**Annual Leave Purchase - guidance for managers**

**Eligibility**

Managers should check that employees satisfy the following criteria when considering additional leave requests:

* The employee has at least one year's continuous employment with the Council with no intention to leave within the next 12 months.
* If they are on a fixed term contract the expectation is that the contract will continue for the whole of the next leave year (i.e. until at least 31 March 2025).
* Those whose employment is due to end part-way through the leave year for which they wish to purchase additional leave are not eligible to apply.
* Casual, seasonal or occasional workers are not eligible to apply.
* Employees must have passed their probationary period successfully.
* They must NOT be on term-time only or annualised hours contract.
* They must NOT be subject to a formal capability procedure (i.e. called to a formal meeting) during the 12 months preceding the leave year that they wish to purchase additional leave for.
* At the time of their application, their sickness absence record must not exceed the sickness trigger (7 days) for the previous rolling year (i.e. the previous 12 months until the date of the application). This provision EXCLUDES disability and maternity related absences. Please discuss this with you HR consultant in case of any doubt
* At the start of the leave year for which they wish to purchase additional leave, the employee must NOT have an unexpired disciplinary warning OR have their conduct be the subject of an on-going disciplinary investigation.
* If by taking part in the scheme, their salary reduces to below the national minimum wage (<https://www.gov.uk/national-minimum-wage-rates>), they're not eligible.
* If their contractual earnings are less than £1048 per month, (after deducting the amount of salary you wish to sacrifice as part of all salary sacrifice schemes) they're not eligible.
* If they're already covered by a pre-existing arrangement for annual leave, such as a TUPE arrangement, they're not eligible.

**Checking the application**

* Managers should ensure that employees contractual hours are correct (i.e. hours stated on the application and Oracle match).
* Managers should also check that the salary is correct. The salary figure should include the basic spinal and any other monthly contractual payments such as **compulsory car allowance, shift allowance, night enhancements, market supplement, additional duties allowance etc.** (salary of acting up positions to be taken if relevant).
* Managers should ensure that the combined total of leave (carried over and purchased additional leave) does not exceed 72 working hours or a total of 2 working weeks for part time employees.
* This year due to COVID, as an exception employees will be able to carry over up to 72 hours (pro rate for part time). The amount purchased cannot exceed 72 hours per annum (this must include any carried over leave) and will be pro-rated for those employees on part-time contracts. For example if they are carrying over 43.2 hours as a full time employee, they can only purchase 28.8 hours.
* Managers can use the guide in the Appendix below to check the leave balance for their employee. Before they approve the purchase application, managers should have a discussion around what the intentions are for any leave that is remaining for the year 2021-22 before approving the application for 2022-23

**Entitlement**

* An employee may work 5 days a week (36 hours) (full-time) and have 31 days holiday entitlement (223.2 hours). They may be carrying over 3 days annual leave (21.6 hours). The maximum leave they will be able to purchase is 7 days (50.4 hours).

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| Maximum additional leave allowance | 72 hours |
| Carry over leave | 21.6 hours |
| Maximum additional leave request | 50.4 hours |

* An employee may work 3 days a week (part-time) and work 5 hours each day (a total of 15 hours weekly). They may be carrying over 5 hours leave (equivalent to 1 day). The maximum leave they will be able to purchase is: 5 days (25 hours).

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| Maximum additional leave allowance | 30 hours |
| Carry over leave | 5 hours |
| Maximum additional leave request | 25 hours |

* An employee may work 30 hours a week over 4 days with different hours daily. They wish to use their maximum additional leave allowance.

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| Average daily hours (30hrs/4 days) | 7.5 hours |
| Maximum additional leave allowance pro rata for 30 hours is | 60 hours |
| Carry over leave | 15 hours |
| Maximum additional leave request | 45 hours |

Managers should ensure employees understand that any leave purchased is added to the total leave allowance - so leave not taken at the end of the next year will consist of ordinary annual leave. Up to 5 days (36hours) of that leave may be carried over to the next leave year. There will be no ‘refunds’ or ‘separate carry over’ of additional purchased leave to the next leave year.

**Submitting the approved application**

The employee should ideally print the form and get it signed before emailing the approved form the HR. However if printing is not possible then the manager must attach the form to an email stating ‘approved’ when sending it to Bina Patel. This approval should be on behalf of the Head of Service as well.

**Planning leave within your team**

At the time of the application managers should check that their team has sufficient cover (for peak periods) and services can operate without additional cost (i.e. overtime payments) whilst accommodating additional leave requests.

When considering requests, managers are advised to clarify employees’ intentions about when they propose taking their leave. This may help identify potential difficulties with team cover or service delivery issues.

Annual leave records should be maintained across the team to avoid multiple holidays being taken at the same time.

Be aware that the additional leave requests can only be agreed by management. Refusals of requests must be justifiable and reasonable (i.e. detrimental to the business due to lack of cover at a specific time; additional costs).

Before refusing an application, it is advisable to discuss the request with the employee so that a reasonable compromise can be reached.

**Inputting purchased annual leave**

**Who is responsible for inputting the purchased annual leave entitlements into myresources?**

The myresources team will input the purchased annual leave entitlements all applicants.

The applicant has till 30th March to withdraw from the scheme

**For any additional queries, please contact:**

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**Appendix**

