

# SUPPORT STAFF ANNUAL LEAVE POLICY

**Date of issue:** 10/08/2017

## 1. Introduction

- 1.1 Employees are entitled and encouraged to take their full holiday entitlement each annual leave year and will be given the opportunity to take all of their contractual allowance.
- 1.2 Holiday must be mutually agreed between the manager and the individual member of staff before it is taken.
- 1.3 No reasonable request for holiday will be refused, subject to the criteria outlined in section 6 and notice being provided as set out in this policy, every effort will be made to accommodate requests.
- 1.4 At key times or times when a number employees may request annual leave, holiday may have to be planned well in advance. Managers must manage the process of requests to ensure that areas are adequately staffed.
- 1.5 Term time employees have their holidays set and should not take holiday during term time.

## 2. Accumulation of holiday

- 2.1 Employees starting or leaving employment during the annual leave year are entitled to holiday in proportion to accrued service during the relevant leave year.
- 2.2 Holiday continues to accrue during special leave including Maternity Leave, Paternity Leave, Adoption Leave, Ordinary and Shared Parental Leave. Where annual leave accrues in these periods, the normal rules with regard to carrying forward leave into the next leave year apply and every effort should be made to take annual leave in the relevant year.
- 2.3 The Trust will normally allow an employee to take holiday whilst on sick leave, subject to the normal approval process, and encourages employees to do so to ensure that they take their holiday entitlement each year.
- 2.4 Holiday over and above the entitlement under the Working Time Regulations (5.6 weeks) does not accrue from one leave year to the next.

## 3. Arrangements upon termination of employment

- 3.1 Employees leaving employment for any reason should ensure that they take their holiday before the last day of employment.
- 3.2 If circumstances are such that employees are not able to take accrued annual leave before their employment terminates, they may be entitled to payment in lieu of any leave accrued but not taken. Any such payment will be calculated on the basis of 1/52.14 of the annual holiday entitlement for each completed week of service during the current leave year to the date of termination, part weeks will be counted as 0.2 for each day.
- 3.3 If an employee has taken more holiday than their accrued entitlement at the date their employment terminates, the Trust will be entitled to deduct from any payments due to them of one day's pay for each excess day. This will be based on the annual leave taken minus 1/52.14 of the annual holiday entitlement in respect of each full week worked between the start of the leave year and the date of termination, part weeks will be counted as 0.2 for each day.

## 4. Booking annual leave

- 4.1 Employees (other than term time staff) wishing to take annual leave should seek approval by completing a leave request, normally giving at least twice as much notice as the period requested.
- 4.2 The employee will be notified of the outcome of their request as soon as possible and in any event within a reasonable timeframe.
- 4.3 Before approving leave, managers will ensure that there is appropriate cover during the period of the planned absence.
- 4.4 If employees are normally due to work on Bank Holidays or Directed Closure Days, it is not necessary to book and gain approval for leave on these days. In the case of Directed Closure Days, these shall be deducted from the leave allowance at the start of the year.
- 4.5 In exceptional circumstances, for example when the employee has given notice and has considerable holiday remaining, The Trust may give notice to an employee to take their holiday by giving notice equal to twice the length of holiday to be taken.



## 5. Carry over and anticipation of annual leave

- 5.1 Employees should not anticipate annual leave from the next annual leave year.
- 5.2 Employees should aim to take their full annual leave entitlement each year. Where this is not possible for example employees are on sick leave, statutory family related leave e.g. maternity leave where they are unable to take holiday, if the Trust has prevented them from taking holiday for operational reasons, or where carry over of leave has been previously agreed with the Headteacher, employees may normally carry over up to five days annual leave into the next leave year.
- 5.3 Carried over leave must be taken in the next leave year and should not to be carried forward again into the following year.
- 5.4 Employees cannot be paid for holiday earned but not taken unless they are leaving employment.
- 5.5 Employees who are on long term sickness absence are encouraged to take holiday whilst they are on sick leave / during a phased return and use their holiday entitlement in the normal manner as outlined within this policy.

## 6. Criteria for refusing requests

- 6.1 Employees will be entitled to their holiday entitlement in each leave year and will be given sufficient opportunity to take all their allowance, however reasons why specific annual leave requests may be refused include:
  - a) Requests for annual leave during term time when the curriculum requires the individual to be at work.
  - b) If the request is during an extremely busy period when operationally it is essential that the individual is not absent from work e.g. Finance during the year-end close down.
  - c) The need to cover the provision of service in times of high demand (e.g. exam periods)
  - d) Lack of appropriate notification thus making the organisation of cover impossible.
  - e) Where other requests have already been granted which would leave insufficient cover should further holiday be approved.
  - f) Where the employee does not have sufficient holidays for the period in question.

## 7. Annual leave entitlement for employees on part time contracts of employment

- 7.1 All part time employees (those who work less than 37 hours per week, year round), have an entitlement to annual leave and Bank Holidays calculated on a pro rata basis of the entitlement for a full time equivalent employee
- 7.2 Part time staff (not term time staff) should follow the same process for booking annual leave as full time staff.

## 8. Annual leave entitlement for employees on term time contracts of employment

- 8.1 Term time employees are paid for a set number of working weeks, plus holidays and bank holidays and salary is paid in equal instalments over 12 months. There is no requirement for employees on term time contracts to book annual leave.

## 9. Bank Holidays

- 9.1 Other than in exceptional circumstances / emergencies at the school or by prior agreement, employees will not be required to work on statutory Bank Holidays, and in any event employees will not be required to work on Christmas Day or Easter Sunday.
- 9.2 If there are insufficient Bank Holiday hours available to an individual who works on a part time basis then the Trust will absorb any additional hours which will not come off an individual's leave entitlement.

## 10. General Data Protection Regulation

- 10.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation.

