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Annual Leave and Holiday Pay Policy

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Annual Leave and Holiday Pay Policy

General

1. The holiday year runs from 1 September to 31 August for all employees.
2. Annual leave entitlement for full-time employees is as follows:

Period of Continuous Local Government Service	No of Hours (FTE)	No of Days (FTE)
Less than 5 years	192.4 hours	26 days
5 years or more but less than 15 years	222.0 hours	30 days
15 years or more but less than 20 years	229.4 hours	31 days
20 years or more but less than 25 years	236.8 hours	32 days
25 years or more but less than 30 years	244.2 hours	33 days
30 years or more but less than 35 years	251.6 hours	34 days
35 years or more but less than 40 years	259.0 hours	35 days
40 years or more but less than 45 years	266.4 hours	36 days

3. Annual leave entitlement (including public holidays) is pro-rata for part time employees.
4. The above entitlement table includes 3 fixed annual leave days (22.2hrs FTE) that must be taken as **designated by the Council** during the Christmas and New Year Holiday period unless informed otherwise.
5. Where the qualifying commencement date falls before 1st March the full additional entitlement will be applied for that leave year. If the qualifying commencement date falls on or after 1st March half the additional entitlement will be applied for that leave year.
6. Additional entitlement for length of service will be pro rata to the contracted hours and weeks worked.
7. A minimum of 207.2 hours (28 FTE days) holidays (including public holidays) must be taken each holiday year. This figure is pro-rata for part time employees.
8. Up to 37 hours (5 FTE days) of your annual entitlement can be carried forward into the next annual leave year. This figure is pro-rata for part time employees.

9. In exceptional circumstances, it may be possible to carry forward in excess of 37 hours, subject to the prior written approval of the Head of Service.
10. The carry forward of leave in exceptional circumstances is subject to the requirement of the working time regulations, i.e. that all employees must take the minimum of 207.2 hours (28 FTE days) holidays (including bank holidays) as detailed in point 7.
11. All holiday dates must be approved in advance by the employee's line manager. As much notice as possible of proposed holiday dates must be given to ensure adequate staffing coverage at all times. Such notice should normally be at least twice the number of days' leave that the employee wishes to take as annual leave. It is however accepted that this may not be possible in all cases.

Holiday pay in lieu

12. There will be no payment in lieu of any untaken holiday (except on termination, subject to p.19 below).
13. Holiday pay for relief workers will be calculated in arrears on a monthly basis.

Public and Bank Holidays

14. Ceredigion County Council recognises the following eight public/bank holidays each year.
 - New Year's Day
 - Good Friday
 - Easter Monday
 - Early May Bank Holiday
 - Spring Bank Holiday
 - Summer Bank Holiday
 - Christmas Day
 - Boxing Day
15. All recognised public and bank holidays are permitted as paid holiday in addition to the annual holiday entitlement specified above.
16. Public and bank holiday entitlement is pro-rata for part time staff.
17. Certain members of staff may be required to work on recognised public and bank holidays. Payment for working on such days and/or arrangements for time off in lieu are in accordance with their specific terms and conditions of employment.

Holiday entitlement in year of commencement

18. If the employee joins Ceredigion County Council part way through a holiday year, he/she will be entitled to a proportion of his/her annual leave and any bank holiday (pro rata where necessary) that fall during their remaining leave year.

Holiday Pay on Termination of Employment

19. If the employee leaves Ceredigion County Council's employment part way through a holiday year, he/she will be entitled to any accrued annual leave up until the date of termination.. Arrangements should be made to take this holiday before the date of termination. Payment in lieu of holidays will only be made in very exceptional circumstances (usually no more than 5 days).
20. If, on the employee's date of termination, he/she has taken paid holiday leave in excess of earned entitlement, he/she will be required to reimburse the Council (by means of deduction from salary if necessary) in respect of such holiday.
21. No payment in lieu of accrued contractual holiday will be made to the employee (and where appropriate a deduction will be made from salary) in the event of his/her termination for gross misconduct or in the event of the employee giving inadequate notice of termination or leaving before the contractual notice period has expired. Contractual holiday for these purposes means all and any leave entitlement provided for in the employee's contract that is over and above the minimum statutory leave period provided for in the Working Time Regulations 1998 (i.e.5.6 weeks or a maximum of 28 days).

Holiday and Bank Holiday whilst on Maternity

22. An employee who qualifies for maternity leave will continue to accrue contractual holiday and bank holiday entitlement throughout the period of maternity leave.

Sickness and Holiday

23. Where an employee falls sick or is injured while on holiday, the Council will allow the employee to transfer to sick leave and take replacement holiday at a later time. This policy is subject to the following strict conditions:
 - The total period of incapacity must be fully certificated by a qualified medical practitioner.
 - The employee must contact their Line Manager by telephone, on the first day of any known period of incapacity during a holiday.
 - The employee must submit a written request no later than 5 working days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time.
 - Where the employee is overseas when he/she falls ill or is injured, evidence must still be produced that the employee was ill by way of either a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location.
 - All costs of medical certification are to be incurred by the employee.
24. Where the employee fulfils all of the above conditions, the Council will grant the employee the same number of days' replacement holiday leave in the current leave year as the number of holiday days lost due to sickness or injury. The replacement leave must be taken in the employee's current leave year wherever practicable. Where carry over of leave is necessary due to the granting of

replacement holiday leave, only the statutory element of any untaken leave may be carried over (with statutory annual leave being assumed to have been taken first in any leave year).

25. If an employee is ill or is injured before the start of a period of planned holiday, the Council will agree to the employee postponing the holiday dates to another mutually agreed time (in that leave year whenever possible). Any period of sickness absence will then be treated in accordance with the Council's normal policy on sickness absence. The employee must submit a written request to postpone the planned holiday and this must be accompanied by a letter from his/her doctor confirming that he/she is unfit, or is still likely to be unfit, to take the holiday.
26. An employee must request to take any replacement holiday in accordance with the Council's normal holiday policy, and should endeavour to take the replacement holiday in the same holiday year in which it was accrued. However, where an employee has good reason for not being able to do so, the Council will allow the employee to carry the statutory element of any untaken leave forward into the next holiday year. The Council may require an employee to take all or part of his/her replacement holiday on particular days. At least the minimum notice period under the Working Time Directive will be provided in such cases (twice the number of days' notice of the period of leave).

Holiday Entitlement whilst on suspension

27. If an employee is on suspension, the Council may require the employee to take accrued holidays during his/her current leave year. The usual authorisation from the line manager and notice periods will apply.

Holiday Entitlement and Long Term Sick Leave

28. Where the employee returns to work following long term sick leave, statutory holiday entitlement accrued should be taken in the same leave year where practicable. The Council may require an employee to take all or part of his/her accrued holiday on particular days (see paragraph 21 for notice periods in such cases).
29. Where the employee is absent for the whole leave year or there is insufficient time for accrued statutory leave to be taken in the same year, the employee will be permitted to carry forward the statutory element of any accrued leave in to the next leave year, subject to a maximum of four weeks leave (i.e. 20 days for a full time employee, pro rata for a part time employee). Any leave carried over must be taken in the following year and the Council may require an employee to take all or part of his/her accrued holiday on particular days.
30. An employee on sick leave may apply to take his/her accrued paid holiday entitlement while on sick leave. The holiday dates must be approved in accordance with this policy. This will not impact on the employee's overall entitlement to sick leave.

31. Employees on paid or unpaid sick leave are permitted to travel for holidays or other purposes, but should be aware that if they do something inconsistent with their stated reasons for sickness absence or something that worsens their illness or prolongs their absence, the local authority reserves the right to stop statutory sick pay and/or occupational sick pay, and in some cases this could result in disciplinary action.

Use of Annual Leave for Phased Returns to Work after Long Term Sickness Absence

32. Phased returns are used for a variety of reasons when someone has been off sick and may last for different lengths of time depending on the individual's reasons for absence. The normal period of phased return will be up to four weeks. Please refer to the Managing Sickness Absence at Work Procedure for further details on phased return. When advised by the employee's GP or other medical practitioner that there should be a phased return following long term sickness this will be managed according to the particular worker and their particular circumstances. It is recognised that it is not appropriate to require employees to use their annual leave during this time. However, the employee and the Council may agree that accrued annual leave could be used to arrange a period of part time working at the end of the period of phased return.

Unpaid Leave

33. It is recognised that for various reasons staff may request additional time off over and above their annual leave entitlement. This may be to travel abroad or meet some other personal commitment. Consideration for such unpaid time off will only be made according to the needs of the Service and where the staff member has exhausted their annual leave entitlement. Applications should be made in writing to the Head of Service. This includes staff who work term time only.