

ANNUAL LEAVE POLICY

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Ratified By:

Remuneration and Human Resources Committee on July 2003

The PCT Board on July 2003

The Joint Consultative Committee September 2003

CEO Signature:

Chair JCC Signature:

Policy last reviewed on: July 2003

Policy to be reviewed on: July 2005

**Policy to be reviewed by: Director of Human Resources and Organisational
Development**

Policy to be used in conjunction with:

Working on HPCT Bank Policy

Equal Opportunity in Employment Policy

ANNUAL LEAVE POLICY

1. Purpose and Scope

The purpose of this policy is to ensure that managers and staff are aware of the principles and procedures in respect of annual leave and their respective responsibilities.

This policy applies to all staff, both part and full time, employed by Hounslow Primary Care Trust.

For the purposes of this policy Annual Leave is considered to be any period up to two weeks but may extend to a maximum period of three weeks (pro-rated for part-time staff). In exceptional circumstances, this leave may be extended.

Prolonged leave is considered to be any period longer than three weeks, and may comprise annual leave; holiday in lieu, Bank Holidays, extra statutory days or any other approved paid or unpaid leave or a combination of any of the aforementioned.

2. Principles

The PCT encourages employees to take their full annual leave entitlement during the leave year in which it falls in order to ensure regular rest. At least four weeks' leave must be taken each year in line with the Working Time Regulations unless this is prevented by sickness absence.

This policy and procedure will be applied fairly and consistently to all employees of the PCT in accordance with its Equal Opportunity in Employment Policy.

All requests for leave will be granted at the discretion of the manager and would be based on the needs of the service. The manager would consider the personal circumstances of the employee as well as those of the PCT.

Managers will give every consideration to staff members who are requesting annual leave for the celebration of their religious festivals/ events. However, staff are requested to give the maximum amount of notice possible so that service demands can be met.

It is essential that the needs of the PCT are met and all leave of absence, whether paid or unpaid, must therefore be authorised in advance by the appropriate manager.

Annual leave entitlement is determined by the terms and conditions of employment applicable to each member of staff.

The leave year is a fixed period of 12 months and annual leave is calculated at the rate of 1/12th of a full year's entitlement for each completed month of service. This entitlement is exclusive of the eight national Bank Holidays.

The dates of the leave year vary with each staff group and can be found within the terms and conditions of each of these groups.

3. Employee leaving the PCT

Employees who leave the PCT without serving their contractual notice period will have their entitlement calculated as at the date on which they left.

Where an incomplete year is worked leave will be calculated on a pro rata basis according to the number of completed months of service during the year. This will apply to staff leaving and joining the PCT.

Employees who leave the PCT will have their annual leave calculated according to the number of completed months of service, during that leave year, at the date of termination. Payment may be made in lieu of any outstanding holiday entitlement.

Employees leaving the PCT due to sickness, including ill-health retirement and termination on grounds of incapacity, will have their full entitlement of annual leave up to the date of termination.

Employees leaving the PCT who are unable to take the balance of leave due because of long term sickness will receive payment in lieu of outstanding leave.

Employees who die in service will have their annual leave calculated according to the number of completed months of service during that leave year and payment will be made to their next of kin. Should they have taken more annual leave than that accrued, no deduction will be made from their final salary.

4. General guidance

Annual leave should be taken in the leave year in which it is accrued.

Employees should normally have taken three quarters of their leave entitlement after nine months of the leave year have elapsed.

Where employees fail to return from annual leave on the specified date, without an acceptable explanation demonstrating strong mitigating circumstances, an investigation will be carried out under the PCT's Disciplinary Policy. This may lead to disciplinary action being taken.

All Hounslow PCT employees are required to take four weeks annual leave. During this time they may not work on the PCT as Bank due to Working Time Regulations.

5. Carry over of annual leave

Where employees are unable to take their annual leave entitlement during the leave year because of extenuating circumstances e.g. sickness, a maximum of five days may be carried over to the following leave year. In order to do this, they should submit a written request to their manager one month prior to the end of the leave year.

Under these circumstances this leave should normally be taken within the first two months of the following leave year. Where it is agreed with the manager that a period of prolonged leave may be taken this requirement may be waived.

Exceptional circumstances that may have prevented an employee from taking his/her full entitlement in the leave year in which it was accrued will be considered on an individual basis. In these circumstances the manager should discuss the circumstances with the Human Resources Department.

6. Sickness during annual leave

Employees who fall sick during a period of annual leave must produce a medical certificate from the first day of illness if they wish to reclaim the time lost due to sickness.

7. Unpaid leave

Periods of unpaid leave may only be taken at the discretion of the manager and will only be granted after the employee has exhausted his/her paid leave entitlement.

8. Prolonged leave

Employees will not normally be granted more than two weeks leave at peak periods including religious holidays and generally during the months of July and August (peak periods may vary according to the department).

Managers will seek to accommodate requests for periods of prolonged leave although employees will not normally be granted more than one period of prolonged leave within a two-year period. It will also not be granted at peak times e.g. Christmas except in exceptional circumstances.

Where employees fail to return from prolonged leave on the required date, and do not provide an acceptable explanation demonstrating strong mitigating circumstances, an investigation will be carried out under the PCT's Disciplinary Policy and procedure. This may lead to disciplinary action being taken.

No employee will be granted a request for prolonged leave unless he/she accepts in writing the conditions of this policy.

Employees who wish to take prolonged leave should submit their request to their manager in writing at the earliest opportunity, and no later than two months prior to the date they wish to begin their annual leave, unless exceptional circumstances prevent them from doing so. The manager is required to respond to this request in 10 calendar days, unless exceptional circumstances prevent them from doing so.

Employees who are granted prolonged leave will be required to sign a form stating the conditions under which the leave has been granted, the date on which they are required to return, and the action which may be taken should they not return on this date (Appendix 2)

9. Procedure

All leave requests should be submitted to the appropriate manager on the employee's leave card which will be issued at the beginning of his/her leave year.

Employees wishing to take more than three days annual leave, at any one time, should request this four weeks prior to the date that the leave is to be taken unless there are exceptional circumstances which prevent them from doing so.

The manager or his/her deputy will return the leave card to the employee once authorised. If the leave is not authorised an explanation of why the leave has not been granted will be given within three working days.

10. Annual leave guidance and calculations for part-time staff

In order to ensure that part-time staff are not discriminated against in relation to paid leave, including bank holidays, they have been offered two choices about how they wish to calculate their annual leave.

Option 1

Part time staff may have their annual leave entitlement calculated on a pro rata basis of full time colleagues and continue to have, in addition, such bank holidays as fall on their normal working day/s.

Option 2

Part time staff may choose to have eight days (pro rata to their normal working week) added to their annual leave entitlement. When they are not required to work on bank holidays, which would normally be one of their working days, they will then have to book the appropriate amount of annual leave.

Annual leave would then be calculated at the beginning of the leave year by taking into account the number of bank holidays that occur in that year, minus the days that do not fall on an individuals employees 'normal working week'. The following calculation would then take place:

No. of bank holidays not worked staff member		No. of days per week staff by normally works
-----	X	-----
5		1

For example: Judith works Mondays and Tuesdays each week for 7 hours and 12 minutes each day (based on a 36 hour working week). In this particular leave year (for example) there are 4 bank holidays that do not fall on her normal working days. The calculation would therefore be as follows:

4 (No. of bank holidays not worked) divided by 5 (normal working days per week) x 2 (No. of days Judith normally works) = 1.6

This means Judith will get an additional 1 and a half days added to her annual leave.

Guidelines

It will be assumed that option 1 applies to any individual unless he or she has positively applied for option 2 by completing the form included as Appendix 1 and submitted it to their manager.

If option 2 is chosen, it is the staff members and managers' responsibility to ensure that they have duly applied, and had authorised, the appropriate amount of annual leave for a bank holiday that they are not required to work.

If option 2 is chosen it must remain in force for the complete leave year (April to March) unless the member of staff changes her/ his working pattern, at which point the choice taken can be reviewed.

If option 2 is chosen, and bank holidays are included in the staff members annual leave entitlement, the staff member pay may still only carry up to 5 days (pro rata accordingly) into the next leave year in accordance with the annual leave policy.

If a staff member wishes to change their option, they must inform their manager no later than 1st March for the forthcoming leave year.

It is the managers' responsibility to ensure that a copy of Appendix 1 is sent to Human Resources for the central staff file.

In addition, this policy would be applicable to staff on fixed term contracts and pro rata bank holidays will be allocated to them.

An employee of the PCT working in a rotational post is, where possible, required to distribute their holidays throughout their rotation over the year. Under exceptional circumstances, their manager may consider other options.

11. Role of the Employee

Employees are required to:

- Assist in meeting the operational needs of the department
- Apply to their manager for annual leave giving as much notice as is reasonably possible.
- Apply for annual leave by submitting their leave card and in accordance with the departmental arrangements in place at the time. Ensure that their leave card is authorised by their manager before taking leave.

- Ensure that no flights/ holidays are booked until their dates have been agreed

12. Role of the Manager

Managers are required to:

- Keep up-to-date records of the annual leave entitlements of their staff including incremental increases in accordance with their contract of employment
- Ensure that annual leave is granted equitably taking into account the needs of the service, the employee and other team members
- Keep a record of annual leave taken/booked in accordance with the departmental arrangements in place at the time.
- Ensure that employees are notified promptly if their annual leave request cannot be granted and discuss alternative arrangements with them.
- When it is known that an employee is leaving, discuss the arrangements for paying back any excess leave taken in the leave year or the taking of any outstanding leave or payment in lieu

12. Other related policies

Working on HPCT Bank policy

13. Role of Human Resources Department

The Human Resources Department is required to:

- Advise managers and staff on the application of this policy and procedure
- Provide management with training and support to enable them to calculate annual leave

14. Grievance

Employees who have not been granted leave or feel that they have been treated differently to others have the right to seek recourse under the PCT's Grievance Procedure.

15. Review

This policy will be reviewed two years following agreement and thereafter every two years to ensure that it is operating fairly and effectively.

HOUNSLOW PRIMARY CARE TRUST

APPLICATION TO HAVE ANNUAL LEAVE CALCULATED UNDER OPTIONS IN POLICY ON ANNUAL LEAVE

Staff Member

I (name) hereby apply to have my annual leave calculated under option 1/ option 2 (please delete) of the Policy on annual leave for part time staff for the leave year of 1 April (Year) to 31 March (Year)

I have read the policy on annual leave for part time staff and agree to abide by the requirements stated therein.

Signed

Dated

Manager

I have received this application and have duly noted it on the staff members' records.

Signed

Dated

Name

A COPY OF THIS FORM MUST BE SENT TO HUMAN RESOURCES FOR THEIR RECORDS

HOUNSLOW PRIMARY CARE TRUST
PROLONGED LEAVE REQUEST FORM

NAME

JOB TITLE

DEPARTMENT

WORK BASE

DATES FOR PROLONGED LEAVE FROM TO

ANY PROLONGED LEAVE TAKEN IN LAST TWO YEARS YES/NO

IF yes, give dates from to

REASONS FOR REQUESTING PROLONGED LEAVE

AUTHORISED BY MANAGER YES/NO

MANAGER NAME

SIGNATURE

DATE

I hereby agree and accept the conditions of my prolonged leave as per the Trust policy. Any deviation from the condition or a failure to return to work on an agreed date may lead to a disciplinary action.

SIGNED

DATE