**VALLEY COMMUNITY COUNCIL**

**ANNUAL LEAVE POLICY**

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**Annual leave entitlement**

Your paid leave entitlement is set out in your contract of employment. The basic leave entitlement for a full-time member of staff is 23 days per annum with a further three days after five years of continuous service PLUS 2 extra statutory days in addition to 8 Bank holidays. Part time employees receive a pro-rated entitlement according to their hours of work.

**Leave year**

The leave year runs from 1st April to 31st March. It is your responsibility to manage your leave in such a way that you are able to take it all during the leave year. Your annual leave entitlement will be pro-rated in your first and last year of employment with the council.

**Requesting leave**

You should request leave from the Chair with as much notice as possible. The council will balance your needs against the needs of the Council before agreeing to leave. If you take leave without such permission it will be treated as unauthorised absence and dealt with under the Disciplinary Procedure.

**Sickness during leave**

If you become ill during a period of paid annual leave, you must comply with the requirements of the sickness reporting and certification procedure, if you wish to have this sickness period discounted from the period of paid leave taken. It is important that you contact the Chair, on the first day of sickness and keep the council up to date during the period of sickness.

**Payment of annual leave**

The council does not offer payment in lieu of leave entitlement unless you are leaving the council and have not taken leave entitlement that you have accrued at the time of leaving.

**Payment in lieu**

If you leave during the course of a leave year, and cannot take any outstanding accrued leave before your last day, you will receive a payment in lieu of any outstanding accrued leave. In such a case, a calculation will be made of the amount of paid leave due to you, on a pro rata basis, for that part of the leave year up to the date of termination of the contract. Holiday pay will be based on your current rate of pay including any regular overtime.

If, however, you have taken more paid leave than is due by this calculation, then a deduction will be made from your salary payments for an amount at your basic daily rate for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

This is a non-contractual procedure which will be reviewed from time to time.

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**Notes**

1. Annual leave entitlement

The statutory minimum leave entitlement for full time workers if 23 days in addition to 8 Bank Holidays. This should be pro-rated for part time workers. If your Clerk works three full days a week, their entitlement will be 3/5ths of the full-time entitlement (i.e. 12 days leave in addition to 4.8 days Bank Holidays).

1. Green Book terms

If the council adopts Green Book terms and conditions of employment, staff receive an additional 3 days entitlement after 5 years of continuous service. Furthermore, employees have an entitlement to two extra statutory days leave which may be taken on specific days, or added to the annual entitlement.

Public and Extra Statutory Holidays

Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid at plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

* Time worked less than half the normal working hours on that day — half day
* Time worked more than half the normal Working hours on that day — full day

1. Carrying over leave

It is important that staff take their statutory annual leave in order to ensure the council complies with working time legislation. The council has a responsibility to support staff to take their annual leave. If the council offers leave entitlement in excess of the statutory minimum, you may wish to allow staff to carry over unused entitlement from one year to the next. The following text can therefore replace the relevant section above.

It will not normally be the case that employees are permitted to carry forward annual leave in to the next leave year but consideration will be given to any request to do on the ground of special circumstances.

1. Rolled-up holiday pay

It is not permissible to "roll-up" holiday pay into basic pay, i.e. pay an employee a higher hourly, daily or weekly wage, part of which is designated as holiday pay, with the result that, when the employee goes on leave, they receive no pay.

1. No normal working hours

If an employee does not have normal working hours, for example if the amount of work fluctuates from week to week, then the amount payable during statutory annual leave must be calculated as an average of the employee's actual pay during the 12 weeks that preceded the start of the leave period. If, during the preceding 12 weeks, there was one or more weeks during which the employee did no work (and hence received no pay), that week must be discounted and an earlier week counted instead.

1. Religious festivals

Refusal of annual leave on a day that has religious significance for a particular employee may amount to indirect discrimination under legislation.