

## 1.0 INTRODUCTION

1.1 North Lincolnshire Council recognises that enabling its employees to achieve an effective work life balance benefits its employees, the organisation and ultimately the community it serves.

1.2 This policy describes annual leave provisions covered by conditions of service and outlines the discretionary options available to employees regarding annual leave.

*Note 1: Other discretionary forms of leave are available and may be granted by the appropriate manager. Guidance on these can be found in the council's Special Leave policy B.3.1. Separate guidance on maternity, adoption, paternity, maternity support, parental and shared parental leave can be found in section B of the council's Human Resources (HR) manual.*

1.3 This document applies to all council employees subject to the terms and conditions of the National Joint Council (NJC) for Local Government Service National Agreement on Pay and Conditions of Service (the 'Green book'). The principles of this policy also apply to the following groups of employees where national conditions are not prescribed:

- Soulbury officers
- Joint Negotiating Committee (JNC) for Chief Officers and Chief Executives

If you are covered by any terms and conditions not outlined above, you should contact the Human Resources (HR) Advisory Service for more information.

1.4 The leave year runs from 1<sup>st</sup> April to 31<sup>st</sup> March.

1.5 All requests for annual leave should be made using the agreed method and approved in advance by the manager. Where available this will be through the iTrent Employee Portal.

1.6 In all circumstances, requests will be considered sympathetically but are subject to individual circumstances and the needs of the service.

## 2.0 ENTITLEMENT & PROCEDURE

2.1 Where amounts of leave are specified these are based on a 37 hour (5 day) week. Part time employees and those working irregular working patterns shall have applied to them the same provisions pro-rata to comparable 37 hour (5 day) week employees. Leave entitlement is calculated in hours and minutes for all employees. See B.3 Appendix 3 Annual Leave Good Action Guide for further information on annual leave calculations.

## 3.0 ANNUAL LEAVE

Scale	Initial			Not less than 5 years continuous service			Not less than 10 complete years service *at 1 April		
	Hours	Minutes	Days	Hours	Minutes	Days	Hours	Minutes	Days
Grade 1-4 Apprentice	177	40	24	207	15	28	214	40	29
Grade 5-6	185	0	25	207	15	28	214	40	29
Grade 7-9	199	50	27	207	15	28	229	25	31
Grade 10-12	214	40	29	222	0	30	244	15	33
JNC officers	229	25	31	244	15	33	259	0	35

*Note 2: Employees are entitled to two extra statutory days' holiday, which have been incorporated into the above entitlements.*

3.1 The above annual leave provisions have been calculated based on an average working day of 7.4 hours.

For example: 24 days x 7.4 hours = 177.6 hours annual leave entitlement.

This is based on the standard working week of 37 hours divided by 5 days. 4 days (Monday to Thursday) at 7.5 hours plus 7 hours on a Friday equals 37 hours. This divided by the 5 days gives the average working day of 7.4 hours. Entitlements are rounded up to the nearest five minutes.

## Annual Leave

- 3.2 For the purposes of booking annual leave, the actual hours and minutes that would have been worked should be deducted from the annual leave entitlement.
- 3.3 The annual leave entitlement of employees leaving or joining the council is proportionate to their completed months and days of service during the leave year.
- 3.4 The principle of calculation detailed at paragraph 3.3 will also apply in circumstances where an employee obtains a post that has a higher or lower annual leave entitlement part way through a leave year.
- 3.5 Leave entitlement shall be increased on a pro-rata basis using calendar days for those employees who attain five years' service.
- 3.6 For employees who attain 10 years' service, leave entitlement will be increased from 1 April the following year.
- 3.7 Employees who are redeployed to a lower graded post with a lesser annual leave entitlement will have their original annual leave entitlement protected to the end of the current leave year. The new entitlement will apply thereafter. See A.9 Appendix 1, Redeployment Scheme of Protection for further information.
- 3.8 Where multiple contracts are held, the leave entitlement in each post will be calculated using the employee's total local government continuous service.

### Carry forward

- 3.9 Up to 37 hours (5 days) may be carried forward with the approval of the employee's manager. In exceptional circumstances, where service needs demand, the relevant Head of Service may approve the carry forward of leave in excess of 37 hours (5 days). This is subject to an employee having taken a minimum of 207 hours and 15 minutes (28 days), which can include public holidays, in the corresponding leave year.
- 3.10 The Working Time Regulations require employees to take a minimum of 28 days (207 hours and 15 minutes) pro rata of their annual leave entitlement (including public holidays) in a leave year.

*Note 3: The UK's Working Time Regulations give effect to the European Working Time Directive and aim to ensure workers' health and safety by giving adequate rest and annual leave periods, and setting limits on hours worked. The Directive created the right for EU workers to a minimum of four weeks' (20 days) annual leave each year. The UK's Working Time Regulations extend this to 5.6 weeks (28 days) or equivalent. For further information on working time, see A.5 of the HR Manual.*

- 3.11 All requests for the carry forward of annual leave shall be made using the appropriate annual leave request facility. Where available, this will be the iTrent Employee Portal.

#### **4.0 UNPAID LEAVE**

- 4.1 Employees may be granted up to 148 hours (20 days) unpaid leave in addition to their annual leave entitlement. This is subject to the needs of the service and manager approval. A request can only be made when the employee has used all of their annual leave entitlement for the current leave year. Additional unpaid leave can be taken in odd days or blocks.

*Note 4: Periods of continuous unpaid leave in excess of 148 hours (20 days) should be requested in accordance with the council's Flexible Working and Career Breaks scheme.*

- 4.2 All requests for unpaid leave should be made to the immediate manager through the iTrent Employee Portal where available, or by using the form available at Appendix 2. Deductions from salary will be made on the basis of the actual hours and minutes that would have been worked.

*Note 5: During a period of authorised unpaid leave employees in the LGPS do not pay pension contributions, and the unpaid leave will not count towards your scheme membership. However, the payroll section will contact you to give you the option of paying pension contributions on the unpaid leave, which will then maintain your pension benefits, through a Shared Cost Additional Pension Contribution (SCAPC) contract.*

#### **Salary sacrifice scheme for additional annual leave**

- 4.3 Eligible employees are able to enter into a salary sacrifice scheme to 'buy' additional annual leave, subject to approval by their manager.
- 4.4 Further information regarding this scheme can be found in the Salary Sacrifice for Additional Annual Leave FAQs B.3b

#### **5.0 SICKNESS ABSENCE**

- 5.1 Where an employee becomes sick during a period of annual leave, their entitlement during the current leave year will not be lost, if they comply with the council's Attendance Management policy D.1 at all times.
- 5.2 Employees who have been unable to take their annual leave due to sickness absence during the corresponding leave year will be entitled to carry forward leave. The amount of carry forward will be the Working Time Directive

entitlement of 148 hours (20 days) pro-rata, less any annual leave/public holidays taken during the leave year. Any remaining leave entitlement in excess of 20 days will be lost.

- 5.3 There will be no entitlement to a substitute day's public holiday for those public holidays which occur during periods of sickness absence.
- 5.4 Employees whose employment terminates after a period of long-term sickness absence will be paid in lieu of any statutory leave entitlement that they would otherwise have carried forward from the previous leave year in accordance with paragraph 5.2 and all contractual leave accrued during the year of termination.

## **6.0 MATERNITY, ADOPTION AND SHARED PARENTAL LEAVE (FAMILY)**

- 6.1 The guidance which applies in sickness absence scenarios at paragraph 5.2, will not apply in the context of family leave.
- 6.2 Employees are strongly encouraged to take the annual leave and public holiday entitlement they will accrue during periods of family leave in the corresponding leave year. However, any remaining contractual entitlement can be carried forward into the next leave year in exceptional circumstances. For example:
- Where an employee is unable to take their annual leave before they start their maternity leave due to the early birth of their child or pregnancy-related sickness absence; or
  - where an employee's family leave overlaps with the annual leave year to a significant extent.

## **7.0 PUBLIC HOLIDAYS**

- 7.1 There are normally eight public holidays per calendar year. Further information on public holiday entitlements can be found in B.3 Appendix 3, Good Action Guide.

## **8.0 EMPLOYEES LEAVING THE COUNCIL'S EMPLOYMENT**

- 8.1 Where employees leaving the council have accrued annual leave and have been unable to take time off due to the needs of the service or another legitimate reason then payment in lieu of that time at plain time rate will be made, subject to paragraph 5.4.

- 8.2 Where employees leaving the council have taken annual leave in excess of that accrued and have been unable to make up that time then a deduction for those hours will be made from the final salary payment due.
- 8.3 Where an employee's final salary payment is insufficient to allow for the whole of any such deduction, an account will be raised and the employee will be required to repay the outstanding amount due to the council within 30 calendar days of the termination of employment.