

Annual Leave Policy

1. Commencement of annual leave

1.1 The annual leave period is determined by the employee's date of appointment.

Individual leave years will commence as follows:

- Where an employee's appointment to Sandwell or its constituent authorities is between the 1st and the 15th of the month inclusive, their leave year will commence on the 1st of the month of their appointment.
- Where the appointment is between the 16th and the last day of the month, their leave year will commence on the 1st of the month following that of their appointment.

1.2 In exceptional circumstances, employees, with the agreement of their line manager, may amend the start date of their leave year.

2. Requesting annual leave

2.1 Annual leave should not be taken without the agreement of the employee's line manager. Notice of at least twice as many days as the number of day's holiday requested should be given, however, emergencies will be treated sympathetically depending on the circumstances.

Approval will be subject to the needs of the service.

3. Annual leave entitlement

3.1 The minimum annual leave entitlement for employees is 26 days. Leave entitlement awarded by the Council is as follows:

	Entitlement	Extra statutory days*	After 5 years continuous service**	Maximum entitlement
Up to and including SCP11	26 days	+2 days	+3 days	31 days
SCPs 12-22	27 days	+2 days	+5 days	34 days
SCP23 and above (inc. Hay Managers)	29 days	+2 days	+5 days	36 days
Directors and Chief Officer-related	31 days	+2 days	+5 days	38 days

- 3.2 Part-time workers are entitled to annual leave on a pro-rata basis.

Employees who work less than 37 hours per week will receive their annual leave entitlement in hours which is calculated as follows:

$$\begin{aligned} & (\text{Number of hours worked}/5) \times (\text{Full-time Annual Leave Entitlement}) \\ & = \text{Annual Leave Entitlement in hours.} \end{aligned}$$

- 3.3 In addition to annual leave, employees are entitled to 2* extra statutory days which are added to an employee's basic leave entitlement; as detailed in the table above. The Council reserves the right to amend this if required, subject to consultation.
- 3.4 An additional 5** days annual leave will be granted immediately upon completion of 5 years' service, i.e. on the 5th anniversary of the start date with a local authority).
- 3.5 The 2009/2010 NJC Agreement** increased leave entitlement by adding one of the five days to the basic allowance. Therefore, up to spinal point 12 an additional four days only was granted upon completion of 5 years.
- 3.6 The 2020/2021 NJC Agreement** increased leave entitlement again by adding one of the four days to the basic allowance. Therefore, up to spinal point 12 an additional three days only is granted upon completion of 5 years.
- 3.7 The 2022/2023 NJC Agreement increased leave entitlement from 1 April 2023 by one extra day for all employees on 'Green Book' conditions, regardless of their current leave entitlement, length of service or seniority. The offer was made in full expectation that the additional day's leave (prorate for part-time) would be applied to all NJC employees, regardless of existing local arrangements.
- 3.8 On 25th March 2015 the Leader of the Council decided that all employees not undertaking "essential, emergency or services which are of particular benefit to the community at Christmas time" would take their 2 extra statutory days over each Christmas period and so effect an extended closure period.
- 3.9 Employees transferring from one authority (or related bodies) to another are entitled to count their previous service when calculating their annual leave. If they have less than 5 years' continuous service on joining Sandwell, the extra 3 or 5 days will be granted on the fifth anniversary of their original appointment to a local authority.
- 3.10 An employee who, prior to employment with the Council, was made redundant from an organisation covered by the Redundancy Modification Order within the last two years, will be entitled to have their previous service included in the calculation of their annual leave entitlement.

4. **Carry over of annual leave**

- 4.1 In exceptional circumstances up to 5 days annual leave not taken during the leave year may be carried forward into the next leave year, **only** with consent of the employees service manager.

5. **Absence whilst on leave**

- 5.1 Employees are paid at full basic rate for all authorised annual leave.
- 5.2 Employees who receive regular payments for working arrangements other than normal office hours, i.e. shift payments, enhancements, will be entitled to these payments during annual leave.
- 5.3 Maternity leave does not affect any annual leave entitlement.

6. **Leaving the Council**

- 6.1 If an employee leaves the Council's service between the 1st and the 15th of the month inclusive, entitlement to annual leave is 1/12th of the annual leave entitlement for each completed month worked in their current leave year.
- 6.2 When an employee leaves the Council's service between the 16th day and the last day of a particular month, the employee is entitled to receive an entitlement to annual leave for the whole of that month (i.e. in accordance with the ready reckoner below).
- 6.3 Any annual leave taken over this entitlement will be deducted from the employee's final salary. Any outstanding leave in the current leave year should be taken by employees leaving the Council or payment will be made in lieu where this is not possible.

The table below indicates the annual leave employees are entitled to when they leave local government service.

COMPLETED MONTHS SERVICE IN CURRENT LEAVE YEAR	Days due <i>Leave Entitlement Days</i>					
	28	29	31	34	36	38
1	2½	2½	2½	3	3	3
2	4½	5	5	5½	6	6½
3	7	7	8	8½	9	9½
4	9½	9½	10½	11½	12	12½
5	11½	12	13	14	15	16
6	14	14½	15½	17	18	19
7	16½	17	18	20	21	22
8	18½	19½	20½	22½	24	25½
9	21	21½	23	25½	27	28½
10	23½	24	26	28½	30	31½
11	25½	26½	28½	31	33	35
12	28	29	31	34	36	38

- 6.4 New appointments to the Council may take paid annual leave before completion of 6 months service, at line managers discretion. However, if they resign from the Council's service within those 6 months, any paid leave taken over their entitlement at the time of leaving will be deducted from their final salary.

This policy was developed in conjunction with Sandwell Council's recognised Trade Union colleagues.