

## Annual Leave Policy

Author:	Human Resources
Sponsor/Executive:	Director of People & Business Development
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Purpose of the Policy:	Provide advice, guidance and calculating annual leave
If developed in partnership with another agency, ratification details of the relevant agency	
Policy in-line with national guidelines:	Agenda for Change



**Signed on behalf of the Trust:** .....

**Anna Hills, Chief Executive**



**Signed on behalf of JCNP:** .....

**Shona Greig, JCNP Secretary**

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### Version Control Page

Version	Date	Author	Comments
1.0	July 2019	Rachel King	New policy
1.1	January 2022	Rachel Higginbotham	<p>Section 4.4 Updated name of committee from Quality, Safety and Governance to People, Safety and Quality.</p> <p>Section K Change of name from Sickness Absence Management and Employee Wellbeing to Supporting Attendance Policy.</p> <p>Section 7.1 and Section 7.2 Referred to guidance 13 from the Supporting Attendance Policy.</p> <p>Section 9- Links to other documents.</p> <ul style="list-style-type: none"> <li>Updated name of policy from Maternity, Paternity, and Adoption Policy to New Parents.</li> <li>Updated name of policy from Attendance Management to Supporting attendance Policy.</li> </ul>
1.1	February 2023		Review extended to 30 April 2023
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CQC Standards	
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Other Quality Standards	
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## **1 Introduction**

Cambridgeshire & Peterborough NHS Foundation Trust (hereby known as 'the Trust' or 'CPFT') believes that it is important for individuals to take Annual Leave that is due to them at a mutually agreed time and on a regular basis whenever possible. Annual leave is an important part of achieving a work-life balance and the management of annual leave by the individual and the manager is essential to health and wellbeing. This assists the Trust to maintain a safe, quality and comprehensive service whilst maintaining financial balance

## **2 Purpose**

The purpose of the annual leave policy is to provide a clear framework for managing annual leave within the Trust, balancing the needs of the service and the staff. If annual leave is not managed appropriately, patient care may be compromised, and the Trust may be unable to meet its service and financial targets. Specifically, the policy aims to:

- a. Support the Trust's flexible Working and Special Leave Policies.
- b. Ensure that the Trust is adequately staffed throughout the year.
- c. Ensure all staff have an equal opportunity to book annual leave.
- d. Encourage staff, by agreement, to take annual leave at fairly even periods throughout the year in order to maximise the benefits to their health and wellbeing.
- e. Ensure all employees of the trust are able to not only have the equal opportunity to book their annual leave, but to take their annual entitlement as determined through their Agenda for Change terms and conditions of service.

## **3 Scope**

This policy applies to Trust staff excluding Temporary Staffing Services and Medical Staff who should refer to their own relevant Leave Policies.

## **4 Duties and Responsibilities**

### **4.1 Chief Executive**

As the accountable officer, the Chief Executive has overall responsibility to ensure that appropriate employment procedures are in place, and for the implementation of this policy, delegated to the appropriate Lead Director(s).

### **4.2 Director of People and Business Development**

The Director of People and Business Development has the overall responsibility for ensuring compliance with this policy.

### **4.3 Associate Director – People Services**

The Associate Director – People Services is responsible for the implementation and monitoring of this policy.

### **4.4 People, Safety and Quality Committee**

The People, Safety & Quality Committee is a Trust Board Sub-Committee, chaired by a Non-Executive Director. If there are any areas of concern that pose a risk or

threat to the organisation or delivery of Trust objectives, the Committee will ensure they seek assurance to ensure these are being managed appropriately.

#### **4.5 Joint Consultation & Negotiating Partnership (JCNP)**

The Joint Consultation and Negotiating Partnership has overarching responsibility for the development, approval, monitoring and review of this policy.

#### **4.6 Line Managers Responsibilities**

Line Managers are responsible for:

- a. Checking NHS reckonable service.
- b. Ensuring employees are aware of their responsibilities regarding annual leave.
- c. Ensuring employees take regular periods of annual leave throughout the year, with due regard to their health and wellbeing. This includes ensuring that individuals are not becoming ill due to long periods without a break from work.
- d. Recording annual leave on Healthroster.
- e. Managing annual leave across their team / department.
- f. Ensuring that individuals are taking their annual leave as planned and agreed.
- g. Ensure staff take all their Annual leave, as determined in Agenda for Change and be mindful of the Working Time Directive requiring a minimum of 28 statutory leave (including any general public Holidays/pro rata for part time employees)
- h. Ensuring that an appropriate level of staffing is maintained for the needs of the service, particularly during periods where demand for leave is high.
- i. Responding to annual leave requests normally within 4 working days
- j. Ensure and can evidence that annual leave requests are considered in a fair and equitable manner.
- k. Considering annual leave requests and allocation in line with the principles set out in other relevant Human Resources policies including Flexible Working; New Parents; Supporting Attendance and Employment Break.
- l. Ensure their staff do not work or undertake secondary employment during their 28 day statutory leave (including temporary staffing services) in accordance with the Working Time Directive.

#### **4.7 Employees Responsibility**

- a. Providing evidence of any previous NHS service which pre-dates their start date with CPFT or a predecessor organisation which impacts on their Annual Leave entitlement in line with Agenda for Change Section 13, if required.
- b. Planning and taking their annual leave allowance as agreed in Agenda For Change section 13, throughout the year, if necessary in consultation with their team and after receiving the agreement of their manager and having due regard to the maintenance of their own health and wellbeing  
Encouraged to plan ahead of time as far as possible giving as much notice as possible to their manager, to support positive service planning and to provide a reasonable time for managers to respond and manage requests equitably, ensuring their annual leave request is authorised prior to booking holidays / events / tickets.

- c. Ensure, in line with the Working Time Directive: they do not undertake work or secondary employment during their 28 days' statutory annual leave (pro rata for part time employees). Ensuring their full annual leave entitlement is taken within the leave year where service needs allow.

## 5 Management of Annual Leave

The basic annual leave provisions under Agenda for Change are contained in the table below. FTE stands for full time equivalent, and the definition of "service" for the purposes of annual leave can be found below.

Length of Service	Annual Leave & General Public holidays (Bank Holidays)
On appointment	27 days + 8 days (FTE) 202.5 hours + 60 hours = 262.5 (FTE)
After 5 years' service	29 days + 8 days (FTE) 217.5 hours + 60 hours = 277.5 (FTE)
After 10 years' service	33 days + 8 days (FTE) 247.5 hours + 60 hours = 307.5 (FTE)

Part time workers will be entitled to annual leave and paid general public holidays no less than pro-rata of the number of annual leave days and general public holidays for a full-time worker, rounded to the nearest half hour. The calculation of annual leave entitlements pertaining to all employees is shown in Table 1 in Appendix 2.

### 5.1 Deducting Annual Leave Appropriately

When an employee requests time off work, the line manager will agree, if possible, the leave and deduct from their leave entitlement, the appropriate number of days / hours that represent the total time the employee is wishing to take off.

- a. For full time employees on 37.5 hours per week / 5 days – The line manager will deduct 1 day from the employee's total annual leave entitlement for each day they wish to take off.
- b. For all other employees – This includes full time employees working 9-day fortnight, annualised hours or condensed working week etc. and part time employees – The line manager will need to establish what hours the employee would have worked if they had attended work. The line manager would then deduct the equivalent number of hours, the employee wants to take off, from the employee's annual leave entitlement.

Managers should not unreasonably refuse annual leave; however, there will be times when, due to the needs of the service, managers may not be able to agree an

employee's request. In these circumstances, the line manager should try to agree an alternative arrangement to allow the employee to take appropriate leave.

## **5.2 Deducting Bank Holiday Leave Appropriately**

- a. For full time employees on 37.5 hours per week / 5 days – On each and every occasion a full-time employee takes time off on a Bank Holiday, 1 day will be deducted from their Bank Holiday entitlement.
- b. For all other employees – This includes full time employees working 9 day fortnight, annualised hours or condensed working week etc. and part time employees – If the employee wishes to take the Bank Holiday off and they would be required to work their contracted hours on this day, then the equivalent amount of hours, should be deducted from their overall leave entitlement.

## **5.3 Requesting Annual Leave**

Applications to take annual leave should be made via Employee Online. If the department is not live on Healthroster, applications for annual leave should be made in writing, normally by using an individual Leave Record Card. Employees should not commit to or book holidays until their request to take annual leave has been approved. Applications to take leave must be approved by an appropriate manager prior to it being taken. Managers should respond to leave requests in a within 4 working days and recorded appropriately.

Where annual leave is requested at short notice due to an emergency or in other exceptional circumstances, employees should discuss this with their line manager at the earliest opportunity. Such requests will not be unreasonably refused, or another arrangement should be made to support the employee.

For periods of high demand, such as Christmas and school holidays, it may be necessary for teams to exercise informal local procedures for requesting annual leave to ensure that service needs are met and requests from all staff are considered as fairly as possible.

## **6 Entitlement to Annual Leave**

### **6.1 Increases in entitlement due to Length of Service**

An employee's previous service with an NHS employer will count as reckonable service in respect of annual leave as per section 12 of the Agenda for Change Handbook

In order to have previous service regarded as reckonable service employees will need to provide formal documentary evidence of any relevant, reckonable service. This will be checked by Recruitment and documented accordingly. Line managers are advised to check reckonable service with Recruitment or Employment Services.



## 6.2 Bank Holiday Entitlement

Employees will be entitled to all paid Bank Holidays (General Public Holidays) in the leave year. The recognised Bank Holidays are shown in the table below:

Occasion	Leave entitlement
Christmas Day	1 day
Boxing Day	1 day
New Year's Day	1 day
Good Friday	1 day
Easter Monday	1 day
May Day	1 day
Spring Bank Holiday	1 day
August Bank Holiday	1 day

Part time workers will be entitled to paid general public holidays no less than pro-rata of the number of general public holidays for a full time worker, rounded to the nearest half hour

Every few years a situation arises where Easter falls twice in one leave year and not at all during the following year or is split between leave years. Under these circumstances the entitlements above for Bank Holidays will be adjusted as follows:

- Where Easter falls twice in a leave year the entitlement for Bank Holiday will be increased to 10 days (pro rata for part time employees).
- Where Easter is split between two leave years the entitlement for Bank Holiday will either be 9 days (pro rata for part time employees) or 7 days (pro rata for part time employees).
- Where Easter does not fall in a leave year the entitlement for Bank Holiday will be decreased to 6 days (pro rata for part time employees).

When a Bank Holiday falls on a Saturday or Sunday, the following Monday or Tuesday is designated as a Bank Holiday for leave purposes. Where additional Public Holidays are agreed nationally, the Trust will decide in consultation with staff side on how these public holidays will be taken.

## 6.3 Entitlement on Commencing Employment

Employees joining the Trust part way through the leave year (April 1 to March 31) will be entitled to a part year annual leave entitlement based on the remaining time left in the leave year. Employees will be entitled to a pro-rata amount of annual leave, which

can be calculated using the Trust's Annual Leave Calculator or the tables in Appendix 2.

When a new employee has a period of leave or holiday arranged prior to commencing employment with the Trust, this should be discussed with the panel or the appointing manager at interview. Where the employee has alerted a manager to the fact, they have a pre- arranged period of leave at interview, the employee and Line Manager should agree a period of leave to cover the prior engagement. Where the employee's entitlement to annual leave for the remainder of the leave year is not sufficient to cover this, a combination of annual leave and unpaid leave should be agreed.

#### **6.4 Entitlement on Ceasing Employment**

Any employee whose employment ceases before the end of the leave year shall receive an amount of annual leave, adjusted to reflect the amount of time in the leave year they have worked. Employees will be entitled to a pro-rata amount of annual leave for that month, which can be calculated using the Trust's Annual Leave Calculator or the tables in Appendix 2.

Payment will be made for any annual leave and bank holidays due to the employee which cannot be taken prior to their leaving date. Where total leave taken exceeds the earned total leave entitlement an appropriate deduction will be made from their final salary payment.

#### **6.5 Entitlement on changing hours or changing entitlement during the year**

Where employees change their contracted hours within an annual leave year (1 April to 31 March) this will result in the need for the line manager to re-calculate the employees annual leave, using their new contracted hours. This can be done using the Trust's Annual Leave calculator.

### **7 Annual Leave – General Principles**

#### **7.1 Accrual of Annual Leave during Long Term Absence**

Please refer to Guidance 13 from the Supporting Attendance Policy- Annual Leave and Bank Holiday Entitlement during Short-Term Absence and Long-Term Absence

#### **7.2 Sickness Occurring During Annual Leave or General Public Holidays**

Please refer to Guidance 13 from the Supporting Attendance Policy- Annual Leave and Bank Holiday Entitlement during Short-Term Absence and Long-Term Absence

#### **7.3 Carrying over Annual Leave into a New Annual Leave Year**

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 it may be the case that employees have been prevented from taking their leave due to service demands, authorised by the Line Manager. If this is the case the employee may carry over up to one week of basic contracted hours to the new annual leave year, at the discretion of the line manager.

#### **7.4 Recording Annual Leave**

Annual leave should be recorded on Healthroster. If the department is not live on Healthroster, annual leave should be recorded on an Annual Leave Record.

#### **8 Monitoring Compliance**

Line Managers must keep records of all applications, and outcomes, made under this policy. These may be audited at any time by the Trust's HR team or by authorised external auditors.

#### **9 Links to Other Documents**

- a. Learning and Development and Study Leave Policy
- b. Time Off for Recognised Staff Representatives for Trade Union Duties and activities Policy
- c. Supporting Attendance Policy
- d. New Parents Policy
- e. Employment Break Policy
- f. Working Time Directive Guidance
- g. Annual Leave Calculator
- h. Special Leave Policy

#### **10 References and Acknowledgements**

- a. Agenda for Change Terms & Conditions Handbook
- b. Employment Rights Act 1996
- c. Employment Relations Act 1999
- d. Maternity and Parental Leave Regulations 1999
- e. Employment Act 2002
- f. Working Time Regulations 2003
- g. Equality Act 2010

## Appendix 1 – Annual Leave Record

**APRIL XXXX – MARCH XXXX**

<b>Name:</b>		<b>Job Title:</b>	
<b>Department:</b>		<b>Authorising Manager:</b>	
<b>Leave Entitlement:</b>		<b>Leave C/fwd:</b>	

[illegible]

## Appendix 2 – Annual Leave Ready Reckoner

Weekly Basic Contracted Hours	On Appointment 27 days	After 5 year's service 29 days	After 10 year's service 33 days
	Hours Equivalent		
37.50	202.50	217.50	247.50
37.00	199.80	214.60	244.20
36.50	197.10	211.70	240.90
36.00	194.40	208.80	237.60
35.50	191.70	205.90	234.30
35.00	189.00	203.00	231.00
34.50	186.30	200.10	227.70
34.00	183.60	197.20	224.40
33.50	180.90	194.30	221.10
33.00	178.20	191.40	217.80
32.50	175.50	188.50	214.50
32.00	172.80	185.60	211.20
31.50	170.10	182.70	207.90
31.00	167.40	179.80	204.60
30.50	164.70	176.90	201.30
30.00	162.00	174.00	198.00
29.50	159.30	171.10	194.70
29.00	156.60	168.20	191.40
28.50	153.90	165.30	188.10
28.00	151.20	162.40	184.80
27.50	148.50	159.50	181.50
27.00	145.80	156.60	178.20
26.50	143.10	153.70	174.90
26.00	140.40	150.80	171.60
25.50	137.70	147.90	168.30
25.00	135.00	145.00	165.00
24.50	132.30	142.10	161.70
24.00	129.60	139.20	158.40
23.50	126.90	136.30	155.10
23.00	124.20	133.40	151.80
22.50	121.50	130.50	148.50
22.00	118.80	127.60	145.20
21.50	116.10	124.70	141.90
21.00	113.40	121.80	138.60
20.50	110.70	118.90	135.30
20.00	108.00	116.00	132.00
19.50	105.30	113.10	128.70
19.00	102.60	110.20	125.40
18.50	99.90	107.30	122.10

Weekly Basic Contracted Hours	On Appointment 27 days	After 5 year's service 29 days	After 10 year's service 33 days
	Hours Equivalent		
18.00	97.20	104.40	118.80
17.50	94.50	101.50	115.50
17.00	91.80	98.60	112.20
16.50	89.10	95.70	108.90
16.00	86.40	92.80	105.60
15.50	83.70	89.90	102.30
15.00	81.00	87.00	99.00
14.50	78.30	84.10	95.70
14.00	75.60	81.20	92.40
13.50	72.90	78.30	89.10
13.00	70.20	75.40	85.80
12.50	67.50	72.50	82.50
12.00	64.80	69.60	79.20
11.50	62.10	66.70	75.90
11.00	59.40	63.80	72.60
10.50	56.70	60.90	69.30
10.00	54.00	58.00	66.00
9.50	51.30	55.10	62.70
9.00	48.60	52.20	59.40
8.50	45.90	49.30	56.10
8.00	43.20	46.40	52.80
7.50	40.50	43.50	49.50
7.00	37.80	40.60	46.20
6.50	35.10	37.70	42.90
6.00	32.40	34.80	39.60
5.50	29.70	31.90	36.30
5.00	27.00	29.00	33.00
4.50	24.30	26.10	29.70
4.00	21.60	23.20	26.40
3.50	18.90	20.30	23.10
3.00	16.20	17.40	19.80
2.50	13.50	14.50	16.50
2.00	10.80	11.60	13.20
1.50	8.10	8.70	9.90
1.00	5.40	5.80	6.60
0.50	2.70	2.90	3.30

## Appendix 3 – Bank Holiday Entitlement

Weekly Basic Contracted Hours	Bank Holiday Entitlement per year (hours)				
	10	9	8	7	6
37.50	75.0	67.5	60.0	52.5	45.0
37.00	74.0	66.6	59.2	51.8	44.4
36.50	73.0	65.7	58.4	51.1	43.8
36.00	72.0	64.8	57.6	50.4	43.2
35.50	71.0	63.9	56.8	49.7	42.6
35.00	70.0	63.0	56.0	49.0	42.0
34.50	69.0	62.1	55.2	48.3	41.4
34.00	68.0	61.2	54.4	47.6	40.8
33.50	67.0	60.3	53.6	46.9	40.2
33.00	66.0	59.4	52.8	46.2	39.6
32.50	65.0	58.5	52.0	45.5	39.0
32.00	64.0	57.6	51.2	44.8	38.4
31.50	63.0	56.7	50.4	44.1	37.8
31.00	62.0	55.8	49.6	43.4	37.2
30.50	61.0	54.9	48.8	42.7	36.6
30.00	60.0	54.0	48.0	42.0	36.0
29.50	59.0	53.1	47.2	41.3	35.4
29.00	58.0	52.2	46.4	40.6	34.8
28.50	57.0	51.3	45.6	39.9	34.2
28.00	56.0	50.4	44.8	39.2	33.6
27.50	55.0	49.5	44.0	38.5	33.0
27.00	54.0	48.6	43.2	37.8	32.4
26.50	53.0	47.7	42.4	37.1	31.8
26.00	52.0	46.8	41.6	36.4	31.2
25.50	51.0	45.9	40.8	35.7	30.6
25.00	50.0	45.0	40.0	35.0	30.0
24.50	49.0	44.1	39.2	34.3	29.4
24.00	48.0	43.2	38.4	33.6	28.8
23.50	47.0	42.3	37.6	32.9	28.2
23.00	46.0	41.4	36.8	32.2	27.6
22.50	45.0	40.5	36.0	31.5	27.0
22.00	44.0	39.6	35.2	30.8	26.4
21.50	43.0	38.7	34.4	30.1	25.8
21.00	42.0	37.8	33.6	29.4	25.2
20.50	41.0	36.9	32.8	28.7	24.6
20.00	40.0	36.0	32.0	28.0	24.0
19.50	39.0	35.1	31.2	27.3	23.4
19.00	38.0	34.2	30.4	26.6	22.8
18.50	37.0	33.3	29.6	25.9	22.2

Weekly Basic Contracted Hours	Bank Holiday Entitlement per year (hours)				
	10	9	8	7	6
18.00	36.0	32.4	28.8	25.2	21.6
17.50	35.0	31.5	28.0	24.5	21.0
17.00	34.0	30.6	27.2	23.8	20.4
16.50	33.0	29.7	26.4	23.1	19.8
16.00	32.0	28.8	25.6	22.4	19.2
15.50	31.0	27.9	24.8	21.7	18.6
15.00	30.0	27.0	24.0	21.0	18.0
14.50	29.0	26.1	23.2	20.3	17.4
14.00	28.0	25.2	22.4	19.6	16.8
13.50	27.0	24.3	21.6	18.9	16.2
13.00	26.0	23.4	20.8	18.2	15.6
12.50	25.0	22.5	20.0	17.5	15.0
12.00	24.0	21.6	19.2	16.8	14.4
11.50	23.0	20.7	18.4	16.1	13.8
11.00	22.0	19.8	17.6	15.4	13.2
10.50	21.0	18.9	16.8	14.7	12.6
10.00	20.0	18.0	16.0	14.0	12.0
9.50	19.0	17.1	15.2	13.3	11.4
9.00	18.0	16.2	14.4	12.6	10.8
8.50	17.0	15.3	13.6	11.9	10.2
8.00	16.0	14.4	12.8	11.2	9.6
7.50	15.0	13.5	12.0	10.5	9.0
7.00	14.0	12.6	11.2	9.8	8.4
6.50	13.0	11.7	10.4	9.1	7.8
6.00	12.0	10.8	9.6	8.4	7.2
5.50	11.0	9.9	8.8	7.7	6.6
5.00	10.0	9.0	8.0	7.0	6.0
4.50	9.0	8.1	7.2	6.3	5.4
4.00	8.0	7.2	6.4	5.6	4.8
3.50	7.0	6.3	5.6	4.9	4.2
3.00	6.0	5.4	4.8	4.2	3.6
2.50	5.0	4.5	4.0	3.5	3.0
2.00	4.0	3.6	3.2	2.8	2.4
1.50	3.0	2.7	2.4	2.1	1.8
1.00	2.0	1.8	1.6	1.4	1.2
0.50	1.0	0.9	0.8	0.7	0.6