

# Wokingham Without Parish Council



## Annual Leave Policy And procedure for Casual and Part-time Staff

V1.1

## Purpose and Scope

1. This policy notifies employees of their entitlement to annual leave (or payment in lieu of annual leave). It also addresses the procedure for claiming holiday entitlement. Different procedures apply for full time employees. This policy and procedure is for staff on the following contracts:
  - casual (i.e. no guaranteed hours)
  - annualised (i.e. part-time with some contractually guaranteed hours but with the flexibility to work additional casual hours)
2. This policy is in line with advice given on the Government website:  
<https://www.gov.uk/holiday-entitlement-rights>

## Leave entitlement:

3. The Council's holiday year runs from 1 April to 31 March in the following year. Up to five days' leave may be rolled over into the next leave year, but should be used within the first 3 months of the leave year. Any remaining leave above 5 days will be forfeit, unless the Parish Clerk agrees that it can be held over. Approval to carry over more than 5 days' leave will only be given in exceptional circumstances.
4. In order to ensure that staff on casual and annualised contracts are not disadvantaged it is the Council's policy to give them pro-rata entitlements to time off in lieu of bank holidays and statutory days, according to the number of hours they work. This is achieved by factoring bank holidays and statutory holidays into their holiday entitlement – see below.
5. The Parish Council's basic holiday entitlement is 21 working days per annum **plus** bank holidays. There are 8 bank holidays in most normal years (Good Friday, Easter Monday, May Day, Whitsun, August, Christmas Day, Boxing Day and New Year's Day). Parish Council employees also benefit from 2 additional statutory days. This gives  $21 + 8 + 2 = 31$  days in total.
6. After completing five years' service, holiday entitlement increases. For the purposes of calculating complete years of service employment started before July will count as a full year for calculating additional holiday entitlement. The additional days holiday entitlement will start in the April of the sixth year of service (i.e. after five complete years of service).
7. Holiday entitlement for staff on casual and annualised contracts is expressed in hours. Holidays for staff on casual and annualised contracts are pro-rata to the hours worked based on a 37-hour week. In a 37-hour week, one day is 7.4hours ( $37/5$ ). There are 52.142 weeks in a year ( $365/7$ ).

## Taking Holiday:

8. Casual staff will be **paid** their holiday entitlement at the end of each year i.e. on 30 March, pro rata to the hours worked that year.

9. Staff on annualised contracts will receive an annual *holiday entitlement* (in hours) based on their contracted hours. Staff will be paid any entitlement due as the result of working additional hours. This will be paid at the end of each financial year.

#### Booking Holidays:

10. Staff on annualised contracts are required to advise the Parish Clerk at least one month in advance of any period they will be away from work on holiday, so that suitable cover arrangements can be made. As a general rule of thumb, employees with the same job function and/or in the same team will not be granted leave at the same time. Holidays will be granted on a 'first-come, first-served' basis and will be granted at the discretion of the Parish Clerk. Holidays cannot be taken in blocks of more than 3 weeks unless by express prior (3 months in advance) approval of the Council. Unpaid leave of up to a maximum of 5 days a year may be granted for exceptional purposes at the discretion of the Parish Clerk.
11. Agreed holiday must be recorded on the member of staff's annual leave-sheet and will be covered by paid hours subject to there being sufficient holiday entitlement available within the individual's annual holiday entitlement. Staff on annualised contracts are expected to manage their holiday in order to have holiday hours available to cover for planned closures. In particular staff should plan to cover a maximum of one week during the Christmas and New Year period. Staff will be given notice of the planned Christmas and New Year closure one month in advance. If annual holiday entitlement hours are not available to be used to cover planned closures staff will not be paid for those hours.
12. Casual staff are requested to let the Parish Clerk know well in advance when they will be able and unable to work.
13. For staff on annualised contracts hours worked and hours booked as holiday are required to be recorded. If work is undertaken on a bank holiday it should be recorded and will be paid at the usual rate (no enhancement will be paid). *All bank holiday time off in lieu entitlement is covered in the calculation of holiday entitlement.*
14. Planned Closure of facilities (i.e. 24 hours' notice as a minimum has been given):
  - **Casual staff with no contracted hours or days of work** will have no entitlement to pay in respect of any planned closure of Parish Council facilities, howsoever caused.
  - **Staff with annualised contracts** will be expected to take holiday to cover planned closures; if insufficient holiday entitlement remains these hours will be unpaid. This particularly applies to the closure of the Parish Council's operations over the Christmas and New Year period.
15. Unplanned Closure of facilities (i.e. with less than 24 hours' notice given):
  - **Staff with casual and annualised hours contracts** will be paid for the hours booked to work if the facility is closed by the Parish Council unexpectedly and at short notice (less than 24 hours' notice). This payment is paid on a good will basis at the discretion of the Parish Clerk subject to affordability and business needs.

#### Holiday pay on termination of employment:

16. All staff leaving the Council, unless dismissed for gross or serious misconduct, will receive any outstanding holiday pay in their last salary payment.

#### Leave entitlement example for employee with under 5 years' service:

17. Gloria is an assistant Clerk with an annualised contract and has worked for the Council for 2 years. She is contracted to work for 15 hours per week. Her holiday entitlement is **pro rata** to 21 days + 2 statutory days + 8 Bank Holidays = 31 days in total.

An average working day is 7.4 hours - (37 hrs per week / 5days per week)

Gloria's holiday entitlement is  $15/37 (31 \times 7.4) = 93$  hours including bank holidays.

Gloria regularly works on Monday, Tuesday and Wednesday, she therefore benefits from having 5 hours off on Easter Monday, May Day, late May Bank Holiday, August Bank Holiday Monday plus any other Bank holidays that fall on a Monday e.g. Christmas, Boxing Day or New Year's day.

Her holiday entitlement for 2017/18 will therefore be 93 hours less 20 hours for Bank Holiday Mondays and less 10 hours for Christmas Day and New Year's Day which both fall on a Wednesday. This gives 63 hours holiday remaining.