

PURTON PARISH COUNCIL	STAFF HOLIDAY POLICY
APPROVED BY COUNCIL:/...../..... <i>This policy will be reviewed once every 5 years unless there is a significant change in legislation or staffing requirements</i>	
Signed by Clerk:	Dated:

1. POLICY STATEMENT

Purton Parish Council recognises the importance and value of assisting staff to achieve a balance between their work and home life responsibilities.

In support of this commitment, a range of leave options are available to help employees achieve an appropriate balance between work and personal commitments.

The aim of this policy is to provide a uniform and fair approach when dealing with requests for both annual leave and special leave.

In addition, the policy will also provide a framework that enables employees to take reasonable time off for special leave, where the following occur: (tabled below)

- to care for a child or make alternative arrangements for a child’s welfare;
- to provide care and attention to a dependant;
- to deal with emergencies or unexpected events;
- to take compassionate leave;
- for public duties.

2. SCOPE OF THE POLICY

For the purposes of annual leave entitlement, this policy applies to all staff employed by Purton Parish Council.

Where special leave may be requested, the policy will apply to all employees of Purton Parish Council.

For purposes of policy clarity, a **dependent** is someone who is married to, is a civil partner, or a partner (whether opposite or same sex) “a near relative” or someone who lives at the same address as the employee.

A **relative** for this purpose includes: parents, parents-in-law, adult children, adopted adult children, siblings (including those who are in-laws), uncles, aunts, grandparents and step relatives or is someone who relies on the employee in a particular emergency.

The tabled appendix at the end of this policy provides examples of the types of leave available under this policy. This list is not exhaustive.

3. GENERAL PRINCIPLES

Annual Leave

The Clerk will consider all applications for annual leave in the context of balancing the needs of the individual with the needs of the service.

Employees should ensure they take a reasonable amount (and in any case the statutory entitlement) of their annual leave during the annual leave year and that it is spread evenly throughout the year as far as possible.

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All leave applications must be approved by the Clerk in advance and before employees make any firm holiday arrangements.

The Clerk should ensure that the employee's absence on leave will not adversely affect the service and should ensure that booking rules are in place to maintain satisfactory service levels.

The Clerk should deal with requests for annual leave as speedily as possible and without undue delay.

The annual leave year runs from 1st January to 31 December in any given year.

Special Leave

Employees should ensure that all requests are provided to the Clerk as early as is reasonably practicable.

The Clerk is obliged to consider all reasonable requests where this does not adversely affect the performance of the team/department or service whilst being fair and reasonable to all.

4. **ROLES AND RESPONSIBILITIES**

Role of The Clerk

It is the responsibility of the Clerk to:

- Ensure that both annual/special leave is managed equitably, balancing the needs of the service and the needs of individual employees, where required.
- Any request for leave should not be unreasonably refused.
- Confirm and authorise leave taken with employees and where requests for any leave have been declined then the Clerk should provide a clear explanation.
- All leave records should be maintained by the Clerk in line with organisational entitlements to ensure effective monitoring and allocation.
- The Clerk is responsible for identifying and acting on, any abuse of this policy. This action may include disciplinary action.

Role of employees

It is the responsibility of all employees to:

- Comply with policy and processes for all leave requests and in circumstances relating to special leave to provide appropriate documents.
- Give reasonable notice to the Clerk in requesting annual/special leave.
- Ensure that any leave requested is authorised by the Clerk before it is taken.
- Understand that failure to follow policy, will result in disciplinary action being taken.
- Inform the Clerk on the first day of sickness absence if they fall sick during their annual leave (please refer to sickness absence policy for reporting procedure).
- Should an employee be considering taking on public duties, they should advise the Clerk before first entering into such commitments and discuss the extent of the commitment and the implications for their work.
- Where an employee is already undertaking such duties prior to commencing employment with the Purton Parish Council, they should notify the Clerk as soon as possible after commencement if not already highlighted in the interview process and discuss the implications.

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5. ANNUAL LEAVE ENTITLEMENT

Annual leave entitlement will be based on service to the Parish Council or previous government employment.

Employees holiday periods will be detailed in their Statement of Main Terms of Employment.

Bank Holiday

A General Public Holiday is defined as a period of 24 hours from midnight to midnight on the following days:

Good Friday, Easter Monday, May Day, Spring Bank Holiday, August Bank Holiday, Christmas Day, Boxing Day and New Year's Day

There will be some years where more or fewer than eight General Public Holidays fall within the leave year because the Easter holidays can be in March or April. Leave entitlement will, therefore, be calculated each year based on the actual number of General Public Holidays falling within 1st January to 31st December.

Part time employees and new appointees who start or leavers who terminate their employment part way through the leave year will have a pro rata entitlement to leave.

Annual leave can also be calculated in hours for part time staff to ensure that they do not receive less favourable treatment than colleagues who work standard hours.

Employees will normally be expected to take their leave in multiples of whole or half days, although by calculating leave in hours for staff who do not work a standard week, it does provide an opportunity for leave to be taken in smaller blocks. Managers should, however, ensure that employees are taking adequate leave to provide appropriate rest.

6. PAY DURING ANNUAL LEAVE

Pay during annual leave will include basic salary. Pay is calculated on the basis of what the individual would have received had he/she been at work, based on earnings during the previous three months at work.

If employees have not taken their full holiday entitlement at the end of the holiday year, the Clerk may consider a request to carry forward a maximum of 3 days leave to the next holiday year due to business pressures only. However, this excess must be taken within 3 months of the new holiday year. Failure to do so will result in holidays being forfeited. Employees will not be given pay in lieu of the holiday not taken.

The Clerk will review regularly, the holiday remaining and ensure the remaining allocation is taken prior to yearend.

12-11-18	Adoption and review

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GUIDANCE RELATING TO ANNUAL LEAVE

Guidance on entitlements in a variety of circumstances is attached in the table below.

1. **Entitlement on Appointment**

All new members of staff will be entitled to annual leave plus General Public Holidays in the year of joining the Parish Council pro-rata basis.

Entitlement in the first year is dependent on the number of days worked from the date of commencement and before the end of the annual leave year.

2. **Holiday entitlement on termination of employment during the holiday year**

If an employee leaves the organisation during an annual leave year, annual leave entitlement will be calculated on a pro-rata basis from the start of the leave year to the date of leaving as above.

If the employee has outstanding annual leave entitlement, they will be required to be taken as part of their notice period. However, where this may significantly impact on team/departmental performance then the Clerk may consider payment as part of the final salary payment.

If the employee has taken more than the pro-rata annual leave entitlement, this amount of money will be deducted from the employee's final salary payment.

3. **Entitlement on changing contracted hours/completing 5 service**

When employees change their contracted hours or complete 5 years' reckonable service, this will result in a recalculation of their annual leave entitlement based on completed days on the new and the old contracted hours/leave entitlement to give the full year entitlement.

4. **Sickness during holiday**

If an employee is unwell during a period of time that has been booked as annual leave, then employees should follow the normal sickness absence procedures. Medical documentary evidence should be provided in such circumstances in order for leave to be reimbursed to the employee. It is only with the agreement of the Clerk that documentary evidence can be provided upon the employee's return to the workplace. Exceptions may apply where hospitalisation has taken place, and in such circumstances each case will be taken on its own merits.

Any days of sickness during a time of booked annual leave will be counted as sickness absence, and not annual leave, providing that the notification and certification procedures have been followed. The employee will be entitled to take those days as annual leave at another time.

If the employee is unable to take the full annual leave entitlement during a leave year due to sickness the employee will be entitled to carry outstanding leave forward to the next leave year.

5. **Holidays during school holidays**

It is accepted that many employees have children at school, and hence want to take leave within the school holidays. Every attempt will be made to meet such requests, but the operational efficiency of the

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organisation and equality to requests for the same period by staff who do not have children will be given fairly and equally.

6. Maternity/Adoption leave

When an employee is on maternity/adoption leave their annual leave entitlement continues to accrue. Employees are encouraged to take their leave entitlement up to the date of starting maternity leave in advance and will be entitled to take annual leave accrued during her maternity leave on return to work.

7. Cancellation of annual leave

In very rare circumstances the organisation might ask the employee to consider cancelling previously agreed annual leave due to business pressures. The employee has the right to refuse such a request and will suffer no detriment as a result of any such refusal.

If the employee will incur any cost as a result of cancelling a holiday this should be discussed with the organisation before making the cancellation. The organisation may be prepared to meet the costs of any such cancellation.

8. Carry over of annual leave

The Parish Council expects that within the annual leave year employees should be provided with the opportunity to take all their annual leave and believes that this is important to staff health and well-being.

However, **up to 3 days** of basic contracted hours may be carried over to or brought forward from the following leave year, with the agreement of the Clerk if there are exceptional circumstances that did not allow holiday to be taken in the year given. Exceptional circumstances include work pressures, sickness but do not include the employee not booking the leave.

9. Additional/Unpaid Leave

Requests for additional leave, which will be unpaid, should be considered on an individual basis. Unpaid leave should not normally be granted to employees, until paid annual leave has been exhausted. However, there may be exceptional circumstances where the Clerk thinks it appropriate to grant unpaid leave without exhausting annual leave.

10. Procedure for Special Leave

Employees wishing to apply for special leave under this policy must provide enough information about their request in writing to enable their manager to make an informed decision. A maximum of 5 days special leave in any 12 month rolling period will be available.

Managers must give appropriate consideration to all requests for Special Leave, meeting with the employee if possible and explain their decision in those cases where it is refused. In making their decision, managers must act in accordance with the Equal Opportunities policy and ensure each request is treated with fairness and equity and has due consideration for the individual circumstances of each employee. In making their decision the Clerk must obtain any available / appropriate information to validate the request. The Clerk must advise the employee of the outcome their request in writing.

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It is acknowledged that certain types of leave cannot be planned for, and therefore where urgent requests for leave are made, managers are expected to deal with these flexibly. Verbal requests should be followed up in writing as soon as appropriate to the circumstances.

Requests for extended leave – more than two weeks at one time

The Clerk will consider any request for extended leave for periods over 2 weeks which is considered extended leave in normal circumstances.

A request for a longer period up to the maximum holiday allowance will only be considered **once every 3 years** unless there are extenuating circumstances.

Any request must meet the needs of the services and staff ability to manage the roles in the employees' absence.

Any request for extended leave must be made giving appropriate **minimum notice of 3 months** where possible. If the Council cannot substantiate the period of absence, it will be refused with reasoning given to the employee. Any request must be dealt with as soon as possible to give the employee time to consider alternatives.

Management of holidays

The Clerk will provide a written sheet annually to all staff with the allocation of holidays and this must be completed and signed off before the holiday is given by the Clerk. A record will be kept in the office.

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COVID -19 PANDEMIC 2020

In March 2020 the Government requested all over 70s and all non essential services to cease operation to halt the spread of the Coronavirus. Purton Parish Council arranged where necessary home working and limited working for those required to carry out essential services.

The pandemic has also caused many services to cancel, including holiday companies and non-essential travel. To this end, the Council have agreed the following in line with government advice and Council operational needs.

If you have booked annual leave for this year (March 23rd 2020 onwards), and it will now be affected by the Coronavirus due to **non-travel, cancelled hotels, cancelled flights, being furloughed**, you will be able to cancel the leave with the Council and use at another time (proof will be required of holiday cancellations), but only until we have returned to normal operation.

If you have booked annual leave for other reasons, ie: childcare, stay at home holiday, decorations of home, delivery of items you will be expected to keep that time off as part of your annual leave allowance.

The Clerk will take each request for annual leave into consideration with the operation of the services, staff already on leave and timescales of works to be completed. If your leave request cannot be granted you will have the opportunity to carry forward a maximum of four weeks from 2020 entitlement into 2021/22 (split down into two weeks in 2021 and two weeks in 2022), but **only at the Clerks discretion**. Annual Leave is important for your health and well-being and all staff must, wherever possible, request and take leave to use their entitlement on return within the remainder of the year. There is no working requirement currently that would stop you from taking your leave this year, only if crossing of dates occur with a colleague.

The allowance of only two weeks leave will be allowed in one period of time, unless extenuating circumstances and you have not had leave of more than two weeks, at one time, in the last three years.

Please do not wait until the last month to book your leave as this will result in an instant refusal of your request due to operational needs.

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TYPE OF LEAVE	ELIGABILITY	PAID ENTITLEMENT	UNPAID ENTITLEMENT	GUIDANCE NOTES
Compassionate Leave	<p>All staff irrespective of length of service Circumstances for compassionate leave are:</p> <ul style="list-style-type: none"> • Serious illness, imminent death or immediately following bereavement • To make arrangements for a funeral • To attend a funeral <p>Compassionate leave is available for the above situations involving a dependent or close relative friend</p>	Up to one working week depending on the nature of the employee's involvement in the situation. In exceptional circumstances, eg death occurring overseas, further leave may be granted at the Clerks discretion	At the Clerks discretion	<p>Up to 1 week for; spouse/partner, mother, father, child or other named dependent (as advised to the organisation).</p> <p>Up to 1 week for brother, sister, grandparents (depending on employee's involvement).</p> <p>1 day for all other relatives including in-laws/close friends.</p>
Jury Service	Employees called to attend jury service. Employees may request to defer jury service in certain circumstances, but the decision to grant deferment does not rest with Purton Parish Council.	Up to 10 days. For cases lasting longer than 10 days, employees should submit a claim for loss of earnings to the Court	n/a	A copy should be provided of the court order to attend
Training with the reserves	Members of the TA or reservists	5 working days per year for camps in addition to annual leave	n/a	Official copies of requests should be provided
Mobilisation with reserve forces		Reservists are paid a basic salary by the UK Ministry of Defence (MOD). If this basic salary is less than the employee's NHS salary, employees can apply to the MOD for the difference to ensure they suffer no loss of earnings. The Company does not contribute.		Employees should produce mobilisation papers. Employees have the right to return to work after a period of mobilisation, if possible to their old job. If it is not reasonable and practicable to reinstate into the previous job role, the organisation will offer the most favourable alternative role on the most favourable terms and conditions, which are reasonable and practicable.

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<p>Time off for public duties:</p> <ul style="list-style-type: none"> • Justices of the Peace, and members of the following bodies: • a local authority • a statutory tribunal • a probation board • a police authority • youth offender panel • a registered housing board • a registered social landlord and tenant management organisation • the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad • a board of prison visitors or a prison visiting committee • a relevant health body • a relevant education body • the Environment Agency 	Employees who are appointed or elected to a public body	By agreement with the the Clerk to cover attendance at meetings of the body or any of its committees or sub committees and to perform duties approved by the body to be done in discharging its function	Clerks discretion	Employees must discuss their intentions and potential implications with the Clerk before applying to join a public body and obtain agreement in principle to the amount of paid and/or unpaid time off to be granted
Religious Holidays and Holy Days	All staff irrespective of length of service	Annual Leave	Clerks discretion	Wherever possible this should be accommodated provided relevant holiday is available
Health Appointments	All staff irrespective of length of service	Annual Leave or agreement with the clerk to make up time, use flexi hours	Clerks discretion	Wherever possible the employee should book out of working hour appointments, whoever full time employees may not be possible.
COVID-19 holiday exceptions <u>2020 – 2022 ONLY</u>	All staff irrespective of length of service	Due to Government requesting essential services only to operate, it is deemed necessary for staff to work from home or reduced hours during this pandemic period -. If pre-arranged holiday is cancelled due to the COVID-19 pandemic staff can carry over to 2021 and 2022 two weeks	No one can take additional unpaid leave during this period of carry over (2020-2022)	Each case for leave will be taken and dealt with at the Clerk discretion with support from the Staffing Committee if needed.

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		annual leave per year should this not be possible to be taken during the periods remaining after return to work in 2020.		
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