

## Annual Leave Policy

Name of Policy	ANNUAL LEAVE POLICY
Policy Level	Trust
Date of issue	February 2018
Author:	Trust Board
Date of Next Review:	February 2021
Signature	
Date of Signature:	28 <sup>th</sup> February 2018

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This policy applies to employees of the Trust only. It does not form part of any employee's terms and conditions of employment and is not intended to have any contractual effect. The Trust reserves the right to amend this policy at any time.

### **Schedule of Responsibilities**

The CEO of Learning Today leading Tomorrow Trust (LT2) takes overall responsibility for the implementation of policies and procedures and to provide reports as appropriate to Trustees in relation to this policy.

Headteachers of LT2 schools and their Senior Leadership Teams will take active steps to promote good practice under this policy and review and monitor the management and implementation of this policy and practice in their Academy. They will identify training needs, ensuring competence in those staff who are responsible for and involved in the operation of this policy and associated guidance.

Teachers and other supervisory roles will, where required, conduct formal meetings, undertake relevant training in relation to this policy and ensure effective and competent operation of this policy.

All employees are required to cooperate fully and positively with the requirements of this Policy and to undertake any training recommended by their line manager.

The Trust's HR Advisers, are responsible for providing advice and guidance under this policy and reviewing and updating the policy as required; ensuring continuing compliance in line with any developments in employment legislation, good employment practice and other LT2 policies. The Trust's HR Providers may be requested to provide data for regular Trust Board HR reports where appropriate, providing confidential reports as required by the CEO and LT2 Trust Board on individual cases.

The following persons will generally be responsible for managing employees under this policy:

The Academy Headteacher (for Academy based teaching and educational or non-educational support staff) and the Chief Executive Officer (for Academy Headteachers and centrally appointed teaching and support staff) (the "Line Manager").

The Trust's Holiday Year runs from 1 September to 31 August.

Employee's annual leave entitlement is as specified in his or her individual contract of employment.

Where an employee's annual leave entitlement increases with length of service, such entitlement is calculated from the beginning of the Holiday Year following the anniversary of completion of the service.

Full time employee's annual leave entitlement includes the eight currently recognised Bank/Public Holidays in England and Wales.

These are:

New Year's Day	Spring Bank Holiday
Good Friday	Late Summer Bank Holiday
Easter Monday	Christmas Day
May Day	Boxing Day

Part-time employees are entitled to bank/public holidays pro rata. Where the School closes on a bank/public holiday and the employee has exhausted his or her pro rata bank/public holiday entitlement, the employee will not be paid for this day. If the employee wishes to be paid for this day he or she should take this time from his or her annual leave entitlement.

Employees may be required to work on a recognised bank/public holiday depending on the School's operational requirements from time to time. The Trust will aim to give as much notice as is reasonably practical of any such requirement. If employees are required to work on a recognised bank/public holiday they will be entitled to receive time off in lieu for the hours worked.

Full time employees accrue annual leave at the rate of one twelfth of the employee's annual leave entitlement from the first day of their employment with the Trust. This applies to part time employees pro rata.

Hourly paid employees will be paid at their basic rate of pay; salaried employees will be paid their basic salary in respect of periods of annual leave. Overtime will not normally be included in the calculation of holiday pay unless:-

- it is overtime that the Trust is contractually obliged to offer and the employee is contractually obliged to accept;
- or
- it is overtime that the Trust is not contractually obliged to offer, but if it does, the employee is obliged to accept it and the employee does, in fact, regularly work it.

The weekly holiday pay of Employees with no normal working hours will be their average weekly pay calculated over the 12 working weeks before the holiday is taken.

Annual leave payments will accrue from day to day and shall be payable in 12 equal instalments, monthly in arrears on or around the 28<sup>th</sup> of the month directly in to the Employee's nominated bank or building society account.

On termination of employment, employees will be entitled to be paid for annual leave accrued but not taken as at the date of termination of employment. If on termination of employment an employee has taken more annual leave than he or she has accrued in that Holiday Year, an appropriate deduction will be made from the employee's final pay.

Employees are not permitted to carry over accrued annual leave from one Holiday Year to the next save in exceptional circumstances and at the sole discretion of the Trust.

Employees who are employed by the Trust to work on a term-time only basis will not be permitted to take annual leave at any point during the academic terms of the School. Such employees are required to take annual leave as it accrues at the first available opportunity outside of the academic terms of the School.

For employees who are employed by the Trust on “all year round” contracts, all periods of annual leave must be authorised in advance by the Line Manager. Such employees must not make firm annual leave arrangements before receiving confirmation that the request has been authorised.

Completed holiday request forms must be submitted the employee’s Line Manager as early as possible giving a minimum notice of 2 weeks in respect of proposed annual leave of less than 5 consecutive days and 4 weeks in respect of proposed annual leave of 5 or more consecutive days.

Employees are not normally permitted to take more than 10 working days consecutive dates annual holiday at any one time.

Employees who take unauthorised annual leave may be subject to disciplinary action in accordance with the School’s Disciplinary Policy and Procedure.

Requests for annual leave will normally be granted on a “first come first served” basis. Owing to the needs of the School and its students, the School reserves the right to limit the number of employees who may be permitted to take holiday at any one time. The granting of all holiday requests will be subject to adequate cover available and the overall operational needs of the School during the proposed period of absence.

Whilst an employee is on long term sick leave, he/she may request to take any outstanding annual leave at that time by following the usual holiday request provisions outlined above. Employees are encouraged to do this within the leave year in which that holiday accrued, otherwise such leave may be lost.

Employees who are ill during a period of authorised annual leave may elect to take that holiday at a later agreed time, within the holiday year in which that leave accrued (unless exceptional circumstances apply), provided they have followed the School’s sickness absence notification and certification procedure on each of the days they were incapacitated by reason of illness or injury.

Requests should be made in writing to the Line Manager and should set out:

- the number of days during which the employee was incapacitated by reason of injury or illness during the period of leave in question;
- how and to whom the sickness absence was notified and on what dates enclosing copy medical certificates where relevant; and
- the alternative dates that the employee would like to request to take in lieu.

The Line Manager will consider the employee's request and confirm where necessary that the sickness absence notification and certification was complied with. The Trust/School will then write to the employee confirming whether their request can be considered. Where a valid request is made, the employee will be invited to submit a Holiday Request Form in the normal way for the substitute days requested.

The Trust/School may require an employee to take all or part of any outstanding holiday entitlement during a period of notice to terminate the employment.