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| barnardos-logo-purpose-vertical-dark-green-RGB | | | Barnardo’s  Corporate Policy | |
| **Annual leave and Bank Holidays** | | | | |
| **Risk Owner:** | | Director of People and Culture | | |
| **Supported by:** | | People Strategy & Projects Team | | |
| **Date Approved:** | | 6 April 2024 | | |
| **Date for Review:** | | 5 April 2027 | | |
| **Distribution** | | Non-Confidential – Internal only | | |
| 1. **Purpose** | | | | |
| This contractual policy aims to:   * Provide information on annual leave entitlement and bank holiday arrangements. * Ensure that Barnardo’s complies with the requirements of current legislation. | | | | |
| 1. **Policy** | | | | |
| **2.1** **Annual leave entitlement**  Barnardo’s leave year runs from 1 April to 31 March each year.  The tables below show annual leave entitlement in days[[1]](#footnote-2) for different categories of colleagues.  Barnardo’s offers more than the statutory minimum of 28 days paid holiday for a colleague working full time, which is inclusive of bank holidays. The number of days is related to a five-day week and is pro-rated for part time colleagues. For colleagues who work less than full time, their annual leave entitlements will be calculated on a pro rata basis.  **Table 1 - Annual leave Scheme for colleagues whose continuous service date is before 1 April 2016**   |  |  |  | | --- | --- | --- | |  | Leave entitlement | Over 5 years’ Barnardo’s service | | a) All colleagues (except for b-d below): |  |  | | * On equivalent salary to old spinal column points 1-33 | 25 | 30 | | * On equivalent salary to old spinal column points 34 and above | 27 | 32 | | b) Professions allied to medicine and nursing In accordance with individual contracts | | | | c) Teaching and allied colleagues In accordance with individual contracts | | | | d) TUPE’d in colleagues The entitlement they transferred with | | |   **Table 2 - Annual Leave Scheme for colleagues whose continuous service date is on or after 1 April 2016**   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  |  | **Barnardo’s service in years** | | | |  | Leave entitlement | After 3  years | After 5  years | After 7 years or more | | 1. All colleagues   (except b-d below) | 26 | 27 | 29 | 30 | | 1. Professions allied to medicine and nursing | | In accordance with individual contracts | | | | c) Teaching and allied colleagues | | In accordance with individual contracts | | | | d) TUPE’d in colleagues | | The entitlement they transferred with | | |   Colleagues employed on or after 1 April 2016, as above, move to this new leave plan as at Table 2 with effect from 1 April 2023. Colleagues will be allocated to the relevant tier based on their continuous service date. There will no backdating or retrospective annual leave allocation.  Once a colleague reaches the appropriate continuous years’ service, the increased leave entitlement will apply from the following month after attaining the relevant year service marker, and adjustments to annual leave will automatically be applied via the Dynamics D365 system.  **2.2** **Recognition Day**  One Recognition Day will be awarded per annual leave year as paid leave for colleagues to take as they wish with their line manager’s agreement within the leave year.Colleagues should discuss their Recognition Day request with their line manager and submit this via the D365 system.  The Recognition Day does not apply to TUPE or As-and-When colleagues. For Term Time Only colleagues, the Recognition Day is added to hours and paid in the usual way.  New colleagues will receive the Recognition Day following successful completion of their probationary period which will be determined by the line manager and completed when confirmed in writing. Colleagues having successfully completed their probationary period will be able to submit their Recognition Day request to their line manager via the D365 system. (See [Recognition Day | Inside Barnardos](https://inside.barnardos.org.uk/recognition-day))  **2.3**  **Bank holidays**  Across the four Nations, there are variations to the annual recognised bank holidays. Within England, Scotland and Wales there are usually 8 Bank Holidays that fall within our leave year and in Northern Ireland there are usually 10 Bank Holidays.   In Scotland, each local council has authority to make certain days 'local' public holidays. Barnardo's Scotland predominantly recognises in practice the local public holidays identified by an asterisk \* in the table below. These are part of the 8 usual bank holidays and can be flexed under our flexibility offer as detailed in section 2.4 below. Please see below.     |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | **England & Wales** | | **Scotland** | | **Northern Ireland (NI)** | | | January | New Years Day | January | ***New Years Day & 2 January*** | January | New Years Day | |  |  |  |  | March | ***St Patrick’s Day*** | | Easter | ***Good Friday & Easter Monday*** | Easter | Good Friday  *Easter Monday\** | Easter | ***Good Friday & Easter Monday*** | | Early May | Holiday Monday | Early May  ***or***  Spring (May) | Holiday Monday | Early May | Holiday Monday | |  |  |  |  | | Spring (May) | Holiday Monday | Spring (May) | Holiday Monday | |  |  |  |  | July | ***Battle of the Boyne Day*** | | Summer  (August) | Holiday Monday | Autumn | *September Holiday Monday\** | Summer  (August) | Holiday Monday | | Christmas | ***Christmas Day & Boxing Day*** | Christmas | ***Christmas Day & Boxing Day*** | Christmas | ***Christmas Day & Boxing Day*** |   ***Days defined as “fixed” bank holidays under our flexibility offer for each Nation***  **2.4**  **Flexible Bank holidays**  In providing colleagues with increased flexibility and in recognition of our diverse workforce, we are giving colleagues the option to flex bank holidays beyond the defined ‘fixed’ bank holidays that fall within our leave year 1 April – 31 March, as set out above. These will need to be requested and booked via D365 and agreed by the line manager in the usual way.    Flexible Bank Holidays are offered to colleagues as part of our Reward and Recognition offer effective from 1 April 2023 and gives the opportunity for colleagues to use part of their bank holiday entitlement flexibly throughout the leave year.  This requires prior line manager agreement to ensure operational and service delivery is not affected.  **Please note:** the defined and fixed bank holidays identified for each Nation are not included within our flexibility offer, and unable to be flexed. *\*\* However, exceptions may apply to Retail colleagues, if they are required to work on an identified fixed bank holiday and these colleagues should speak to their line manager in the first instance.*  **In summary:**  **For England and Wales -** the defined and fixed bank holidays will be 2 days at Easter (Good Friday and Easter Monday) and 2 days at Christmas (Christmas Day and Boxing Day).  **For Scotland** - the defined and fixed bank holidays will be 2 days at Christmas (Christmas Day and Boxing Day) and 2 days at New Year (New Year’s Day and 2 January).    **For Northern Ireland –**the defined and fixed bank holidays will be 2 days at Easter (Good Friday and Easter Monday), 2 days at Christmas (Christmas Day and Boxing Day), St. Patricks Day on 17 March and the Battle of the Boyne Day on 12 July (6 days defined and set bank holidays in total).  **2.5**  **Taking, accruing and carrying over annual leave**  The leave year commences on 1 April. In the interest of health and welfare and to manage overall wellbeing, colleagues are expected and encouraged to take all the leave to which they are entitled during the twelve-month leave period.  Managers should regularly review leave arrangements and discuss these at supervision meetings/colleague conversations and encourage colleagues to take and spread their annual leave across the leave year. If leave is not booked voluntarily, managers may nominate specified days on which a colleague must take some or all of their statutory annual leave. Written notification must be given specifying the dates the leave must be taken; the only condition is that the colleague must be given notice of at least twice the length of the stipulated holiday period. For example, a minimum of four weeks’ notice would be necessary to require a colleague to take two weeks’ leave from a specified date. This is in accordance with the Working Time regulations 1998.  However, if circumstances arise where reasonable opportunities to take all leave entitlement has been either impractical or inconvenient, an element of leave can be carried over. Annual leave of up to 1 week’s contractual hours can be carried over into the next leave year and this will be reflected on the D365 system. Permission to carry over more than this amount will be given only in exceptional circumstances and requests must be made in writing to the manager before the leave year ends.  **Untaken annual leave due to family leave**    If a colleague has not been able to take all of their annual leave due to taking family leave, then they can carry forward up to 28 days statutory annual leave entitlement, into the new leave year.  Family leave includes maternity, adoption, fostering and shared parental leave, unpaid parental leave, parental bereavement and support leave. Please refer to our Inside. Barnardo’s page [Taking time off](https://inside.barnardos.org.uk/people-and-culture/taking-time) for related policy details.  Entitlement to family leave is in addition to a colleague’s statutory 28 days annual leave entitlement.  Paid annual leave continues to accrue for colleagues during family leave including bank holidays.    **Untaken annual leave due to long term sickness absence**    If sickness means that a colleague cannot take their full annual leave entitlement during the leave year, colleagues will be able to carry forward up to 20 days statutory annual leave entitlement into the next leave year (minus any leave already taken, including public holidays). This can be carried forward up to a maximum of 18 months following the end of the leave year in which it was accrued.    It may be possible for annual leave to be taken during sickness absence, and requests for this should be made in the normal way.  Paid annual leave continues to accrue for colleagues during paid and unpaid sick leave.  Any missed bank holidays do not accrue during periods of sickness absence and will be counted as sick days for the purposes of sickness absence trigger points.  **2.6**  **Colleagues working part-time/compressed hours**  For these colleagues, the annual leave calculation is normal weekly hours divided by 5, multiplied by the number of days full time equivalent (FTE) annual leave entitlement, as set out in Section 2.1, giving total number of hours leave. If daily hours fluctuate leave is to be taken at the number of hours normally worked on that day.  Bank holiday entitlement is based on the actual number of bank holidays that fall during Barnardo’s annual leave year i.e., April to March. As the number of days will vary each year, depending largely on when Easter falls, this will automatically be recalculated annually on the D365 system.Details on how the pro-rated annual leave and bank holiday leave entitlement is calculated and guidance are attached as separate documents on the ‘Annual Leave and Bank Holiday Entitlements’ page on Inside.Barnardo’s, also see our [Annual leave calculator](https://inside.barnardos.org.uk/people-and-culture/taking-time/annual-leave-calculator) There is also some explanation for the slightly different arrangements for colleagues in post before 1.12.2000 within the [Colleague handbook.](https://inside.barnardos.org.uk/employee-and-volunteer-support/employee-handbook)    **2.7**  **As and When colleagues**  Colleagues working to an as and when agreement are entitled to annual leave at statutory levels (28 days including bank holidays, pro rata to the hours they work) and the agreement reflects this. At the end of each assignment, they are paid in lieu of any accrued but untaken holiday for the holiday year in which the assignment ends.  **2.8** **Colleagues leaving**  If a colleague joins or leaves the organisation part way through a leave year, the pro-rated bank holiday entitlement will automatically be calculated on D365 system to reflect the actual number of bank holidays that fall during that period.  Colleagues shall be allocated a pro rata of their annual leave entitlement according to the number of completed days worked during the current leave year. Barnardo’s reserves the right to reclaim salary paid for leave taken in excess of this entitlement.  Some colleagues, especially in Children’s Services, may leave Barnardo's to take employment with a Local Authority. These authorities may recognise Barnardo’s employment for continuous service purposes, and colleagues may wish to seek information on this matter from their potential employer.  **2.9**  **Working on a bank holiday**  Some colleagues, in particular those in residential units, may be required to work on a bank holiday. For further details please refer to [Enhanced Rates and Overtime Policy](https://contentserver.barnardos.org.uk/otcs/llisapi.dll?func=ll&objId=300361866&objAction=browse&viewType=1) and [Pay | Inside Barnardos](https://inside.barnardos.org.uk/people-and-culture/pay-and-pensions/pay).  **2.10** **The effect of regular and settled** **overtime on annual leave payments**  If you work and are paid **regular** overtime over and above your normal fixed contractual hours, your ‘normal’ pay (for the purposes of calculating holiday pay) may be more than your basic contractual pay. Please refer to the Enhanced rates and overtime policy for further information. | | | | |
| 1. **Scope** | | | | |
| This policy applies to all colleagues employed under Barnardo’s terms and conditions and our As and When Colleagues as per their statutory entitlements. | | | | |
| 1. **Definitions** | | | | |
| **Bank holiday** - used here as generic term to cover bank, statutory or public holidays  **Barnardo’s service -** defined in the Colleague Handbook, Appendix B – Glossary of Terms | | | | |
| 1. **Roles and Responsibilities** | | | | |
| **Colleagues**  **Line Managers**    **People Teams**  **People Strategy & Projects Team** | | | are responsible for planning and requesting annual leave in line with the requirements set out in this policy.  are responsible for encouraging colleagues to take and manage their annual leave, actioning any leave requests and ensuring colleagues are receiving the correct leave entitlement.  Accurate manual records must be maintained for those colleagues unable to fully utilise the system due to differing entitlements/calculations (e.g., TUPE, Term Time Only). Please refer to the Annual Leave calculator available on Inside.Barnardo’s [Annual leave calculator](https://inside.barnardos.org.uk/people-and-culture/taking-time/annual-leave-calculator).  are responsible for advising and supporting colleagues and line managers on this policy.  are responsible for reviewing this policy at 3 yearly intervals, however, any legal or organisational developments may prompt more frequent reviews.  Any statutory changes will be incorporated automatically. | |
| 1. **Procedure** | | | | |
| **Requesting leave**  Before making arrangements for leave, colleagues are required to obtain the consent of their manager by submitting a request via the D365 system. Colleagues are expected where possible to give longer notice for longer periods of annual leave e.g., 3 months’ notice when requesting more than 2 weeks contractual hours,inorder to assist with providing cover. For guidance on requesting annual leave in Dynamics 365, please see [Checking and booking leave in Dynamics 365 : Business Services Hub](https://hub.barnardos.org.uk/support/solutions/articles/26000091450).  Colleagues working in schools should take their annual leave during normal school holiday periods, or at the discretion of the Principal.  Managers may be able, in certain specific circumstances, to authorise time off instead of, or in addition to, annual leave. Please refer to these policies for details: [Time off for dependants policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/time-dependants-policy), [Additional leave (paid and unpaid) policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/additional-leave-paid-and-unpaid-policy) and [Extended leave policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/extended-leave-policy), all available on Inside.Barnardo’s and also see [Taking time off](https://inside.barnardos.org.uk/people-and-culture/taking-time). | | | | |
| 1. **Associated Legislation, Guidance, References and Documents** | | | | |
| Located on Inside.Barnardo’s:  Additional leave (paid and unpaid) Policy [Additional leave (paid and unpaid) policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/additional-leave-paid-and-unpaid-policy)  Annual Leave and Bank Holiday Calculator and Guidance Notes [Annual leave calculator](https://inside.barnardos.org.uk/people-and-culture/taking-time/annual-leave-calculator)  Colleague Handbook Section 2 & Appendix B [Colleague handbook](https://inside.barnardos.org.uk/employee-and-volunteer-support/employee-handbook)  Enhanced rates and overtime Policy [Enhanced Rates and Overtime](https://contentserver.barnardos.org.uk/otcs/llisapi.dll?func=ll&objId=300361866&objAction=browse&viewType=1)  Pay information [Pay | Inside Barnardos](https://inside.barnardos.org.uk/people-and-culture/pay-and-pensions/pay).  Extended leave Policy – unpaid [Extended leave policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/extended-leave-policy)  Flexible Working Policy [Flexible working policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/flexible-working-policy)  Time off for Dependants Policy – unpaid [Time off for dependants policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/taking-time/time-dependants-policy)  Working Time Regulations Policy [Working times regulations policy](https://inside.barnardos.org.uk/employee-and-volunteer-support/wellbeing/working-times-regulations-policy)  Family leave policies see [Taking time off](https://inside.barnardos.org.uk/people-and-culture/taking-time)  The Working Time Regulations (1998) | | | | |
| 1. **Compliance and Oversight** | | | | |
| * The Risk Owner will ensure that management information demonstrating adherence to and compliance with this Policy is produced and provided to relevant parties as required and on request complete a business self-assessment; * The Audit and Assurance Team will periodically and independently review adherence to and compliance with this Policy and associated procedures and processes across the Charity in line with their approved audit and inspection plans; * People Teams monitoring of general adherence to policy; * Feedback from UNISON and Barnardo’s EDI Networks | | | | |
| 1. **Document History** | | | | |
| **Version** | **Date** | **Author** | **Comments** | **Approval** |
| 1.0 | 27.03.2015 | Policy & Advice Team | New format, reordered |  |
| 2.0 | 01.04.2016 | Policy & Advice Team | Leave entitlements for new starters from 01.04.16 added |  |
| 2.1 | 01.01.2017 | Policy & Advice Team | Change of references in staff handbook |  |
| 2.2 | 01.05.2017 | Policy & Advice Team | To reflect new system of booking and carrying over leave via myPlace |  |
| 2.3 | 01.02.2020 | People Strategy & Projects | Updated to included new section 9 |  |
| 2.4 | 01.08.2022 | People Strategy & Projects | Updated to reflect agreed review date |  |
| 2.5 | 01.10.2022 | People Strategy & Projects | Updated to reflect implementation of D365 from 1.10.22 & change of practice regarding the application of increased A/L entitlements following 5 years’ continuous service. |  |
| 2.6 | 01.04.2023 | People Strategy & Projects | Policy moved to new template and updated to reflect the new Reward & Recognition programme implemented 1 April 2023 including enhanced leave provisions & introduction of flexible bank holidays. |  |
| 2.7 | 11.04.2023 | People Strategy & Projects | Amendment introduced to correctly define the bank holidays & flexibility for Scotland only. Table implemented for ease. |  |
| 2.8 | 25.04.2023 | People Strategy & Projects | Policy updated to identify local public holidays recognised in Barnardo’s Scotland. | Agreed |
| 2.9 | 06.04.2024 | People Strategy & Projects | New statutory rules on carry-over holiday apply/changes to Working time Regulations. |  |
| 2.10 | 22.04.2024 | People Strategy & Projects | Amended oversight at 2.1, for leave entitlement for colleagues with continuous service before 1 April 2016. |  |

1. Leave is requested and recorded in hours based on contractual hours per day [↑](#footnote-ref-2)