11
Non-guaranteed over time 11
Relief and supply workers 12
Leaving the council 13
Employees who are suspended from work 13
Bank holidays 14
Bank holidays and sickness absence 14
Managing annual leave and bank holidays 15
- Requesting annual leave 15
- Vision Time clocking system - Annual leave 15
- Vision Time clocking system - Bank holidays 16
- Annual leave cards 16

Purchasing additional leave 17
Carrying over leave 18
Carrying over leave after long term sickness absence 18
Returning after Maternity / Adoption / Shared Parental Leave 21
Annual leave and short term sickness 22
Raising a concern or query 23
- What to do if you think your annual leave or bank holiday entitlement is wrong. 23

Annual Leave Guide

ROLES AND RESPONSIBILITIES

Employee

It is the employee's responsibility to ensure that their leave calculation is correct and to act in accordance with this guidance and the Time Off Work Policy. Employees who are concerned about their leave should raise their issues with their manager as soon as possible (See section Raising a concern or query). Employees should request to take leave in accordance with the timescales set out in the section Requesting annual leave.

Deliberate misuse of the annual leave provision may result in disciplinary action.

Manager

The calculation of annual leave is dependent on the accuracy of information held in iTrent. It is the manager's responsibility to check that the employee's contractual hours, work pattern, reckonable service date and annual leave scheme are correct. New information relating to appointment, changes in work pattern and leaving a position should be supplied to Human Resources without delay.

All managers should approve requests for leave wherever possible and should respond to requests in a timely fashion. Any requests for leave that are declined should be explained by the manager in writing to the employee.

Human Resources

It is Human Resource's responsibility to update iTrent in accordance with instructions from the manager. Human Resources will update the Vision Time system to reflect the entitlements in iTrent and any additional valid requests from the manager. Human Resources will ensure that this guidance is up-dated in line with legislation and case law and will also assist with any queries that employees or managers may have.

Scope

The key pieces of legislation identified as impacting on this guidance are:

Annual Leave Guide

- Equality Act 2010
- Working Time Directive 1993
- Working Time Regulations 1998 (and Amendment 2007)
- Limitations Act 1980
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Employment Rights Act 1996

Unless otherwise stated, this information is applicable to NJC staff, Soulbury staff and JNC Youth Workers. This guidance is compliant with all relevant agreements and terms and conditions within Denbighshire County Council at the time of publishing:

- Green Book (NJC staff)
- Blue Book (Soulbury staff)
- Pink Book (JNC Youth Workers)
- Burgundy Book (Teaching staff)
- Single Status Agreement
- Modification Order

Entitlement and calculation

This is a summary of some of the benefits and rules to be aware of in regard to annual leave at Denbighshire County Council.

- The leave year begins on the first day of the employee's birth month. Entitlement is awarded for the full leave period in hours and minutes.
- At the beginning of each leave year, iTrent will calculate annual leave and bank holiday entitlements for each position. Vision Time will be updated by HR at the same time.
- Once a month, managers will receive a report of their team's annual leave entitlement via email. This will include recent changes.
- If a change in contract hours occurs, entitlement will be recalculated for the entire leave year and line managers will be informed accordingly.
- Employees may request leave for whole or part days, subject to service requirements and line manager's approval

Annual Leave Guide

- Bank holidays must be booked in advance using bank holiday and/or annual leave (with the exception of term time only employees and employees on a standard work pattern using Vision Time see Vision Time clocking system - Bank holidays)
- Leave cannot be borrowed from one leave period to another. Employees must end the leave year with a positive balance.
- Additional leave can be purchased if required (see section Purchasing additional leave)
- Employees may be entitled to extra leave if they work over their average contract hours (not including flexi). (see section Over time)

Annual leave schemes

NJC and Soulbury schemes

Full time equivalent entitlement (inc. statutory leave)

Reckonable service at the start of the leave year	Hours and minutes (HH:MM)	Full time equivalent days
Up to 4 years 4 months	192:24	26
Up to 4 years 8 months	199:48	27
Up to 5 years	207:12	28
5 - 10 years	214:36	29
10 - 15 years	222:00	30
15 - 20 years	229:24	31
20+ years	236:48	32

JNC (Youth Worker) scheme

Full time equivalent entitlement (inc. statutory leave)

Annual Leave Guide

Reckonable service at the start of the leave year	Hours and minutes (HH:MM)	Full time equivalent days
Up to 4 years 2 months	244:12	33
Up to 4 years 5 months	251:36	34
Up to 4 years 7 months	259:00	35
Up to 4 years 10 months	266:24	36
Up to 5 years	273:48	37
Over 5 years	281:12	38

Head of Service (and above) scheme

Full time equivalent entitlement (inc. statutory leave)

Reckonable service at the start of the leave year	Hours and minutes (HH:MM)	Full time equivalent days
Flat rate	236:48	32

Statutory leave

Statutory days are calculated pro rata for part time staff and included within annual leave entitlement. The above tables include 3 statutory days (22 hours 12 minutes) for NJC, Soulbury and JNC schemes and 2 statutory days (14 hours 48 minutes) for the Head of Service scheme. The employer has the right to determine when the extra statutory leave is to be taken.

Calculating leave

In most cases, iTrent will calculate an employee's annual leave and bank holiday entitlement. The following information is used to establish entitlement for a full 12 month period (beginning on the first day of birth month) -

- Birth month
- DCC Start date (if occurring within the leave year)

- DCC leaving date (if occurring within the leave year)
- Local Government reckonable service date
- Contractual hours
- Changes to contractual hours within the leave year
- Bank holidays occurring within the leave year
- Annual leave scheme

Human Resources will amend iTrent in accordance with the information received via authorised appointment and contract change forms.

iTrent is unable to calculate annual leave where information is not routinely held in the system. For example -

- Over time (see section Over time)
- Sleep-ins (see section Annual leave and sleep-ins)
- Relief/supply contracts (see section Relief and supply workers)
- Purchased annual leave (see section Purchasing additional leave)

In such cases, the additional accrued leave will be recorded on a leave card or on an employee's Vision Time account if requested in writing to Human Resources by the manager.

Long service increments in annual leave entitlement

Employees on NJC or Soulbury terms and conditions who have reached their fifth anniversary are entitled to 22 hours 12 minutes additional leave pro rata (3 days pro rata).

They should receive this during the leave year in which they have completed 5 years of service. The leave is calculated pro rata to the number of complete months remaining in that leave year.

The additional leave will be rounded down to the nearest full time equivalent day and then converted to hours and minutes.

E.g. an employee completes 5 years of service on the 13 May. The employee is entitled to 3 days pro rata to the complete months remaining. This equates to June to March which is

Annual Leave Guide

10 months. 3 days divided by 12 months = 0.25 days x 10 months remaining = 2.5 days rounded down to whole days = 2 days additional leave. Converted to 14 hours 48 minutes and then pro rata to contract hours.

All other increases in entitlement will be effective from the start of the following leave year. In the above example this will be the following April.

Youth Workers who have reached their fifth anniversary are entitled to 37 hours additional leave pro rata (5 days pro rata). The calculation method is the same as NJC above.

Teachers

Teachers' (and those on Burgundy Book terms and conditions) pay and working hours are inclusive of annual leave and increments are paid accordingly (see Term time only).

Term time only

Employees who are not required to work during the school closure periods and instead must work during school term time only will receive their annual leave allowance in their annual salary. These employees are not able to take annual leave during the school term. Upon reaching the required length of service, an employee's salary will increase to reflect the additional annual leave entitlement as detailed below.

Working standard term time only (190 days)

Under 5 years service	After 5 years service	After 10 years service	After 15 years service	After 20+ years service
85.92%	87.07%	87.45%	87.84%	88.22%

Working term time only & all training days (195)

Under 5 years service	After 5 years service	After 10 years service	After 15 years service	After 20+ years service
87.84%	88.99%	89.37%	89.75%	90.14%

For those who are required to work additional days during school closure periods (for example some School Technicians), please see the below manual calculation to work out

the correct percentage. The items in underlined italic may be adjusted according to the employee's contract.

190 days + *5* additional training days

+*8* Bank Holidays*

+*21* days annual leave*

+3 statutory days

+*10* any additional working days during school closure

- *0* any days off during school term time

= *232* ÷ 260.71%

= 90.91%

*The total number of bank holidays may vary each year due to when Easter falls and at what point the employee's leave year begins. The basic annual leave entitlement (21 days in the above example) will be dependent on service.

Changes in contractual hours

Increases or decreases in contractual hours will affect annual leave and bank holiday entitlement for the leave year.

iTrent is updated on receipt of an authorised change in contractual hours and the line manager is informed each month of all changes. Vision Time annual leave entitlement is updated weekly.

Annual leave and sleep ins

Employees may be required to 'sleep in' at clients or work establishments in order to be immediately on hand should a situation arise that requires their attention. Some employees have a number of contracted sleep-ins per week, which is recognised as

working time. As such any hours spent ‘sleeping in’ should be included in their annual leave entitlement.

For example if an employee has a 20 hour contract per week, and a 1 x 8 hour sleep in per week, they should have two annual leave calculations, one for their contracted day hours and one for their contracted sleep ins.

Over time

Employees may be entitled to extra leave if they work over their average contract hours (not including flexi). Additional hours above contracted hours are not recorded on iTrent and it is therefore line manager’s responsibility to calculate any accrued entitlement.

Non-guaranteed over time

In addition to the above, those staff who work guaranteed and non-guaranteed overtime must have their average salary recalculated to ensure their payment for the annual leave taken is reflective of their average earnings, not just their basic salary.

Guaranteed overtime is when an employee’s contract of employment states that the council will provide a certain number of hours as overtime, and that they must work these additional hours.

Non-guaranteed overtime is when the employer does not set out any hours of overtime, but should the need for overtime arise, the employee has a contractual obligation to work them. Examples of this are staff on Stand By who are called out.

This is not applicable to voluntary overtime, i.e. those staff who are not obliged to undertake overtime if it is offered. Please see the ‘Guidance on Overtime Definitions’ on the intranet under Human Resources (Employee Handbook).

Payroll and Managers will calculate this on a 3-monthly basis for those applicable staff and pay accordingly. In order for this to happen, Managers must submit overtime hours on the relevant timesheet, i.e. either the voluntary or the non-guaranteed overtime timesheet.

Annual Leave Guide

Managers will use the information sent to them by Payroll to complete the attached 'Non-Guaranteed Overtime Calculator' and return to Payroll.

Relief and supply workers

For all relief workers (NJC, Soulbury and Youth) Payroll will automatically pay accrued annual leave each month and it will appear as Holiday Pay on payslips. **Therefore, managers do not need to submit additional hours on timesheets as it is automatically calculated and paid.**

NJC and Soulbury Staff - As per the single status agreement and the green book, relief workers cannot build up continuous service due to the ad hoc work they do and therefore cannot build up entitlement to more than the basic minimum of annual leave – 25 days. Relief workers must not be treated less favourably than full time workers, who currently receive an average of 9 days bank holidays in addition to the 25 days annual leave. Therefore, relief workers must receive a pro rata amount of 34 days leave.

The calculation used by Payroll for working out a relief workers monthly leave entitlement is as follows:

260.71 days each year - 34 days leave = 226.71

34days leave / 226.71 working days = 0.15

0.15 x 100 = 15.00%

For every hour worked, they accrue annual leave at 15.00%. So if a person works 100 hours in a month, they have accrued an additional 15 hours of annual leave **(hours worked x percentage).**

Youth Workers - The above is also true for Youth workers but they have a different leave amount and percentage. Relief Youth workers must receive a pro rata amount of 42 days leave – 33 days annual leave and 9 days bank holiday.

Annual Leave Guide

The calculation used by Payroll for working out a relief Youth workers monthly leave entitlement is as follows:

260.71 days each year - 42 days leave = 218.71

42 days leave / 218.71 working days = 0.1920

0.1920 x 100 = 19.2%

For every hour worked, they accrue annual leave at 19.2%. So if a person works 100 hours in a month, they have accrued an additional 19 hours 12 minutes hours of annual leave **(hours worked x percentage).**

Leaving the council

The line manager will notify HR of the employee's end date (via the Leaver's Form) at the earliest opportunity. iTrent will then recalculate leave entitlement for the year and the manager will be informed. Closer to the leaving date, the manager will inform HR/Payroll of the remaining leave/leave to be recovered. If there is a balance of annual leave to be paid this must be on the basis of justified operational reasons and authorised by the line manager prior to the leave date.

Any outstanding annual leave will be paid if authorised by the line manager upon termination and will not be carried over into the any organisation covered by the Modification Order, regardless of whether they are moving in or out of Denbighshire County Council. Employees carry over continuous service but not annual leave and they have 3 months from the date of termination in which to claim payment for outstanding annual leave. Requests for payment will need to be in writing to HR and the Head of Service and must be made within 3 months after the date of termination. Requests made after 3 months will not be actioned.

Employees who are suspended from work

In the cases where an employee is suspended from work for a period of time, the employee will continue to accrue annual leave at their normal rate. This is inclusive of

bank holidays. Employees who are suspended from work can book annual leave during their suspension and this should be done in the usual manner as per Section 5. Employees returning from suspension will need to update their Vision Time account or leave card retrospectively.

Bank holidays

Each bank holiday must be booked as a day off in the same way as annual leave (with the exception of some employees using the Vision Time system. See Vision Time clocking system - Bank holidays).

Employees should ensure that they save enough leave to book all the bank holidays off within their leave year. There will no further time off for bank holidays above the pro rata entitlement already awarded.

All bank holiday entitlement must be used by the end of the leave year.

Bank holidays and sickness absence

Employees can only claim sickness absence on working days. Bank holidays are not considered working time (unless the employee is scheduled to work on that day).

Therefore, if an absence spans a bank holiday, the employee cannot claim sickness on that day and the day must be booked out of leave entitlement.

Example 1

Joanne Bloggs is off sick between December 22nd and January 5th 2019. Only the working days can be claimed as sickness absence. The 3 Christmas bank holidays must be booked out of leave entitlement.

Example 2

Joseph Bloggs is off sick between December 22nd and January 5th 2019. He was scheduled to work on Boxing Day and New Year's Eve. These two days are therefore working days and can be claimed as sickness absence.

Annual Leave Guide

Managing annual leave and bank holidays

Requesting annual leave

Annual leave can be taken in whole days or a portion of the day, subject to manager's approval. Employees can take leave in small amounts with the prior approval of the manager.

Annual leave must not be used to supplement an employee's contractual hours.

All staff should aim to give as much notice as possible when requesting annual leave. Annual leave must be requested in advance, providing the amount of time off as notice (i.e. a worker requests 15 hours off as leave, they must give a minimum of 15 hours of notice). However, as much notice as possible should be given and where employees wish to take a longer period of annual leave then the notice period required is twice as long as the leave to be taken i.e. 4 weeks leave would require 8 weeks' notice.

Managers will aim to accommodate all requests for annual leave but may refuse a request if there are sound business reasons for doing so. For example, the requirement to consider operational requirements and fairness in application at peak times. These reasons should be explained to the employee in writing within 5 working days of the request. This can be in the form of an email.

We will endeavour to accommodate staff where possible in line with the needs of the service. This is particularly pertinent to bank holiday periods where there will be a need to share requests on a fair and consistent basis and review requests at the same time.

Employees who are required to work bank holidays as part of their contract will be required to request time off for them in advance.

Vision Time clocking system - Annual leave

Staff who use Vision Time must pre-book all annual leave through the system, prior to actually taking the leave. Managers will then use the system to accept or refuse leave. All requests should be in accordance with timescales set out in Requesting annual leave.

Annual Leave Guide

Vision Time clocking system - Bank holidays

Standard working pattern - full time employees who also work Monday to Friday at 7 hours 24 minutes per day. The system will automatically enter bank holidays as they occur and no action is needed. Your bank holiday entitlement will not appear in your total holiday entitlement.

Non – standard working pattern – any employee not working a standard pattern. This includes all part time and some full time employees (e.g. condensed hours, rota or shift work, 9 day fortnight, etc.)

Bank holidays must be booked manually and in advance by the employee. Bank holiday adjustments can be booked/deleted on the system without approval. Care must be taken not to over book bank holidays as this will reduce the overall holiday entitlement

Bank holiday entitlement will automatically be entered into Vision Time as additional entitlement.

It is the employee's responsibility to ensure that they have enough leave remaining to cover all bank holidays within their leave year.

Sickness corrections should not be entered on a bank holiday (see Bank holidays and sickness absence).

Annual leave cards

This method can be used for employees on any work pattern whether full time, part time or on shift/rota.

iTrent will calculate the year's annual leave and bank holiday entitlements at the beginning of each leave year and the figures forwarded to the manager. The DCC Annual Leave Card (attached to this guidance) can then be used to manage leave going forward.

All time off for holiday and also bank holidays is recorded on the card and the running total adjusted.

Annual Leave Guide

- Printed on the card are upcoming bank holidays.
- Cross out or delete the bank holidays that do not fall within the employee's current leave year.
- Cross out or delete bank holidays that do not fall within the employee's work pattern or they are not scheduled to work on. (This can be done as and when the rota is created.)
- All the remaining bank holidays that fall within the leave year must be booked as if they were a holiday.
- If the work pattern or contractual hours are changed, the bank holidays must be checked and rebooked where necessary.

Purchasing additional leave

Employees wishing to purchase additional annual leave should complete the 'Request for Purchasing Additional Leave form' attached to this guidance. This form will need to be fully completed and passed to the Line Manager for their signature. Once the form is complete, please send directly to Payroll.

The maximum amount of additional annual leave that an employee may purchase is 296 hours (pro rata to average contracted hours). This is equivalent to a maximum of 8 weeks of average contracted hours. This should be requested in advance and the line manager must approve the request. The cost of purchasing additional annual leave will be based on the employee's contractual salary, pro rata where necessary and will be deducted monthly. If the leave is purchased for the current leave year, payment will be deducted over the remainder of the current leave year. If the additional annual leave has been purchased for the next leave year, then payment will be taken from that leave year instead. In both instances, the employee can opt to pay for it all from one month's salary.

The council reserves the right to refuse an employee's application to purchase additional annual leave based on operational or technical reasons relating to the post. Untaken purchased annual leave at the end of the leave year can be carried forward to the following year but will be lost if not taken within that leave year. The carry over limits in the section Carrying over leave will apply.

Employees leaving the Council will be reimbursed if the salary deductions on leaving amount to more than the annual leave taken. Payments will be recovered prior to leaving if the value of the salary deductions is less than the value of the annual leave taken. By purchasing additional annual leave, in accordance with

Regulation 17 of the Local Government Pension Scheme Regulations 1997, the employee and the employer are required to pay contributions on the national full pay for the annual leave days purchased.

Carrying over leave

Excess leave may be carried over into the next leave year. The maximum automatic carry over is 74 hours pro rata to contractual hours. This annual leave must be taken during the leave year it is carried into. Any remaining leave above 74 hours (pro rata) will normally be lost (except for maternity absence and some cases of long term sickness absence).

At the end of the leave year an employee must have a positive balance (zero or above). Negative balances are not normally permitted unless there are exceptional circumstances and it has been agreed by the Head of Service, the HR Services Manager and the purchase of annual leave is not an option.

Employees must not be paid in lieu for excess annual leave, nor can it be carried over or converted to another form of time off, e.g. TOIL or Flexi.

Bank holiday entitlement must be used in the leave year that it applies and should not be carried over (except for maternity absence).

Carrying over leave after long term sickness absence

Where an employee has been on long term sick, they will accrue annual leave at the normal rate during their absence. Therefore, if an employee’s sickness absence spans from one leave year to the next, they must be allowed to carry over all of their leave to a maximum of 4 weeks (148 hours FTE) annual leave to the next leave year. This is not including any bank holiday entitlement remaining.

Annual Leave Guide

Any remaining annual leave in excess of 4 weeks will be lost. The purpose of annual leave is to enforce rest and leisure time within a specific period on the employee and so the further away from the period the leave should have been taken in, the less relevance it has with rest for that period. The 4 weeks is per the Working Time Directive and is pro rata to part time staff. It is also reduced proportionately to the length of sickness absence and any annual leave already taken.

Please note bank holidays are included in the 4 weeks (148 hours for full time staff) set out in the Working Time Directive.

In any 12 month period, the most annual leave an employee may have should be no more than their normal 12 month entitlement plus 4 weeks carry over. This would consist of 4 weeks from the previous year, plus the full current leave year entitlement. An employee should then be allowed the same period s/he was off sick to take the annual leave, up to a maximum of the whole of the next leave year. At the start of the leave year, the employee will have a maximum of 4 weeks carry over from last year's annual leave, and the whole of this year's annual leave. They will then be allowed 12 months or until the end of the leave year, whichever is longest, to take this annual leave. Anything untaken after this will be lost and must not be paid in lieu.

Please see the attachments for the 'Request for Leave during Long Term Sickness' form. Employees wishing to take annual leave during long terms sickness should complete this form with their manager.

Example 1

Joe Bloggs is a full time employee and his annual leave year runs April to March. He has been off sick since April 2017 and is accruing annual leave whilst he is off sick. In March 2018, Joe Bloggs is still off sick and is allowed to carry over 4 weeks of 2017's annual leave. Therefore in April 2018, Joe Bloggs gets his new annual leave entitlement and has a total of 325:36 annual leave. By March 2019 Joe Bloggs' is still off sick and hasn't taken any of his annual leave. He is allowed to carry over 4 weeks from the leave for 2018 into 2019. Therefore in April 2019, Joe Bloggs has 325:36 annual leave. A total of 177:36 from 2017 and 2018 have been lost.

Annual Leave Guide

Joe Bloggs come back to work in April 2019. He is given until March 2020 to take all of his annual leave. This gives him 12 months in which to take all his annual leave. In April 2020, any leave above 74 hours is not carried over and is lost.

April 2017 – sickness absence begins	Entitlement accrual of 177:36	
April 2018 - still absent	new entitlement of 177:36 plus maximum carry over of four weeks (148:00) 325:36	Loss of 29:36 from 2017
April 2019 - still absent	new entitlement of 177:36 plus maximum carry over of four weeks (148:00) 325:36	Loss of 177:36 from 2018
May 2019 - return to work	Entitlement of 325:36 to be taken by March 2020	

Example 2

Joe Bloggs is a full time employee and his annual leave year runs from April to March. He has been off sick since September 2017 and has not taken any of his leave for 2017. He accrues annual leave whilst off sick. In March 2018, at the end of his leave year, he is still off sick after 6 months and is therefore allowed to carry over a maximum 6 months' worth of leave into 2018 (as this comes to less than 148 hours), i.e. 88:48 leave if his yearly entitlement is 177:36 leave.

In September 2018, Joe Bloggs comes back to work and has not taken any of his leave. By this time he has been off work for 12 months. He will be given 12 months to take his carried over annual leave.

September 2017 – sickness absence begins	177:36 leave remaining	
April 2018 - still absent	new entitlement of 177:36 plus 6 months accrued leave (88:48) = 266:24	Loss of 88:48 from 2017
September 2019 – return to work	Entitlement of 266:24	He has until September 2020 to take the carried over sum of 88:48

Annual Leave Guide

Off sick for	Amount of Leave accrued	Allowed to carry over:	To be taken by:
6 months	6 months	A maximum of 6 months' worth of leave	Within 6 months, or end of current leave year, whichever is longest
12 months	12 months	A maximum of 4 weeks/148 hours	Within 12 months or end of leave year, whichever is longest*
18 months	18 months	A maximum of weeks/148 hours	Within 12 months or end of leave year, whichever is longest*
24 months	24 months	A maximum of weeks/148 hours	Within 12 months or end of leave year, whichever is longest*

*If the 12 months runs part way through the next leave year, then it may be easier for the manager to allow until the end of that leave year to take all the leave. This will make it more manageable. The important part is that an employee must have at least 12 months to take their leave if they have been absent for 12 months or more.

If due to sickness an employee has been unable to use their annual leave they will be eligible to carry over up to 4 weeks into the next leave year as per the above.

For example:

Joe Bloggs has been off sick for 11 months out of his 12 month leave year and took 1 week of annual leave during the month he was in work. He is allowed to carry over 3 weeks of leave into the next leave year. He works 3 days per week so the 148 hours is pro rata to 88:48. This means he took 22:12 for his week off, and can carry over 66:36.

Workers should be encouraged to take their annual leave whilst on long term sick as otherwise they may lose it. This is especially helpful when a worker drops down to half pay or no pay. Those wishing to take annual leave whilst on long term sick should complete the appropriate form contained within this guidance.

Returning after Maternity / Adoption / Shared Parental Leave

Employees accrue annual leave whilst on maternity/adoption/shared parental leave. Unlike with sickness, staff on maternity/adoption/shared parental leave must accrue annual leave at the occupational rate and not the statutory rate. A full time employee of Denbighshire council

would normally accrue 244:12 in total for a full year – 185:00 annual leave and 59:12 bank holidays (bank holidays may vary each year and annual leave will increase with service). A person on maternity/adoption/shared parental leave should be able to carry all this leave over into the next annual leave year. They should carry over the full previous year and are then given the same amount of time they were off for in which to take the leave i.e. a maximum of 12 months. If the 12 months runs until part way through the next leave year, then it may be easier for the manager to allow until the end of that leave year to take all the leave. This will make it more manageable.

Employees returning from maternity/adoption/shared parental leave should try to take as much of their accrued annual leave as possible prior to returning to work. This will ensure that they do not lose any.

For example

April 2017 - Maternity start	
April 2018 – return	Carry over all remaining leave plus new entitlement
April 2019	Lose any above 74 hours

Annual leave and short term sickness

If an employee falls sick during a period of annual leave, the annual leave can be taken at another time. The employee must notify their manager on the first day of their sickness and must obtain a fit note from a qualified medical practitioner to cover the whole period of absence, regardless of length. Where an employee is overseas when he/she falls ill or is injured, evidence must be produced that the employee has made an insurance claim for medical treatment received at an overseas location. This period will then be noted as part of their absence figures, and the employee will be given the annual leave to be taken at another time. Employees will not be paid in lieu for this annual leave.

Bank holidays are considered non-working days and therefore sickness absence cannot normally be claimed on bank holidays (see Bank holidays and sickness absence.)

Annual Leave Guide

Raising a concern or query

What to do if you think your annual leave or bank holiday entitlement is wrong.

Go to ESS (Employee Self Service) and check that the following are what you expected

- our contractual hours
- The date of the change in your contractual hours (if applicable)
- Your reckonable service date
- Your start or end date with DCC (if they fall within your leave year)

If any of the above are incorrect, please contact your manager who will then take the necessary steps to amend the system. Human Resources will be unable to make any changes without authorisation from your manager.

If the above details are correct then contact your manager stating what you believe your holiday entitlement should be. They will then be able to check it and make further enquiries.