
Staffordshire University

Annual Leave Policy

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Human Resources and Organisational Development | Version 1



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1. Introduction

- 1.1 This procedure applies to all members of staff of both Staffordshire University and Staffordshire University Services Ltd other than “holders of senior posts” as determined by the Board of Governors, on the basis defined in the University’s Articles and Instruments of Government.
- 1.2 This procedure was implemented following consultations with the University’s recognised Trade Unions, UCU and UNISON and updates the Annual Leave Policy approved at the Employment & Finance Committee on 22 November 2016.
- 1.3 This procedure is designed to provide a framework for the utilisation of annual leave. As a responsible employer, the University must ensure that individuals take their full annual leave entitlement and enjoy the terms and conditions to which they are entitled.

- 1.4 Annual leave entitlements have been negotiated and determined to reflect what is reasonably deemed to be an appropriate level of rest for individuals to enable optimum levels of performance and reduce unnecessary levels of stress and fatigue. Without planning properly, the usage of annual leave, this may lead to issues with morale, health and ultimately the performance of an individual at work.

2. Annual Leave Year

- 2.1 The annual leave year is 1st August to 31st July each year for all staff.

3. Annual Leave Entitlements

- 3.1 Full time staff are entitled to the following leave entitlements based on the grade of the post as follows:

| Grade | Number of Days Worked per Week* | | |
|----------|---------------------------------|----|----|
| | 4 | 5 | 6 |
| One | 24 | 29 | 35 |
| Two | 24 | 29 | 35 |
| Three | 24 | 29 | 35 |
| Four | 26 | 32 | 41 |
| Five | 26 | 32 | 41 |
| Six | 26 | 32 | 41 |
| Seven | 30 | 37 | 45 |
| Eight | 30 | 37 | 45 |
| Nine | 30 | 37 | 45 |
| Ten | 30 | 37 | 45 |
| Eleven | 30 | 37 | 45 |
| Twelve | 30 | 37 | 45 |
| Thirteen | 30 | 37 | 45 |
| Fourteen | 30 | 37 | 45 |

*This refers to those members of staff who work full time hours but on a standard 5 day working cycle or those operating a shift pattern over 4 or 6 working days. This does not refer to staff on fractional contracts.

4. Bank Holidays and Discretionary Days

4.1 In addition to annual leave entitlement set out above, Staffordshire University has eleven days that fall under the categories of Bank Holidays and Discretionary Days. These are as follows:

| | |
|--|----------------------|
| Good Friday | (Bank Holiday) |
| Easter Monday | (Bank Holiday) |
| May Day | (Bank Holiday) |
| Spring Bank Holiday Monday | (Bank Holiday) |
| Late Summer Bank Holiday Monday | (Bank Holiday) |
| Christmas Day | (Bank Holiday) |
| Boxing Day | (Bank Holiday) |
| 3 working days between Christmas and New Year* | (Discretionary Days) |
| New Year’s Day | (Bank Holiday) |

*Discretionary days are allocated during the period that the University is closed between Christmas and New Year and are classed as days falling from Monday to Friday. For the avoidance of doubt, this does not include Saturday and Sunday. The pattern and allocation of discretionary days will vary from year to year.

4.2 The table below indicates how the discretionary days will fall in any given year, depending on which day Christmas Day falls on.

Note that these three days are discretionary and therefore do not form part of your contractual entitlement to annual leave. Accordingly, the University reserves the right at its absolute discretion not to allocate any discretionary days or to reduce the number of discretionary days provided.

| | | | | | | | |
|--------------------------------|--------------|--------------|---------------|---------------|----------|--------------|--------------|
| 25 December (Christmas Day) | Mon (BH) | Tues (BH) | Weds (BH) | Thurs (BH) | Fri (BH) | Sat | Sun |
| 26 December (Boxing Day) | Tues (BH) | Weds (BH) | Thurs (BH) | Fri (BH) | Sat | Sun | Mon (BH) |
| 27 December | Weds | Thurs | Fri | Sat | Sun | Mon (BH) | Tues (BH) |
| 28 December | Thurs | Fri | Sat | Sun | Mon (BH) | Tues (BH) | Weds |

| | | | | | | | |
|----------------------------|----------|-----------|-----------|------------|----------|-------|-------|
| 29 December | Fri | Sat | Sun | Mon | Tues | Weds | Thurs |
| 30 December | Sat | Sun | Mon | Tues | Weds | Thurs | Fri |
| 31 December | Sun | Mon | Tues | Weds | Thurs | Fri | Sat |
| 1 January (New Years' Day) | Mon (BH) | Tues (BH) | Weds (BH) | Thurs (BH) | Fri (BH) | Sat* | Sun* |

Discretionary Days = 

* Where 1 January falls on a Saturday or Sunday, the BH will be the following Monday (3rd or 4th January)

- 4.3 In addition to the above, the University reserves the right to require employees to take some of their annual leave at certain periods due to the requirements of the business. This is likely to apply over the Christmas and New Year period in particular. Any such requirements will be communicated to staff on an annual basis.

5. Full Time Contracts of Employment

- 5.1 Full time members of staff will be entitled to all the days set out in Section 3 and 4 above.

6. Less than Full Time Contracts of Employment

- 6.1 Members of staff working less than full time but who normally work five days per week (ie Monday to Friday) will be entitled to all bank holidays and discretionary days pro-rata to the number of hours they are contracted to work on these days.
- 6.2 Individuals who work on a contract of less than full time and less than five days per week (irrespective of the type of the Contract of Employment) will be entitled to a pro-rata share of these eleven bank holidays and discretionary days.
- 6.3 This pro rata share of the eleven bank holidays and discretionary days will be calculated and added to an individual's annual leave entitlement.
- 6.4 If the individual would normally work on one of the eleven bank holidays and discretionary days listed, the individual will be required to use one day's annual leave entitlement to compensate for the University's closure.
- 6.5 Where an individual is unable to take all of their pro-rata University closure day entitlement (as not enough closure days fall on their working days) the balance will be added to their annual leave entitlement. All other annual leave should be utilised in accordance with this policy.

- 6.6 Where an individual has utilised all of their pro-rata University closure day entitlement but has not covered all of the University closure days normally worked (ie not enough pro-rata entitlement to cover all closure days falling on their working days) this shortfall will need to be covered by the individuals' normal annual leave entitlement.
- 6.7 At the beginning of the annual leave year, Human Resources staff in the Payroll will allocate the closure days on MyView. This will enable the individual and manager to be clear on the remaining annual leave entitlement to be used throughout the annual leave year.

7. New Employees and Changes to Existing Contracts of Employment

- 7.1 New appointments and changes to existing contracts of employment that affect annual leave will have their leave entitlement proportioned on a pro rata basis for each complete calendar month of service. MyView will be updated to show annual leave entitlements for new employees and to take into account any changes affecting leave entitlements once the details have been amended on the HR system.
- 7.2 New employees do not have to serve a qualifying period before taking annual leave.

8. Requesting Annual Leave

- 8.1 An individual who wishes to take annual leave must make a request using MyView detailing the dates of the annual leave requested. When the request is submitted it will automatically be forwarded to the individual's line manager for consideration. Line managers should deal with requests for annual leave as speedily as possible and without unreasonable delay.
- 8.2
- 8.3 Individuals should endeavour to provide as much notice as possible when submitting requests for annual leave, particularly for main periods of leave for one week or more. Where short notice is given, it may prove to be more difficult for a line manager to accommodate a leave request. Individuals must not book vacations before annual leave has been requested and authorised.
- 8.4 Individuals requesting annual leave should, where appropriate, assist the line manager in quantifying the workloads for the period requested and suggesting appropriate cover arrangements.
- 8.5 The line manager has the right to refuse annual leave requests in some circumstances due to the exigencies of the service. If a request for annual leave is refused, the line manager will discuss the reasons for the refusal with the individual.

- 8.6 Once the annual leave request has been approved the individual will receive an email confirmation. The individual's MyView account will be automatically updated to indicate the balance of leave remaining for the year.
- 8.7 The individual will be expected to be involved in briefing colleagues and to transfer any duties prior to the annual leave period as necessary.
- 8.8 There may also be particular times in the calendar year where minimum staffing levels are required or operational priorities require full team support, and no annual leave is permitted (during Clearing for example). Such times will be clearly identified and individuals in those particular areas will be properly advised of such arrangements in advance.

9. Carry Forward

- 9.1 For reasons of health and well-being, individuals are actively encouraged to take their full year's annual leave entitlement in accordance with this procedure.
- 9.2 The University's terms and conditions of employment state that up to five days (pro rata for part-time employees) or the equivalent of one working week may be carried forward into the following annual leave year. A maximum of five days or the equivalent of one working week will be carried forward automatically into the new annual leave year on MyView.
- 9.3 At the end of the annual leave year, any remaining annual leave greater than the maximum allowed carry forward will be forfeited.
- 9.4 In exceptional circumstances, carry forward of annual leave greater than five days/ one working week may be permitted if there are genuine reasons why this leave could not be taken in the appropriate annual leave year. For example, such reasons may include the exigencies of the service. Additional carry forward of greater than the maximum allowed will only be permitted following the written submission of grounds from the individual and the approval of the relevant Dean/Director in consultation with Human Resources and Organisational Development. This should be requested by the individual in writing, one month before the end of that annual leave year.
- 9.5 Individuals should be aware that in accordance with the Working Time Regulations, all individuals must take at least 28 days' annual leave, inclusive of bank holidays and statutory days, per annum (pro rata for fractional staff). This should be taken into account when addressing issues of carry forward of annual leave.

10. Milestone Guidelines for the Utilisation of Annual Leave

- 10.1 Milestones have been introduced within the annual leave procedure to assist in the planning process and to avoid unnecessary loss of annual leave.

| | |
|---|------------|
| 50% of annual leave entitlement committed (taken or booked) by: | * |
| Maximum of 5 uncommitted days remaining by: | * |
| Carry forward committed by: | End July |
| Carry forward taken by: | 31 January |

* These milestones are determined by the SMT of each School/Service in consultation with Human Resources and Organisational Development.

- 10.2 If the individual is in any doubt about the agreed milestones, they should consult their line manager.
- 10.3 Carry forward of annual leave not utilised by the due date will be forfeited, subject to the provisions in Section 7 above.

11. Monitoring of Utilisation of Annual Leave

- 11.1 It is the responsibility of the line manager to regularly monitor the usage of annual leave throughout the annual leave year. Where it is apparent that an individual is not adhering to the milestone guidelines for utilising annual leave, this should be discussed directly with the individual to ensure that the annual leave is effectively utilised.
- 11.2 In exceptional circumstances of under-utilisation of annual leave or unnecessary refusal to take time off, the line manager should seek advice from Human Resources and Organisational Development.

12. Hourly Paid Part-time Lecturers

- 12.1 Hourly paid part-time lecturing staff receive holiday pay accruing for calculation purposes only, on the basis specified in their contract of employment for each teaching hour delivered. This is calculated as 15% of the hourly rate of pay. Holiday pay does not form part of remuneration for any period of work undertaken, rather it is paid in advance in respect of annual leave.
- 12.2 Holidays may only be taken on days when the member of staff is not scheduled to teach or undertake any other work for the University.

13. Annual Leave upon Termination of Contract

- 13.1 Individuals terminating their contract of employment will be encouraged to take any remaining annual leave entitlement during the notice period, where this is possible. In some circumstances it will not be possible to grant annual leave requests during the notice period, due to the exigencies of the service. If this is the case the same procedure as outlined in Section 6.0 should be followed.
- 13.2 Any annual leave entitlement that is not utilised by the final day of employment will be paid in the final salary payment.
- 13.3 Where an individual has an application approved to leave under the Managed Severance scheme, it is expected that all annual leave entitlement up to the agreed leave date will be taken prior to leaving.
- 13.4 Schools/Services should ensure that all outstanding holiday requests on MyView are approved or otherwise prior to the final salary payment of the individual.
- 13.5 Annual leave is accrued for each completed calendar month of service and on a pro-rata basis as appropriate for fractional members of staff.
- 13.6 Outstanding annual leave will be calculated on the following basis:

Days' Pay =

$$\frac{[(\text{Gross FTE} * \text{Annual Salary}) \times 7 \text{ days}] / 5 \text{ days}}{365 \text{ days}}$$

Annual Leave Owed =

$$\text{Days' pay} \times \text{outstanding number of days}$$

* FTE = Full Time Equivalent

Annual salary is based upon the annual salary received by the individual on leaving and will take account of any additional contractual allowances and payments.

- 13.7 The University/Staffordshire University Services Limited reserves the right to claim back from the individual any annual leave that has been taken in excess of their accrued annual leave entitlement. This will usually be done through a deduction made to the final salary payment, calculated in accordance with Section 11.6.

14. Annual Leave and Family Leave Arrangements

- 14.1 Service will continue to accrue for an individual throughout periods of family leave, and consequently they will continue to accrue annual leave for the duration of their family leave. For a full list of what constitutes family leave, please refer to the Family Leave Policies.
- 14.2 Where possible, individuals should ensure that annual leave is taken during the annual leave year it accrues, although it is recognised that maternity leave, adoption/surrogacy leave, and shared parental leave may span across two leave years in some instances. Individuals are encouraged to take any annual leave accrued during the maternity/adoption/surrogacy/ shared parental period immediately following on from that period of leave. Once an individual has returned to work, no more than five days or the equivalent of one working week may be carried forward into the next annual leave year in accordance with Sections 7 and 8 of this procedure. At this stage, any annual leave not utilised in excess of the maximum permitted carry forward, will be forfeited.

15. Annual Leave and Sickness Arrangements

- 15.1 Annual leave will continue to accrue through periods of sickness absence.
- 15.2 If an individual is absent from work due to ill-health at a time when annual leave has been booked, this leave will be credited back to the annual leave entitlement on the receipt of a valid medical certificate (even if the absence is within the first 8 days) and providing they have telephoned their sickness absence coordinator.
- 15.3 Individuals who return from sickness absence in the same leave year and are able to take their holiday entitlement in the remainder of that year should do so. In these circumstances any carry forward arrangements are in accordance with Section 7 of this procedure. Any annual leave not utilised in excess of the maximum permitted carry forward will be forfeited.
- 15.4 An individual who has been unable to take their annual leave due to a substantial period of long-term sickness absence may carry over a maximum amount of leave as defined in the Working Time Directive (currently 20 days) if it is not possible to take the leave prior to the end of the academic year. The number of days carry over will be deducted depending on the amount already taken to ensure that any employee receives the statutory entitlement for any one leave year. Any contractual annual leave over and above the statutory entitlement (currently 20 days) will be lost.
- 15.5 It may be possible for individuals to utilise their statutory entitlement (as defined in 13.4 above) on their return or as part of a phased period of return. Any such arrangements should be discussed with Human Resources and Organisational Development.
- 15.6 Where a member of staff on long term sickness has exhausted their sick pay entitlement, they may request to take their statutory annual leave entitlement (as defined in 13.4 above) during

a period of sick leave. This is on the basis that in the event that they are fit to return to work within that annual leave year, sufficient contractual annual leave will remain to provide reasonable rest breaks through the remainder of the year. Any such requests should be discussed with Human Resources and Organisational Development.

16. Annual Leave and Authorised Unpaid Leave

- 16.1 Annual leave will not continue to accrue for periods of unpaid leave such as career breaks or sabbaticals.
- 16.2 An individual on unpaid leave may carry forward up to five days or one working weeks' annual leave in accordance with Section 7 of this procedure. Any annual leave not utilised in excess of the maximum permitted carry forward, will be forfeited.
- 16.3 Annual leave will not accrue during periods of unpaid leave granted by the University where the individual has entered into paid employment elsewhere.

17. Annual Leave in the Case of Death in Service

- 17.1 In the event of the death in service of an individual, the balance of the annual leave entitlement will be paid to their estate in accordance with Section 11.0.
- 17.2 An individual who has died in service, having taken in excess of their annual leave entitlement will not have this deducted from their estate.

18. Annual Leave and Honoraria Payments

- 18.1 Where annual leave is taken during a period when an employee has been in receipt of an honoraria payment for a period of four weeks or more, annual leave payments will be based on the higher graded rate of pay. This higher level of annual leave will take effect from the first full calendar month of service of the higher graded post.

19. Annual Leave and Transfers Between Departments

- 19.1 An individual either on secondment to another department within the University, or who is successful in gaining a position in another department within the University, should ensure that

annual leave entitlement accrued in the original role is utilised prior to taking up the secondment or the new position.

20. Annual Leave and Changes of Hours

- 20.1 An individual who reduces their hours during the leave year should endeavour to ensure that annual leave accrued at the higher hours is fully utilised prior to the reduction in hours coming into effect.

21. Operative Date

- 21.1 This procedure has been approved and is effective from 19 January 2022.