

# **Planned Leave Policy**



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# **1.0) Title**

Planned Leave Policy.

# 2.0) Statement

The Council as an employer is concerned about the health, safety and well-being of all its employees and is committed to promoting good health and best practice throughout the organisation. The Council recognises that an employee's health and wellbeing benefits from having flexibility in attending work and leave arrangements that provide an opportunity for an improved work life balance.

Employees should avail of their annual leave entitlements, and where eligible Flexitime and TOIL. All requests will be subject to the operational needs of the service and will take account of legislative requirements e.g. Working Time Directive.

# 3.0) Aim

This policy sets out the Council's position in relation to the following procedures and provides guidance to both line managers and employees on:

- Annual Leave
- Flexitime
- TOIL

## 4.0) Scope

Table 1 below summarises the entitlements for Employees, Agency Workers and Casual Workers. This is explained in further detail at Sections 4.1 - 4.3.

	Employees	Agency Workers	Casual Workers
Annual Leave	$\checkmark$	√	Payment Only
Flexitime (service specific)	$\checkmark$	√	
TOIL (service specific)	$\checkmark$	√	

Table 1: Entitlements to Leave Arrangements

## 4.1) Employees

This policy and its associated procedures apply to all full time and part time employees on continuing appointments or employees on fixed term contracts.

Chief Officers have separate annual leave arrangements as set out in 'Local Authority Chief Officers, Conditions of Service Handbook'.

Eligibility for postholders to access flexitime will be outlined in the Flexitime Procedures and will be subject to the operational needs of the service. Assistant Director and Chief Officer posts are not eligible to participate in the flexitime scheme.

Eligibility to access TOIL will be outlined in the TOIL Procedures and will be subject to the operational needs of the service. Assistant Director posts can access TOIL by agreement only, Chief Officer posts are not eligible to participate in the TOIL scheme.

#### 4.2) Agency Workers

This policy and the entitlements as set out in the annual leave, flexitime and TOIL procedures apply to agency workers. Eligibility to access flexitime will be as outlined in the Flexitime Procedure and will be subject to the operational needs of the service. The Council will advise the relevant agency of a worker's entitlement in line with the Agency Workers Regulations 2010 and the agency's responsibilities for processing entitlements.

#### 4.3) Casual Workers

This policy and the associated procedure for annual leave only will apply to casual workers. In line with the Working Time Regulations casual workers are entitled to annual leave payments. Annual leave entitlement is calculated several times throughout the year and a pro-rata amount equivalent to the hours worked by the casual worker is paid.

# 5.0) Related Policies and Procedures

This policy should be read in conjunction with the following procedures:

- Annual Leave
- Flexitime
- TOIL

# 6.0) Definitions

## 6.1) Annual Leave

Annual leave is paid time off from work for employees and entitlement will be proportionate to an employee's length of service and contracted hours. The leave year runs from 1 April to 31 March inclusive.

## 6.2) Flexitime

The flexitime scheme offers employees a flexible system of attendance by enabling them to alter their workday within set parameters subject to workloads and the operational needs of the service. Eligibility to access the flexitime scheme will be subject to operational needs of the service.

#### 6.3) Time Off in Lieu (TOIL)

Employees who are authorised to work in excess of their normal contracted hours are eligible to receive Time Off in Lieu (TOIL), on an hour for hour basis. Eligibility to claim approved TOIL will be as outlined in the TOIL procedure and will be subject to the operational needs of the service. There are separate rules for TOIL accrual for employees that are required to work on a public holiday/statutory day which are covered under the TOIL procedure.

# 7.0) Roles and Responsibilities

#### 7.1) The Council

The Council has overall responsibility to have processes in place to ensure that employees are aware of and adhere to this policy and associated procedures.

#### 7.2) Employees and Line Managers

Line managers and employees have a joint responsibility in relation to this policy and Annual Leave, Flexitime and TOIL procedures as applicable, to:

- Ensure awareness of the policy and associated procedures, entitlements and eligibility for leave arrangements.
- Ensure leave is planned, requested in a timely manner and taken at regular intervals to avoid excessive leave balances at the end of any relevant accounting/reconciliation period.
- Ensure requests for leave adhere to the appropriate procedure and take account of operational needs.
- Ensure leave requests and adjustments are accurate, records are kept up to date and any amendments or approvals sought adhere to procedural requirements and entitlements.
- Ensure leave requests adhere to the entitlements allocated for an accounting/reconciliation period and do not exceed contractual entitlements and allow for contractual obligations to be fulfilled.
- Ensure compliance with relevant legislation such as the EU Domestic Driver Hours Regulations, Working Time Regulations etc
- Ensure compliance with the Code of Conduct for Local Government Employees, in particular section 4.5 Appointments and Other Employment Matters.

## 7.3) Line Managers

Line managers have responsibility in relation to this policy and Annual Leave, Flexitime, and TOIL procedures as applicable, to:

• Ensure the policy and associated procedures are applied fairly and consistently.

- Monitor and review workloads, overtime and leave arrangements to ensure these are balanced with business needs and comply with relevant legislation in particular the Working Time Directive and to enable planned leave to be taken
- Proactively monitor annual leave within their section on a regular basis to ensure leave is scheduled throughout the leave year to avoid excessive leave balances at the end of the leave year.
- Investigate failure, of employees for who they are responsible, to adhere to this policy and associated procedures and notify Human Resources accordingly.

#### 7.4) Human Resources

Human Resources have a responsibility in relation to this policy and Annual Leave, Flexitime and TOIL procedures to:

- Provide training and support to line managers and employees as required.
- Provide advice and support in the application of this policy and associated procedures in individual cases.
- Calculate annual leave entitlements for all employees at the start of each leave year.
- Audit annual leave balances at the end of the leave year and flexitime/TOIL balances throughout the year to determine carry over entitlement and identify leave overtaken.
- Ensure this policy and associated procedures are reviewed and updated in line with legislative requirements.

## 7.5) Payroll

Payroll have a responsibility in relation to this policy and Annual Leave, Flexitime and TOIL procedures to:

- Calculate annual leave entitlement accrued for Casual Workers several times throughout the year and make a holiday pro-rata payment equivalent to the hours worked by the Casual Worker.
- Apply appropriate deductions to an employee's salary for annual leave/flexitime overtaken when necessary agreeing a suitable repayment schedule were applicable.

## 7.6) Trade Unions

Trade union representatives, working in partnership with Line Managers and Human Resources, have a role to play in providing advice, guidance and support to their members in relation this policy and associated procedures.

# 8.0) Monitoring, Review and Evaluation

This policy will be reviewed every four years in consultation with Senior Management and Trade Unions. However, the policy will be reviewed sooner in the event of any one or more of the following:

- a) Failure or weakness in the policy is highlighted
- b) Changes in legislative requirements
- c) Changes in Government/Council or other directives and requirements.

# 9.0) Equality Impact Assessment

This procedure has been equality screened and it has been concluded that this procedure is not subject to an EQIA. A copy of the equality screening is available from Human Resources.

# **10.0)** Document Owner

**Human Resources** 

This Policy is effective from 1 April 2020 and supersedes all previous policies related to:

- Annual Leave
- Flexitime
- TOIL

#### **Policy Agreement:**

LCNF : 09 March 2020
SPRC : 13 August 2020
Council : 7 September 2020

Ag freastal ar an Dún agus Ard Mhacha Theas **Serving Down** and South Armagh

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