

Annual Leave Policy

February 2020

Authorship:	HR Humber
Committee Approved:	01 st July 2022
Approved date:	23/07/2019 (CCG) (01 st July 2022 ICB)
Review Date:	July 2023
Equality Impact Assessment	Completed - Full
Sustainability Impact Assessment:	Completed
Quality Impact Assessment:	Completed
Target Audience:	All Staff
Policy Reference No:	ICB 2
Version Number:	1.2

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as ‘uncontrolled’ and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by & Date	Date on Intranet
1		New policy		
1.1	HR Team	Updates in regards to GDPR	SPF 10/01/2018	
1.2	HR Humber	Duty inserted regarding communication and confirmation from employee and line manager when an employee has reached an anniversary and thus increased their annual leave entitlement. Inserted paragraph regarding pay during annual leave to be in line with AFC. Changed the process regarding when annual leave is calculated from when an employee reached an anniversary. Amended wording slightly in some parts for clarity. Example of annual leave entitlement during a leap year added.	Execs – 23/07/2019	
1.3	HR	Updated to reflect ICB – no change to review dates	Rem Com – 01/07/2022	October 2022

CONTENTS

	Page
1 Introduction	4
2 Engagement	4
3 Scope	4
4 Policy Purpose and Aims	4
5 Definitions <i>(if relevant & appropriate)</i>	5
6 Roles / Responsibilities / Duties	5
7 Implementation	5
8 Training and Awareness	6
9 Monitoring and Audit	6
10 Impact Analyses	6
10.1 Equality	
10.2 Sustainability	
10.3 Bribery Act 2010	
11 Policy Review	7
12 References	7
 PART 2	
1 Entitlement and reckonable service	9
2 Pay During Annual Leave	10
3 Public Holidays	10
4 Accrual of annual leave during Maternity, Adoption and Maternity Support Leave	11
5 Carry Forward of Leave	11
6 Annual leave and sickness	11
7 Leaving the ICB	12
8 Term Time Working	12
9 Requesting annual leave	12

1 INTRODUCTION

The ICB recognises that enabling its employees to achieve an effective work life balance benefits its employees and the ICB.

This policy describes annual leave provisions covered by the Agenda for Change national terms and conditions and outlines the discretionary options available to employees regarding annual leave.

Other discretionary forms of leave are available and may be granted by the appropriate manager. Guidance on these can be found in the Other Leave Policy. Separate policies are available for maternity, adoption, paternity and parental leave.

The annual leave period is usually from 1 April to 31 March.

An employee's annual leave entitlement will be determined by the length of reckonable NHS service with leave entitlements increasing on the completion of 5 and 10 years reckonable NHS service (see part 2, point 1.3 for guidance).

The ICB is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the ICBs Data Protection and Confidentiality and related policies and procedures

2 ENGAGEMENT

The policy has been developed by the HR Humber team with expert advice from the Local Counter Fraud Specialist, and consultation with the ICB's senior management team, employee policy group, the ICB's Integrated Governance and Audit Committee and the Joint Trades Union Partnership Forum.

3 SCOPE

This policy applies to all employees who are employed on NHS Agenda for Change Terms and Conditions. This includes employees on temporary contracts and fixed term contracts. Staff who are seconded from other employing organisations are not within the scope of this policy, nor are contractors. Agency Workers who meet the 12 week qualifying period will receive the same entitlement to annual leave as an employee and should request annual leave in the same way (in line with regulations 6 and 7 of the Agency Worker Regulations 2011).

Statutory office holders are not entitled to annual leave.

Bank staff are not entitled to take annual leave however they will be paid a percentage in addition to the agreed basic hourly rate to account for annual leave accrued which is based on the number of hours worked. Bank staff do not accrue leave in between any periods that they are asked to work.

4 POLICY PURPOSE & AIMS

The aim of the Annual Leave Policy is to ensure a uniform and equitable approach to the calculation of annual leave and general public holiday entitlements which take into account the arrangements as defined under NHS Agenda for Change terms and conditions. It also sets out a consistent procedure for requesting annual leave.

5 DEFINITIONS

Working Time Directive: EU legislation intended to support the health and safety of workers by setting minimum requirements for **working** hours, rest periods and annual leave

6 ROLES / RESPONSIBILITIES / DUTIES

Line Manager's responsibilities:

- To make accurate annual leave calculations and ensure this policy is adhered to.
- To record, monitor and authorise the annual leave of their employees and ensure that if an employee transfers to another department or leaves the organisation they have not taken too much annual leave than they have accrued and are entitled to and that any leave accrued and owing has been taken or paid.
- To recalculate annual leave and Bank Holiday entitlements when employees either increase or decrease their contractual hours and to ensure this information is communicated to the employee concerned and a new annual leave card issued. Ensure that when an employee claims they are due an increase in their annual leave entitlement due to reaching an anniversary that they have confirmation of this detailed in the employees contract of employment or from the HR department,
- To consider all leave requests fairly, taking into consideration an employee's entitlement and the ICB's needs.
- Ensure relevant cover, as required during the requested annual leave period
Managers should encourage employees to take annual leave to which they are entitled and should endeavour to ensure that their workload does not prevent this, annual leave requests should be balanced with the needs of the service.

Employee's responsibilities:

- Ensure annual leave is taken in accordance with the processes outlined in this policy.
- To request annual leave in a timely manner giving adequate notice (see section 8)
- To ensure that as far as possible, they plan to take the whole of their annual leave entitlement within the year that it is due. Failure to do this could result in the loss of entitlement.
- Employees should discuss annual leave plans with their colleagues to co-ordinate holidays and cover arrangements.
- To ensure they have their annual leave approved by their manager prior to making any holiday bookings.
- Employees must be aware that leave taken in excess of their entitlement may be considered to be fraudulent.
- Employees should communicate to their line managers when they are due an increase in their annual leave entitlement due to reaching an anniversary which impacts on their entitlement and show evidence of this from their contract of employment or seek confirmation from the HR department

Both employees and line managers have a responsibility to read and understand the policy. Any breaches of this policy may be investigated and may result in the matter being treated as a disciplinary issue under the ICB's disciplinary procedure.

The workforce team will support both managers and individuals in ensuring this policy is followed and implemented equitably.

7 IMPLEMENTATION

All employees will receive notification that the policy has been approved and will receive confirmation of where the policy is located.

This policy should be incorporated as part of the employee induction process for all new employees joining the ICB.

8 TRAINING & AWARENESS

Training and support will be provided to all line managers in the implementation and application of this policy.

9 MONITORING & AUDIT

The implementation of this policy will be audited on an annual basis by the Workforce team and reported to the ICB senior management team.

10 IMPACT ANALYSES

10.1 Equality

All policies require an assessment for their impact on people with protected characteristics. An Equality Impact Assessment has been undertaken for this policy and no negative impacts were identified in respect of any characteristics. This screening can be found in appendix 4

In applying this policy, the ICB will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

10.2 Sustainability

All policies require a Sustainability Impact Assessment. Such an assessment has been undertaken for this policy but not specific impacts were identified. This screening can be found in appendix 4.

10.3 Quality

All policies require a Quality Impact Assessment. Such an assessment has been undertaken for this policy but not specific impacts were identified. This screening can be found in appendix 4.

10.4 Bribery Act 2010

The relevance of the Bribery Act 2010 must be considered in respect of every policy. It is considered that it is relevant to this policy as it is possible that someone may be bribed into approving annual leave. A consistent application of this policy will mitigate bribery in relation to this policy.

Under the Bribery Act 2010, it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and

- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.
- Failure to prevent bribery; The Bribery Act also introduced a corporate offence for a relevant commercial organisation (the ICB) to bribe another person intending (1) to obtain or retain business, or (2) to obtain or retain an advantage in the conduct of business. The only defence available to the ICB against Bribery Act offences would be to prove that it had adequate procedures in place designed to prevent persons associated with it from undertaking any of the conduct outlined above.

These offences can be committed directly or by and through a third person and, in many cases, it does not matter whether the person knows or believes that the performance of the function or activity is improper.

It is therefore, extremely important that staff adhere to this and other related policies and documentation (as detailed on the ICB's intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.

If fraud, bribery and corruption are particularly relevant to a policy, the section should be headed Anti-fraud, Bribery and Corruption and should include a cross reference to the Local Anti-fraud, Bribery & Corruption Policy. The following wording should also be included:

If an employee suspects that fraud, bribery or corruption has taken place, they should ensure it is reported to the LCFS and/or to NHSCFA as follows:

- Local Counter Fraud Specialist on 07872 988939 / email nikki.cooper1@nhs.net or Head of Anti-Crime Services on 07717 356707 / email steven.moss@nhs.net.
- The ICB's Chief Finance Officer,
- NHSCFA, 0800 028 40 60 (powered by Crimestoppers)
Online: <https://cfa.nhs.uk/reportfraud>

Further information on the Bribery Act can be found at www.opsi.gov.uk/acts.

11 POLICY REVIEW

This policy will be reviewed every 4 years by the Workforce team in conjunction with operational managers and trade union representatives. Earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation or guidance. Where review is necessary due to legislative change, this will happen immediately.

12 REFERENCES

- Working Time Directive (1998)
- Agency Worker Regulations (2011)
- Flexible working policy
- Maternity, Adoption and Maternity Support leave policy
- Agenda for change
- Working Time Regulations 1998
- Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Employment Rights Act 1996
- Flexi time scheme
- Other leave policy

- Career break scheme
- <http://www.nhsemployers.org/EmploymentPolicyAndPractice/UKEmploymentPractice/Pages/AccrualofStatutoryAnnualLeaveonLongtermSickLeave.aspx>
- Anti-Fraud, Bribery and Corruption policy
- Disciplinary Policy
- Absence Management Policy
- Grievance Policy

13

Procedure

1 Entitlement and reckonable service

- 1.1 The annual leave period for all employees is from 1 April to 31 March.
- 1.2 The annual leave provisions as specified in the NHS Agenda for Change Terms and Conditions are contained in the table below:

Length of Service	Annual Leave plus general public holidays
On appointment	27 days plus 8 days
After 5 years' service	29 days plus 8 days
After 10 years' service	33 days plus 8 days

1.3 Reckonable service

An employee's previous continuous service with any NHS employer, regardless of whether there has been a break in service will count as reckonable service in respect of annual leave.

Time spent working in a comparable and highly relevant role in organisations other than the NHS may, following consultation with a Workforce representative, be counted as aggregated service (e.g. independent Primary Care Contractors, County Council, City Council, Social Services or the Department of Health).

Agency work will not count as reckonable service.

In order to have previous service regarded as reckonable service, it will be the employee's responsibility to provide their line manager with formal documentary evidence of any relevant, reckonable service as per the guidance contained within agenda for change.

- 1.4 Annual leave entitlement for all employees will be calculated in hours, not days. The benefit of this is to ensure that employees, who work part time or variable hours or shifts, do not receive either more or less leave than colleagues who work a standard pattern.
- 1.5 Annual leave entitlement is calculated based on contractual hours except in the case of Minimum Hours Contract employees, where actual hours worked will be used for the calculation subject to a maximum of 37.5 hours per week.
- 1.6 The calculation of leave entitlement is shown in appendix 1, which includes a calculation for general public holidays. Hours shown have been rounded to the nearest half hour.
- 1.7 For guidance on calculating annual leave please see appendix 2.
- 1.8 For employees who work full days, annual leave should normally be taken in periods of ½ days (3.75 hours) or more
- 1.9 On joining the ICB, all employees will be entitled to annual leave plus general public holidays from the first day of their employment. This will be on a pro rata basis for the first year of joining from the first day of employment to the end of the annual leave year. Annual leave cannot be carried between different NHS organisations
- 1.10 Where employees reach an anniversary which will increase their annual leave entitlement, the new entitlement will be calculated from the Following day after reaching the anniversary. To calculate this please ask the HR department for the annual leave

calculator.

- 1.11 Where employee's change their contracted hours, this will result in a re-calculation of their annual leave entitlement based on completed months on the new and the old contracted hours to give the full year entitlement. Therefore If an employee reduces their hours they will be entitled to any untaken leave in full which they may have accrued before the reduction in hours. Where employees change their contracted hours part way through a month they should not lose entitlement. Therefore, in these cases the entitlement for the first month will be calculated on the basic weekly contracted hours that they predominantly worked for that initial month.

2 Pay During Annual Leave

- 3 Employees will be paid during annual leave in accordance with section 13.9 of the NHS Agenda for Change Terms and Conditions of Employment which states; "Pay during annual leave will include any regular supplements including any recruitment and retention premia, payments for work outside normal hours and high cost area supplements. Pay is calculated on the basis of what the individual would have received had he/she been at work. This would be on the previous three months at work or any other reference period that may be locally agreed".

3 Public Holidays

Employees are entitled to 8 paid general public holidays per annum, which are:

- New Year's Day
- Good Friday
- Easter Monday
- May Day
- Late spring (May)
- Late summer (August)
- Christmas Day
- Boxing Day

This may increase or decrease each annual leave year depending upon when Easter falls.

- 3.1 In the case of part time employees, this entitlement is pro rata to the full time allowance. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. This removes the potential for inequity in cases where employees work varying days.
- 3.2 The general public holiday hour's entitlement will be pro rata based on the number of general public holidays remaining in the current leave year from the date of joining.
- 3.3 On each occasion an employee takes paid time off on a general public holiday as part of their basic week, the appropriate deduction of their normal basic hours per day will be made from their overall entitlement. Likewise if a bank holiday falls on an employee's non-working day the appropriate addition of their pro rata hours will be added to their overall entitlement. For part time employees, where operationally possible, and subject to mutual agreement, an employee may change their days of working during a general public holiday week and therefore retain their leave entitlement in respect of a general public holiday. This leave could then be taken at another time.
- 3.4 There will be some years where more or less than 8 general public holidays fall in the leave year. When this situation arises, the appropriate hours adjustment will need to be made for both full time and part time employees.
- 3.5 Employees required to work or be on call on a bank holiday are entitled to equivalent time

off in lieu at plain time rates in addition to the appropriate payment for the duties undertaken.

4 Accrual of annual leave during Maternity, Adoption and Maternity Support Leave.

- 4.1 Employees accrue annual leave during both paid and unpaid periods of maternity leave. Please refer to the appropriate Policy for further information.

5 Carry forward of leave

- 5.1 It is expected that all employees will be provided with the opportunity to take all their leave within a leave year. In exceptional circumstances, 5 days annual leave may be carried over to the following year, with the agreement of the line manager and in the following circumstances:-

- i) Where employees are prevented from taking the full allowance of annual leave before the end of the leave year because of business needs.
- ii) Where employees are prevented from taking annual leave because of sick leave. Please refer to point 5.4 of the policy.
- iii) On application and consideration of an individual's personal circumstances subject to the exigencies of the service.

A form is available at appendix 3 for employees to request to carry forward leave to the following leave year. This should be submitted to the line manager by 1 March of each leave year for consideration.

- 5.2 It may be possible for an employee to request to bring forward annual leave from the following leave year into the current leave year. This is only in exceptional circumstances and must be approved by the Chief Officer of the ICB.
- 5.3 Whilst the ICB is fortunate to be able to provide flexibility for employees it is essential that line managers ensure that all employees have the opportunity to take the statutory minimum annual leave of 20 days (excluding bank holidays) during the annual leave year as annual leave is central to the health and wellbeing of employees

6 Annual leave and sickness

- 6.1 An employee falling sick during a period of annual leave or who is absent on sick leave and has pre-booked annual leave should refer to the ICB's Absence Management policy and should ensure that they comply with the Absence Management policy
- 6.2 Employees still accrue annual leave whilst absent due to sickness. In the event that an employee has remaining annual leave following a long term period of sickness, reasonable opportunity should be given to allow the employee to take this leave within the same annual leave year.
- 6.3 Where an employee is considered long term sick between the months of January and March and annual leave is still outstanding, with no likely return to work date during this period, employees will be given the opportunity to take their annual leave as opposed to sick leave during this period. This may be beneficial where an individual is not in receipt of occupational or statutory sick pay. This will be determined on a case by case basis, referring to the ICB's Absence Management policy and after seeking advice from a HR representative.
- 5.4 If an employee is absent due to sickness and does not have the opportunity to take their annual leave entitlement within the current annual leave year because of illness, they will have the opportunity to carry their statutory annual leave entitlement over to the next annual leave year (currently 20 full days for full time employees in line with the Working Time

Directive 1998 and is pro rata for part time staff). This will need to be agreed by their line manager and any outstanding leave must be taken at the end of the sickness period. Where possible any outstanding annual leave should be used as part of any phased return to work plan.

- 6.5 No lieu of bank or public holidays will be given if an employee is off sick on a statutory holiday.

7 Leaving the ICB

- 7.1 Employees will be encouraged to take their annual leave prior to leaving the ICB however, where this is not possible any outstanding annual leave remaining will be paid, as will any outstanding general public holiday leave for general public holidays that have occurred in the leave year prior to the leave date. Annual leave cannot be carried forward to other NHS organisations. Annual leave entitlement will be calculated to the date of leaving based on completed months of service. Any annual leave taken (including general public holiday entitlement) which is in excess of that which the employee has accrued up to their last date of employment will be deducted from the final salary payment.
- 7.2 When calculating leave due on leaving the ICB, the figure is not rounded i.e. if the calculation says someone is entitled to 2.66 days leave that is what they will be paid for.
- 7.3 Where employee's leave on 31st March they will only be entitled to be paid for up to 5 days leave they may have carried over into the next leave year and they must have taken the statutory minimum of annual leave to ensure there is no breach of the Working Time Directive

8 Term Time Working

- 8.1 Where an agreement has been made that employee's will work during term time only, annual leave entitlement will be calculated based on the average number of hours worked per week across the whole year. The calculation is the number of hours worked multiplied by the number of weeks worked then divided by 52.143 (the number of weeks in a year). This gives the average hours worked per week. The annual leave entitlement is then calculated by taking the average hours per week, divided by the full time equivalent for a week and then multiplying by the number of days entitlement. Please note that the number of weeks per year used in the examples shown in Appendix 2 may change depending upon the length of the term time.

9 Requesting annual leave

- 9.1 Employees should submit all requests for annual leave to their line manager, in writing, giving as much notice as possible. A combined record should be kept of all requests and leave taken. Line managers will be expected to keep annual leave records for employees and to ensure that these are accurate and complete.
- 9.2 Employees wishing to take more than 2 weeks leave in any one block must put their request in writing to their manager at least 3 months in advance.
- 9.3 The manager must consider all applications taking into account the needs of the service and will respond to the employee within 10 working days indicating whether the leave has been "approved" or "denied". In the event of the leave being denied the reasons for refusal will be clearly explained.

An employee taking leave that has not been previously approved will be classed as being on unauthorised absence and therefore may be subject to disciplinary action.

- 9.4 Employees should not commit themselves to any holiday plans until they have received confirmation that their request for annual leave has been approved.
- 9.5 Line managers should encourage employees to plan and book their leave as early as possible and be proactive in booking regular leave to avoid loss, unnecessary carry forward and to ensure regular rest breaks for health and wellbeing.
- 9.6 Where employees have less than a half day entitlement to annual leave they shall be permitted to supplement the annual leave by the use of flexi-time where this is available or unpaid leave, so that the outstanding annual leave can be taken. This must be agreed by the line manager in advance so that deductions to pay can be processed if necessary.
- 9.7 The manager should record the request and update the employee's annual leave record, in line with local/departmental arrangements.
- 9.8 In the event of a dispute between the manager and the employee regarding the outcome of a request for annual leave an attempt should be made to try and resolve the matter informally in the first instance. HR support may be sought should managers require advice or guidance. In the event the matter cannot be resolved informally, the ICB's Grievance policy should be referred to.

APPENDICES

- Appendix 1: Annual leave entitlement**
- Appendix 2: Annual leave calculation examples**
- Appendix 3: Request to carry forward annual leave**

Appendix 1 - Annual leave entitlement

**Annual leave entitlement for complete years inclusive of general public holidays
For employees on 37.5 hours, one day is equal to 7.5 hours**

Weekly Basic Contracted Hours	Holiday Entitlement with no NHS Service	Holiday Entitlement after 5 years' service	Holiday entitlement after 10 years' service
--------------------------------------	--	---	--

	Annual Leave	General public holiday	Annual Leave	General public holiday	Annual Leave	General public holiday
	27	8	29	8	33	8
	Hours Equivalent					
37.5	202.5	60.0	217.5	60.0	247.5	60.0
37.0	200.0	59.5	215.0	59.5	244.5	59.5
36.5	197.5	58.5	212.0	58.5	241.0	58.5
36.0	194.5	58.0	209.0	58.0	238.0	58.0
35.5	192.0	57.0	206.0	57.0	234.5	57.0
35.0	189.0	56.0	203.0	56.0	231.0	56.0
34.5	186.5	55.5	200.5	55.5	228.0	55.5
34.0	184.0	54.5	197.5	54.5	224.5	54.5
33.5	181.0	54.0	194.5	54.0	221.5	54.0
33.0	178.5	53.0	191.5	53.0	219.0	53.0
32.5	175.5	52.0	188.5	52.0	214.5	52.0
32.0	173.0	51.5	186.0	51.5	211.5	51.5
31.5	170.5	50.5	183.0	50.5	208.0	50.5
31.0	167.5	50.0	180.0	50.0	205.0	50.0
30.5	165.0	49.0	177.0	49.0	201.5	49.0
30.0	162.0	48.0	174.0	48.0	198.0	48.0
29.5	159.5	47.5	171.5	47.5	195.0	47.5
29.0	157.0	46.5	168.5	46.5	191.5	46.5
28.5	154.0	46.0	165.5	46.0	188.5	46.0
28.0	151.5	45.0	162.5	45.0	185.0	45.0
27.5	148.5	44.0	159.5	44.0	181.5	44.0
27.0	146.0	43.5	157.0	43.5	178.5	43.5
26.5	143.5	42.5	154.0	42.5	175.0	42.5
26.0	140.5	42.0	151.0	42.0	172.0	42.0
25.5	138.0	41.0	148.0	41.0	168.5	41.0
25.0	135.0	40.0	145.0	40.0	165.0	40.0
24.5	132.5	39.5	142.5	39.5	162.0	39.5
24.0	130.0	38.5	139.5	38.5	158.5	38.5
23.5	127.0	38.0	136.5	38.0	155.5	38.0
23.0	124.5	37.0	133.5	37.0	152.0	37.0
22.5	121.5	36.0	130.5	36.0	148.5	36.0
22.0	119.0	35.5	128.0	35.5	145.5	35.5
21.5	116.5	34.5	125.0	34.5	142.0	34.5
21.0	113.5	34.0	122.0	34.0	139.0	34.0
20.5	111.0	33.0	119.0	33.0	135.5	33.0
20.0	108.0	32.0	116.0	32.0	132.0	32.0

Weekly Basic Contracted Hours	Holiday Entitlement with no NHS Service		Holiday Entitlement after 5 years' service		Holiday entitlement after 10 years' service	
	Annual Leave	General public holiday	Annual Leave	General public	Annual Leave	General public
	27	8	29	8	33	8
	Hours Equivalent					
19.5	105.5	31.5	113.5	31.5	129.0	31.5
19.0	103.0	30.5	110.5	30.5	125.5	30.5
18.5	100.0	30.0	107.5	30.0	122.5	30.0
18.0	97.5	29.0	104.5	29.0	119.0	29.0
17.5	94.5	28.0	101.5	28.0	115.5	28.0
17.0	92.0	27.5	99.0	27.5	112.5	27.5
16.5	89.5	26.5	96.0	26.5	109.0	26.5
16.0	86.5	26.0	93.0	26.0	106.0	26.0
15.5	84.0	25.0	90.0	25.0	102.5	25.0
15.0	81.0	24.0	87.0	24.0	99.0	24.0
14.5	78.5	23.5	84.5	23.5	96.0	23.5
14.0	76.0	22.5	81.5	22.5	92.5	22.5
13.5	73.0	22.0	78.5	22.0	89.5	22.0
13.0	70.5	21.0	75.5	21.0	86.0	21.0
12.5	67.5	20.0	72.5	20.0	82.5	20.0
12.0	65.0	19.5	70.0	19.5	79.5	19.5
11.5	62.5	18.5	67.0	18.5	76.0	18.5
11.0	59.5	18.0	64.0	18.0	73.0	18.0
10.5	57.0	17.0	61.0	17.0	69.5	17.0
10.0	54.0	16.0	58.0	16.0	66.0	16.0
9.5	51.5	15.5	55.5	15.5	63.0	15.5
9.0	49.0	14.5	52.5	14.5	59.5	14.5
8.5	46.0	14.0	49.5	14.0	56.5	14.0
8.0	43.5	13.0	46.5	13.0	53.0	13.0
7.5	40.5	12.0	43.5	12.0	49.5	12.0
7.0	38.0	11.5	41.0	11.5	46.5	11.5
6.5	35.5	10.5	38.0	10.5	43.0	10.5
6.0	32.5	10.0	35.0	10.0	40.0	10.0
5.5	30.0	9.0	32.0	9.0	36.5	9.0
5.0	27.0	8.0	29.0	8.0	33.0	8.0
4.5	24.5	7.5	26.5	7.5	30.0	7.5
4.0	22.0	6.5	23.5	6.5	26.5	6.5
3.5	19.0	6.0	20.5	6.0	23.5	6.0
3.0	16.5	5.0	17.5	5.0	20.0	5.0
2.5	13.5	4.0	14.5	4.0	16.5	4.0
2.0	11.0	3.5	12.0	3.5	13.5	3.5
1.5	8.5	2.5	9.0	2.5	10.0	2.5
1.0	5.5	2.0	6.0	2.0	7.0	2.0
0.5	3.0	1.0	3.0	1.0	3.5	1.0

Appendix 2 - Annual leave calculation examples

Annual leave can be calculated using the following five steps:

1. Ascertain the number of years reckonable service the individual has (see part 2, point 1.3)
2. Ascertain the number of annual leave days the individual is entitled to for full-time in a full year (see part 3, point 1.2)
3. Ascertain the number of hours this equates to, based on the individual's contracted hours per week (see appendix 1)
4. Ascertain the bank holiday entitlement of the individual from appendix 1 (calculated pro rata for part-time workers)
5. Add the annual leave and bank holiday entitlement together

If the individual has not worked a full annual leave year, in addition:

1. Calculate the reduced entitlement for both annual leave and Bank Holidays

Example A:

Employee A works 21 hours per week, commenced work with the ICB on the 1 April and has 1 year reckonable service. Using the 5 steps above:

1. 1 years service
2. 27 days Annual leave
3. This equates to 113.5 hours annual leave based on 21 hours per week
4. Plus 33.5 hours Bank Holiday
5. = 147 hours leave per year (as the employee is working the full calendar year)

Example B:

Employee B works 30 hours per week, commenced work with the ICB on the 6 November and has 15 years reckonable service. Using the 5 steps above:

1. 15 years service
 2. 33 days Annual leave
 3. This equates to 198 hours annual leave based on 30 hours per week
 4. Plus 48.0 hours Bank Holiday (6.1 hours per bank holiday)
 5. = 246 hours leave per year (based on the full calendar year)
1. There are 145 days between 6 November and the end of March (the end of the holiday year) therefore employee B is entitled to $\frac{198}{365} \times 145 = 98$ hours annual leave in their first year

There are 3 remaining Bank Holidays in that year (Christmas and New Year) therefore they are also entitled to 18.3 hours Bank Holiday (6.1 hours x 3).

Term time only working examples

Example 1

Agreement is made for X to work 37.5 hours per week for 39 weeks per year. X is a new starter entitled to 27 days annual leave.

Average number of hours worked per week will be $\frac{37.5 \times 39}{52.143} = 28.05$ per week

Entitlement will be $28.05/5 \times 27 = 151.5$ hours

General public holiday entitlement will be $28.05/5 \times 8 = 45$ hours

Example 2

Agreement is made for Y to work 20 hours per week for 39 weeks per year. Y has 6 years' service and is entitled to 29 days annual leave

Average number of hours worked per week will be $\frac{20 \times 39}{52.143} = 14.96$ per week

Entitlement will be $14.96/5 \times 29 = 87$ hours

General public holiday entitlement will be $14.96/5 \times 8 = 24$ hours

Annual leave during a Leap Year Example

In order to calculate your annual leave in a leap year please speak to the HR department who can send you the annual leave calculator or use the below calculation.

The calculation is as follows:

Number of hours worked per week x by your annual leave entitlement using the below figures:

Use: **5.4, 5.8, or 6.6** (weeks) in accordance with the below:

Up to 5 years service = **5.4** weeks (27 days) A/L

Up to 10 years service = **5.8** weeks (29 days) A/L

More than 10 years service = **6.6** weeks (33 days) A/L

This would then be divided by (52.143 / 52.286)

Example:

$(37.5 \times 5.4) / (52.143 / 52.286) = 203.1$ hours annual leave

Appendix 3 - Request to carry forward annual leave

Name..... Job title.....

Date of application.....

Number of days you wish to carry forward:.....

A maximum of five days (pro rata for part time staff) may be carried forward

Reason for application (please include any reasons for this request, such as special circumstances during the next annual leave year requiring extra leave and any restrictions on taking outstanding leave during the current leave year)

.....
.....
.....
.....

Signed (Applicant):

Application forms must be submitted to your line manager by 1st March.

For completion by Line Manager:

Your request to carry forward days leave is / is not* approved

* (please state reason).....

.....
.....

SignedPrint name.....Date.....
(Line manager)

INTEGRATED IMPACT ASSESSMENT		
Policy/project/function/service	Annual Leave Policy	
Date of analysis:	July 2019	
Type of analysis completed	Quality	
	Equality	Yes
	Sustainability	
What are the aims and intended effects of this policy/project or function?	To provide a framework to support staff in requesting, approving and taking annual leave.	
Please list any other policies that are related to or referred to as part of this analysis	<ul style="list-style-type: none"> • Flexible working policy • Maternity, Adoption and Maternity Support leave policy • Agenda for change 	
Who does the policy, project, function or service affect?	Employees	X
	Service users	
	Members of the public	

Other (please list)

QUALITY IMPACT

	Please 'X' ONE for each			Brief description of potential impact	Mitigation strategy and monitoring arrangements	Risk 5 x 5 risk matrix)	
	Chance of Impact on Indicator					Likelihood	Consequence
	Positive Impact	No Impact	Negative Impact				
	X	X	X				
PATIENT SAFETY							
Patient safety /adverse events							
Mortality position							
Infection control MRSA/CDIFF							
CQC status							
NHSLA / CNST							
Mandatory/statutory training							
Workforce (vacancy turnover absence)							
Safe environment							
Standard & suitability of equipment							
Other Quality Indicators							
NICE Guidance and National Quality Standards, e.g. VTE, Stroke, Dementia							
Patient related outcome measures							
External accreditation e.g. professional bodies i.e. RCN							

CQUIN achievement							
Will there be an impact on patient experience if so how							
Will it impact on carers if so how							
Will it create / reduce variation in care provision?							
What is the impact on workforce capability care and skills?							
Will there be a change in working practice, if so, how?							
Will there be an impact on training							
Will it have an impact on performance, if so, how?							
Could it impact on the achievement of local, regional, national targets, if so, how?							
EQUALITY IMPACT							
Analysis Rating (see completion notes)	Red		Red/Amber		Amber		Green
Approved by:	Commissioner Lead:				GP lead for E&D:		X

	Date		Date	
Local Profile Data				
General	NA			
Gender (Men and Women)	Female = 73.6% Male = 26.4%			
Race (All Racial Groups)	White British = 79.17% Asian or Asian British – Indian =2.78% Asian or Asian British – Bangladesh =1.39% Asian or Asian British – Any other Asian background = 1.39% Unspecified = 13.89% Not stated = 1.39%			
Disability (Mental and Physical, Sensory Impairment, Autism, Mental Health Issues)	No=15.3 Not Declared=1.4 Unspecified=83.3			
Religion or Belief	Christianity = 11.11 Not disclosed = 4.17 Unspecified =84.72			
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	Heterosexual or straight = 8.33 Not Disclosed = 4.17 Unspecified = 87.50			
Pregnancy and Maternity	This information is not currently available			
Transgender	This information is not currently available			
Marital Status	Civil Partnership = 1.35% Divorced = 9.46% Married = 56.76% Single = 24.32% Unspecified = 8.11%			
Age	21-25 = 1.39% 26-30 = 5.56% 31-35 = 8.33 36-40 = 16.67			

41-45 = 8.33
46-50 = 12.50
51-55 = 16.67
56-60 = 25.00
61-65 = 2.78
66-70 = 1.39

Equality Data

Is any equality data available relating to the use or implementation of this policy, project or function?	Yes
List any consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function.	<p>Consultation has taken place locally and internally through:</p> <p>North Lincolnshire ICB Senior Executive Team North Lincolnshire ICB Employee Policy Group Social Partnership Forum</p>
Promoting inclusivity; How does the project, service or function contribute to our aims of eliminating discrimination and promoting equality and diversity?	No impact on ICB functions

Equality Impact Risk Assessment test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Protected Characteristic:	No Impact	Positive Impact	Negative Impact	Evidence of impact and if applicable justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)	X			Women are more likely to be part time employees than men however

				<p>as stated in section 1 of part 2 of the policy:</p> <p>“In the case of part time employees, this entitlement is pro rata to the full time allowance. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. This removes the potential for inequity in cases where employees work varying days.”</p> <p>“For part time employees, where operationally possible, and subject to mutual agreement, an employee may change their days of working during a general public holiday week and therefore retain their leave entitlement in respect of a general public holiday. This leave could then be taken at another time.”</p>
Race (All Racial Groups)	X			This policy is consistent in its approach and process to all AFC employees regardless of race, ethnicity or nationality.
Disability (Mental and Physical, Sensory Impairment, Autism, Mental Health Issues)		X		Staff who are off sick will still accrue any holiday entitlement so will not impact on those with a disability.
Religion or Belief	X			Staff with religious beliefs may need annual leave on specific days to celebrate festivals or take part in religious ceremonies. In applying the policy managers are required to take account of the Equality Act 2010 (para 3.1). The policy also states: “If an employee wishes to take an extended period of leave for example due to personal reasons or religious pilgrimage (e.g. Hajj or the Umrah) please refer to the Other Leave policy and/or the Career Break Policy).
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	X			This policy is consistent in its approach and process to all AFC employees regardless of sexual orientation.
Pregnancy and Maternity		X		The policy states “Employees accrue annual leave during both paid and unpaid periods of maternity leave. Please refer to the relevant Policy for further information.”
Transgender	X			This policy is consistent in its approach and process to all AFC employees regardless of their gender or any gender reassignment they may have had.

Marital Status	X			This policy is consistent in its approach and process to all AFC employees regardless of their Marital status.
Age	X			Staff with longer reckonable service will be awarded a higher annual leave entitlement however this is not directly linked to age so will not have an impact.

Action Planning

As a result of performing this Equality Impact Analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by The Equality Act 2010?

Identified Risk:	Recommended Action:	Responsible Lead	Completion Date	Review Date
N/A				

SUSTAINABILITY IMPACT

Staff preparing a Policy / Board Report / Committee Report / Service Plan / Project are required to complete a Sustainability Impact Assessment. Sustainability is one of the Trust's key Strategies and the Trust has made a corporate commitment to address the environmental effects of activities across Trust services. The purpose of this Sustainability Impact Assessment is to record any positive or negative impacts that this activity is likely to have on each of the Trust's Sustainability Themes.

	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Reduce Carbon Emission from buildings by 12.5% by 2010-11 then 30% by 2020			X	
New builds and refurbishments over £2million (capital costs) comply with BREEAM Healthcare requirements.			X	

Reduce the risk of pollution and avoid any breaches in legislation.			X	
Goods and services are procured more sustainability.			X	
Reduce carbon emissions from road vehicles.			X	
Reduce water consumption by 25% by 2020.			X	
Ensure legal compliance with waste legislation.			X	
Reduce the amount of waste produced by 5% by 2010 and by 25% by 2020			X	
Increase the amount of waste being recycled to 40%.			X	
Sustainability training and communications for employees.			X	
Partnership working with local groups and organisations to support sustainable development.			X	
Financial aspects of sustainable development are considered in line with policy requirements and commitments.			X	