

ANNUAL LEAVE POLICY

September 2015

Important: This document can only be considered valid when viewed on the CCG's website.

If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.

HR Policy:	HR04
Date Issued:	25 September 2015
Date to be reviewed:	3 years or if statutory changes are required



Policy Title:	Annual Leave Policy	
Supersedes:	All previous Annual Leave Policies	
Description of Amendment(s):	New Policy for CCG employees	
This policy will impact on:	All staff	
Financial Implications:	No change	
Policy Area:	HR	
Version No:	1	
Issued By:		
Author:	HR Policy Lead - adapted for local use by Yorkshire and Humber Commissioning Support on behalf of Hull CCG	
Document Reference:	HR04	
Effective Date:	25 September 2015	
Review Date:	25 September 2018	
Impact Assessment Date:	1 June 2015	
APPROVAL RECORD		
	JTUPF Policy Sub Group	5 August 2015
	JTUPF	26 August 2015
	Governing Body	25 September 2015
Consultation:	All Staff via intranet	1 July 2015
	SLT Members	19 June 2015

Contents

1	INTRODUCTION	4
2	PRINCIPLES	4
3	IMPACT ANALYSES	4
3.1	Equality	
3.2	Bribery Act	
4	POLICY PURPOSE & AIMS	5
5	ROLES / RESPONSIBILITIES / DUTIES	5
6	IMPLEMENTATION	6
7	TRAINING & AWARENESS	6
8	MONITORING & AUDIT	6
9	POLICY REVIEW	6
10	REFERENCES AND ASSOCIATED DOCUMENTATION	7
11	ENTITLEMENT AND RECKONABLE SERVICE	7
12	PUBLIC HOLIDAYS	9
13	ACCRUAL OF ANNUAL LEAVE DURING MATERNITY LEAVE	9
14	CARRY FORWARD OF LEAVE	10
15	ANNUAL LEAVE AND SICKNESS	10
16	LEAVING THE CCG	11
17	TERM TIME WORKING	11
18	REQUESTING ANNUAL LEAVE	12
	APPENDICES	
Appendix 1	Annual Leave Entitlement	13
Appendix 2	Annual Leave Calculation Examples	15
Appendix 3	Request to Carry Forward Annual Leave	17
Appendix 4	Equality Impact Assessment	18

1. POLICY STATEMENT

- 1.1 Hull Clinical Commissioning Group (The CCG) recognises that enabling its employees to achieve an effective work life balance benefits its employees and the CCG.

This policy describes annual leave provisions covered by the Agenda for Change national terms and conditions and outlines the discretionary options available to employees regarding annual leave.

Other discretionary forms of leave are available and may be granted by the appropriate manager. Guidance on these can be found in the Other Leave Policy. Separate policies are available for maternity, adoption, paternity and parental leave.

- 1.2 This policy applies to all employees who are employed on NHS Agenda for Change Terms and Conditions. This includes employees on temporary contracts and fixed term contracts. Staff who are seconded from other employing organisations are not within the scope of this policy, nor are contractors. Agency Workers who meet the 12 week qualifying period will receive the same entitlement to annual leave as an employee and should request annual leave in the same way (in line with regulations 6 and 7 of the Agency Worker Regulations 2011).

Statutory office holders are not entitled to annual leave.

Bank staff are not entitled to take annual leave however they will be paid a percentage in addition to the agreed basic hourly rate to account for annual leave accrued which is based on the number of hours worked. Bank staff do not accrue leave in between any periods that they are asked to work.

2. PRINCIPLES

- 2.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.
- 2.2 Training and support will be available to all Line Managers in the implementation and application of this policy.
- 2.3 This policy should be incorporated as part of the employee induction process for all new employees joining the CCG.

3. IMPACT ANALYSES

3.1 Equality

In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender,

gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation.

In developing this policy, an Equality Impact Analysis has been undertaken and is attached at Appendix 4. As a result of the initial screening, the policy does not appear to have any adverse effects on people who share protected characteristics and no further actions are required at this stage.

The application of this policy will be monitored to ensure fair application.

3.2 Bribery Act 2010

The CCG follows good NHS business practice as outlined in the Business Conduct Policy and has robust controls in place to prevent bribery.

Under the Bribery Act 2010, it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

Due consideration has been given to the Bribery Act 2010 in the development of this policy document and consistent application of this policy will mitigate bribery in relation to this policy.

4. POLICY PURPOSE & AIMS

The aim of the Annual Leave Policy is to ensure a uniform and equitable approach to the calculation of annual leave and general public holiday entitlements which take into account the arrangements as defined under NHS Agenda for Change terms and conditions. It also sets out a consistent procedure for requesting annual leave.

5. ROLES / RESPONSIBILITIES / DUTIES

5.1 Line Manager's responsibilities:

- To make accurate annual leave calculations and ensure this policy is adhered to.
- To record, monitor and authorise the annual leave of their employees and ensure that if an employee transfers to another department or leaves the organisation they have not taken too much annual leave than they have accrued and are entitled to and that any leave accrued and owing has been taken or paid.
- To recalculate annual leave and Bank Holiday entitlements when employees either increase or decrease their contractual hours and to ensure this information is communicated to the employee concerned and a new annual leave card issued.

- To consider all leave requests fairly, taking into consideration an employee's entitlement and the CCG's needs.
- Ensure relevant cover, as required during the requested annual leave period

Managers should encourage employees to take annual leave to which they are entitled by the end of the leave year and should endeavour to ensure that their workload does not prevent this. Annual leave requests should be balanced with the needs of the service and the wellbeing of employees.

5.2 **Employee's responsibilities:**

- Ensure annual leave is taken in accordance with the processes outlined in this policy.
- To request annual leave in a timely manner giving adequate notice (see section 18).
- To ensure that as far as possible, they plan to take the whole of their annual leave entitlement within the year that it is due, failure to do this could result in the loss of entitlement.
- To ensure they have their annual leave approved prior to making any holiday bookings.
- Employees must be aware that leave taken in excess of their entitlement may be considered to be fraudulent.

Both employees and line managers have a responsibility to read and understand the policy, any breaches of this policy may be investigated and may result in the matter being treated as a disciplinary issue under the CCG's disciplinary procedure.

The workforce team will support both managers and individuals in ensuring this policy is followed and implemented equitably.

6. **IMPLEMENTATION**

- 6.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.
- 6.2 Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCG's disciplinary procedure.

7. **TRAINING & AWARENESS**

- 7.1 A copy of the policy will be available on the CCG intranet. Training needs will be identified via the appraisal process and training needs analysis.

8. **MONITORING & AUDIT**

- 8.1 The implementation of this policy will be audited on an annual basis by the CCG and reported to the CCG's Governing Body.

9. **POLICY REVIEW**

9.1 The policy and procedure will be reviewed after 3 years for the CCG's Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

10. REFERENCES AND ASSOCIATED DOCUMENTATION

For further information please refer to the following reference sources:

- Working Time Directive (1998)
- Agency Worker Regulations (2011)
- NHS Agenda for Change Terms and Conditions of Employment
- Working Time Regulations 1998
- Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Employment Rights Act 1996
- Flexible Working policy
- Other Leave policy
- Maternity, Paternity and Adoption leave policy
- Career Break Policy
- <http://www.nhsemployers.org/EmploymentPolicyAndPractice/UKEmploymentPractice/Pages/AccrualofStatutoryAnnualLeaveonLongtermSickLeave.aspx>
- Anti-Fraud, Bribery and Corruption policy
- Disciplinary Policy
- Absence Management Policy
- Grievance Policy
- Starting Salaries and Reckonable Service Policy

11. ENTITLEMENT AND RECKONABLE SERVICE

11.1 The annual leave period for all employees is from 1 April to 31 March.

11.2 An employee's annual leave entitlement will be determined by the length of reckonable NHS service with leave entitlements increasing on the completion of 5 and 10 years reckonable NHS service. The annual leave provisions as specified in the NHS Agenda for Change Terms and Conditions are contained in the table below:

Length of Service	Annual Leave plus general public holidays based on full time members of staff, this would be pro rata for part time staff
On appointment	27 days (202.5 hours) plus 8 days (60 hours)
After 5 years' service	29 days (217.5 hours) plus 8 days (60 hours)
After 10 years' service	33 days (247.5 hours) plus 8 days (60 hours)

11.3 Reckonable service

An employee's previous continuous service with any NHS employer, regardless of whether there has been a break in service will count as reckonable service in respect

of annual leave.

Time spent working in a comparable and highly relevant role in additional recognised organisations other than the NHS may be counted towards aggregated reckonable service in line with the CCG's Starting Salaried and Reckonable Service policy, following consultation with a Workforce representative. This includes the following organisations

- GP Practice or NHS Dentist working exclusively on NHS work
- County Council / City Council / Social Services
- The Department of Health
- Social Enterprise delivering NHS services

Agency work will not count as reckonable service.

In order to have previous service regarded as reckonable service, it will be the employee's responsibility to provide their line manager with formal documentary evidence of any relevant, reckonable service as per the guidance contained within agenda for change and the CCG's Starting Salaries and Reckonable Service policy.

- 11.4 Annual leave entitlement for all employees will be calculated in hours, not days. The benefit of this is to ensure that employees, who work part time or variable hours or shifts, do not receive either more or less leave than colleagues who work a standard pattern.
- 11.5 Annual leave entitlement is calculated based on contractual hours except in the case of Minimum Hours Contract employees, where actual hours worked will be used for the calculation subject to a maximum of 37.5 hours per week.
- 11.6 The calculation of leave entitlement is shown in appendix 1, which includes a calculation for general public holidays. Hours shown have been rounded to the nearest half hour.
- 11.7 For guidance on calculating annual leave please see appendix 2.
- 11.8 For employees who work full days, annual leave should normally be taken in periods of 3.75 hours or more.
- 11.9 On joining the CCG, all employees will be entitled to annual leave plus general public holidays from the first day of their employment. This will be on a pro rata basis for the first year of joining from the first day of employment to the end of the annual leave year.
- 11.10 Where employees reach an anniversary which will increase their annual leave entitlement, the new entitlement will be calculated pro rata from the 1st day of the month following the anniversary.
- 11.11 Where employee's change their contracted hours, this will result in a re-calculation of

their annual leave entitlement based on completed months on the new and the old contracted hours to give the full year entitlement. Where employees change their contracted hours part way through a month they should not lose entitlement. Therefore, in these cases the entitlement for the first month will be calculated on the basic weekly contracted hours that they predominantly worked for that initial month.

12. PUBLIC HOLIDAYS

Employees are entitled to 8 paid general public holidays per annum, which are:

- New Year's Day
- Good Friday
- Easter Monday
- May Day
- Late spring (May)
- Late summer (August)
- Christmas Day
- Boxing Day

This may increase or decrease for each annual leave year depending upon when Easter falls

- 12.1 In the case of part time employees, this entitlement is pro rata to the full time allowance. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. This removes the potential for inequity in cases where employees work varying days.
- 12.2 The general public holiday hour's entitlement will be pro rata based on the number of general public holidays remaining in the current leave year from the date of joining.
- 12.3 On each occasion an employee takes paid time off on a general public holiday as part of their basic week, the appropriate deduction of their normal basic hours per day will be made from their overall entitlement. For part time employees, where operationally possible, and subject to mutual agreement, an employee may change their days of working during a general public holiday week and therefore retain their leave entitlement in respect of a general public holiday. This leave could then be taken at another time.
- 12.4 There will be some years where more or less than 8 general public holidays fall in the leave year. When this situation arises, the appropriate hours adjustment will need to be made for both full time and part time employees.
- 12.5 Employees required to work or be on call on a bank holiday are entitled to equivalent time off in lieu at plain time rates in addition to the appropriate payment for the duties undertaken.

13. ACCRUAL OF ANNUAL LEAVE DURING MATERNITY LEAVE

- 13.1 Employees accrue annual leave during both paid and unpaid periods of maternity leave. Please refer to the CCG's Maternity, Maternity Support (Paternity), Adoption and Parental Leave Policy for further information.

14. CARRY FORWARD OF LEAVE

- 14.1 It is expected that all employees will be provided with the opportunity to take all their leave within a leave year. In exceptional circumstances, 5 days annual leave may be carried over to the following year, with the agreement of the line manager and in the following circumstances:-

- i) Where employees are prevented from taking the full allowance of annual leave before the end of the leave year because of business needs.
- ii) Where employees are prevented from taking annual leave because of sick leave. Please refer to point 5.4 of the policy.
- iii) On application and consideration of an individual's personal circumstances subject to the exigencies of the service.

A form is available at appendix 3 for employees to request to carry forward leave to the following leave year. This should be submitted to the line manager by 1 March of each leave year for consideration.

- 14.2 It may be possible for an employee to request to bring forward annual leave from the following leave year into the current leave year. This is only in exceptional circumstances and must be approved by a member of the Senior Leadership Team of the CCG.
- 14.3 Whilst the CCG is fortunate to be able to provide flexibility for employees it is essential that line managers ensure that all employees have the take their annual leave) during the annual leave year. Annual leave is central to the health and wellbeing of employees.

15. ANNUAL LEAVE AND SICKNESS

- 15.1 An employee falling sick during a period of annual leave or who is absent on sick leave and has pre-booked annual leave should refer to the CCG's Absence Management policy and should ensure that they comply with this policy.
- 15.2 Employees still accrue annual leave whilst absent due to sickness. In the event that an employee has remaining annual leave following a long term period of sickness, reasonable opportunity should be given to allow the employee to take this leave within the same annual leave year.
- 15.3 Where an employee is considered long term sick between the months of January and March and annual leave is still outstanding, with no likely return to work date during this period, line managers may agree for employees to take their annual leave as opposed to sick leave during this period. This may be beneficial where an individual

is not in receipt of occupational or statutory sick pay. This will be determined on a case by case basis, referring to the CCG's Absence Management policy and after seeking advice from a HR representative.

- 15.4 If an employee is absent due to sickness and does not have the opportunity to take their annual leave entitlement within the current annual leave year, they will have the opportunity to carry their statutory annual leave entitlement over to the next annual leave year. This currently stands at 20 full days for full time employees in line with the Working Time Directive 1998, and is pro rata for part time staff. This will need to be agreed by their line manager and any outstanding leave must be taken at the end of the sickness period. Where possible any outstanding annual leave should be used as part of any phased return to work plan.
- 15.5 No lieu of bank or public holidays will be given if an employee is off sick on a statutory holiday.

16. LEAVING THE CCG

- 16.1 Employees will be encouraged to take their annual leave prior to leaving the CCG however, where this is not possible any outstanding annual leave remaining will be paid, as will any outstanding general public holiday leave for general public holidays that have occurred in the leave year prior to the leave date. Annual leave entitlement will be calculated to the date of leaving based on completed months of service. Any annual leave taken (including general public holiday entitlement) which is in excess of that which the employee has accrued up to their last date of employment will be deducted from the final salary payment.
- 16.2 When calculating leave due on leaving the CCG, the figure is not rounded i.e. if the calculation says someone is entitled to 2.66 days or the equivalent hours included within their annual leave calculation that is what they will be paid for.
- 16.3 Where employee's leave on 31st March they will only be entitled to be paid for up to 5 days leave they may have carried over into the next leave year and they must have taken the statutory minimum of annual leave to ensure there is no breach of the Working Time Directive

17. TERM TIME WORKING

- 17.1 Where an agreement has been made that employee's will work during term time only, annual leave entitlement will be calculated based on the average number of hours worked per week across the whole year. The calculation is the number of hours worked multiplied by the number of weeks worked then divided by 52.143 (the number of weeks in a year). This gives the average hours worked per week. The annual leave entitlement is then calculated by taking the average hours per week, divided by the full time equivalent for a week and then multiplying by the number of days entitlement. Please note that the number of weeks per year used in the examples shown in Appendix 2 may change depending upon the length of the term time.

18. REQUESTING ANNUAL LEAVE

- 18.1 Employees should submit all requests for annual leave to their line manager, in writing, giving as much notice as possible. A combined record should be kept of all requests and leave taken. Line managers will be expected to keep annual leave records for employees and to ensure that these are accurate and complete.
- 18.2 Employees wishing to take more than 2 weeks leave in any one block must put their request in writing to their manager at least 3 months in advance. If an employee wishes to take an extended period of leave for example due to personal reasons or religious pilgrimage (e.g. Hajj or the Umrah) please refer to the Other Leave policy and/or the Career Break policy.
- 18.3 The manager must consider all applications taking into account the needs of the service and will respond to the employee within 10 working days indicating whether the leave has been “approved” or “denied”. In the event of the leave being denied the reasons for refusal will be clearly explained.
- 18.4 An employee taking leave that has not been previously approved will be classed as being on unauthorised absence and therefore may be subject to disciplinary action.
- 18.5 Employees should not commit themselves to any holiday plans until they have received confirmation that their request for annual leave has been approved.
- 18.6 Line managers should encourage employees to plan and book their leave as early as possible and be proactive in booking regular leave to avoid loss, unnecessary carry forward and to ensure regular rest breaks for health and wellbeing.
- 18.7 Where employees have less than a half day entitlement to annual leave they shall be permitted to supplement the annual leave by the use of flexi-time where this is available or unpaid leave, so that the outstanding annual leave can be taken. This must be agreed by the line manager in advance so that deductions to pay can be processed if necessary.
- 18.8 The manager should record the request and update the employee’s annual leave record, in line with local/departmental arrangements.
- 18.9 In the event of a dispute between the manager and the employee regarding the outcome of a request for annual leave an attempt should be made to try and resolve the matter informally in the first instance. HR support may be sought should managers require advice or guidance. In the event that the matter cannot be resolved informally, the CCG’s Grievance policy should be referred to.

Annual Leave Entitlement

Annual leave entitlement for complete years inclusive of general public holidays
For employees on 37.5 hours, one day is equal to 7.5 hours

Weekly Basic Contracted Hours	Holiday Entitlement with no NHS Service		Holiday Entitlement after 5 years' service		Holiday entitlement after 10 years' service	
	Annual Leave	General public holiday	Annual Leave	General public holiday	Annual Leave	General public holiday
	27	8	29	8	33	8
	Hours Equivalent					
37.5	202.5	60.0	217.5	60.0	247.5	60.0
37.0	200.0	59.5	215.0	59.5	244.5	59.5
36.5	197.5	58.5	212.0	58.5	241.0	58.5
36.0	194.5	58.0	209.0	58.0	238.0	58.0
35.5	192.0	57.0	206.0	57.0	234.5	57.0
35.0	189.0	56.0	203.0	56.0	231.0	56.0
34.5	186.5	55.5	200.5	55.5	228.0	55.5
34.0	184.0	54.5	197.5	54.5	224.5	54.5
33.5	181.0	54.0	194.5	54.0	221.5	54.0
33.0	178.5	53.0	191.5	53.0	219.0	53.0
32.5	175.5	52.0	188.5	52.0	214.5	52.0
32.0	173.0	51.5	186.0	51.5	211.5	51.5
31.5	170.5	50.5	183.0	50.5	208.0	50.5
31.0	167.5	50.0	180.0	50.0	205.0	50.0
30.5	165.0	49.0	177.0	49.0	201.5	49.0
30.0	162.0	48.0	174.0	48.0	198.0	48.0
29.5	159.5	47.5	171.5	47.5	195.0	47.5
29.0	157.0	46.5	168.5	46.5	191.5	46.5
28.5	154.0	46.0	165.5	46.0	188.5	46.0
28.0	151.5	45.0	162.5	45.0	185.0	45.0
27.5	148.5	44.0	159.5	44.0	181.5	44.0
27.0	146.0	43.5	157.0	43.5	178.5	43.5
26.5	143.5	42.5	154.0	42.5	175.0	42.5
26.0	140.5	42.0	151.0	42.0	172.0	42.0
25.5	138.0	41.0	148.0	41.0	168.5	41.0
25.0	135.0	40.0	145.0	40.0	165.0	40.0
24.5	132.5	39.5	142.5	39.5	162.0	39.5
24.0	130.0	38.5	139.5	38.5	158.5	38.5
23.5	127.0	38.0	136.5	38.0	155.5	38.0
23.0	124.5	37.0	133.5	37.0	152.0	37.0
22.5	121.5	36.0	130.5	36.0	148.5	36.0
22.0	119.0	35.5	128.0	35.5	145.5	35.5
21.5	116.5	34.5	125.0	34.5	142.0	34.5
21.0	113.5	34.0	122.0	34.0	139.0	34.0
20.5	111.0	33.0	119.0	33.0	135.5	33.0
20.0	108.0	32.0	116.0	32.0	132.0	32.0

Weekly Basic Contracted Hours	Holiday Entitlement with no NHS Service		Holiday Entitlement after 5 years' service		Holiday entitlement after 10 years' service	
	Annual Leave	General public holiday	Annual Leave	General public holiday	Annual Leave	General public holiday
	27	8	29	8	33	8
	Hours Equivalent					
19.5	105.5	31.5	113.5	31.5	129.0	31.5
19.0	103.0	30.5	110.5	30.5	125.5	30.5
18.5	100.0	30.0	107.5	30.0	122.5	30.0
18.0	97.5	29.0	104.5	29.0	119.0	29.0
17.5	94.5	28.0	101.5	28.0	115.5	28.0
17.0	92.0	27.5	99.0	27.5	112.5	27.5
16.5	89.5	26.5	96.0	26.5	109.0	26.5
16.0	86.5	26.0	93.0	26.0	106.0	26.0
15.5	84.0	25.0	90.0	25.0	102.5	25.0
15.0	81.0	24.0	87.0	24.0	99.0	24.0
14.5	78.5	23.5	84.5	23.5	96.0	23.5
14.0	76.0	22.5	81.5	22.5	92.5	22.5
13.5	73.0	22.0	78.5	22.0	89.5	22.0
13.0	70.5	21.0	75.5	21.0	86.0	21.0
12.5	67.5	20.0	72.5	20.0	82.5	20.0
12.0	65.0	19.5	70.0	19.5	79.5	19.5
11.5	62.5	18.5	67.0	18.5	76.0	18.5
11.0	59.5	18.0	64.0	18.0	73.0	18.0
10.5	57.0	17.0	61.0	17.0	69.5	17.0
10.0	54.0	16.0	58.0	16.0	66.0	16.0
9.5	51.5	15.5	55.5	15.5	63.0	15.5
9.0	49.0	14.5	52.5	14.5	59.5	14.5
8.5	46.0	14.0	49.5	14.0	56.5	14.0
8.0	43.5	13.0	46.5	13.0	53.0	13.0
7.5	40.5	12.0	43.5	12.0	49.5	12.0
7.0	38.0	11.5	41.0	11.5	46.5	11.5
6.5	35.5	10.5	38.0	10.5	43.0	10.5
6.0	32.5	10.0	35.0	10.0	40.0	10.0
5.5	30.0	9.0	32.0	9.0	36.5	9.0
5.0	27.0	8.0	29.0	8.0	33.0	8.0
4.5	24.5	7.5	26.5	7.5	30.0	7.5
4.0	22.0	6.5	23.5	6.5	26.5	6.5
3.5	19.0	6.0	20.5	6.0	23.5	6.0
3.0	16.5	5.0	17.5	5.0	20.0	5.0
2.5	13.5	4.0	14.5	4.0	16.5	4.0
2.0	11.0	3.5	12.0	3.5	13.5	3.5
1.5	8.5	2.5	9.0	2.5	10.0	2.5
1.0	5.5	2.0	6.0	2.0	7.0	2.0
0.5	3.0	1.0	3.0	1.0	3.5	1.0

Annual Leave Calculation Examples

Annual leave can be calculated using the following five steps:

1. Ascertain the number of years reckonable service the individual has (see part 2, point 1.3)
2. Ascertain the number of annual leave days the individual is entitled to for full-time in a full year (see part 3, point 1.2)
3. Ascertain the number of hours this equates to, based on the individuals contracted hours per week (see appendix 1)
4. Ascertain the Bank Holiday entitlement of the individual from appendix 1 (calculated pro rata for part time workers)
5. Add the annual leave and bank holiday entitlement together

If the individual has not worked a full annual leave year, in addition:

1. Calculate the reduced entitlement for both annual leave and Bank Holidays

Example A:

Employee **A** works 21 hours per week, commenced work with the CCG on the 1 April and has 1-year reckonable service. Using the 5 steps above:

1. 1 years' service
2. 27 days annual leave
3. 113.5 hours annual leave based on 21 hours per week
4. 33.5 hours Bank Holiday
5. Total = 147 hours leave per year (as the employee is working the full calendar year)

Example B:

Employee **B** works 30 hours per week, commenced work with the CCG on the 6 November and has 15 years reckonable service. Using the 5 steps above:

1. 15 years' service
2. 33 days annual leave
3. 198 hours annual leave based on 30 hours per week
4. 48 hours Bank Holiday (6.1 hours per Bank Holiday)
5. Total = 246 hours leave per year (based on the full calendar year)

There are 145 days between 6 November and the end of March (the end of the holiday year) therefore employee **B** is entitled to $\frac{198}{365} \times 145 = 98$ hours annual leave in their first year

There are 3 remaining Bank Holidays in that year (Christmas Day, Boxing Day and New Year's Day) therefore they are also entitled to 18.3 hours Bank Holiday (6.1 hours x 3).

Term time only working examples

Example 1

Agreement is made for **X** to work 37.5 hours per week for 39 weeks per year. **X** is a new starter entitled to 27 days annual leave.

Average number of hours worked per week will be $\frac{37.5}{52.143} \times 39 = 28.05$ per week

Entitlement will be $\frac{28.05}{5} \times 27 = 151.5$ hours

General public holiday entitlement will be $\frac{28.05}{5} \times 8 = 45$ hours

Example 2

Agreement is made for Y to work 20 hours per week for 39 weeks per year. Y has 6 years' service and is entitled to 29 days annual leave

Average number of hours worked per week will be $\frac{20}{52.143} \times 39 = 14.96$ per week

Entitlement will be $\frac{14.96}{5} \times 29 = 87$ hours

General public holiday entitlement will be $\frac{14.96}{5} \times 8 = 24$ hours

Request to Carry Forward Annual Leave

Name..... Job title.....

Date of application.....

Number of days you wish to carry forward:.....

A maximum of five days (pro rata for part time staff) may be carried forward

Reason for application (please include any reasons for this request, such as special circumstances during the next annual leave year requiring extra leave and any restrictions on taking outstanding leave during the current leave year)

.....
.....
.....
.....

Signed (Applicant):

Application forms must be submitted to your line manager by 1st March.

For completion by Line Manager:

Your request to carry forward days leave is / is not* approved

* (please state reason).....
.....
.....

Signed Print name.....Date.....
(Line manager)

Equality Impact Assessment: Annual Leave Policy

Equality Impact Assessment

Equality Impact Analysis:	
Policy / Project / Function:	Annual Leave policy
Date of Analysis:	1 June 2015
This Equality Impact Analysis was completed by:	Christine Brown - Workforce Service
What are the aims and intended effects of this policy, project or function?	The aim of the Annual Leave Policy is to ensure a uniform and equitable approach to the calculation of annual leave and general public holiday entitlements which take into account the arrangements as defined under NHS Agenda for Change terms and conditions. It also sets out a consistent procedure for requesting annual leave.
Please list any other policies that are related to or referred to as part of this analysis	<ul style="list-style-type: none"> • Working Time Directive (1998) • Agency Worker Regulations (2011) • Agenda for change • Working Time Regulations 1998 • Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 • Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 • Employment Rights Act 1996 • Flexible working policy • Other leave policy • Maternity, Paternity and adoption leave policy • Career break policy • Anti-Fraud, Bribery and Corruption policy
Who does the policy, project or function affect? Please Tick ✓	Employees ✓ Service Users Applicants Members of the Public Other (List Below)

Equality Impact Analysis

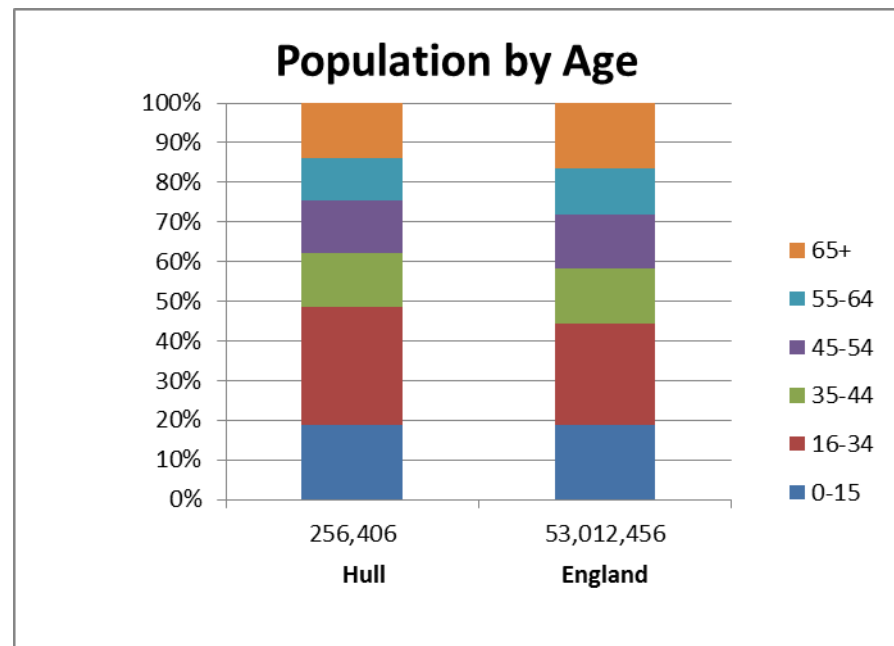
Local Profile/Demography of the Groups affected (population figures) Relevant data can be found in the attached Knowledge Management Toolkit (Employee data as at Oct 14)

General

There are 57 GP practices in the Hull area which spans 7,154 hectares and, as a city, has relatively tight geographical boundaries with most of the 'leafy suburb' areas outside Hull's boundaries in East Riding of Yorkshire. As a result, Hull has a relatively high deprivation score, as measured by the Index of Multiple Deprivation 2010, with Hull ranked as the 10th most deprived local authority out of 326 (bottom 4%).

The resident population of Hull is 256,406 based on the 2011 Census data and 265,369 residents based on estimates from the local GP registration file as at October 2011. This equates to approximately 37 residents per hectare. The Joint Strategic Needs Assessment (JSNA) identifies considerable inequalities in health between Hull and England, and between populations within Hull.

Age



Compared to England, Hull has lower percentages of residents aged 10-19 years and 55+ years, but slightly higher percentages aged under 5, 20-34 years and 45-54 years. There is a relatively large difference between Hull and England for the age group 20-34 years, due to Hull's colleges and Universities.

There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010. The number of deaths occurring to Hull residents has decreased from 2,571 to 2,310 between 2001 and 2010. ONS estimated the resident population to be 243,596 in 2001 compared to 260,424 residents based on the

	<p>GP registration file, with the difference between these estimates narrowing over time. So, whilst it is difficult to quantify the exact increase in Hull's population, it has increased over recent years. Between 2010 and 2030, ONS estimate that Hull's population will increase from 266,100 to 311,900 residents, an increase of 17%.</p> <p>The figure above shows the population of Hull (2011 Census Data).</p>																
Race	<p>The percentage of the population from Black and Minority Ethnic (BME) groups has increased substantially since 2001. For the 2001 Census, it was estimated that 3.3% of Hull's population was not White British or White Irish, whereas Census data shows that this figure increased to 10.2% for 2011. There is no single BME group in Hull with much higher percentages compared to other groups. The 2011 census data shows:</p> <p>White British - 89.7% White Other - 4.4% Mixed - 1.3% Asian - 2.5% Black - 1.2% Other - 0.8%</p>																
Sex	<p>The gender split in Hull is approximately 50.1% men and 49.9% women. For 2008-2010, life expectancy in Hull was 75.7 years for men and 80.2 years for women compared to 78.6 years and 82.6 years for men and women respectively in England.</p>																
Gender reassignment	<p>No local information provided.</p>																
Disability	<p>According to the 2011 Census, it is estimated that approximately 19.7% of the Hull population lives with a long term health problem or disability compared with 17.6% for England. This information can be broken down further (Source: Projecting Older People Population Information System and Projecting Adult Needs and Service Information) to include learning disabilities, physical disabilities, hearing impairments and visual impairments, as follows:</p> <table border="1"> <thead> <tr> <th>2012 Estimates</th> <th>Hull</th> </tr> </thead> <tbody> <tr> <td>Learning Disability (Age 18 – 64)</td> <td>4,078</td> </tr> <tr> <td>Learning Disability (Age 65 and over)</td> <td>762</td> </tr> <tr> <td>Physical Disability – Moderate (Age 18 – 64)</td> <td>12,222</td> </tr> <tr> <td>Physical Disability – Serious (Age 18 – 64)</td> <td>3,491</td> </tr> <tr> <td>Visual Impairment (Age 18 – 64)</td> <td>108</td> </tr> <tr> <td>Visual Impairment (Age 65 and over)</td> <td>3,263</td> </tr> <tr> <td>Hearing Impairment – Moderate or Severe (Age 18 – 64)</td> <td>5,765</td> </tr> </tbody> </table>	2012 Estimates	Hull	Learning Disability (Age 18 – 64)	4,078	Learning Disability (Age 65 and over)	762	Physical Disability – Moderate (Age 18 – 64)	12,222	Physical Disability – Serious (Age 18 – 64)	3,491	Visual Impairment (Age 18 – 64)	108	Visual Impairment (Age 65 and over)	3,263	Hearing Impairment – Moderate or Severe (Age 18 – 64)	5,765
2012 Estimates	Hull																
Learning Disability (Age 18 – 64)	4,078																
Learning Disability (Age 65 and over)	762																
Physical Disability – Moderate (Age 18 – 64)	12,222																
Physical Disability – Serious (Age 18 – 64)	3,491																
Visual Impairment (Age 18 – 64)	108																
Visual Impairment (Age 65 and over)	3,263																
Hearing Impairment – Moderate or Severe (Age 18 – 64)	5,765																

	Hearing Impairment – Moderate or Severe (Age 65 and over)	15,707																				
	Hearing Impairment – Profound (Age 18 – 64)	49																				
	Hearing Impairment – Profound (Age 65 and over)	402																				
Sexual Orientation	There are no local statistics for how many Lesbian, Gay or Bisexual (LGB) people live within Hull however, nationally, the Government estimates that 5% of the population are lesbian, gay, bi and transgender communities.																					
Religion, faith and belief	<p>According to the 2011 Census, 54.9% of the population have identified themselves as Christian and 3.1% of the population is made up of other religions. The remainder of the population did not state anything (7.2%) or stated 'no religion' (34.8%).</p> <table border="1"> <thead> <tr> <th>Religion</th> <th>2011</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>54.9%</td> </tr> <tr> <td>Buddhist</td> <td>0.3%</td> </tr> <tr> <td>Hindu</td> <td>0.2%</td> </tr> <tr> <td>Jewish</td> <td>0.1%</td> </tr> <tr> <td>Muslim</td> <td>2.1%</td> </tr> <tr> <td>Sikh</td> <td>0.1%</td> </tr> <tr> <td>Other Religion</td> <td>0.3%</td> </tr> <tr> <td>No Religion</td> <td>34.8%</td> </tr> <tr> <td>Religion Not Stated</td> <td>7.2%</td> </tr> </tbody> </table>		Religion	2011	Christian	54.9%	Buddhist	0.3%	Hindu	0.2%	Jewish	0.1%	Muslim	2.1%	Sikh	0.1%	Other Religion	0.3%	No Religion	34.8%	Religion Not Stated	7.2%
Religion	2011																					
Christian	54.9%																					
Buddhist	0.3%																					
Hindu	0.2%																					
Jewish	0.1%																					
Muslim	2.1%																					
Sikh	0.1%																					
Other Religion	0.3%																					
No Religion	34.8%																					
Religion Not Stated	7.2%																					
Marriage and civil partnership	This protected characteristic generally only applies in the workplace. Data from the Office of National Statistics covering the period 2008-2010 indicates that there were 18,049 Civil Partnerships in England and Wales during this three-year period – 52% men and 48% women.																					
Pregnancy and maternity	There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010.																					

Equality Impact Analysis

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function ?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <p>1: Application success rates <i>Equality Groups</i></p> <p>2: Complaints by <i>Equality Groups</i></p> <p>3: Service usage and withdrawal of services by <i>Equality Groups</i></p> <p>4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></p>	<p>Yes - employee data has been used to support the monitoring of the impact of this policy in the future. The employee data is not included due to the low number of CCG employees and concern around anonymity</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>Consultation has taken place both locally and nationally with Trade Unions and staff</p> <ul style="list-style-type: none"> • SLT • CCG Employees • JTUPF Policy Sub group • JTUPF • Governing Body (approval)
<p>Promoting Inclusivity</p> <p>How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>The policy contributes to promoting equality and diversity by providing a framework for equitable allocation of annual leave.</p>

Equality Impact Assessment Test:

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)	✓			<p>Para 2.1 states 'In the case of part time employees, this entitlement is pro rata to the full time allowance. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. This removes the potential for inequity in cases where employees work varying days.' Women are often part time and this paragraph supports equity. In addition, annual leave calculations are based on hours rather than days and Bank Holiday calculations will be on a pro-rata basis.</p> <p>Application of the policy is fair and consistent regardless of gender and therefore does not impact on this protected characteristic.</p>
Race (All Racial Groups)			✓	<p>As the policy is written in English there is a potential impact on employees whose first language is not English and therefore may struggle reading the policy. However this potential impact is minimised due to the development of the 'portal' facilities detailed in the action plan.</p> <p>Para 8.2 requires that 'employees wishing to take more than 2 weeks leave in any one block must put their request in writing to their manager' this is applied consistently regardless of race.</p>
Disability (Mental and Physical)	✓			<p>Staff that are on long or short term sick leave will still accrue annual leave. This policy does not impact on this protected group.</p>
Religion or Belief	✓			<p>Staff with religious beliefs may need annual leave on specific days to celebrate festivals or take part in religious ceremonies. In applying the policy managers are required to take account of the Equality Act 2010 (para 3.1). If an employee wishes to take an extended period of leave for example due to personal reasons or religious pilgrimage (e.g. Hajj or the</p>

				Umrah) this is covered by the Other Leave policy and/or the Career Break policy. Application of the policy is fair and consistent regardless of religion or belief and therefore does not impact on this protected characteristic.
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	✓			Application of the policy is fair and consistent regardless of sexual orientation and therefore does not impact on this protected characteristic.
Pregnancy and Maternity	✓			Section 3 states that employees continue to accrue annual leave during maternity leave there is no adverse impact on employees who are on a period of maternity leave.
Transgender	✓			Application of the policy is fair and consistent and therefore does not impact on this protected characteristic.
Marital Status	✓			Application of the policy is fair and consistent regardless of marital status and therefore does not impact on this protected characteristic.
Age	✓			Staff with longer reckonable service are entitled to greater annual leave, this is not linked to age and therefore does not impact on this protected characteristic.


Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
As the policy is written in English there is a potential impact on employees whose first language is not English and therefore may struggle reading the policy.	The CCGs Communication Team is developing the 'portal' to signpost individuals to alternative formats.	CCG Communications	June 2015	Next policy review
Equal application of the policy is essential; this should be monitored on a regular basis to provide this assurance.	Monitoring the use of the policy	HR Lead	To form part of the quarterly Workforce monitoring reports to SLT	1 year from implementation

Equality Impact Findings:	
Analysis Rating:	Green
Red - Stop and remove the policy	Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.
Red Amber - Continue the policy	As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.
Amber - Adjust the Policy	As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.
Green - No major change	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.

Brief Summary/Further comments	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.
---------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Signatures	
Other Comments	
Confirmed by (manager): (Name and Title)	
Date:	20 June 2015

