



Halstead Town Council

Leave from work policy

Policy Statement

Halstead Town Council recognises the importance of annual leave in improving individuals' quality of working life in balancing their personal and working life. In addition, annual leave provides individuals with a chance to relax and recuperate in what can be a hard-working, stressful environment.

The aim of this agreement is to provide a uniform and fair approach to the calculation of annual leave and bank holiday entitlements.

The Policy is in accordance with and in some instances in excess of the Working Time Regulations (1998; Amended 2003 & 2007), the Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000).

Scope of Policy

The agreement applies to all staff who will be employed at **Halstead Town Council**.

Annual leave year

The annual leave period shall be from 1 April to 31 March each year.

Responsibilities

Staff

It is the responsibility of all staff to:

- give reasonable notice to the Clerk in requesting annual leave;
- ensure that any leave requested is authorised by the Town Clerk before leave is taken and not assume that individual leave requests will be approved; and
- inform the Town Clerk as soon as possible in accordance with the sickness reporting procedure if they fall sick during their annual leave.

Town Clerk

It is the responsibility of the Town Clerk to:

- ensure that annual leave is managed equitably, balancing the needs of the service and the needs of individual staff, especially over holiday periods;
- Calculate, confirm and authorise annual leave entitlements with the member of staff, as appropriate;
- give clearly explained reasons to the member of staff if their leave request is declined;

- record and monitor annual leave of staff so as to ensure that the appropriate annual leave is taken each leave year and that annual leave carried over or 'banked' is recorded;
- calculate (and re-calculate as appropriate) annual leave entitlements for their staff including part-time staff, and staff whose annual leave entitlement has increased due to length of service or increased or decreased due to a change in hours.
- ensure that his/her leave requested is authorised by the Chairman of the Council (in his/her absence the Vice Chairman) before leave is taken and not assume that individual leave requests will be approved.

Chairman of the Town Council

It is the responsibility of the Chairman of the Town Council (or in his/her absence the vice Chairman) to :

- approve the holiday entitlement and approve leave taken by the Town Clerk

Annual Leave Entitlement

Based upon a five day working week and regular working hours per day.

Length of service	Annual leave + General Public Holidays per annum
On appointment	21 days + 8 public bank holidays + 2 statutory days = 31 days
After 5 years service	25 days + 8 public bank holidays + 2 statutory days = 35 days

For reference the Working Time Regulations state a total holiday entitlement of 28 days including any public holidays and statutory days.

Christmas and New Year's Day Closure Period

In addition to the Christmas and New Year public holidays, staff are required to take the two Statutory holidays plus 3 days from their annual leave during the closure period.

Calculation of Annual Leave Entitlement

1 Staff with a regular weekly working pattern with a constant number of hours per day

Staff working a full 5 day week will receive the full annual leave entitlement and are paid their normal pay for the holiday days taken.

Staff working less than 5 days per week will receive a prorata number of holiday days based upon the number of days worked per week. For those holiday days they will receive their normal pay.

2 Staff working an irregular weekly working pattern

This includes Car Park Attendants and the Queens Hall caretaker. The holiday entitlement for these staff is calculated upon an annualised hours basis.

The government website <https://www.gov.uk/holiday-entitlement-rights> provides a useful tool for calculating the holiday entitlement hours.

The government calculator is based upon the WTR holiday entitlement of 28 days per year including 8 public holidays. This results in a percentage of 12.07% being applied to the working hours to arrive at the total holiday entitlement hours including public holidays.

The HTC Annual Leave Entitlement is higher than the WTR entitlement so it is necessary to increase the holiday entitlement hours from the government calculator by the following factors dependent upon length of service,

Less than 5 years service	= 31 days/28 days * 100	= 1.107
Greater than 5 years service	= 35 days/28 days * 100	= 1.25

At the start of the holiday year it is necessary to define the annual working hours for each applicable member of staff. This should be based upon the contract hours or the planned hours for the coming year. From this the annual leave entitlement in hours can be calculated. See some examples below,

Job Role	Length of Service	Hrs Per Two Week Rota	Contracted Hours Per Year	Working Hours (Enter into Gov calculator)	Holiday Hours from Gov. Calculator	HTC Factor	Additional Holiday Hours	Entitlement Hrs incl Public/Stat Holidays
QH Caretaker	<5 yrs	n/a	1,040	928	112	1.107	12	124
QH Caretaker	>5 yrs	n/a	1,040	928	112	1.25	28	140
CP Attendant	>5 yrs	13	338	301	37	1.25	9	46
CP Attendant	>5 yrs	26	676	603	73	1.25	19	92
CP Attendant	<5 yrs	47	1,222	1,090	132	1.107	15	147

If there were any changes to the contracted or planned hours during the year then the entitlement would need to be recalculated.

Any hours worked in excess of the contracted hours should be accumulated though the year and any accrued holiday entitlement should be calculated separately at the end of the year and paid as a supplementary payment before 31st March.

Carrying over of annual leave

Halstead Town Council actively encourages individuals to take all their annual leave entitlement within the year. It is expected that within the annual leave year staff should be provided with the opportunity to take all their annual leave.

In exceptional circumstances up to five days annual leave may be carried forward on agreement of the Town Clerk and taken in the ensuing leave year.

Sickness occurring during Annual leave

If a member of staff falls sick on annual leave, they should report their sickness and cancel their leave, and arrange for the leave to be taken at some other time.

Sick pay

Employees are entitled to receive sick pay for the following periods:

During 1st year of service 1 month's full pay and, after completing 4 months' service, 2 months' half pay

During 2nd year of service 2 months' full pay and 2 months' half pay

During 3rd year of service 4 months' full pay and 4 months' half pay

During 4th and 5th year of service 5 months' full pay and 5 months' half pay

After 5 years' service 6 months' full pay and 6 months' half pay

Authorities shall have discretion to extend the period of sick pay in exceptional cases.

Medical appointments

Routine medical appointments with a GP, dentist or optician should generally be booked wherever possible outside working hours. Hospital appointments may be attended in work time.

Maternity pay and leave

All employees are entitled to 26 weeks' ordinary maternity leave followed by 26 weeks' additional maternity leave, giving a total of 52 weeks' continuous leave, 'the maternity leave period'.

Payments for employees who have less than 1 year's continuous local government service at the beginning of the 11th week before the due date shall be the employee's entitlement to Statutory Maternity Pay (SMP), where eligible.

Payments for employees who have completed 1 year's continuous local government service at the 11th week before the due date shall be as follows:-

(i) For the first six weeks of absence an employee shall be entitled to nine-tenths of a week's pay offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP.

(ii) An employee who declares in writing that she intends to return to work will for the subsequent 12 weeks' absence receive half a week's pay plus SMP, where eligible, without deduction except by the extent to which the combined pay and SMP (or MA and any dependant's allowances if the employee is not eligible for SMP) exceeds full pay. Alternatively the equivalent amount (i.e. 6 weeks' pay) may be paid on any other mutually agreed distribution. For the remainder of the maternity leave period the employee will receive their entitlement to SMP currently 39 weeks in total), where eligible.

(iii) For employees not intending to return to work payments during their maternity leave period following the first 6 weeks will be their entitlement to SMP (currently 39 weeks in total), where eligible.

Unpaid Leave

If a member of staff would like to take a period of unpaid leave then they should make a request to the Town Clerk for approval. If the period exceeds 10 days then the Town Clerk must obtain approval from the Chairman of the Council or in his/her absence the Vice Chairman

Time off in lieu

There are occasions when either through agreement or by contract staff will work outside of their normal contracted hours of employment where time off in lieu is taken.

The Town Clerk should keep records of all time off in lieu taken and ensure that the time off in lieu is taken at the earliest opportunity and within the holiday year incurred. A maximum of 5 days of Time off in lieu can be carried forward into the next holiday year.

Death in service

Where a member of staff dies whilst working for Halstead Town Council, an allowance equivalent to that part of the annual leave entitlement not taken at the date of death shall be paid to the member of staff's personal representative. No deduction from the final salary payment should be made in respect of annual leave taken in excess of entitlement at the date of death.

Half days

It is expected that annual leave will normally be taken in periods of not less than ½ day.

Entitlement on Leaving

Staff who leave will receive 1/12th of their annual leave entitlement for each complete calendar month worked in the current leave year, less any annual leave taken.

Compassionate leave

Any employee is entitled to compassionate leave of 2 weeks, following the death of a close relative. Granting of compassionate leave for other deaths is at the discretion of the Town Clerk.

Any other requests for leave will be at the discretion of the clerk, and the Chairman or Vice chairman, depending on the nature of the request.

Sarah Greateorex
Town Clerk
March 2025 review March 2028