



UNIVERSITY OF  
LINCOLN

# Annual Leave Policy

Version 5 / August 2021

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## **1. Purpose**

This policy clarifies the position of the University of Lincoln in respect of annual leave entitlements for all employees.

The principal of the policy is to ensure that part time employees receive the same treatment and entitlement as full-time employees with respect to statutory public holidays and University concessionary days. This is to ensure compliance with The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations and subsequent additional amendments. The policy also ensures fair and equitable application of the rights of all employees to receive annual leave.

## **2. Scope**

The policy applies to all University of Lincoln and UOLS employees.

## **3. Background**

In addition to basic annual leave the University closes on named days throughout the year, currently 8 public holidays (as determined by HM Government) and 6 University concessionary days (decided locally by the University).

All part-time employees of the University of Lincoln receive pro rata basic annual leave entitlement to that of their full time equivalent. This leave is taken throughout the leave year in line with the University annual leave request guidance.

Dependent upon the work pattern of the part-time employee the above days may or may not fall on what would normally be a contractual day of work. The University aims to ensure that all part-time employees receive their equal proportionate amount of public holidays and concessionary days in comparison with both other part-time employees and their full time equivalents.

In order to ensure that this happens individuals contractually employed on less than a full time contract will receive their annual leave allowance in hours. The total leave allowance will also be inclusive of the appropriate proportion of hours in relation to closure days based upon the contractual hours of work.

## **4. Types of Leave**

### **4.1 Basic Annual Leave**

This is an annual leave entitlement that all employees receive which can be taken during the leave year at the discretion of the staff member and with the agreement of their Line Manager.

## **4.2 Statutory Public Holidays**

8 prescribed days set by HM Government that are linked to national public holidays, when the University is closed. Additional days may be added by HM Government at their discretion. Where the calendar date falls on a Saturday or Sunday the University will be guided by the allocation of a substitute day by HM Government:

- New Year's Day
- Good Friday
- Easter Monday
- Early May Public Holiday
- Spring Public Holiday
- Summer Public Holiday
- Christmas Day
- Boxing Day

## **4.3 Concessionary Leave**

6 additional days set by the University. These are also known as University closure days and will “normally” be allocated to:

- the Tuesday following Easter Monday
- 5 additional days around the Christmas and New Year period.

## **4.4 Other Forms of Leave**

For any other forms of leave please refer to the Leave of Absence Policy.

## **5. Procedure for Calculation of Public Holiday / Concessionary Leave Allowance**

Full time members of staff who work against the University “standard” work pattern of Monday to Friday will receive their basic leave entitlement in days. This works on the assumption that they will automatically take leave on all statutory and concessionary days.

Full time individuals who do not work against the standard work pattern will receive their annual leave entitlement in hours where this entitlement is inclusive of statutory and concessionary leave. Where a statutory or closure days falls on a normal day of work the same process as part time employees for booking the period of leave should be followed.

Where an individual is on a variable working pattern, or compressed hours, the period of annual leave to be taken, must reflect the actual number of hours that would normally be work on that day.

For part-time employees a public holiday / concessionary allowance will also be calculated and included in the total annual allowance.

**Calculation example:**

**(Part-time employee's FTE x 14 days) x 7.4 hours per day = public holiday / concessionary day allowance**

Where an employee's FTE is calculated by:

$$\frac{\text{Weeks worked per year}}{52.143 \text{ weeks (full-time)}} \times \frac{\text{employee's contracted weekly hours}}{37 \text{ hours per week (full-time)}}$$

The above calculation converts the entitlement to an hourly leave allowance to allow for those employees who work varying hours as part of their contractual working. This ensures that leave is accrued and taken on a fair and proportionate basis. The calculation to convert from days to hours is to multiply the days by 7.4 hours based on the fact that a full-time employee works on average 7.4 hours a day over a five day week (37 hours divided by 5 days).

**Example:**

For a part-time member of staff working every week of the year but on a part time 17 hours per week basis the public holiday / concessionary leave allowance would be calculated as follows:

$$\frac{17 \text{ hours per week}}{37 \text{ hours per week}} \times 14 \text{ public holiday / concessionary days} \times 7.4 \text{ hours} = \mathbf{47.6hrs}$$

**Public holiday / concessionary leave allowance = 48 hours a year**

Calculated entitlements are rounded up to the nearest half hour.

All part-time employees will be expected to use and record use of this allowance where a public holiday or University concessionary day falls on a normal contractual working day. Where this is the case an employee will need to deduct the contracted hours that they would have worked on this day from their total annual leave allowance.

For those employees where these named days do not fall on a normal contractual working day their proportionate element may be taken in line with the standard annual leave request guidance.

It remains the responsibility of the employee to adequately plan the use of their entitlement in line with the named closure days published on the University portal site.

In the event that an employee does not have sufficient entitlement to ensure payment for public and concessionary days that fall on a normal contractual day of work the following options should be discussed and agreed at line management level:

- Take the balance from their basic annual leave entitlement; or
- Agreement with their Line Manager to work the equivalent number of leave hours at an alternative time through a flexible working arrangement (possibly alternating working weeks), or
- Agree with their Line Manager to take unpaid leave.

It is the responsibility of the Line Manager to ensure that in the event of the agreement to take unpaid leave that the request is processed through MyView and approved as soon as possible to allow the deductions from pay to be processed through the next available University payroll run.

## **6. Types of leave entitlement**

### **6.1 Full-time (days)**

A full-time employee works 37 hours per week over a five day period, averaging at 7.4 hours per day. These employees receive an annual leave entitlement in days and take every public holiday and concessionary day off as the University is closed on these days.

### **6.2 Part-time (hours)**

A part-time employee works less than 37 hours per week over any number of days per week. These employees receive a basic annual leave entitlement in hours and an allowance for public holidays / concessionary days.

### **6.3 Term-time**

A term-time employee works only during University term time, a maximum of 42 weeks per year.

There are two types of term-time employees:

- Term-time employees who take annual leave within term-time. These employees are treated the same as part-time employees outlined in 6.2.
- Term-time employees who take annual leave outside of term-time. These employees will be compensated for leave (including public holiday / concessionary days) within their salary. It remains the responsibility of the employee to designate leave periods outside of contractual working time.

If for any reason a term-time employee is unable to complete their full working weeks within the annual leave year then entitlements will be recalculated based on those which were worked.

#### **6.4 Compressed (hours)**

A full-time employee who works 37 hours per week over a compressed/variable working pattern to receive an annual leave entitlement in hours which includes the bank holiday and concessionary days. Any leave booked must reflect their actual working pattern for the period of leave.

#### **6.5 Honorary Contract**

Where an individual has a joint working contract between the University and the NHS trust, certain rules apply and further guidance can be found on the HR portal page.

### **7. Requesting and Recording of Annual Leave**

Annual leave entitlements are generated at least one leave year in advance to allow employees to pre book any future periods of leave. All employees are issued with an annual leave entitlement through the HR self-service portal, MyView showing their basic annual leave entitlement for the annual leave year. Where entitlements are in hours, employees will also have their pro rata public holiday / concessionary days allowance within the entitlement. All annual leave bookings must be processed through MyView to record all leave taken (including public holidays / concessionary days where applicable).

When an employee wishes to take annual leave the number of days / hours they would have worked within the period of leave should be requested and submitted to their Line Manager for approval.

Where a public holiday / concessionary day falls on a day the employee (where entitlement is in hours) would normally have been at work, they must deduct their normal working hours for that day from their public holiday / concessionary day allowance.

Where a public holiday / concessionary day falls on a day the employee (where an entitlement is in hours) would not have worked, no deduction should be made from their leave allowance.

When an employee wishes to make a request for annual leave they must give notice of at least twice the length of the intended leave period. It is recommended that final holiday arrangements are not made until the leave request has been approved.

Line Managers should make appropriate arrangements to ensure that all employees have the opportunity to take their full leave entitlement within the leave year.

Employees may not take annual leave without prior approval from their Line Manager. Employees should reasonably give a period of notice to request leave of double the duration of the period being requested. The Line Manager will respond to all requests for leave in a timely manner. Where exercising the right to refuse the leave, either at the point of request or post original authorisation, the notice to prohibit leave will be at least equal to or greater than the period of leave requested. For example, in the event of refusing a request for one week of leave a notice period of at least one week prior to the intended leave date will be given providing the employee has also submitted the request allowing for at least the minimum notice.

The University maintains the right to refuse leave requests for operational reasons such as staffing levels or critical activities; or if insufficient notice is given. A Line Manager's decision is final.

Any employee taking leave without prior authorisation of their Line Manager will be subject to the University Disciplinary Policy.

## **8. Communication of Annual Leave Entitlements**

The annual leave year for all employees at the University runs from 1st September to 31st August.

Entitlements are calculated using employees' FTEs, fixed-term contract status (where applicable) and termination of employment dates (if applicable).

If an employee is on a fixed-term contract their basic annual leave entitlement, and where applicable the public holiday / concessionary day allowance, will be calculated up to the contract expiry date. If the contract is extended the leave entitlements will be re-calculated using the new contract expiry date.

If an employee changes their FTE through the leave year their basic annual leave entitlement, and where applicable the public holiday / concessionary day allowance, will be re-calculated on the basis of what hours are worked through the year at the different periods.

If an employee starts part way through the leave year their basic annual leave entitlement, and where applicable the public holiday / concessionary day allowance, will be calculated on a pro rata basis.

If an employee changes to a new post or is seconded, the leave entitlement will be re-calculated and new entitlements will be visible on MyView upon commencement in the new post.

Basic annual leave and public holiday / concessionary day allowances will be rounded to the nearest 0.5 (hour or day) for ease of administration and use.

Annual leave entitlements should be used within the leave year to allow individuals an appropriate to spend time away from the workplace and support service planning arrangements.



All staff may carry over up to a working week between leave years. Any requests in excess of this wishing to be carried over should be discussed with Line Management and Human Resources

Annual leave entitlement calculators are available on the Portal.

## **9. Annual Leave Entitlements for Associate Lecturer / Demonstrators**

All individuals employed on an associate contract, will receive payment for their holiday accrual as a separately identified pay element on their payslip. Accrued holiday pay will only be paid in that pay period if a claim through MyView has been submitted and approved. Payment will be proportionate to the full time equivalent dependent upon the work being delivered. It is at the discretion of the individual to allocate a period of time equal to the accrued amount of leave that is to be taken outside of any agreed contractual working arrangement.

### **9.1 Casual workers**

Any individuals paid on an hourly claim basis where there is either no mutual contract of obligation to contracted hours, a variable number of hours, or a stated condition within the contract, will receive payment for their holiday accrual as a separately identified pay element on their payslip. Accrued holiday pay will only be paid in that pay period if a timesheet has been submitted and will be proportionate to the full time equivalent dependent upon the work being delivered.

## **10. Starters and Leavers**

The annual leave entitlement for staff joining or leaving the employment of the University during the course of the year is proportionate to their completed service during the leave year.

During the period from the date a new employee starts their appointment until the end of the leave year, the annual leave entitlement accrues at the rate of 1/12th of the entitlement for each completed calendar month of service. Part months will be calculated on a pro rata basis. Leave may not normally be taken before it has accrued, except in special circumstances at Line Manager discretion.

### **10.1 Leavers**

If an employee leaves part way through the leave year their basic annual leave entitlement, and where applicable the public holiday / concessionary day allowance, will be re-calculated by the Human Resources department from the beginning of the annual leave year to their date of leaving on a pro rata basis.

Employees must verify their annual leave record at the point of notification of leaving employment. Any discrepancy should be rectified with Human Resources.

Any unused allowance will be paid with the employee's final pay. Where an employee has exceeded their pro rata allowance the relevant amount of overtaken holiday pay will be deducted from their final pay.

## **11. Annual Leave Plus Scheme**

The Annual Leave Plus scheme allows staff the flexibility to take time off for reasons not normally covered by other paid time off. By giving staff more flexibility to take time off it can improve wellbeing and support a better work life balance.

The annual leave plus scheme provides employees with the opportunity to purchase an additional one week (pro-rated for part-time staff) annual leave. The cost of the annual leave will be deducted via a salary sacrifice payment through the payroll giving employees the benefit from additional tax and NI savings. Enrolment into the scheme must be approved by Line Managers and the additional leave will be added to the leave entitlement following processing by Payroll Services.

## **12. Role of Line Manager**

It is the responsibility of the Line Manager to ensure that annual leave records are adjusted accordingly for all part-time employees where a public holiday / concessionary day falls on a contractual day of work.

It is also the responsibility of Line Manager to ensure that where unpaid leave is agreed that the appropriate paperwork is completed and passed to Human Resources for processing.

## **13. Annual Leave and Sickness**

If an employee falls sick whilst on annual leave or prior to the commencement of annual leave then the period of leave may be re-categorised as sickness providing that the employee is able to notify their Line Manager at the point of sickness commencing and providing it can be demonstrated that the sickness has resulted in the loss of benefit of any leave period.

A medical certificate to the length of absence should be submitted to support the sickness absence as per standard policy.

All annual leave covered by a medical certificate should be cancelled and recorded as sick leave by the employee. The leave will be approved by the Line Manager and supported by Human Resources where necessary.

Employees who experience periods of long term sickness or parental leave are still entitled to accrue paid annual leave during their absence.

If the employee is not able to take their annual leave while absent through sickness or parental leave then they will be allowed to carry an element of it forward to take at

a later date. Line Managers will discuss with individuals an agreed plan for allowing high volumes of carried over entitlement to be taken over a reasonable period of time in the best interest of the University and the individual.

In this circumstance, it is the responsibility of the employee to request to carry forward holiday entitlement to their Line Manager in the first instance. This should then be discussed with the Human Resources Department who will make the required adjustments.

## **14. Parental Leave**

An employee continues to accrue all annual leave throughout both ordinary and additional parental leave.

An employee may use annual leave during unpaid parental leave to cover periods where payments are not being received.

It is the responsibility of the employee to give notice to end their period of parental leave and the individual may then take any outstanding leave entitlement immediately upon their return following the standard leave request process.

Employees on parental leave at the end of a leave year will be permitted to carry outstanding entitlement into the new leave year. Individuals who return part way through a leave year and do not have opportunity to use all of their entitlement may request to carry leave over to the new leave year through their Line Manager.

Employees absent on parental leave will receive their entitlement to public holidays and concessionary days on a pro rata basis and their MyView entitlement will be updated as they fall in real time parental leave period.

Should the employee decide not to return to work following parental leave then a payment will be made as per the standard leaver process outlined in point 10.1

## **15. Payment in Lieu of Leave**

It is not University policy to make payment in lieu of any outstanding leave entitlement at the end of the leave year unless in the event that an individual will be leaving the University at this time or exceptional business circumstances apply.

# Annual Leave Policy

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