** Bradley Stoke Town Council**

**Annual Leave Policy – (as from 1st April 2025)**

All employees are entitled to time off work for a number of reasons, for example, holiday, illness, maternity. Some of these situations carry statutory rights, some are paid and some unpaid. For time off work other than Annual Leave/Bank Holidays and extra-statutory holidays, you will need to refer to the BSTC Work/Life Balance Policy.

This Guide covers all staff and all the entitlements included in this Guide will be kept under review by the Town Clerk.

1. All employees are entitled to take leave. Some entitlements are on a paid basis and some are unpaid.
2. All entitlements are pro-rata for part-timers and are for an employee’s leave year.
3. All leave must be requested in advance and authorised with the line manager.
4. Line managers can reject leave requests for a number of reasons e.g. service provision.
5. Employees found to be applying for leave dishonestly will be subject to the Managing Employee Performance procedure.
6. Records should be kept by managers of all leave taken by employees within their team.
7. **ANNUAL LEAVE**

1.1 Statutory paid holiday entitlement is 28 days (5.6 weeks) per year which includes bank holidays.

1.2 However, the council provides employees \* with an entitlement to 24 days leave, raising to 25 days with effect from 1st April 2023 + bank holidays + 2.5 extra statutory days in a complete leave year. After five years continuous local government service, this increases to 29 days leave, raising to 30 days with effect from 1st April 2023 + bank holidays + 2.5 extra statutory days to be used at Christmas refer to item 5. (Pro–rata for part-timers).

\*Zero hour contract employees receive an entitlement of 28 days per year which includes bank holidays in line with the statutory entitlement.

1.3 An employee’s leave year is the 12 month period from 1April to 31 March.

1.4 Managers will advise and confirm individual leave entitlements with their employees as soon as possible after commencing employment.

1.5 Employees wishing to take annual leave should first confirm and agree leave with their line manager before making definite arrangements.

1.6 Annual leave can be taken in hours or in full or half days leave.

1.7 On reaching five years’ local government service, a proportion of the additional five days leave is granted on the first of the month following the month of commencement and is pro rata to the remaining balance of that leave year.

1.8 Where an employee reduces or increases their working hours, any leave entitlement (including any carried over leave) is taken pro-rata on the basis of the hours being worked when the leave is actually taken.

1.9 Leave should be taken by the end of the leave year, ie by 31 March but employees can carry over up to a maximum of five days or 37 hours of annual leave for full timers and pro-rata for part time hours, to a maximum equivalent to the employees contracted hours for 1 week with their manager’s permission unless item 1.15 or 1.16 apply.

1.10 Leave entitlement should be expressed in days per annum if the employee works standard days i.e. either full time or the same number of part-time hours per day for five days a week. However, if the employee works less than five days a week or varying hours across five days, leave should be calculated in hours.

1.11 Leave taken should be deducted from the total leave entitlement, remembering to deduct for bank holidays as they arise (see 2.6 and 3.2 for further information).

* 1. The leave entitlement of an employee leaving or joining the council is proportionate to their completed service during the leave year.

1.13 When an employee leaves the Council and has taken in excess of their proportionate leave entitlement, the council will make an appropriate deduction from their final salary. When an employee leaves and has taken less than their proportionate leave entitlement, an appropriate additional payment will be made.

1.14 Employees on maternity, adoption, paternity, shared parental leave and neonatal care leave will continue to accrue annual leave. However, annual leave cannot be taken during maternity, adoption, paternity, shared parental leave or neonatal care leave.

1.15 Employees continue to accrue holiday entitlement whilst absent from work due to sickness, regardless of how long the period of sickness lasts. They are also entitled to take annual leave whilst on sickness leave if they wish. However, if an employee is unable to take all of their annual leave entitlement within a leave year due to illness, they are able to carry over a maximum of 28 days (the statutory entitlement) to the next leave year.

1.16 No substitute bank/public holiday or extra statutory day will be given if an employee is off work sick on a bank/public holiday or extra statutory day.

**2. ANNUAL LEAVE ENTITLEMENT CALCULATIONS (as from 1st April 2023)**

**2.1 Annual leave, bank/public holiday and extra statutory day full-time entitlement:**

**Less than five years service:**

25 days Annual Leave + 8 days Bank/Public Holidays (variable) + 2.5 days extra over the Xmas closure period = **35.5 days**

**More than five years service:**

30 days Annual Leave + 8 days Bank/Public Holidays (variable) + 2.5 days extra over the Xmas closure period = **40.5 days**

**2.2 Conversion of the annual entitlement from days into hours:**

To convert annual entitlements from days into hours, apply the following formula:

Full time annual entitlement in days x 7.4 hrs per day = **Annual full-time entitlement in hours.**

**2.3 Annual leave, bank holiday and extra statutory day - part-time entitlement:**

For part-time employees who work the same number of hours per day for five days a week, their entitlement would be the same number of days as for a full timer, however each day would be shorter in length.

For part-time employees who work less than five days a week and/or different hours each day, a pro rata entitlement should be calculated in hours using the following formula:

**Full time annual entitlement in days x weekly part time contracted hours ÷ 5 = pro rata annual entitlement in hours.**

Leave entitlements must be rounded up, not down.

### **2.4 New starters**

New starters begin to accrue leave on day one of employment.

When an employee commences employment with the council, they will be given an amount of annual leave dependent on where they are in their leave year.

Where an employee starts part way through a month, they will be entitled to a pro rata amount for that month and then full months’ after that until the end of the leave year.

### **2.5 Leavers**

When an employee leaves part way through a month, the same calculation should be used to work out how much holiday they were entitled to for the part- month worked and the employee is then either permitted to take that leave or be paid for any untaken leave.

### **2.6 Additional bank/public holidays**

Where additional bank/public holidays are arranged within a year e.g. The Queen’s Jubilee in 2012, the following calculation should be used:

## Number of contracted hours per week ÷ 37 x 7.4 (for full timers)

## This will be pro rata for part timers applying the same calculation.

These additional hours should then be added to the leave entitlement hours for the year and deducted for the Bank/Public holiday if the employee is due to work on that day but takes the day off (3.2 refers).

No deduction is required if the employee is not due to work on this bank/public holiday

**2.7 Proportionate additional leave on reaching five years’ local government service**

On reaching five years’ service, an employee will receive an additional 5 days of leave, proportionate to the months left within their current leave year.

Pro-rata entitlement in hours for the proportion of the additional five days leave is calculated using the following formula:

Extra days leave entitlement x weekly hours worked ÷ 5 = **pro rata entitlement in hours**

**3. PUBLIC/BANK HOLIDAYS**

3.1 All employees get a paid holiday on each of the annual statutory, general and public/bank holidays as they occur. This entitlement is included within the total leave entitlement as explained within section 2 above.

**3.2 As leave entitlement includes bank/public holidays, employees who are due to work on a day that is a bank/public holiday but take the day off, will need to deduct their normal working hours for that day from their total leave entitlement.**

**If a bank/public holiday falls on a day an employee was not scheduled to work, no deduction is necessary.**

**3.3 An employee can, with their line manager’s agreement, work their weekly contractual hours in a different pattern to avoid deducting any hours/days from their entitlement.**

3.4 Job-sharers who work 18.5 hours each over two and a half days can share the bank/public holidays/extra statutory day and come into the office for two days instead of two and a half and deduct half a day from their leave entitlement.

3.5 When employees work on a bank/public holiday (also known as extra statutory working), enhancements may be payable.

3.6 If an employee is sick on a bank/public holiday or extra statutory day, no substitute bank/public or extra statutory holiday will be given.

3.7 Bank holidays accrue during an employee’s maternity leave, adoption leave, neonatal care leave, paternity leave and shared parental leave. The accrued bank holidays can, if necessary, be carried over to the next holiday year.

**4 CASUAL/ZERO-HOURS EMPLOYEES AND ANNUAL LEAVE**

4.1 Casual and zero-hour staff are entitled to accrue, take and be paid for annual leave, based on the hours they work. However, they are only entitled to the statutory annual leave entitlement of 28 days (207.5 hours) pro rata to the hours worked. This equates to an approximate 7 minutes holiday accrued for every hour worked (Refer to 4.2 for calculation).

For example:

* Hours worked in the month (80) x 0.121 = 9.68 hours rounded to 10 hours

10 hours is then deducted from the entitlement of 207.50, leaving 197.50 hours of the remaining entitlement.

**4.2** Calculation for the holiday percentage for zero hours workers, as applied in item 4.1 is detailed below:

|  |  |  |
| --- | --- | --- |
|  |  | Calculation for 28 days p/a |
| Step 1 | Number of weeks in the year | 52 |
| Step 2 | How many days' holiday would a full-time employee get if they were doing this role? Include annual leave, bank holidays and extra statutory days. | 28 |
| Step 3 | Convert this to weeks (divide by 5) | 5.6 |
| Step 4 | How many working weeks would this equate to? (52 less holiday weeks) | 46.4 |
| Step 5 | Work out holiday weeks as a % of working weeks (step 3 divided by step 4)  Apply this % to the hours/pay of zero hours staff to work out how much holiday time/pay they accrued | **12.07%** Converts to  **0.121** (rounded) |

**5 EXTRA STATUTORY DAYS AND CHRISTMAS LEAVE**

5.1 The 2.5 extra-statutory leave days (pro rata for part timers), must be used at Christmas to part cover the week-long closure period and Christmas eve (pm) with the remainder of the period being covered from the employee’s normal annual leave entitlement.

5.2 On Christmas Eve, the office and sites will close to the public from 12 noon and will reopen on 2nd January. Where Christmas Eve falls upon a weekend, the offices and sites will close to the public from 12 noon on the Friday before Christmas Eve and where the 2nd January falls upon a weekend, the offices and sites will reopen for normal office hours on the following Monday.

5.3 **Christmas Eve – Full time staff**

As the office closes at noon, employees will be given the afternoon off. If they are normally due to work either part or all of the afternoon, they will need to deduct the appropriate amount of time in hours from their leave entitlement. Staff wanting to take leave for the morning will need to agree it with their manager and book it as annual leave applying the appropriate time linked to their normal working hours.

**Christmas Eve – Part time Staff**

Part–timers will be given a pro rata amount of leave for Christmas Eve pm. If they are normally due to work either part or all of the afternoon, they will need to deduct the appropriate amount of time in hours from their leave entitlement. Staff that would normally be due to work and want to take leave for the morning will also need to agree it with their manager and book it as annual leave applying the appropriate time linked to their normal working hours.

**If a Christmas Eve falls on a day an employee was not scheduled to work, no deduction is necessary.**

**RESPONSIBILITIES**

**Manager** Confirm with and advise employees of annual leave entitlements.

Respond to all leave requests within a reasonable time limit.

**Employee** Agree leave in advance with their line manager.

Give as much notice as possible when booking leave.

**HR** Provide support and advice to managers as required.

**Updated by Bradley Stoke Town Council – 21st May 2025**