



Annual Leave Policy

Introduction

This policy explains who and what is covered by annual leave, with details for fixed-term and part-time employees, as well as those working part-year. It describes entitlements and exceptions, gives guidance on how to calculate annual leave and how to apply for or cancel it. It also outlines entitlements to paid time off for public holidays.

Who it covers

The policy details the annual leave entitlements for all Council employees working on Surrey Pay terms and conditions, including full-time, part-time and fixed-term (employed for more than one month) or bank staff.

For other groups of staff not on Surrey Pay, advice concerning annual leave entitlements should be obtained from line managers or MyHelpdesk.

How it's worked out

The annual leave year runs from 1 January to 31 December and leave is specified in hours for both full and part-time staff (a standard working day is 7.2 hours.)

New full-time council staff accrue annual leave at the rate of 172.8 hrs (24 days) per annum.

Full-time employees who have been employed by a local authority (or other organisation covered by the Redundancy Payments Modification Order) for 5 or more continuous years accrue annual leave at the rate of 201.6 hrs (28 days) per annum.

Part-time employees will be entitled to the pro-rata equivalent of the applicable full-time entitlement.



A [calculator](#) is available on snet

Special Circumstances: Leaving, Transfer, Sickness

The following provides information on special circumstances that may affect entitlement. However, the list is not exhaustive so if you have any doubts please contact MyHelpdesk.

Additional hours and standby

In determining the normal pay of an employee during annual leave, the following payments should be included:

- Regular additional hours payments made to employees whose contract terms of employment provide that they must, each month, work hours in excess of the usual hours (and for which additional hours payment is made as a regular addition to salary).
- Regular payments made for standby duty or for working arrangements other than normal office hours.

Carrying forward leave

Employees are encouraged to take their full leave entitlement during the leave year. However, if exceptional circumstances occur which prevent this, up to half of the annual leave entitlement may be carried forward to the following leave year. Carry-forward requests are subject to approval by the employee's line manager.

A new employee who, at the end of the leave year, has not completed six months service and has leave outstanding, can carry forward any unused entitlement to the next leave year.

Different carry-forward arrangements apply to employees who have been unable to take their annual leave due to sickness. Such arrangements are set out in the relevant section of this policy (entitled 'Sickness during annual leave').

Fixed-days

The council retains the right to fix up to 21.6 hrs (3 days) annually, for all Surrey Pay staff or for designated staff groups, following consultation with the trade unions. The intention is to use this provision to meet operational needs e.g. to enable Christmas and New Year closure so office staff can have a five-day Christmas break.

Leave taken in excess of entitlement:



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For staff who, for whatever reason (e.g. a mid-year reduction in contractual hours or technical issues with reporting/accounting), have taken more leave than their entitlement, the first option should be for the excess time to be made up within an agreed period. Managers and staff should endeavour to agree on a workable solution. Where the adjustment of working hours is not possible, the options for adjusting the leave entitlement for the following leave year or making a pay adjustment should be considered and discussed with staff.

Joining and leaving during the leave year

Employees joining the Council will be entitled to 1/12 of the appropriate annual leave entitlement for every month completed before the following December. In addition, any fractional part of a month worked will earn pro-rata leave. Employees leaving the Council will have a similar entitlement calculated on the number of months worked between January and the date on which they leave.

New Starters

Newly-appointed employees may request leave, and line managers are able to authorise such requests. However, when a leave request is submitted for an extended period of time, both parties should be aware that the employee's probationary period may have to be extended in order to allow management to gather more evidence on the performance/suitability of the new employee.

Commented [PM1]: Amended to align with new probationary policy that allows extensions.

Leave arrangements when leaving the Council

When an employee resigns, or is dismissed, from their post with the Council and has leave outstanding, they should normally take that leave during the notice period. If operational reasons prevent that from happening, payment in lieu of the leave not taken will be made based on the total number of hours outstanding.

When an employee resigns, or is dismissed, from their post with the Council and has taken more leave than their entitlement (e.g. because their entitlement is recalculated on a pro-rata basis as a result of them leaving the Council part-way through the leave year), the Council will make an appropriate deduction from their last salary payment.

Part-year (term time) employment

If an employee is employed on a part-year basis (e.g. term time only), annual salary is normally calculated to cover the weeks of work plus the monetary value of annual and public holiday entitlement. Salary is then paid in twelve equal monthly payments and holiday pay is included, continuously, in the salary throughout the year on a "spreadover" basis.

Should the employee give notice to terminate their contract during a "holiday" period, the Council will pay for holidays only for the period up to and including the



last day worked. The final salary will be re-calculated when the employment is terminated.

Purchase and sale of annual leave:

All staff must seek permission from their line managers to 'buy' or 'sell' annual leave, and access to the benefit may be restricted for operational reasons. Full details can be found in Flexible benefits.

Sickness during annual leave

An employee who is sick during a period of annual leave will be able to claim back only the annual leave lost due to sickness absence. For example if annual leave was booked for 5 days and employee was ill for 2 days, only the 2 days can be claimed back.

A minimum of one day's annual leave can be claimed back if employee was ill on that day.

- a) Employee will need to report it as sickness absence
- b) Days off sick will be treated as sick leave and employee will have the a/l quota returned to them
- c) Managers reserve the right to ask for a fit note / medical certificate even for one day's of sickness absence in such a situation
- d) Managers must monitor such sickness absence episodes through the normal sickness absence monitoring process.
- e) Employees who fall ill immediately prior to a period of pre-booked annual leave will be able to cancel the entire period of leave even if they are likely to recuperate within a shorter timeframe. Similarly, the Council will endeavour to accommodate the needs of employees who suffer from an illness or injury that does not prevent them from carrying out their work duties but would compromise their ability to utilise their annual leave in the manner they would prefer (e.g. an office-based employee spraining an ankle shortly before a skiing trip).

Commented [PM2]: Change as described in para. 5 of Committee paper.

Annual leave during sickness

Annual leave continues to accrue during periods of sickness absence. Staff on long term sick leave (i.e. for all or a large proportion of the leave year) should seek advice from their line manager on their position with respect to annual leave. Managers should discuss the issue with HR before making decisions on individual requests.



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Employees who have been unable to take their annual leave due to being away from work on sick leave may carry up to the basic statutory leave entitlement (20 days per annum for a full-time employee, pro-rata for part-time staff) forward into the next two leave years (e.g. an employee carrying forward 20 days that have been accrued in 2016 may take them until 31 December 2018).

Commented [PM3]: Change as described in para 3. of Committee paper.

Transferring between local authorities

Employees who transfer to the Council's service from another local authority are not able to bring any outstanding leave entitlement with them. Similarly, employees who leave the Council and join another local authority cannot carry forward any outstanding leave entitlement to their new employer.

Commented [PM4]: Change as described in para. 8 of Committee paper.

Applying for or cancelling leave

Council policy

The Council seeks to be an equal opportunities employer and, wherever practicable, will try to accommodate cultural and religious needs in conjunction with operational requirements. Should there be a need to take time off for cultural/religious reasons, the Council would expect the employee to utilise annual leave for that purpose. If there are particular cultural/religious needs which cannot be accommodated through the usual leave arrangements, they should be raised with the line manager in the first instance.

Requesting annual leave

Requests for annual leave should be submitted to your line manager, via the portal, or in line with your service's local practices. Wherever possible, requests for periods of a week or more should be made well in advance to assist in the planning of team resources.

For all groups (except non-teaching staff in education) the timing of annual leave is subject to the prior agreement of local management and will take into account the need to maintain service delivery.

Agreeing annual leave

Wherever possible, managers should agree leave requests, bearing in mind the needs of the service, but also being sensitive to the personal/cultural requirements of the employee.

Managers must ensure that employees' annual leave is authorised and recorded against their annual entitlement.



Education staff

The majority of employees in education are required as a condition of employment to take their annual leave at times when educational establishments are closed to pupils. This requirement may be varied at the discretion of management on an individual basis only where exceptional circumstances exist. School Governing Bodies may designate additional/more detailed policies and processes to apply on a local level- Bursars/School Business Managers will be able to assist staff with any queries.

Public Holidays entitlement

Information listing public holidays and the entitlement is set out on s-net.

Public Holidays

- In addition to annual leave, employees are granted paid leave (or pro-rata equivalent for part-time staff) in respect of public holidays. Entitlements to the amount of paid leave in respect of public holidays apply to all Council employees, regardless of whether their working patterns include working on designated holidays. There are normally 8 public holidays in a year:
- One day at New Year – New Year's Day
- Two days at Easter – Good Friday and Easter Monday
- One day at May Day – First Monday in May
- One day at Spring Bank Holiday – Monday (usually the last in May)
- One day at Summer Bank Holiday – Monday (usually the last in August)
- Two days at Christmas – Christmas Day and Boxing Day