

# Annual Leave Policy

August 2022

**Document governance and management**

Document owner/author/lead	Interim Director of Finance and Resources
Version number	1.0
Current version referred for approval to	EMT August 2022
Date of next review	August 2025
Date of equality impact assessment (mandatory)	August 2022
Date of data protection impact assessment (if required)	Not required.
Date of sustainable impact assessment (if required)	Not required.

## Contents

<b>1. Introduction.....</b>	<b>4</b>
<b>2. Principles .....</b>	<b>5</b>
<b>3. Values.....</b>	<b>5</b>
<b>4. Roles and responsibilities .....</b>	<b>6</b>
4.1 Council and committee.....	6
4.2 Executive Management Team.....	6
4.3 Operational Management Team .....	6
4.4 Employees .....	7
4.5 Human resources (HR).....	7
<b>5. Policy .....</b>	<b>8</b>
<b>6. Procedure .....</b>	<b>8</b>
6.1 Annual leave entitlement.....	8
6.2 Requesting annual leave.....	9
6.3 Taking annual leave.....	9
6.4 Sickness during periods of annual leave.....	9
6.5 Ending employment.....	9
6.6 Office closure .....	10
6.7 Carry forward .....	10
6.8 Long term absence .....	10
6.9 Family leave .....	10
<b>7. Further information .....</b>	<b>11</b>
7.1 Learning and development.....	11
7.2 Sources of support .....	11
7.3 Related documents.....	11

# 1. Introduction

## **Purpose**

This policy sets out principles and practical guidance for managers and employees regarding annual leave. We offer generous annual leave over and above the legal minimum and encourage all employees to use their entitlement throughout the year.

## **Scope**

This policy applies to all permanent and temporary employees. This policy does not apply to social service employers, workers, contractors or social work students.

## **Legislation**

This policy has also considered the following legislation:

- Employment Rights Act 1996
- Working Time Regulations 1998

## **Data protection**

We will process any personal data collected in relation to this policy keeping to our [Data Protection Policy](#) and will record only the personal information required and keep the information only for as long as necessary.

## **Monitor and review**

Human Resources and the Partnership Forum are responsible for monitoring this policy to make sure that we are fairly and consistently applying it and that we meet the stated principles and values. We will review this policy every three years (or earlier if legislation changes) and make appropriate amendments in consultation with the Partnership Forum. We will outline minor amendments in the change log and update the version control. Where there are major changes, we will consult more widely and follow the consultation cycle – Equality Impact Assessment, Operational Management Team, Partnership Forum, Executive Management Team and Council.

## 2. Principles

### Guiding Principles

In operating this policy, the following principles will apply:

- We recognise that annual leave is an important and valuable benefit to employees.
- Managers and employees share a mutual obligation to regularly take annual leave throughout the leave year.
- Full time and part time employees will receive the same pro rata annual leave entitlement.
- Employees who join midyear will receive the same pro rata annual leave entitlement as fulltime employees.
- Managers will consider the impact of annual leave on operational delivery and may decline such requests where the impact is significant.
- We expect our employees and our managers to treat each other with dignity and respect by acting in keeping with our organisational values when applying this policy and procedure.

## 3. Values

In everything we do, we believe the people of Scotland have the right to be safe when accessing social care services. We do this by listening, learning and doing the right thing.

### Work together

We treat each other with kindness and respect and value the contribution every member of staff makes.

- We make sure you have access to advice, support and guidance to help you understand this policy and how to get the best from your annual leave.
- We recognise the value of positive and constructive involvement and participation from the recognised trade union. Our commitment to partnership working is integral to the development and maintenance of harmonious employee relations.

### Accept responsibility and accountability

We recognise the trust placed in us to ensure the safety and wellbeing of people who use social services and that is our guiding mission.

- We plan and take our annual leave throughout the leave year.
- We respect confidentiality regarding your reasons for requesting leave and only share those reasons with those who have good reason to know.
- We will make sure that you are paid correctly and we will administer any changes in a timely manner.

### Recognition and respect for others

We value the social service workforce and the life changing work they do. Our work increases recognition of, and further develops, their role. All our stakeholders contribute to our success, and we recognise and respect their views.

- We make sure that you understand your entitlements under this policy and that you feel able to exercise your rights.
- We make our operational plans based on you taking your full annual leave entitlement.

## 4. Roles and responsibilities

### 4.1 Council and committee

People management policies which include any of the following are reserved for Council:

- associated extra costs that are outwith the current budget
- any proposed fundamental change to terms and conditions of employment
- where Council has a clearly defined role to play.

Council is responsible for:

- making sure the structure of the organisation is fit for purpose to deliver objectives
- making sure that the application of this policy does not breach any statutory requirement placed upon the SSSC
- making sure that the Chief Executive and EMT have in place appropriate and up to date policies and procedures for the effective management of employees
- making sure the fair application of policies and procedures and in accordance with the law.

### 4.2 Executive Management Team

The EMT is responsible for:

- approving this policy and procedure
- overall responsibility for the implementation of the policy and creating a culture in which employees can flourish through interesting and rewarding work
- delegating responsibilities related to the policy to Operational Management Team (OMT) and line managers
- making sure that managers and employees receive appropriate development, support and training to implement the policy appropriately
- making sure that the application of this policy and procedure does not breach any statutory requirement placed upon the SSSC
- setting a positive example to employees by following this policy.

### 4.3 Operational Management Team

The OMT is responsible for:

- making sure their managers and employees are aware of the process for requesting annual leave
- signposting employees to relevant information
- dealing with issues kindly, sensitively and showing compassion
- respecting confidentiality and only sharing information, as appropriate, with relevant postholders
- setting a positive example to employees by following this policy.

## 4.4 Employees

Employees are responsible for:

- following the guidance in this policy
- discussing with their manager all planned annual leave
- receiving approval from their manager prior to taking annual leave
- giving their manager reasonable notice when making a request for annual leave
- submitting their annual leave request through the HR / Payroll system
- taking their annual leave within the leave year where possible
- requesting annual leave in full or half days.

## 4.5 Human resources (HR)

Human resources are responsible for:

- updating this policy and procedure in line with the agreed schedule or as changes occur to comply with employment and other pertinent legislation, best practice and the SSSC people strategy
- developing this policy and procedure collaboratively to meet legal and business requirements
- developing template letters, forms and guidance if required
- offering advice on how to apply the policy and procedure
- making sure employees follow the process in line with the policy
- reminding employees and managers of their responsibilities under the policy, if required
- monitoring use of the policy and processes and reporting any non-compliance to heads of department/directors.

## 5. Policy

We promote a positive healthy work life balance and recognise the importance of annual leave in achieving this. This policy aims to provide a fair, consistent and equitable approach to managing annual leave, making sure that we balance individual employee needs with operational requirements.

We encourage employees to take regular breaks from work by planning and taking annual leave to help maintain employee welfare and make sure employees do not build up annual leave at the end of the leave year.

## 6. Procedure

### 6.1 Annual leave entitlement

The annual leave year runs from 1 April to 31 March. We calculate and record annual leave entitlement in hours to recognise that employees have different working patterns.

Your full year annual leave entitlement considers:

- your continuous service with other recognised employers
- your start date with the SSSC
- your contractual working hours
- the number of weeks that you work each year.

The table below summarises the total annual leave entitlement based on length of service. This includes all public holidays and floating days (see 6.6 below for specific dates). You must record public holidays and floatings days in MyView in the same manner as you request any other annual leave.

Length of continuous service	Annual Leave Entitlement		
	Hours	Days	Weeks
Less than 1 years' service by 1 April	266	38	7.6
1 years' service by 1 April	273	39	7.8
2 years' service by 1 April	280	40	8.0
3 years' service by 1 April	287	41	8.2
4 years' service by 1 April	294	42	8.4
5 years' service by 1 April	301	43	8.6

We recognise continuous service, for the purposes of calculating annual leave entitlements, from the following organisations:

- Local Authorities
- National Health Service
- All employers listed in the Redundancy Payments (Continuity of Employment in local Government, etc) (Modification) Order 1999, as amended
- Further and Higher Education Sectors
- Voluntary and Private Providers of Care Sectors.

We adjust your annual leave entitlement pro rata if you work part time hours or for only



some of the year. If your contracted hours change or your employment starts or finishes part way through the holiday year, we will adjust your annual leave entitlement pro rata (rounded up to the nearest half day) based on how many days you have been employed in that leave year.

## 6.2 Requesting annual leave

You must take annual leave on a regular basis throughout the leave year to make sure you are well rested. You must give as much notice as possible and at least double the period of leave to permit the planning of work schedules / rotas eg you must give two weeks' notice to book one week's annual leave.

You must not 'store' annual leave in the expectation that you can carry forward more than the permitted amount (see 6.7 below). You must plan to take all accrued annual leave during the leave year you have accrued it in.

It is good practice to check your team calendar in MyView before discussing your annual leave arrangements with your manager. Where you want to request a longer period off (eg more than two weeks) you must discuss the feasibility of this with your manager given the additional operational impact longer absences have. You must receive authorisation from your manager before taking any period of annual leave.

Your manager will respond to annual leave requests in a timely manner and treat you in a consistent and fair way. Your manager will keep you / your team up to date about periods during which, due to operational requirements, it is not possible to take some or any annual leave. Your manager will explain the reasons for turning down a request for annual leave.

## 6.3 Taking annual leave

You must provide a suitable and sufficient handover to your manager or colleagues before going on leave considering the length of the annual leave and the nature of your work. You must activate your Automatic Replies (out of office assistant) so people contacting you know when you are not available.

We can require you to take (or not take) annual leave on specific days to meet our operational requirements. We will notify you of this with as much as notice as possible and not less than double the period of leave.

## 6.4 Sickness during periods of annual leave

If you are sick, before starting annual leave or during annual leave and are unable to work, you can treat the remaining annual leave as sick leave rather than annual leave. You must follow our normal absence reporting processes including calling in sick on the first day of illness. If you are sick and take annual leave you will receive payment for annual leave and not sick pay.

## 6.5 Ending employment

When your employment ends, we calculate your annual leave and:

- require you to take accrued but untaken annual leave during your notice period and/or
- make a payment for accrued but untaken annual leave or

- make a deduction if you have taken more annual leave than you have accrued.

## 6.6 Office closure

Our offices are closed on the following days and you cannot work on:

- 1 and 2 January or the next working day
- the Monday or Friday closest to St Andrew's Day\*
- 25 and 26 December or the next working day
- the period between Christmas Day and New Year's Day.

You can use up to two days flexi leave (if accrued) to cover part of the period between Christmas Day and New Year's Day inclusive of the normal one day's flexi per period.

\*When St Andrew's Day falls on a Sunday, Monday or Tuesday, we will take the fixed public holiday on the Monday. When it falls on a Wednesday, Thursday, Friday or Saturday, we will take the fixed public holiday on the Friday.

## 6.7 Carry forward

You are expected to take your annual leave in the leave year in which the annual leave accrues. You must not store up annual leave in the hope that you can carry forward extra annual leave. In addition to the provisions related to long term absence and family leave noted, you can also carry forward annual leave in the following circumstances:

- your manager permits up to one week of carry forward (pro rata for part time hours)
- a Head of Department permits up to two weeks of carry forward (pro rata for part time employees) in exceptional circumstances eg to give you an extended holiday, where you are experiencing extenuating personal circumstances or similar
- as otherwise required by law (as confirmed by HR).

We will not require, plan or expect you to carry forward annual leave to accommodate business needs.

## 6.8 Long term absence

You accrue annual leave during periods of sick leave. If your absence means you cannot reasonably take your holiday entitlement and your manager and HR agree, you can carry forward your annual leave. Where you have a phased return to work that is longer than four weeks you can use your annual leave to cover the unworked hours.

## 6.9 Family leave

You accrue annual leave during periods of maternity, paternity, adoption, parental or shared parental leave. If you cannot reasonably take annual leave due to having been on family leave and your manager and HR agree you can carry forward the full amount of annual leave into the next leave year only. In most circumstances you will use your annual leave to extend your period of paid time off or to phase your return to work without reducing pay.

## 7. Further information

### 7.1 Learning and development

To support the fair and consistent application of this policy, we will identify the opportunities and implications for managers. We will do this by incorporating training on this policy within line management development programmes. We will consider the implications for employees and make sure that they receive suitable training. We will also provide refresher training.

### 7.2 Sources of support

Further sources of support include:

- day to day support from line managers
- the employee assistance programme
- help advice and support from recognised trade union representatives
- ACAS
- Health and safety
- Human resources.

### 7.3 Related documents

This policy has strong links to other people management policies and guidance. We have listed these below.

- [Carers Policy](#)
- [Flexible Working Policy](#)
- [Maximising Attendance Policy](#)
- [Special Leave Policy](#)



Scottish Social Services Council  
Compass House  
11 Riverside Drive  
Dundee  
DD1 4NY

Tel: 0345 60 30 891  
Email: [enquiries@sssc.uk.com](mailto:enquiries@sssc.uk.com)  
Web: [www.sssc.uk.com](http://www.sssc.uk.com)

If you would like this document in a different format, for example, in larger print or audio-format, or in another language please contact the SSSC on 0345 60 30 891.

We promote equality by removing unlawful and unfair treatment on the grounds of any protected characteristic wherever possible.

© Scottish Social Services Council 2020