



# Annual Leave Policy

**Document Author: Senior HR Advisor**

**Date Approved:**



<b>Document Reference</b>	PO – Annual Leave Policy and Procedure – 2022
<b>Version</b>	1.1
<b>Responsible Committee</b>	Policy Progression Group
<b>Responsible Director (title)</b>	Executive Director of Workforce and Organisational Development
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<b>Approved By</b>	Trust Management Group
<b>Date Approved</b>	September 2019
<b>Review Date</b>	September 2022
<b>Equality Impact Assessed (EIA)</b>	Yes
<b>Protective Marking</b>	Not protectively marked

## Document Control Information

Version	Date	Author	Status (A/D)	Description of Change
0.1	04/04/2017	Lael Hird	D	New harmonised policy
0.2	29/09/2017	Lael Hird	D	Following PPG agreement to put guidance in place for A&E/111/PTS
0.3	02/11/2017	Lael Hird	D	Approved at PPG for referral to JSG
0.3	07/12/2017	Lael Hird	D	Awaiting SOPs to be approved at PPG and then referred back to JSG
0.4	16/08/2018	Lael Hird	D	Approved at PPG with amendments (details in PPG minutes)
0.4.7	23/07/2018	Rachael Walker	D	Updated section 7.2
0.5	15/8/19	HR Services Manager	D	Agreed at PPG 15 August 2019
V0.6	29/8/19	HR Services Manager	D	Agreed at JSG 29/8/19
V1.0	11/09/2019	HR Services Manager	A	Agreed at TMG.

A = Approved D = Draft

Document Author = Senior HR Advisor

Associated Documentation:

A&E Annual Leave Standard Operating Procedure  
 PTS Annual Leave Standard Operating Procedure  
 111 Annual Leave Standard Operating Procedure  
 Special Leave Policy and Guidance  
 Flexible Working Policy  
 Flexible Retirement Policy  
 Family Friendly Policy and Procedure  
 NHS Terms and Conditions Handbook

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## 1.0 Policy Statement

The six core values that represent our YAS employees behaviours, views, image and reputation are: One Team, Compassion, Empowerment, Integrity, Innovation, and Resilience. These core values provide and underpin a foundation and framework for all of YAS decision-making processes. We translate our values into actions. They inspire everything we do. How we operate as a Trust, how we behave in practice and how we implement our processes and policies to meet our strategic outcomes, mission and vision. Failure to adhere to and live up to our values may be deemed misconduct and result in disciplinary action.

## 2.0 Introduction

2.1 The Trust is committed to developing work practices and workforce policies that support work-life balance. This document outlines the Annual Leave Policy for the Yorkshire Ambulance Service NHS Trust (the Trust). The Trust realises that the ability to spend time away from the workplace is an important component of work-life balance and helps minimise stress. The Trust will ensure that employees are given the opportunity to take the leave to which they are entitled and managers should ensure that their workload does not prevent this, taking into account the service needs of the Trust. Equally employees have a responsibility to ensure that they take ownership of the management of their own annual leave.

2.2 This policy meets the requirements of The Health and Safety at Work Act 1974, The Working Time Regulations 1998 and The Fraud Act 2006.

2.3 This procedure has been agreed between managers and recognised staff side representatives and it demonstrates joint commitment to implementation, and support for the principles included.

## 3.0 Purpose

The purpose of this policy and associated documents is:-

- To support employees to have a healthy work life balance and effectively manage their own annual leave entitlements.
- To effectively and fairly manage annual leave across the Trust whilst not detrimentally affecting the ability to deliver a quality and efficient service to patients.
- To provide consistent guidance to managers in the application of this policy and procedure.

## 4.0 Definitions

For the purposes of this policy the following definitions apply:

Annual leave entitlement:

The paid holiday from work that an employee is entitled to.

Public Holiday:

Generally, public holidays include bank holidays, holidays by Royal Proclamation and 'common law holidays'. When public holidays in the Christmas and New Year period fall on Saturdays and Sundays,

alternative week days are declared public holidays.

Agenda for Change (NHS Terms and Conditions): Terms and conditions of employment for NHS employees.

## **5.0 Duties within the organisation**

### **5.1 Duties within the Trust**

The Executive Team, Human Resources, Managers, Employees and staff representatives all have a role in the effective implementation of this policy and procedure.

The specific responsibilities are defined below.

#### **5.1.1 The Executive Team**

- The Executive Team has a strategic responsibility to ensure the appropriate conditions at work exist to ensure that employees are able to take their entitlement to annual leave. These factors may be identified in the workforce information reports produced by the Scheduling department, in which the data for annual leave is anonymised (where appropriate), collated and analysed.
- Set the Workforce Key Performance Indicators (KPIs) for the timely uptake of entitlement to annual leave and to communicate these internally and externally.

#### **5.1.2 The Executive Director of Workforce & Organisational Development will:**

- Oversee the introduction, operation and monitoring of the policy.
- Provide statistical data and reports on annual leave (taken, planned and outstanding), and report these to the Trust Management Group via the Strategic Workforce Group to aid monitoring and control and to provide assurance that proactive action is being taken where appropriate
- Discuss implications of unacceptable levels of unused / declined requests for annual leave and to give guidance on how this may be managed and reduced.
- Ensure the provision of training, guidance and support for managers on the operation of this policy.

#### **5.1.3 Employees will:**

- Ensure that their annual leave is booked and taken throughout the leave year.
- Request any annual leave via GRS/WFM or ESR or via an agreed method submission until these are available.
- Raise with their line manager any difficulties they have in booking / taking annual leave.
- Ensure their annual leave entitlements are correct in line with NHS Terms and Conditions

#### **5.1.4 Line Managers will:**

- Ensure that all stages in this procedure are followed and that issues are dealt with in accordance with this procedure.
- Managers will encourage staff to book and take their annual leave throughout the leave year

- Manage annual leave fairly and consistently
- Identify developing trends and develop service plans if appropriate
- Maintain and submit data on annual leave within their area as required by the Trust

**5.1.5 The Human Resources department will:**

- Keep the provisions within this policy in line with employment legislation, best practice, people management principles and NHS terms and conditions of service.

**5.1.6 The Scheduling Departments will:**

- Be responsible for ensuring the timely and accurate input of approved annual leave requests into GRS/WFM.
- In conjunction with line managers, ensure leave is allocated on a fair and equitable basis, giving due consideration to the balance of service needs and staff requirements when processing requests for annual leave.
- Produce reports / data on the levels of annual leave requested, approved, declined and outstanding as requested.

**6.0 The Annual Leave Year**

The annual leave year for all employees is from 1 April to 31 March. Annual leave will be earned on a current year basis.

**7.0 Annual Leave and General Public Holiday Entitlements**

- 7.1 Annual leave allocations are based on a 7.5 hour working day, 5 day working week. Staff who do not work a standard 7.5 hour day, 5 day week (including part time staff) will receive their annual leave and general public holiday entitlement in hours, on a pro rata basis. This is in line with the principle under NHS Terms and Conditions which states that: “Where staff work standard shifts other than 7.5 hours excluding meal breaks, annual leave and general public holiday entitlements should be calculated on an hourly basis to prevent staff on these shifts receiving greater or less leave than colleagues on standard shifts” (Agenda for Change: NHS Terms & Conditions of Service Handbook, section 13.5).
- 7.2 Annual leave entitlement will be accrued from the employee’s start date with the Trust. If an employee’s start date falls part way through a month annual leave will be calculated on a pro-rata basis for the first month. Leave will be pro-rata from the first working day.
- 7.3 If an employee leaves the Trust part way through an annual leave year, their entitlements relating to their service in that period will be calculated pro-rata to their last working day. Where a member of staff has exceeded their leave entitlement this will be deducted from their final salary. If at the effective date of termination there is still annual leave owing to the employee, they will be paid accordingly in respect of those hours.
- 7.4 For staff who have alternative working arrangements, for example, term-time only or annualised hours please refer to the Human Resources Department
- 7.5 All entitlements stated below refer to the whole time equivalent entitlements. These will apply pro rata for part-time employees.

7.6 Annual leave entitlement for staff on NHS Terms and Conditions is based on their period of reckonable service with the NHS irrespective of length of breaks in service. Entitlements are as set out in the table below:

<b>Length of Service</b>	<b>Annual Leave and Public Holidays</b>	<b>Equivalent Time expressed in hours</b>
On appointment	27 days + 8 days	202.5 hours + 60 hours
After 5 years	29 days + 8 days	217.5 hours + 60 hours
After 10 years	33 days + 8 days	247.5 hours + 60 hours

7.7 For staff who are required to work on public holidays as part of their standard working hours e.g. A&E and EOC staff, the public holidays will be consolidated into their annual leave entitlement.

7.8 Employees not on NHS Terms and Conditions should refer to their contract of employment or local HR office for advice and guidance.

## **8.0 Public Holidays**

8.1 The Trust will recognise the following public holidays: New Year's Day, Good Friday, Easter Monday, May Day, Late Spring Bank Holiday, Late Summer Bank Holiday, Christmas Day and Boxing Day. Any other publicly declared holiday, or paid holiday, will also be recognised.

8.2 Staff required to work or to be on-call on a general public holiday are entitled to equivalent time to be taken off in lieu at plain time rates in addition to the appropriate payment for the duties undertaken.

8.3 For pay purposes, a public holiday period is defined as midnight to midnight.

8.4 Employees will not be entitled to an additional day off if sick on a statutory holiday. Staff who have their public holidays consolidated into their annual leave allocation will have 7.5 hours (pro rata for part-time staff) deducted from their allocation if they are sick on a public holiday.

## **9.0 Management of Leave**

9.1 In certain circumstances as determined by the relevant Divisional Commander (or equivalent) i.e. summer months of June, July and August, the leave level limits may be increased where it has been found to be operationally possible to cover an increased amount of leave.

9.2 If staff change base/role/rota any leave already booked will be honoured.

9.3 If staff have pre-booked leave which include rest days, this will also be honoured.

9.4 The Trust recognises the importance for couples of being able to spend time away from work together e.g. for family holidays, weddings etc. and will ensure couples are able to achieve at least 3 weeks annual leave at the same time. However, at peak holiday times e.g. Christmas and other bank holiday periods this cannot be guaranteed.



9.5 Where local arrangements for the booking of annual leave fail to achieve the above, and all attempts by the individuals concerned to resolve the matter e.g. by changing leave requests or swapping weeks with colleagues fails, a request for leave in excess of the normally agreed station/department level may be approved by line managers e.g. Locality Managers (or equivalent), in consultation with the Scheduling department, where applicable.

## **10.0 Approval Procedure**

10.1 Annual leave bookings can be made from 1<sup>st</sup> October with the Scheduling department/line managers for the following leave year. However, this does not preclude individual stations/PTS/departmental teams arranging allocation up to their allowed levels in accordance with their local agreements for the fair allocation of leave, from 1<sup>st</sup> July, before the details are submitted to the Scheduling Department/line manager for confirmation.

10.2 Requests for planned annual leave should be made to the relevant line manager/Scheduling department at least 7 calendar days before the leave is required.

10.3 Where short notice leave is requested, line managers should endeavour to approve such requests where they have the ability to cover the shift in question. Options to be considered may be spare capacity relief staff, authorised overtime, mutual shift change or a rest day shift swap.

10.4 All leave requests will be dealt with promptly and would normally be actioned within 3 working days. In the event of the employee not receiving a response within the specified time period, they should contact the line manager/Scheduling Department responsible.

10.5 The maximum annual leave normally granted for any one period of leave during July and August is 3 weeks inclusive of rest days and/or weekends. Leave can commence on any day of the week.

10.6 Where a request for an extension to the 3 week leave period limit is made, the line manager/Scheduling Department will consider each request on an individual basis, having regard to:

- The impact of the extended leave on colleagues having due regard to leave patterns;
- The ability to cover the service needs of the department/workplace within the requested leave period;

10.7 Employees must not take annual leave before approval has been given. Where an employee takes annual leave prior to this approval being given, the Trust may consider invoking the Disciplinary Policy.

10.8 Authorised annual leave is expected to be covered within the funded establishment, for instance by utilising relief staff or managing workload within their existing workforce/overtime budget.

10.9 Once approval for annual leave has been granted it will not be withdrawn, however the Trust may ask employees to return to duties if operational exigencies warrant it.

## **11.0 Time off for Religious Holiday / Festivals**

- 11.1 Wherever possible, employees wishing to take time off for religious activities should book these times as annual leave in the usual way.
- 11.2 In circumstances where the date of a religious event is only confirmed with short notice, special consideration will be given to the member of staffs' application. In this instance, an option for the employee may be to book additional annual leave to cover this with the ability to cancel once a firm date is known.
- 11.3 Employees with long-term religious commitments should consider making an application under the Flexible Working Policy.

## **12.0 Carry over of Annual Leave**

- 12.1 All employees are encouraged to take their full entitlement of annual leave within their annual leave year. The normal leave carry over, into the next financial year, applies; up to 37.5 hours (pro rata for part-time employees).
- 12.2 In cases where an employee leaves the Trust (on a voluntary basis or dismissal on grounds of capability etc.) will the employee be entitled to payment in lieu of any untaken leave.
- 12.3 Following authorisation from the executive team, the Trust may consider buying back annual leave at the end of each financial year.

## **13.0 Illness during Annual Leave / Public Holiday**

- 13.1 If an employee is unable to take booked annual leave due to sickness and a self-certificate or medical certificate, where appropriate, is submitted for this period, then the leave will be cancelled and credited to the employee. Wherever possible, the cancellation should be requested prior to the start of the booked annual leave.
- 13.2 Where an employee is covered by a self-certificate or medical certificate, and is not available to attend any meetings with the Trust, due to being away on holiday, then the annual leave will be deducted from their allocation
- 13.3 If an employee is prevented from taking their statutory holiday entitlement, currently 28 days, pro rata for part time staff) because of sickness absence, they will be entitled to carry forward any untaken statutory entitlement into a new leave year. However, if the Trust is able to allocate the outstanding annual leave after their return to work and before the holiday year expires, this will be facilitated. If other annual leave is available then staff can discuss this with their manager as an alternative but if the employee chooses not to take this reallocated annual leave then this holiday entitlement will be lost and cannot be carried over. Only if there is insufficient time left in the leave year to enable them to take their accrued statutory leave will they be allowed to carry this leave forward into the new leave year.
- 13.4 Employees will not be entitled to an additional day off if sick on a public holiday. Therefore, employees who are sick on a general public holiday (the 8 designated days) will have 7.5 hours (pro rata for part-time staff) deducted from their allocated entitlement.

## **14.0 Changes to Contractual Hours**

14.1 Where staff change their contracted hours part way through an annual leave year, this will result in a re-calculation of their annual leave and public holiday entitlements, prior and post the contractual change date. Their entitlement for that year will be proportionate to the number of calendar months occurring before and after the date on which the change occurs. Entitlements will be re-calculated from the first day of the change of hours. Assistance with any such re-calculations may be sought from the Human Resources Department.

## **15.0 Late return from Annual Leave**

If, for reasons beyond their control, employees know that they will be late returning from annual leave, they must contact their line manager or another Trust manager and notify them of their late return as soon as possible. Additional annual leave may be booked at short notice to allow for this late return.

## **16.0 Requests for Unpaid Leave**

16.1 Where staff wish to request additional unpaid leave, consideration should be made as to whether another Trust policy may apply, for instance, the Trust's Career Break Policy or Special Leave Policy.

16.2 In cases where unpaid leave is requested which falls outside of the remit of other Trust policies, consideration will be made on an individual basis by staff's line manager.

## **17.0 Leaving the Trust's Employment**

17.1 Employees leaving the Trust's employment will have their outstanding annual leave, accrued but not taken, calculated pro rata to the actual service in their personal leave year; this will be calculated to the last working day i.e. complete months are not required. A payment will be made in lieu of such leave and will be subject to relevant deductions. This principle will also apply to public holiday hours and other accrued time which has not been taken.

17.2 Where annual leave taken prior to termination of employment exceeds an employee's pro rata entitlement for that annual leave year, the Trust will deduct the equivalent of the payments for such additional days from the employee's final salary payment. This principle will also apply to public holiday hours taken in excess for the pro rata entitlement at the time of leaving.

17.3 Employees who are working out their notice will be allowed to take annual leave during this period, provided it has been booked in advance. Requests to take leave during a notice period will be approved wherever possible. However, this may not always be practicable due to the need to complete outstanding work, handover to a successor or other service needs. The Trust therefore reserves the right to refuse requests for leave during notice periods.

17.4 The Trust reserves the right to recover accrued annual leave pay from employees who are dismissed for theft or fraud involving either patients or the NHS or who leave the Trust without giving due notice.

17.5 Employees entitled to the pre-1986 'frozen' annual leave agreement should refer to their local HR office for advice and guidance.

## **18.0 Retirement**

Once a decision has been made on an employees retirement date they should endeavour to ensure that all accrued annual leave is taken prior to their retirement date.

## **19.0 Death in Service**

Where an employee dies in service, an allowance equivalent to the balance of the annual leave entitlement on the date of death, calculated on a proportionate basis shall be paid to the employee's personal representative. No deduction from the final salary payment should be made in respect of annual leave taken in excess of entitlement on the date of death.

## **20.0 Consultation and Communication with Stakeholders**

Senior Managers, Trust Management Group, Union and members of the Joint Steering Group (JSG), have been formally consulted about the development and review of this policy through the JSG process for consultation.

## **21.0 Equality Impact Assessment**

21.1 Yorkshire Ambulance Service NHS Trust is committed to ensuring that the way the Trust provides services and the way in which staff are recruited and treated reflect individual needs, promote equality and does not discriminate unfairly against any particular individual or group.

21.2 This procedure embraces diversity, dignity and inclusion in line with emerging Human Rights guidance. We recognise, acknowledge and value difference across all people and their backgrounds. We will treat everyone with courtesy and consideration and ensure that no-one is belittled, excluded or disadvantaged in any way, shape or form.

21.3 An Equality Impact Assessment has been completed and is available from the human resource department.

## **22.0 Review and Revision**

This policy will be reviewed in three years' time unless legislative or other changes necessitate an earlier review.

## **23.0 Monitoring Compliance and Effectiveness**

23.1 Appropriate monitoring of annual leave will be undertaken at both a local and strategic level in the Trust to identify circumstances that would suggest excessive or unusual trends in the taking of annual leave and to ensure compliance with Working Time Regulations.

23.2 The effectiveness and compliance with this policy will be monitored by the Scheduling department on a monthly basis by recording and monitoring all annual leave in line with GSR and HR reporting procedures.

23.3 Annual leave statistics, trends and/or difficulties will be reported to the JSG and Strategic Workforce Group as appropriate.

## **24.0 Implementation Plan**

The latest approved version of this Policy will be posted on the Trust Intranet site for all members of staff to view. New members of staff will be signposted to how to find and access this guidance during Trust Induction'

## **25.0 References**

Sources of reference material include:-

Employment Rights Act 1996 as amended, available at [www.opsi.gov.uk](http://www.opsi.gov.uk)

Working Time Regulations as amended, available at [www.opsi.gov.uk](http://www.opsi.gov.uk)

Data Protection Act, available at [www.opsi.gov.uk](http://www.opsi.gov.uk)

Employment Rights Dispute Resolution Act 1998, available at [www.opsi.gov.uk](http://www.opsi.gov.uk)

Employment Relations Act 1999, available at [www.opsi.gov.uk](http://www.opsi.gov.uk)

The Employment Act 2002 and the Employment Act 2002 (Dispute Resolution) Regulations 2004, available at [www.opsi.gov.uk](http://www.opsi.gov.uk)

**Table of AGENDA FOR CHANGE Annual Leave Entitlements**  
 (Exclusive of Public Holidays)

<b>WEEKLY BASIC CONTRACTED HOURS</b>	<b>ON APPOINTMENT 27 DAYS</b>	<b>AFTER 5 YEARS SERVICE 29 DAYS HOURS EQUIVALENT</b>	<b>AFTER 10 YEARS SERVICE 33 DAYS</b>
37.5	202.5	217.5	247.5
37.0	199.8	214.6	244.2
36.5	197.1	211.7	240.9
36.0	194.4	208.8	237.6
35.5	191.7	205.9	234.3
35.0	189.0	203.0	231.0
34.5	186.3	200.1	227.7
34.0	183.6	197.2	224.4
33.5	180.9	194.3	221.1
33.0	178.2	191.4	217.8
32.5	175.5	188.5	214.5
32.0	172.8	185.6	211.2
31.5	170.1	182.7	207.9
31.0	167.4	179.8	204.6
30.5	164.7	176.9	201.3
30.0	162.0	174.0	198.0
29.5	159.3	171.1	194.7
29.0	156.6	168.2	191.4
28.5	153.9	165.3	188.1
28.0	151.2	162.4	184.8
27.5	148.5	159.5	181.5
27.0	145.8	156.6	178.2
26.5	143.1	153.7	174.9
26.0	140.4	150.8	171.6
25.5	137.7	147.9	168.3
25.0	135.0	145.0	165.0
24.5	132.3	142.1	161.7
24.0	129.6	139.2	158.4
23.5	126.9	136.3	155.1
23.0	124.2	133.4	151.8
22.5	121.5	130.5	148.5

<b>WEEKLY BASIC CONTRACTED HOURS</b>	<b>ON APPOINTMENT 27 DAYS</b>	<b>AFTER 5 YEARS SERVICE 29 DAYS HOURS EQUIVALENT</b>	<b>AFTER 10 YEARS SERVICE 33 DAYS</b>
22.0	118.8	127.6	145.2
21.5	116.1	124.7	141.9
21.0	113.4	121.8	138.6
20.5	110.7	118.9	135.3
20.0	108.0	116.0	132.0
19.5	105.3	113.1	128.7
19.0	102.6	110.2	125.4
18.5	99.9	107.3	122.1
18.0	97.2	104.4	118.8
17.5	94.5	101.5	115.5
17.0	91.8	98.6	112.2
16.5	89.1	95.7	108.9
16.0	86.4	92.8	105.6
15.5	83.7	89.9	102.3
15.0	81.0	87.0	99.0
14.5	78.3	84.1	95.7
14.0	75.6	81.2	92.4
13.5	72.9	78.3	89.1
13.0	70.2	75.4	85.8
12.5	67.5	72.5	82.5
12.0	64.8	69.6	79.2
11.5	62.1	66.7	75.9
11.0	59.4	63.8	72.6
10.5	56.7	60.9	69.3
10.0	54.0	58.0	66.0
9.5	51.3	55.1	62.7
9.0	48.6	52.2	59.4
8.5	45.9	49.3	56.1
8.0	43.2	46.4	52.8
7.5	40.5	43.5	49.5
7.0	37.8	40.6	46.2
6.5	35.1	37.7	42.9
6.0	32.4	34.8	39.6
5.5	29.7	31.9	36.3
5.0	27.0	29.0	33.0
4.5	24.3	26.1	29.7

<b>WEEKLY BASIC CONTRACTED HOURS</b>	<b>ON APPOINTMENT 27 DAYS</b>	<b>AFTER 5 YEARS SERVICE 29 DAYS HOURS EQUIVALENT</b>	<b>AFTER 10 YEARS SERVICE 33 DAYS</b>
<b>4.0</b>	21.6	23.2	26.4
<b>3.5</b>	18.9	20.3	23.1
<b>3.0</b>	16.2	17.4	19.8
<b>2.5</b>	13.5	14.5	16.5
<b>2.0</b>	10.8	11.6	13.2
<b>1.5</b>	8.1	8.7	9.9
<b>1.0</b>	5.4	5.8	6.6
<b>0.5</b>	2.7	2.9	3.3



**Table of Public Holiday Entitlements**  
 (based on whole year (8 day) entitlement)

<b>WEEKLY BASIC CONTRACTED HOURS</b>	<b>HOURLY ENTITLEMENT FOR FULL LEAVE YEAR</b>	<b>HOURLY ENTITLEMENT ON EACH PUBLIC HOLIDAY AS IT OCCURS</b>
37.5	60.0	7.5
37.0	59.2	7.4
36.5	58.4	7.3
36.0	57.6	7.2
35.5	56.8	7.1
35.0	56.0	7.0
34.5	55.2	6.9
34.0	54.4	6.8
33.5	53.6	6.7
33.0	52.8	6.6
32.5	52.0	6.5
32.0	51.2	6.4
31.5	50.4	6.3
31.0	49.6	6.2
30.5	48.8	6.1
30.0	48.0	6.0
29.5	47.2	5.9
29.0	46.4	5.8
28.5	45.6	5.7
28.0	44.8	5.6
27.5	44.0	5.5
27.0	43.2	5.4
26.5	42.4	5.3
26.0	41.6	5.2
25.5	40.8	5.1
25.0	40.0	5.0
24.5	39.2	4.9
24.0	38.4	4.8
23.5	37.6	4.7
23.0	36.8	4.6

<b>WEEKLY BASIC CONTRACTED HOURS</b>	<b>HOURLY ENTITLEMENT FOR FULL LEAVE YEAR</b>	<b>HOURLY ENTITLEMENT ON EACH PUBLIC HOLIDAY AS IT OCCURS</b>
22.5	36.0	4.5
22.0	35.2	4.4
21.5	34.4	4.3
21.0	33.6	4.2
20.5	32.8	4.1
20.0	32.0	4.0
19.5	31.2	3.9
19.0	30.4	3.8
18.5	29.6	3.7
18.0	28.8	3.6
17.5	28.0	3.5
17.0	27.2	3.4
16.5	26.4	3.3
16.0	25.6	3.2
15.5	24.8	3.1
15.0	24.0	3.0
14.5	23.2	2.9
14.0	22.4	2.8
13.5	21.6	2.7
13.0	20.8	2.6
12.5	20.0	2.5
12.0	19.2	2.4
11.5	18.4	2.3
11.0	17.6	2.2
10.5	16.8	2.1
10.0	16.0	2.0
9.5	15.2	1.9
9.0	14.4	1.8
8.5	13.6	1.7
8.0	12.8	1.6
7.5	12.0	1.5
7.0	11.2	1.4
6.5	10.4	1.3
6.0	9.6	1.2
5.5	8.8	1.1
5.0	8.0	1.0

**WEEKLY BASIC  
CONTRACTED HOURS**

**HOURLY ENTITLEMENT  
FOR FULL LEAVE YEAR**

**HOURLY ENTITLEMENT ON  
EACH PUBLIC HOLIDAY AS  
IT OCCURS**

4.5	7.2	0.9
4.0	6.4	0.8
3.5	5.6	0.7
3.0	4.8	0.6
2.5	4.0	0.5
2.0	3.2	0.4
1.5	2.4	0.3
1.0	1.6	0.2
0.5	0.8	0.1

Frequently Asked Questions:

**What are the NHS Terms and Conditions annual leave entitlements?**

Length of service	Annual Leave and Public Holidays	Equivalent time expressed in hours
On appointment	27 days + 8 days	202.5 hours + 60 hours
After 5 years	29 days + 8 days	217.5 hours + 60 hours
After 10 years	33 days + 8 days	247.5 hours + 60 hours

**Should I calculate annual leave entitlement in hours or days?**

For employees who are part time or who work shifts, you should calculate their annual leave in hours. This is to ensure fair calculation of entitlements between part time and full time staff.

For full time employees working Monday to Friday (normal office hours) it is appropriate to calculate annual leave in days.

**I have an employee who has been unable to take their annual leave due to illness, what should I do?**

The employee should book their annual leave in the remaining period of the annual leave year if possible. If you can reasonably accommodate them having annual leave in this remaining period you should do so.

If you are able to approve annual leave during the remaining part of the leave year and the employee does not wish to take the leave at the time you have highlighted, then the employee will lose this annual leave entitlement.

Where you are unable to accommodate the leave in the remaining period of the annual leave year, then the employee is entitled to carry over up to the statutory amount (20 days) of annual leave, minus any leave they have already taken that year.

Where possible the employee should advise you as their line manager if they wish to cancel their booked annual leave, if they are aware they are going to be absent from work due to illness, prior to the annual leave dates. However, if they have a Med 3 or self-certificate of absence for the period of illness then normally the booked annual leave will be cancelled and re-credited to their entitlement for the year.

If the individual’s illness has not prevented them from taking their annual leave, then the leave will not be re-credited to their entitlement.

**I have an individual requesting to take annual leave whilst they are absent from work due to illness, can I authorise this?**

Employees are able to take annual leave whilst they are absent from work due to illness. In some instances individuals request this as they have gone onto half or nil sick pay and wish to use some of their annual leave to top up their pay. If this is requested you should inform payroll so that the appropriate adjustments can be made to their pay.

## **One of my employees has changed their hours of work part way through the year, how do I recalculate their annual leave entitlement?**

Upon changing their hours you should calculate the employee's annual leave entitlement pro rata to their hours of work for full calendar months.

If their hours change part way through a month, you should calculate their annual leave on their new hours from the following full month.

### **Example**

John Smith has reduced his hours from 37.5 hours to 30 hours per week from 15 May

John has 3 years' service with the Trust and so his previous entitlement on full time hours was 262.5 hours (27 days plus 8 days public holidays).

### **Entitlement from April to May (2 months):**

262.5 hours divided by 12 x 2 = 43.75 hours

### **Entitlement from June to March (10 months):**

262.5 hours divided by 37.5 hours x 30 hours = 210 hours

This gives you a pro rata calculation for a full year for John's new hours

As John changed his hours part way through May, his new entitlement should be calculated in full months and therefore from June.

210 divided by 12 x 10 = 175 hours

Total entitlement for the annual leave year that John's hours changed = **218.75 hours** (inclusive of public holidays)

If you require further advice and guidance please contact your local HR team or HR Business Services.

## **One of my employees has reached their 5 or 10 year anniversary of service part way through the year, how do I recalculate their annual leave entitlement?**

In both situations you should calculate the employee's annual leave entitlement pro rata to their hours of work / increased annual leave entitlement for full calendar months. If the change occurs part way through a month you should calculate their revised annual leave entitlement from the following month.

## **I have a new member of the team starting part way through the annual leave year, how do I calculate their entitlement?**

The individual's entitlement to annual leave will need to be calculated pro rata for the first year of employment, on full calendar months worked.

Sally Smith has never worked in the NHS before and therefore her entitlement on starting employment is 27 days plus 8 days bank holidays (262.5 hours)

Sally works 37.5 hours per week.

Sally commenced employment on 17 November and therefore her leave entitlement will be worked out from 1 December

### **Entitlement from December to March (4 months)**

262.5 hours divided by 12 x 4 = 87.5 hours (inclusive of public holidays)

### **A member of my team has worked on a public holiday; do they get additional time off?**

Employees whose annual leave entitlement is calculated in hours inclusive of public holidays will not be given additional time of in lieu when working on a public holiday. Employees whose annual leave entitlement is not calculated inclusive of public holidays would be allocated an alternative day.

Instead, their annual leave entitlement will not have any hours deducted, enabling the time to be taken elsewhere.

**Appendix 4**

### **A&E Operational Annual Leave SOP**



Annual Leave - SOP  
Operations - Final.p

**Appendix 5**

### **111 Annual Leave SOP**



Annual Leave SOP  
111 2021.pdf

**Appendix 6**

### **PTS Annual Leave SOP**



PTS Annual Leave  
SOP v.2.pdf