

## 04.03 ANNUAL LEAVE POLICY

### Entitlement

Days Worked Per Week	Entitlement (in working days)
5	34
4	27
3	20
2	14
1	7

NB employees employed before 1 February 2017 have a protected entitlement detailed below, which commences with the lowest number of days applicable and increases by one additional day's leave in each year of service up to the maximum number of days applicable.

Days Worked Per Week	Entitlement			
	Year 1	Year 2	Year 3	Year 4
5	34	35	36	37
4	27	28	29	30
3	20	21	22	22
2	14	14	14	15
1	7	7	7	7

The annual leave year operates from 1 April to 31 March

The leave entitlement of employees appointed during the year is pro-rated from their appointment date to the end of the leave year.

### Statutory and Local Holiday Entitlement

#### Retirement Housing, Owner Services, Office and BR24 Administrative Assistant II post holders

Employees are required to take the following statutory and local holiday leave, which is deducted from entitlement, during each leave year as follows:

- Easter 2 days: the statutory days are Good Friday and Easter Monday
- Christmas 2 days: the statutory days are Christmas Day and Boxing Day
- New Year 2 days: the statutory days are 1 and 2 January

At Christmas and New Year, if one or more of the designated days falls on a Saturday or Sunday then the day's leave will normally be taken on the first succeeding working day.

, Retirement Plus, Retirement Housing with Meals, F Home and Day Care and BR24 Employees (ECA, Team Leaders and CSA).

Employees in the above services/roles do not have fixed statutory or local public holidays due to the nature of services provided. Entitlement to statutory and local holidays, a total of 11 days (pro-rata for part time employees) is included in annual leave entitlement. Time off on these days cannot be guaranteed.

### **CARRY FORWARD OF LEAVE**

Under the terms of the Working Time Regulations full time employees are required to take a minimum of 28 days leave (which can include statutory and local public holidays) in any one leave year and part time workers are required to take the pro-rated equivalent.

To ensure this minimum requirement is met full time employees are entitled to carry forward the equivalent to one and half working weeks (pro rata for part time employees) in accordance with the table below:

<u>Total entitlement including statutory and local holidays</u>	<u>Maximum carry forward</u>
<u>Working 5 days</u>	
34	6
35	7
36	7½
37	7½
<u>Working 4 days</u>	
27	4
28	5
29	6
30	6
<u>Working 3 days</u>	
20	3
21	4
22	5
<u>Working 2 days</u>	
14	2
15	3
<u>Working 1 day</u>	
7	1

Carry forward of leave must be agreed and approved by the employee's line manager prior to the 1<sup>st</sup> February in the preceding year.

Any outstanding leave over and above the maximum carry over amount will be lost unless a specific alternative arrangement has been agreed and approved by the employee's line Manager. Factors that will be considered include operational issues, service delivery or other exceptional circumstances.

## **PURCHASE OF ADDITIONAL LEAVE**

Bield offers employees the opportunity to purchase additional leave. A maximum of 5 days (pro rata for part-time employees) can be purchased during any one leave year.

Applications to purchase additional leave should be made via the employee's line manager using the approved application form and signed by the line manager. Applications will be considered prior to the start of the leave year and within the first quarter of the leave year. Applications after the first quarter of the leave year will not be considered.

The cost per day is calculated on 1/260<sup>th</sup> of the employee's gross basic annual salary (pro rated for part time employees). For residential employees the cost will in addition include the cost of on call cover. Payment for such leave will be deducted from the monthly salary during the leave year.

Employees who purchase additional annual leave will not be eligible to carry forward any unused additional purchased leave or returned leave for remuneration to the next leave year unless there are exceptional mitigating circumstances. Final approval must be given by a senior member the Department of Human Resources to ensure consistency.

## **RETURN OF LEAVE FOR REMUNERATION**

Bield offers employees the opportunity to sell unused annual leave entitlement. The maximum return for remuneration will be 5 days in any one leave year (pro rata for part time employees). Under the terms of the Working Time Regulations full time employees must take a minimum of 28 days leave (including national and local public holidays) in any one leave year and part time employees are required to take the pro-rated equivalent. Employees applying to return leave for remuneration should be aware that they will therefore have a reduced capacity to carry forward leave into the following leave year.

Applications to return leave for remuneration must be submitted and approved by the employee's line manager no later than 31 December. Applications must be submitted on the approved application form and signed by the line manager. For scheme/project based employees this be the appropriate Service Manager and for office employees will be the Departmental Director.

Remuneration will be calculated on a daily rate of 1/260<sup>th</sup> of gross basic annual salary (pro rated for part time employees) and employees can elect to be paid in a lump sum during the final month of the leave year or spread across salary payments the following year. Payments will be subject to tax and national insurance where applicable.

## **GENERAL**

All calculations for the purchase of additional leave and the return of leave for remuneration will be calculated on salary paid as at 1<sup>st</sup> April during the applicable leave year. Where pay awards and increments are made after the 1<sup>st</sup> April no adjustments will be made to the calculations.

Employees are advised to note that purchase of leave and remuneration for leave may have an impact on pensionable salary and benefits such as tax credits.

**It will not be permissible to both purchase and return annual leave in the same leave year.**

Employees are advised to consider carefully their requirements for holiday and rest from work before returning leave for remuneration. Bield reserves the right not to approve purchase of additional leave if exceptional service delivery issues arise or approve return of annual leave for remuneration if there are concerns about work life balance for the employee.

## **NOTIFICATION OF LEAVE**

Annual leave must be taken at a time convenient to Bield. Whilst it is the expectation that annual leave may not be taken without the express, prior written or online approval of the employee's line manager, where prior written or online approval is not possible, verbal approval must be obtained with written approval obtained as soon as possible thereafter. Annual leave is paid at the employee's basic rate of pay.

## **SICKNESS ABSENCE AND ANNUAL LEAVE**

Employees will accrue contractual annual leave for the first three months' continuous sick leave after which they will accrue Statutory Annual Leave provided for by the Working Time Regulations 1998.

Statutory annual leave entitlement is currently 5.6 weeks' paid holiday per year, i.e. 28 days' per year for people who work a 5 day week. Part-time workers are also entitled to 5.6 weeks' of paid holiday each year, although this may amount to fewer actual days of paid holiday than someone who works 5 days per week since the entitlement is pro-rated.

An employee may take their statutory holiday at the same time as long term sick leave and receive their normal rate of pay. The employee must provide reasonable notice for holiday requests to their manager to ensure pay and leave is processed correctly. Employees are not expected to go away on holiday when absent due to sickness unless this is supported by a GP.

If an employee does not wish to take statutory holiday entitlement during long term sick leave, the employee is permitted to take this later in the leave year when s/he has returned to work. When an employee is unable to take holiday entitlement in the respective leave year due to continued sickness, s/he is permitted to carry forward a maximum of 4 weeks unused statutory holiday, the untaken leave can be carried forward for up to 18 months from the end of the leave year in which it arises after which the unused leave will be forfeited.

## **RESIGNATION/TERMINATION OF APPOINTMENT**

If employment is terminated for any reason, payment will be made for any annual leave accrued but not taken by the date of termination of employment. A day's holiday pay for this purpose is calculated as 1/260<sup>th</sup> of annual salary (i.e. reflecting working days, not calendar days), pro-rated for part-time employees.

Bield reserves the right to deduct from any final salary payment a sum equivalent to any leave taken in excess of entitlement due at the date of termination of employment, using the calculation detailed above.

Payment in lieu of statutory holiday accrued but not taken in a leave year will **only** be made on termination of employment.

### **Please Note**

For historical reasons, some employees may receive leave entitlement different to that which is detailed above. If any employees have a query concerning their leave entitlement they should contact the Department of Human Resources.

## COVID-19 International Travel Regulations

To reflect the regulations introduced regarding self-isolation and quarantine applicable to travellers returning to Scotland from certain countries, we have introduced a temporary amendment to our policy to reflect situations where employees may be required to use annual leave to cover a period of self-isolation/quarantine. This temporary amendment will remain in place as long as the regulations relating to international travel are in force.

“Self-isolation” in this context applies to the situation where the Government regulations would require a person to remain in their home for a period following return from certain foreign countries as a precaution. This is different to the rules that would apply to someone who is required to self-isolate because they have COVID symptoms themselves or have been identified as a close contact of someone who has tested positive for COVID. In those instances, the Sickness Absence policy would apply. “Quarantine” refers to the situation where a person is required to enter managed quarantine in a hotel following return from higher risk countries.

If you intend to travel out of the UK you should discuss your travel plans with your manager before you travel. This ensures that appropriate plans can be made to balance workload, safeguard colleagues, customers, etc. after your return, taking into account any self-isolation/quarantine period that you may be required to undertake upon return. Planning ahead ensures that where employees do decide to travel abroad they are clear how any potential period of self-isolation/quarantine upon their return will be dealt with. The regulations relating to self-isolation/quarantine on returning from abroad can change regularly and at short notice (including while you are out of the country). The latest regulations can be found [here](#). The regulations that are in effect on the date that you travel back to Scotland will determine what you need to do.

Before you return to work from a holiday abroad a risk assessment must be completed with your manager to ensure that the latest regulations have been complied with. You must not return to the workplace until the relevant testing requirements have been completed and the results of the tests are known. You will be required to provide evidence of your test results and, if applicable, your vaccination status to demonstrate that you have complied with the regulations before being allowed back into the workplace. Where you are able to work from home you can do so whilst undertaking self-isolation at home and/or awaiting test results. If you cannot work from home – or are undertaking managed quarantine in a hotel – then this period would need to be taken as annual or unpaid leave.

We appreciate that you may need to travel abroad for reasons other than a holiday, for example if a relative is seriously ill or to attend a family funeral. Each case will be considered sensitively, taking into account the particular circumstances such as the reason for the trip. It may be appropriate to agree a mixture of Compassionate Leave and Annual Leave to cover the period of the trip and any self-isolation/quarantine.

**APPLICATION TO RETURN ANNUAL LEAVE FOR REMUNERATION**

**Note to the employee:**

All applications must be submitted no later than 31 December in the annual leave year.

**Personal Details**

<b>Name:</b>	<input type="text"/>	<b>Employee Number:</b>	<input type="text"/>
<b>Employee:</b>	<input type="text"/>		
<b>Manager:</b>	<input type="text"/>	<b>Work Location:</b>	<input type="text"/>

1. Please indicate how many days annual leave you are seeking to return for remuneration (maximum of one working week).

2. Please confirm you will use all your statutory annual leave in this leave year (i.e. 28 days for full-time employees, pro-rated for part-time employees).

3. Please indicate whether you would like to receive the monies due as a lump sum or spread across your salary payments in the following year. *(please ✓ appropriate box)*

Lump Sum

12 Monthly payments


Please pass to your Service Manager (for scheme / project employees) or Departmental Director (for office employees).

**To be completed by Manager**

I have considered this request including any work life balance issues for the individual and approve / do not approve this application.

<b>Name (signed)</b>	<input type="text"/>	<b>Date:</b>	<input type="text"/>
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- Please now pass to the Department of Human Resources (form may be emailed to [HR@Bield.co.uk](mailto:HR@Bield.co.uk)).

**APPLICATION TO PURCHASE ADDITIONAL ANNUAL LEAVE**

**Note to the employee:**

Please note applications must be submitted no later than 30 June in the leave year. Additional annual leave must be taken in the annual leave it is purchased.

**Personal Details**

<b>Name:</b>	<input type="text"/>	<b>Employee Number:</b>	<input type="text"/>
<b>Employee:</b>	<input type="text"/>	<b>Work Location:</b>	<input type="text"/>
<b>Manager:</b>	<input type="text"/>		

1. Please indicate how many days annual leave you wish to purchase (maximum of one working week).

2. Please indicate why you are seeking to purchase annual leave.

I understand that if this request is approved the cost will be deducted from my monthly salary over the remaining leave year.

<b>Name (signed)</b>	<input type="text"/>	<b>Date:</b>	<input type="text"/>
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Please pass to your Service Manager (for scheme / project employees) or Departmental Director (for office employees) for consideration.

**To be completed by Manager**

I have approved / not approved the above request for the purchase of additional annual leave.

<b>Name (signed)</b>	<input type="text"/>	<b>Date:</b>	<input type="text"/>
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Please pass to Department of Human Resources (form may be emailed to HR@Bield.co.uk).

<b>Approved Name (signed)</b>	<input type="text"/>	<b>Date:</b>	<input type="text"/>
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