

Annual Leave Policy (Staffordshire Schools)

Signed:

Chair: S. Gribbin

CEO: L. Jackson

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Review date: October 2027

Scope of Policy

This policy has been developed in line with the appropriate national conditions of service for employees of the Collective Vision Trust i.e. NJC for Local Government Services (Green Book), School Teachers' Pay and Conditions of Service, and Conditions of Service for School Teachers in England and Wales (Burgundy Book).

Policy Statement

Employees are entitled to be paid annual leave depending upon their length of continuous local government service and level of grade. A leave year runs from 1st April to 31st of March.

This policy document is applicable to all employees except teachers, those employed on term-time only contracts (e.g. nursery staff) and casual employees.

Arrangements for Teachers preclude the necessity for annual leave entitlements. Provisions regarding the working time of various categories of teaching staff are contained in their relevant conditions of employment set out in the School Teachers Pay and Conditions Document. This is a statutory document; it also reflects the provisions of the 203 national Workload Agreement between the Government, employers and school workforce unions, including requirement for account to be taken of the need for Teachers to have reasonable work/life balance. (See page 8 for provisions relating to term-time only employees.)

Levels of Authority

Throughout this policy document, there are many references to 'manager'. For the purposes of this policy 'manager' is the person delegated by the Headteacher to perform the task.

Provisions

Your Entitlement

Your paid annual leave entitlement is worked out in accordance with the table below:

SALARY	0-4	5-14 YRS	15-24 YRS	25 YRS PLUS
Up to SCP 11	25	30	31	32
Point 12 - 22	25	30	31	32
Point 23 - 34	27	31	32	33
Point 35 Plus	28	32	33	34

This table includes 3 discretionary days for the Christmas period.

If you are a term-time worker you are entitled to annual leave and public holidays proportional to a whole year employee's entitlement.

If your office closes during the Christmas period you will be expected to book three days annual leave from your entitlement above to cover this period. If your workplace does not close over the Christmas period you do not have an automatic right to take time off over Christmas. You will need to apply for leave and time off will be granted subject to operational need. There is also an expectation that you will use annual leave to cover for emergency needs or for balancing your work responsibilities with your home responsibilities. (However, other types of paid and unpaid leave are available under particular circumstances and you should discuss the use of any of these options with your manager. (See HR011 Time off Policy, HR001 Maternity, Adoption, Paternity, Parental Leave Policy))

Casuals

Casual workers will accrue paid annual leave as they work. Casuals have the right to request to take any accrued time as paid leave from work, up to a maximum of 28 days per annum. For any hours worked, accrued annual leave will be paid automatically each month in accordance with the statutory accrual rates set out in the casual and zero hours guidance document. Applications for leave from casual workers will be considered in the same way that contracted employees are considered (i.e. subject to operational needs). Please note that leave cannot be taken in advance of it being accrued.

New Starters

If you are starting work part way through a leave year (which runs from 1st April to 31st March) you will be entitled to a proportion of the holiday entitlement listed in the above table, depending on the date that you start working for CVT. This is worked out on the basis of $1/12^{\text{th}}$ of the entitlement for every complete calendar month that you have or will work during the leave year. You will be entitled to Bank Holidays as they fall.

Part Time Employees

If you work less than 37 hours per week but work the same number of hours every week you are entitled to a proportion of the holiday entitlement listed in the above table(s) depending on how many hours you work per week. The entitlement in the table is based on someone working for 37 hours per week. If you work half of that, 18.5 hours per week, you are entitled to half the amount of holiday. If you work, for example 22 hours per week you are entitled to $22/37$ ths of the holiday entitlement applicable to someone with your grade and length of service.

Employees Who Do Not Work Fixed Hours Every Week

Lots of people do not work the same fixed hours every week. If your job is like this you are still entitled to paid holiday entitlement and this will be worked out based on your salary grade and length of service, just like everyone else.

Your annual leave entitlement will usually be calculated based on the average number of hours that you work over a period of time and is accrued on a month-by-month basis. Your contract of employment should specify how your annual leave is going to be treated.

For those on zero hours contract for any hours worked, accrued annual leave will be paid automatically each month in accordance with the accrual rates set out in the casual and zero hours guidance document and the employment contract status.

Bank Holidays

If you work part time you are entitled to a proportion of the bank holidays each year. Your entitlement to bank holidays is worked out in proportion to the number of hours you usually work, similar to the way your main holiday entitlement is worked out. If most of the bank holidays fall within your working week but you don't have enough bank holiday entitlement to accommodate this you will either have to book those additional days off as annual leave or work additional hours on another day to make up for having the time off. If very few bank holidays fall within your normal working week so that you have more bank holiday entitlement than you need you can simply take this time off as if it were part of your normal holiday entitlement.

If You Leave

If you leave your job part way through a leave year you will only be entitled to annual leave in proportion to the amount of time in the leave year that you have worked for CVT. The statutory maximum of 28 days (revised April 09) will apply for the purposes of deciding whether any holiday pay is due.

For example, if you were to leave exactly half way through the leave year you would be entitled to half the statutory full year entitlement. If, having taken account of the amount of leave you have actually taken, you are still owed some annual leave you can be paid for this.

As soon as you are aware that you are going to leave your job, check how much leave you are entitled to so that you do not take too much.

End of Leave Year

You should make every effort to take all of your annual leave in the leave year that it is granted in and you will be encouraged to do so. Managers must monitor leave hours accrued and advise you of any outstanding annual leave. If, at the end of the leave year, you still have annual leave that you have not taken your manager will only grant permission for you to carry forward your leave in certain circumstances. If not covered by the below, untaken leave will not be able to be carried forward and will be lost.

If you have been unable to take some or all of your statutory holiday entitlement as a result of being off sick, then you are entitled to carry forward up to 20 days of your untaken statutory leave into the following leave year (less any already taken). You have up to 18 months from the end of the leave year in which it was accrued to take this carry forward amount.

If you have been unable to take annual leave before the start of your maternity/adoption/shared parental leave due to an earlier placement date or birth, or where maternity/adoption/shared parental leave overlaps with annual leave, you are allowed to carry forward your untaken statutory holiday entitlement (28 days / 5.6 weeks) to take in the following leave year. Line managers will have discretion to approve carry forward of untaken contractual leave. If you have been unable to take your leave due to operational reasons, you can only carry forward a maximum of 5 days into the next leave year and you must have your manager's permission to do this. You must take this portion of leave in the first 6 weeks of the new leave year. You should alert your manager as soon as possible if you think that this may be the case.

In exceptional circumstances, where it is agreed that you have not been given a reasonable opportunity to take the statutory 20 days leave, you may be entitled to carry forward more than the 5 days outlined in 13.4.

Term-Time Only Employees

Term - time employees are not required to be on duty for most of school closure periods and their patterns of attendance vary according to their individual contracts of employment as agreed. The formula used for the payment of term -time employees incorporates an allowance for leave. The formula:

- begins with the number of weeks actually worked by the individual employee
- builds in a pro rata allowance for annual leave and public holidays creates a level of pay weeks, which increases with length of continuous service
- spreads salary payments over equal monthly instalments

The salaries of term - time employees working 37 hours per week are calculated as follows:
spinal column point salary x pay weeks (52.14)

Part - time, term - time only employees have their salaries calculated as:
spinal column point salary x weekly hours (37) x pay weeks (52.14)

How to Apply For Annual Leave

If you have an annual leave entitlement, you should contact your manager requesting annual leave identifying both the start date and end date and the number of days leave you are applying for. This then needs to be approved by your manager

Right of Appeal

The granting of leave is subject to operational needs and there may be occasions where leave cannot be granted. However, entitlement to leave will be granted on most occasions when unexpected or unforeseen circumstances occur. Clearly, you must tell your manager as soon as practicable what reasons you have for being absent from work and how long you expect to be away.

Disagreements in relation to the use of Annual Leave are dealt with by use of the CVT's Resolving Grievance procedure.

Further Advice and Information

If you need any further advice about how this policy applies to you please contact your manager or your HR Representative.

If you are considering taking maternity or adoption leave particular arrangements apply to the accrual of annual leave. Please refer to policy documents relating to maternity and adoption.

Further background information on this topic is available on the following Websites:

www.acas.org.uk

www.gov.uk

See also national conditions of service and local agreements before determining or issuing advice.