# ANNUAL LEAVE POLICY

Drafted by: HR in consultation with Judicium   
Reviewed: January 2022  
Next Review: September 2023

**Introduction**

This policy applies to employees of the school only (which will be referred to as “you”in this policy). It does not form part of any employee’s terms and conditions of employment and is not intended to have any contractual effect. The school reserves the right to amend this policy at any time.

It sets out annual leave entitlements for employees who work regular hours. If you are an employee who does not have regular hours of work, please contact HR if you have questions regarding the calculation of your leave entitlement or holiday pay.

**Annual Leave Entitlement**

The school’s Holiday Year runs from 1 September to 31 August for teaching staff and from 1st April to 31 March for support staff.

Your annual leave entitlement is specified in your individual contract of employment.

Where your annual leave entitlement increases with length of service, such entitlement is calculated from the beginning of the Holiday Year following the anniversary of the completion of 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 you work part time all year round and the school closes on a bank/public holiday which is a day you would otherwise work but you have exhausted your pro rata bank/public holiday entitlement, you will be required to use a day’s annual leave to for that bank/public holiday in order to receive pay. Otherwise, you will not be entitled to be paid for that day.

You may be required to work on a recognised bank/public holiday depending on the school’s operational requirements from time to time. The school will aim to give as much notice as is reasonably practical of any such requirement. If you are required to work on a recognised bank/public holiday you will be entitled to receive your normal basic hourly rate or receive time off in lieu of the hours worked.

You accrue annual leave at the rate of one twelfth of your annual leave entitlement each month from the first day of your employment with the school.

Hourly paid employees will be paid at their basic rate of pay for any holiday taken; 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 school is contractually obliged to offer, and the employee is contractually obliged to accept or guarantee; or
* it is overtime that the school is not contractually obliged to offer, but the employee does, in fact, regularly work it to the extent it has become classed as regular and settled and forms part of their “normal remuneration”.

Annual leave payments will accrue from day to day and shall be payable in 12 equal instalments, monthly in arrears on or around the 15th of the month directly into your nominated bank or building society account.

You are generally not permitted to carry over accrued annual leave from one Holiday Year to the next, save where the law permits (e.g. long term sick leave/family friendly leave) or in exceptional circumstances at the sole discretion of the school. The maximum number of accrued holidays that you are allowed to carry over from one leave year to the next is 5 days unless authorised by your line manager or Headteacher. Any annual leave not used in this way will be lost.

1. **Term Time only Support Staff**

If you are employed to work on a term-time only basis, you will not be permitted to take annual leave at any point during the academic terms. Instead, you are deemed to take your annual leave during the first school closure periods, on any bank and public holidays and such other days the school designates as holiday on which you are not required to work which fall within the relevant holiday year, until your holiday entitlement is exhausted. Any days on which you are not required to work for the above reasons but for which you will not be entitled to be paid (because all of your paid leave has been deemed to have been taken) will be treated as unpaid leave. You will have received payment in respect of your pro-rated entitlement to annual leave as part of your salary.

1. **Teaching Staff**

If you are employed as a member of teaching staff, you will not be permitted to take annual leave at any point during the academic terms. You will be deemed to take your annual leave during the first school closure periods, on any bank and public holidays and such other days the school designates as holiday on which you are not required to work which fall within the relevant holiday year, until your holiday entitlement is exhausted.

You will receive your usual salary during all school closure periods.

1. **All Year-Round Staff**

If you are employed by the school on “all year round” contract, all periods of annual leave must be authorised in advance by your Lien Manager / the Headteacher. You must not make firm annual leave arrangements before receiving confirmation that the request has been authorised.

Completed holiday request forms must be submitted to your Line Managerthe Headteacher as early as possible giving a minimum notice of [2 weeks] in respect of proposed annual leave of less than 1 week and [4 weeks] in respect of proposed annual leave of 1 week or more.

You are not normally permitted to take more than 2 working weeks of consecutive dates annual holiday at any one time.

You will not be permitted to take annual leave at any time during term time or on INSET days.

You will also be required to reserve 3 days of your annual leave entitlement to cover the shutdown period at Christmas.

If you 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, we reserve 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 our overall operational needs during the proposed period of absence.

**Staff on Long-Term Sickness Absence**

If you are on long-term sick leave, (including as a result of Covid-19) you may request to take any outstanding annual leave at that time by following the usual holiday request provisions outlined above. You are encouraged to do this within the leave year in which that holiday accrued.

If you are unable to take annual leave during the leave year it accrued due to long term sickness absence, some of that leave may be able to be carried forward into the following leave year. Please contact HR for further information.

**Staff that are ill during a period of Annual Leave**

If you are ill during a period of authorised annual leave you 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 you have followed the school’s sickness absence notification and certification procedure on each of the days you were incapacitated by reason of illness or injury.

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

* the number of days during which you were 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 you would like to request to take in lieu.

The Headteacher will consider your request and confirm where necessary sickness absence notification and certification procedures were complied with. The school will then write to you confirming whether your request can be considered. Where a valid request is made, you will be invited to submit a Holiday Request Form in the normal way for the substitute days requested.

**Annual Leave on Termination of Employment**

On termination of employment, you 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 you have taken more annual leave than you have accrued in that Holiday Year, an appropriate deduction will be made from your final pay.

The school may require you to take all or part of any outstanding holiday entitlement during a period of notice to terminate the employment or during a period of Garden Leave.