

Annual Leave Policy

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Version:	3		
Ratified by:	Staff Partnership Forum		
Ratification Date:	March 2024	Review Date:	March 2024
Consultation	HR Policy Group	Applicable to:	All staff All Sites
Equality, Diversity And Human Right Statement	The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This procedure should be implemented with due regard to this commitment.		
To be read In conjunction with / Associated Documents:	Agenda for Change Terms and Conditions.	Information Classification Label	<input type="checkbox"/> Unclassified
Access to Information	To access this document in another language or format please contact the policy author.		

Document Change History (changes from previous issues of policy (if appropriate):

Version number	Page(s)	Changes made with rationale and impact on practice	Date
3	All	Reformatted	Aug 2021
4	All	Full policy review.	March 2024

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1. Purpose

The aim of this Policy is to summarise the general principles relating to annual leave and to provide a uniform and equitable approach to the calculation of annual leave and bank holiday entitlements which takes into account the entitlements and arrangements defined under Agenda for Change.

2. Introduction

All employees are entitled to paid annual leave in accordance with the Working Time Regulations 1998 (amended 2007) and associated case law. The minimum statutory entitlement to paid annual leave is 28 days inclusive of Bank Holidays. National Agenda for Change Terms and Conditions give a more generous annual leave entitlement than the statutory provisions.

This policy sets out the process for calculating annual leave, defining the annual leave year and confirming General Public Holidays (Bank Holidays). The annual leave period runs annually from 1 April to 31 March.

The policy applies to all employees except for Bank, Medical & Dental staff.

3. Policy Content

3.1 Annual leave entitlement

The basic annual leave provisions under Agenda for Change are contained in Table 1.

Employees who reach their 5th or 10th year of service will receive their extra entitlement pro rata within the annual leave year.

Table 1: Annual leave entitlement

Length of service	Annual leave plus bank holidays
On appointment	27 days + 8 days
After 5 years' service	29 days + 8 days
After 10 years' service	33 days + 8 days

The Trust Policy is to determine annual leave entitlement in hours for all staff regardless of whether the employee is full time or part time. Calculating entitlement in hours ensures equity for all by ensuring that staff who work variable hours/shifts receive the same leave as colleagues who work a standard pattern.

The calculation of annual leave entitlements pertaining to all staff is contained at Table 2 (Appendix 4). Hours have been rounded up or down to the nearest 0.5 decimal point (i.e. the nearest half hour).

In addition to annual leave entitlement, employees are entitled to eight paid Bank Holidays. In the case of part time staff this entitlement is pro-rata. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. In this way, all employees have a fair and equitable, static entitlement rather than eligibility based solely

on the normal days of work which would result in some part time employees never receiving the benefit of Bank Holidays unless they fall on their normal days of work. Similarly, this calculation based on the number of basic weekly contracted hours removes any potential for inequity in the case of staff whose working days vary. Table 3 (Appendix 5) contains the Bank Holiday entitlement for all staff per Bank Holiday and for a full leave year.

To calculate an employee's total leave entitlement inclusive of Bank Holidays, Table 2 (Appendix 4) and Table 3 (Appendix 5) should be added together. They are shown separately so that the composition of an employee's full entitlement is clear.

It is expected that annual leave will normally be taken in periods of not less than half day/shift.

3.2 Calculation of reckonable service

An employee's continuous previous service with an NHS employer working on a permanent or fixed term contract will count as reckonable service in respect of annual leave.

In addition, aggregated NHS service, i.e. any period that has been worked in the NHS, regardless of whether there has been a break in service, will count as reckonable service for annual leave.

For purposes of aggregated service, time spent in a highly relevant role in organisations other than the NHS, may, at the discretion of the Trust, be counted as aggregated service; i.e. GP Practices, Nursing Homes, relevant overseas employment. Bank and Locum agency service **will not count** towards annual leave entitlement. Casual worker agreement pays you for your annual leave entitlement for periods of work on bank. Please contact Workforce for further advice regarding the calculation and the Temporary Staffing team for any payment for bank annual leave.

3.3 Determining the length of reckonable service

All leave entitlements will be calculated by ESR (Electronic Staff Record) as this system holds details of all available previous service. Should there be any gaps in service staff will need to provide formal documentary evidence of any relevant, reckonable service.

3.4 Entitlement on joining

All new members of staff will be entitled to annual leave plus Bank Holidays in the year of joining the Trust, on a pro-rata basis.

All leave entitlements will be calculated by ESR as the system will hold details of all available previous service and will automatically account for incremental increases after 5 and 10 years' service, together with changes in contracted hours. Entitlements will be calculated on a daily basis for accuracy and leave will accrue immediately from commencement date. In addition, ESR will push entitlements to the Roster systems for operational use.

Annual leave entitlement for part years can be calculated manually using Table 2 (Appendix 4) and Table 3 (Appendix 5) but figures must be pro-rata'd to the number of days in the

leave year from start date to the end of the leave year (31st March). Alternatively, (Appendix 8) details the Trust's Annual Leave calculator. The Bank Holiday hours

entitlement will be based on the number of Bank Holidays remaining in the current leave year from the date of joining.

3.5 Staff transferring from a previous NHS Trust

If a member of staff transfers from another NHS Trust, their annual leave entitlement will continue to accrue in the same way, and they will receive leave for the whole month.

3.6 Entitlement on changing contracted hours

Where staff change their contracted hours, this will result in a re-calculation of their annual leave entitlement. Calculations in these instances will be on a daily basis and based on the actual date of change. These calculations will be automatically actioned within ESR once a change to contracted hours/session is actioned. This highlights the importance of actioning changes in a timely manner for staff to receive the correct entitlement.

3.7 Term time contract working

For employees who work on a term time contract, their salary payments are calculated pro rata over the year, to include payments for annual leave and bank holidays. Employees working a term time contract do not get additional leave on top of term time, this is because this is calculated within pay received.

Appendix 7 details the percentage of working hours that should be used to ensure that staff are paid correctly.

3.8 General Public Holidays (Bank Holidays)

A General Public Holiday shall be defined as a period of normal duty that starts within the period of 24 hours from midnight to midnight.

The eight Bank Holidays are:

- Good Friday (variable)
- Easter Monday (variable)
- May Day Bank Holiday (1st Monday of May)
- Spring Bank Holiday (last Monday in May)
- August Bank Holiday (last Monday in August)
- Christmas Day Bank Holiday (actual day if Mon-Fri, otherwise closest next working day)
- Boxing Day (actual day if Mon-Fri, otherwise closest next working day)
- New Years Day (actual day if Mon-Fri, otherwise closest next working day)

All employees are entitled to eight paid Bank Holidays in the leave year. In the case of part time staff; this will be a proportionate number of Bank Holiday hours based on their basic weekly contracted hours. Table 3 (Appendix 5) identifies bank holiday entitlement for the full leave year together with entitlement per bank holiday. The total leave entitlement is calculated by adding their annual leave entitlement per Table 2 (Appendix 4) to the Bank Holiday hours entitlement in Table 3 (Appendix 5).

On every occasion that an employee takes paid time off on a Bank Holiday as part of their basic week, the appropriate deduction of their normal basic working hours for that day will be made from their overall entitlement. For example, if you work a long day (12 hours) 12 hours will be deducted. Where operationally possible and subject to mutual agreement, an employee may change their days of working during a Bank Holiday week and therefore

retain their leave entitlement in respect of the Bank Holiday. This can then be taken as time off at another time. Please refer to Appendix 6 for an example.

It is suggested, in the case of employees who are **never** required to work on any Bank Holidays that fall on a normal working day (i.e. office workers where the service is closed on Bank Holidays), that at the beginning of the leave year, Managers and staff make the appropriate total Bank Holidays deduction (using Table three) so that the balance of leave entitlement is identified and recorded. Clearly, this deduction cannot be made if the employees working days vary.

There will be some years when **more (or less) than 8** Bank Holidays fall within the leave year simply because Bank Holidays follow the calendar year and the Easter Bank Holidays can be in March or April. When this situation arises the appropriate hours adjustment i.e. plus or minus, will need to be made using the final column of Table three.

3.9 Requesting Annual Leave

Requests and allocation of leave will be managed as per local service arrangements.

Where possible, the Trust encourages staff to plan leave throughout the leave year based on the following suggested guide: 25% of leave taken 1st quarter (April – June), 50% next two quarters (July – September) and (October – December), 25% last quarter (January – March).

Employees on e-Rostering or ESR self-service should use the appropriate systems to request their annual leave.

The Trust expects staff to make every effort to take their full leave entitlement within each annual leave year.

3.10 Carry-over of annual leave

The Trust expects that within the annual leave year staff should be provided with the opportunity to take all their annual leave. In **exceptional** circumstances, up to one week of basic contracted hours may be carried over to the following year, with the agreement of the Manager.

Where staff members have, exceptionally, been prevented from taking their leave due to service demands then, the amount carried forward will be expressed in contracted hours and this should not normally exceed one working week. In this case, colleagues would need to provide examples of where attempts have been made to take their leave but have been rejected.

Managers are advised to contact HR for advice regarding exceptional circumstances.

3.11 Additional Annual Leave Purchase Scheme

This scheme enables staff to take extra annual leave in addition to their contractual leave entitlement. The scheme is provided by the Trust as a salary exchange (sacrifice) benefit – under the programme of the Salary Sacrifice Scheme benefits. This means that staff agree to give up the right to a portion of your salary and in exchange receive the additional annual leave that has been agreed.

Please refer to the Trust's Additional Annual Leave Purchase Scheme Guidelines Terms and Conditions for further guidance. <https://staffhub.liverpoolft.nhs.uk/working-with-us/Salary%20Sacrifice/additional-annual-leave.htm>

3.12 Religious and Cultural Observance

Subject to service needs, the Trust will support requests, wherever possible, for time off during religious festivals which are not covered by statutory public holidays. Line managers should use judgement to grant annual leave, time off in lieu, flexible working or unpaid leave when considering requests for such leave. Please refer to the Trust's Special Leave Policy for further guidance.

3.13 Sickness occurring during annual leave or Bank Holidays

In accordance with the Trust's Sickness Management Policy, where sickness occurs during annual leave, so long as there has been compliance with the requirements for notifying and certificating sickness and where a medical certificate is provided, this will be treated as sick leave and any hours will be reinstated to the member of staff's entitlement accordingly.

In accordance with Agenda for Change Terms and Conditions, employees will **not** be entitled to an additional day off if sick on a Bank Holiday that they would otherwise have been required to work as part of their basic week.

Employees who have been off on long term sick will accrue annual leave at the normal contractual rate. In accordance with current legal requirements, an employee on sick leave who has taken less than 4 weeks Statutory annual leave entitlement (i.e. 20 days/150 hours or pro rata 4 weeks equivalent for part timer employees) and who had been unable to take this, is entitled to the balance when they return to work even if this means it needs to be taken in the next leave year. Any annual leave already taken within the current leave year should be deducted from this amount.

3.14 Annual Leave during Adoption/Maternity/Paternity/ Shared Parental Leave

Employees who are on adoption, maternity, paternity or shared parental leave will continue to accrue annual leave based on the employee's contracted hours immediately prior to the commencement of leave. Colleagues will continue to accrue annual leave entitlement and bank holidays during maternity leave.

3.15 Requests for Unpaid Leave

Requests for unpaid leave should be dealt with under the Trust's Special Leave Policy.

3.16 Annual leave entitlement on leaving

Staff who leave the Trust will accrue leave entitlement up to the day they leave the organisation, and entitlement will be calculated daily per Table 2 (Appendix 4), less any annual leave taken plus the benefit of any outstanding Bank Holiday hours for Bank Holidays that have occurred in the leave year prior to the date of leaving.

Any outstanding leave will need to be taken prior to the employee leaving the organisation. Support can be given by Workforce for calculations on entitlements. Where this is not possible, further discussion would be required with the Senior Manager for the area, Business HR and the Workforce Team.

Where total leave taken exceeds the accrued total leave entitlement, an appropriate deduction will be made from final salary payment.

3.17 Agreement

This Policy has been jointly agreed by Management and Trade Unions in partnership under the arrangements for implementation of Agenda for Change.

4. Exceptions

There are no exceptions.

5. Relevant Regulations, Standards and References

- Agenda for Change National terms and conditions
- Working Time Regulations 1998 (Amended 2007)

6. Equality, Diversity and Human Right Statement

The Trust is committed to an environment that promotes equality and embraces diversity in its performance as an employer and service provider. It will adhere to legal and performance requirements and will mainstream equality, diversity and human rights principles through its policies, procedures and processes. This policy should be implemented with due regard to this commitment.

To ensure that the implementation of this policy does not have an adverse impact in response to the requirements of the Equality Act 2010 this policy has been screened for relevance during the policy development process and a full impact assessment conducted where necessary after appropriate consultation. The Trust will take remedial action when necessary to address any unexpected or unwarranted disparities and monitor workforce and employment practices to ensure that this policy is fairly implemented.

The Trust will endeavour to make reasonable adjustments to accommodate any employee with particular equality and diversity requirements in implementing this policy and procedure. This may include accessibility of meeting venues, providing translation, arranging an interpreter to attend meetings, extending policy timeframes to enable translation to be undertaken, or assistance with formulating any written statements.

7. Legal Requirements

This document meets legal and statutory requirements of the EU General Data Protection Regulation (EU 2016/679) and all subsequent and prevailing legislation. It is consistent with the requirements of the NHS Executive set out in Information Security Management: NHS Code of Practice (2007) and builds upon the general requirements published by NHS Digital/Connecting for Health (CfH).

8. Appendices:

Appendix 1: Equality Impact Assessment

Title	
Strategy/Policy/Standard Operating Procedure	
Service change (inc. organisational change/QEP/ Business case/Project)	
Completed by	
Date completed	

Description *(provide a short overview of the principle aims/objectives of what is being proposed/changed/introduced and the impact of this to the organisation)*

Who will be affected *(Staff, patients, visitors, wider community including numbers?)*

The Equality Analysis template should be completed in the following circumstances:

- **Considering developing a new policy, strategy, function/service or project (inc. organisational change/Business case/ QEP Scheme);**
- **Reviewing or changing an existing policy, strategy, function/service or project (inc. organisational change/Business case/ QEP Scheme):**
 - If no or minor changes are made to any of the above and an EIA has already been completed then a further EIA is not required and the EIA review date should be set at the date for the next policy review;
 - If no or minor changes are made to any of the above and an EIA has NOT previously been completed then a new EIA is required;
 - Where significant changes have been made that do affect the implementation or process then a new EIA is required.

Please note the results of this Equality Analysis will be published on the Trust website in accordance with the Equality Act 2010 duties for public sector organisations.

Section 1 should be completed to analyse whether any aspect of your paper/policy has any impact (positive, negative or neutral) on groups from any of the protected characteristics listed below.

When considering any potential impact you should use available data to inform your analysis such as PALS/Complaints data, Patient or Staff satisfaction surveys, staff numbers and demographics, local consultations or direct engagement activity. You should also consult available published research to support your analysis.

Section 1 – Initial analysis

Equality Group	Any potential impact? Positive, negative or neutral	Evidence <i>(For any positive or negative impact please provide a short commentary on how you have reached this conclusion)</i>
Age <i>(Consider any benefits or opportunities to advance equality as well as barriers across age ranges. This can include safeguarding consent, care of the elderly and child welfare)</i>		
Disability <i>(Consider any benefits or opportunities to advance equality as well as impact on attitudinal, physical and social barriers)</i>		
Gender Reassignment <i>(Consider any benefits or opportunities to advance equality as well as any impact on transgender or transsexual people. This can include issues relating to privacy of data)</i>		
Marriage & Civil Partnership <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on same sex couples)</i>		
Pregnancy & Maternity <i>(Consider any benefits or opportunities to advance equality as well as impact on working arrangements, part time or flexible working)</i>		
Race <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on ethnic groups including language)</i>		
Religion or belief <i>(Consider any benefits or opportunities to advance equality as well as any barriers affecting people of different religions, belief or no belief)</i>		
Sex <i>(Consider any benefits or opportunities to advance equality as well as any barriers relating to men and women e.g. same sex accommodation)</i>		
Sexual Orientation <i>(Consider any benefits or opportunities to advance equality as well as barriers affecting heterosexual people as well as Lesbian, Gay or Bisexual)</i>		

If you have identified any **positive** or **neutral** impact then no further action is required, you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address.

If you have identified any **negative** impact you should consider whether you can make any changes immediately to minimise any risk. This should be clearly documented on your paper cover sheet/Project Initiation Documents/Business case/policy document detailing what the negative impact is and what changes have been or can be made.

If you have identified any negative impact that has a high risk of adversely affecting any groups defined as having a protected characteristic, then please continue to section 2.

Section 2 – Full analysis

If you have identified that there are potentially detrimental effects on certain protected groups, you need to consult with staff, representative bodies, local interest groups and customers that belong to these groups to analyse the effect of this impact and how it can be negated or minimised. There may also be published information available which will help with your analysis.

Is what you are proposing subject to the requirements of the Code of Practice on Consultation ?	Y/N
Is what you are proposing subject to the requirements of the Trust’s Workforce Change Policy?	Y/N
Who and how have you engaged to gather evidence to complete your full analysis? (List)	
What are the main outcomes of your engagement activity?	
What is your overall analysis based on your engagement activity?	

Section 3 – Action Plan

You should detail any actions arising from your full analysis in the following table; all actions should be added to the Risk Register for monitoring.

Action required	Lead name	Target date for completion	How will you measure outcomes

Following completion of the full analysis you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address.

Section 4 – Organisation Sign Off

Name and Designation	Signature	Date
Individual who reviewed the Analysis		
Chair of Board/Group approving/rejecting proposal		
Individual recording EA on central record		

Appendix 2: Roles and Responsibility

Role	Responsibility
Chief Executive	The Chief Executive, as accountable officer, has the responsibility to ensure that there are effective systems in place to support staff and promote work/life balance which can be delegated to an appropriate Executive Director who will ensure that the systems are implemented.
Chief People Officer	The Chief People Officer must ensure that there are policies and systems in place with regards to supporting staff and promoting work/life balance.
Business Human Resources	<ul style="list-style-type: none"> • Promote the policy and give general guidance and support to managers and staff. • Monitor and review the implementation and operation of the policy
Line Managers	<ul style="list-style-type: none"> • Ensure staff are aware of their entitlements under this policy • Give reasonable consideration to all requests for annual leave from members of staff • Be fair and equitable in the granting of leave to staff • Maintain records of annual leave • Review throughout the year to ensure that staff are taking annual leave.
Employees	<ul style="list-style-type: none"> • Must comply with the arrangements detailed within this policy for applying for annual leave. • Ensure they are taking annual leave throughout the leave year to ensure adequate rest.

Appendix 3: Annual leave entitlement (Table 2)

Agenda for Change: Annual leave entitlement for complete years exclusive of Bank Holidays

Weekly basic contracted hours	On appointment	After 5 years service	After 10 years service
	27 DAYS	29 DAYS	33 DAYS
	Hours equivalent:		
37.5	202.5	217.5	247.5
37.0	200.0	214.5	244.0
36.5	197.0	211.5	241.0
36.0	194.5	209.0	237.5
35.5	191.5	206.0	234.5
35.0	189.0	203.0	231.0
34.5	186.5	200.0	227.5
34.0	183.5	197.0	224.5
33.5	181.0	194.5	221.0
33.0	178.0	191.5	218.0
32.5	175.5	188.5	214.5
32.0	173.0	185.5	211.0
31.5	170.0	182.5	208.0
31.0	167.5	180.0	204.5
30.5	164.5	177.0	201.5
30.0	162.0	174.0	198.0
29.5	159.5	171.0	194.5
29.0	156.5	168.0	191.5
28.5	154.0	165.5	188.0
28.0	151.0	162.5	185.0
27.5	148.5	159.5	181.5
27.0	146.0	156.5	178.0
26.5	143.0	153.5	175.0
26.0	140.5	151.0	171.5
25.5	137.5	148.0	168.5
25.0	135.0	145.0	165.0
24.5	132.5	142.0	161.5
24.0	129.5	139.0	158.5
23.5	127.0	136.5	155.0
23.0	124.0	133.5	152.0
22.5	121.5	130.5	148.5
22.0	119.0	127.5	145.0
21.5	116.0	124.5	142.0
21.0	113.5	122.0	138.5
20.5	110.5	119.0	135.5
20.0	108.0	116.0	132.0
19.5	105.5	113.0	128.5

Table 2 continued...

Weekly basic contracted hours	On appointment	After 5 years service	After 10 years service
	27 DAYS	29 DAYS	33 DAYS
	Hours equivalent:		
19.0	102.5	110.0	125.5
18.5	100.0	107.5	122.0
18.0	97.0	104.5	119.0
17.5	94.5	101.5	115.5
17.0	92.0	98.5	112.0
16.5	89.0	95.5	109.0
16.0	86.5	93.0	105.5
15.5	83.5	90.0	102.5
15.0	81.0	87.0	99.0
14.5	78.5	84.0	95.5
14.0	75.5	81.0	92.5
13.5	73.0	78.5	89.0
13.0	70.0	75.5	86.0
12.5	67.5	72.5	82.5
12.0	65.0	69.5	79.0
11.5	62.0	66.5	76.0
11.0	59.5	64.0	72.5
10.5	56.5	61.0	69.5
10.0	54.0	58.0	66.0
9.5	51.5	55.0	62.5
9.0	48.5	52.0	59.5
8.5	46.0	49.5	56.0
8.0	43.0	46.5	53.0
7.5	40.5	43.5	49.5
7.0	38.0	40.5	46.0
6.5	35.0	37.5	43.0
6.0	32.5	35.0	39.5
5.5	29.5	32.0	36.5
5.0	27.0	29.0	33.0
4.5	24.5	26.0	29.5
4.0	21.5	23.0	26.5
3.5	19.0	20.5	23.0
3.0	16.0	17.5	20.0
2.5	13.5	14.5	16.5
2.0	11.0	11.5	13.0
1.5	8.0	8.5	10.0
1.0	5.0	6.0	6.5
0.5	2.0	3.0	3.5

Appendix 4: Bank Holiday Entitlement (Table 3)

Agenda for Change: Calculation of Bank Holiday Entitlement

Weekly Basic Contracted Hours	Entitlement for full leave year (in hours)	Entitlement per Bank Holiday (in hours)
37.5	60.0	7.5
37.0	59.0	7.4
36.5	58.5	7.3
36.0	57.5	7.2
35.5	57.0	7.1
35.0	56.0	7.0
34.5	55.0	6.9
34.0	54.5	6.8
33.5	53.5	6.7
33.0	53.0	6.6
32.5	52.0	6.5
32.0	51.0	6.4
31.5	50.5	6.3
31.0	49.5	6.2
30.5	49.0	6.1
30.0	48.0	6.0
29.5	47.0	5.9
29.0	46.5	5.8
28.5	45.5	5.7
28.0	45.0	5.6
27.5	44.0	5.5
27.0	43.0	5.4
26.5	42.5	5.3
26.0	41.5	5.2
25.5	41.0	5.1
25.0	40.0	5.0
24.5	39.0	4.9
24.0	38.5	4.8
23.5	37.5	4.7
23.0	37.0	4.6
22.5	36.0	4.5
22.0	35.0	4.4
21.5	34.5	4.3
21.0	33.5	4.2
20.5	33.0	4.1
20.0	32.0	4.0
19.5	31.0	3.9

Table 3 continued...

Weekly basic contracted hours	Entitlement for full leave year (in hours)	Entitlement per Bank Holiday (in hours)
19.0	30.5	3.8
18.5	29.5	3.7
18.0	29.0	3.6
17.5	28.0	3.5
17.0	27.0	3.0
16.5	26.5	3.3
16.0	25.5	3.2
15.5	25.0	3.1
15.0	24.0	3.0
14.5	23.0	2.9
14.0	22.5	2.8
13.5	21.5	2.7
13.0	21.0	2.6
12.5	20.0	2.5
12.0	19.0	2.4
11.5	18.5	2.3
11.0	17.5	2.2
10.5	17.0	2.1
10.0	16.0	2.0
9.5	15.0	1.9
9.0	14.5	1.8
8.5	13.5	1.7
8.0	13.0	1.6
7.5	12.0	1.5
7.0	11.0	1.4
6.5	10.5	1.3
6.0	9.5	1.2
5.5	9.0	1.1
5.0	8.0	1.0
4.5	7.0	0.9
4.0	6.5	0.8
3.5	5.5	0.7
3.0	5.0	0.6
2.5	4.0	0.5
2.0	3.0	0.4
1.5	2.5	0.3
1.0	1.5	0.2
0.5	1.0	0.1

Appendix 5: Bank Holidays – Example

Example – Employee A is not required to work on May Bank Holiday. Their normal contracted hours of work are 18 per week; they would normally work six hours on a Monday and they have less than 5 years' service. Using the above principle, six hours will be deducted from their total entitlement of 126 hours.

Example – Employee B works 30 hours per week. They would normally work 7.5 hours on a Monday and have over 10 years' service. They are required to work on May Bank Holiday so their leave entitlement remains intact as this day has not been taken off as leave. They are not required to work on August Bank Holiday so 7.5 hours will be deducted from their total leave entitlement of 246 hours.

Appendix 6: Hours payable for term time contracts

In order to calculate an individual working term time will be paid, you will require the following information:

1. How many hours per week will they be physically working during term time?
2. How many years NHS service do they have?
3. How many weeks of the years will be term time? (usually 38, 39 or 40)

You will then need to use the relevant column in the table based on whether the individual will be working 38, 39 or 40 weeks. Refer to the respective row based on their NHS service will give you the percentage of contacted hours payable. Multiply the Contracted Hours Payable percentage by the number of hours per week the individual will be physically working to calculate the hours that will be recorded in ESR to be paid.

Example 1:

1. Individual works 37.5 hours per week
2. They have 6 years NHS service
3. They will be working 39 weeks term time

Column 39 weeks, row 5-10 years service details the contracted hours payable is 87.16%. 87.16% of 37.5 hours is 32.69, therefore 32.69 should be the contracted hours per week recorded in ESR.

Example 2:

1. Individual works 20 hours per week
2. They have 2 years NHS service
3. They will be working 38 weeks term time

Column 38 weeks, row under 5 years service details the contracted hours payable is 84.18%.

84.18% of 20 hours is 16.84, therefore 16.84 should be the contracted hours per week recorded in ESR.

Example 3:

1. Individual works 32 hours per week
2. They have 13 years NHS service
3. They will be working 40 weeks term time

Column 40 weeks, row over 10 years service details the contracted hours payable is 91.03%.

91.03% of 32 hours is 29.13, therefore 29.13 should be the contracted hours per week recorded in ESR.

Table 4: Calculation for percentage of contracted hours payable

Years of NHS Service	Number of weeks term time working		
	38 weeks	39 weeks	40 weeks
Under 5 years service	84.18%	86.39%	88.6%
5-10 years service	84.93%	87.16%	88.75%
Over 10 years service	86.48%	89.40%	91.03%

Appendix 7: Annual Leave Calculator

The below annual leave calculator can be used to determine an individual's entitlement to annual leave and bank holidays. Ensure you have the following before using this calculator;

- Start Date – *if a new starter*
- Contracted Hours
- Entitlement Level – *either on entry, 5 years', or 10 years' service*
- Leaving date – *if a staff member leaves within the leave year*

Part Year Calculations

The annual leave calculator will also allow calculation of part year entitlement values. This is useful for instances when staff leave or start. In order for part year calculations to work **all** fields must be completed. The number of bank holidays which fall in the leave year must also be manually added.



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