



Business Services
Organisation

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BSO Annual Leave Policy

March 2022





Policy Development Overview

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Lead Author:	Peter Laverty	Lead Author Position:	Senior HR Manager
Department:	Human Resources	Contact Details:	BSO.PayandConditions@hscni.net
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1.0 Introduction

The Business Services Organisation (BSO) is committed to developing and maintaining working arrangements that enable employees to maintain a work-life balance. The BSO recognises the importance of annual leave in helping employees to achieve a positive work-life balance.

2.0 Aim

The aim of this policy is to provide a standard and equitable approach to the management of annual leave and Public Holiday entitlement for employees. The broad principles of this policy apply to all employees on Agenda for Change (AFC) Terms & Conditions with the exception of employees on Medical & Dental and Civil Service Terms & Conditions who will need to refer to the relevant sections of their handbooks.

3.0 Scope of Policy

This policy applies to employees in the BSO subject to Agenda for Change Terms & Conditions.

4.0 Responsibilities

4.1 Managers

To ensure that the procedure is applied fairly:

- To ensure that the policy is applied in such a way that ensures that the needs of the service are met.
- To ensure that employees are made aware of the policy for requesting annual leave within their own department and to ensure that each employee is aware of their own entitlement.
- To ensure accurate annual leave records are maintained on HRPTS for all employees in their department and to manage the uptake of annual leave to ensure that employees are taking regular breaks away from work, and to ensure that staffing levels are sustainable.



4.2 Employees

- To familiarise themselves with the annual leave policy.
- To request annual leave in line with notification procedures.
- To 'manage' their annual leave in a reasonable way, thus ensuring full entitlements are taken over the leave year and requests are submitted in good time and in accordance with BSO procedures.

5.0 Annual Leave

The BSO's annual leave calendar year begins on the 1st April and runs until the 31st March.

Employees are **generally** expected to take their annual leave proportionately throughout the year e.g. 25% before the end of June, 50% by the end of September, 75% by the end of December and the remaining 25% between January – March. It is the responsibility of line managers to manage annual leave in accordance with their employees ensuring that employees receive appropriate rest time throughout the calendar year.

In exceptional circumstances the BSO reserves the right to request an employee postpones their annual leave if allowing leave will cause a detrimental impact to the service provision. Reasonable notice, consultation and consideration of individual circumstances with the employee will be given to cancel the leave which will or not be a shorter period of time than the length of the leave booked.

The BSO reserves the right to request employees to take annual leave with reasonable notice. Managers should endeavour to provide an employee with adequate notice but it is acknowledged that in certain circumstances the request could be made at short notice.

[\[Click here to access the Health and Wellbeing Resources\]](#)

5.1 Annual Leave Entitlement

Although entitlement to annual leave varies, the Working Time Directive entitles each employee to take at least 28 days annual leave per year including the ten public holidays (pro-rata for part time employees).

Annual leave entitlement for full time employees varies according to their length of service, as follows:



Any period of time that has been worked in the HSC/NHS regardless of whether or not there has been a break in service will count as reckonable service.

It is a joint responsibility between employees and their manager to ensure that their leave entitlement is correct for the current year. Any concerns regarding the wrong calculation of entitlement must be raised at the earliest opportunity and within that current leave year.

The BSO will not back date untaken leave from any previous year.

All employees - excluding doctors and dentists/employees on NICS T&Cs:

Length of Service	Annual Leave Entitlement per annum
On Appointment	27 Days plus bank holidays during the leave year
Five to Ten Years	29 Days plus bank holidays during the leave year
Ten Years plus	33 Days plus bank holidays during the leave year

**All part time employees annual leave entitlement (including bank holidays) will be pro-rata.*

Annual leave is prescribed in hours not days for employees who work shifts or who work on a part time basis, to ensure equity. Employees are permitted to take Annual Leave in hours if agreed with their line manager.

In addition to annual leave entitlement, employees are entitled to 10 paid Bank Holidays. In the case of all part time employees this entitlement is pro-rata to the full time allowance.

5.2 Bank Holiday Entitlement

Employees are contractually entitled to 10 bank holidays per year, and the calendar year entitlement will be dependent on where bank holidays fall within this prescribed period.

On each and every occasion an employee takes paid time off on a Public Holiday as part of their basic week, the appropriate deduction of their normal basic working hours for that day will be automatically made from their entitlement on HRPTS.

There will be some years when more (or less) than **10 Public** Holidays fall within the leave year simply because the dates when they fall move. Where this occurs HR will ensure or provide guidance to managers to ensure that employee entitlements are appropriately adjusted.



A Bank/Public holiday is defined as the 24 hour period from midnight immediately before the Bank/Public holiday to midnight on the day of the Bank/Public holiday.

An employee who is absent due to sick leave will not accrue their bank holiday entitlement but will maintain their statutory leave entitlement of 28 days per annum pro-rata.

Employees on maternity leave will be entitled to accrue bank holidays in accordance with circular HSC (GEN) 1/2015.

5.3 Change of Entitlement during Leave Year (27/29/33 days)

Employees whose annual leave entitlement increases part way through a leave year due to their length of service will have their new annual leave entitlement calculated on the number of completed months service. The recalculation is automatically made by HRPTS.

5.4 25 Years Long Service Award

Employees who apply for and receive the 25 Year's Long Service Award [\[Click here to access Protocol\]](#) are entitled to use the additional leave across a 2 year period starting from the date the application is approved. The line manager is required to complete a quota correction to enable the additional leave to be added to the employee's leave entitlement.

5.5 Change of Contracted Hours

If an employee alters their contracted hours through an agreed flexible working request, this will result in a re-calculation of their annual leave entitlement. This will be based on completed months of work. If it is changed part way through a month, the calculation for that month is based on the weekly contracted hours that they predominately work in that month.

5.6 Term Time

Employees on Term Time Working will accrue annual leave and statutory leave on a pro-rata basis to the period of time that they work over the 12 month period. HRPTS will automatically calculate the new leave quota for the year in which the amendment to contract is made.



Employees on Term Time Working are encouraged to use a proportion of their annual leave against the time they are not working as this will reduce the impact on their salary. For example, if an employee wanted to take off 8 weeks during the summer months, consideration should be given to taking a proportion of the time as annual leave (for example, two weeks) and the remainder as term time. However, a reasonable amount of annual leave should be retained for use during working time. Individual arrangements should be discussed and agreed with the line manager.

5.7 Leave Carry Over

It is expected that within the calendar leave year, employees should be provided with the opportunity to take all their annual leave entitlement to ensure periods of rest and relaxation.

Employees seeking to carry forward up to five days annual leave over to the following calendar year (pro-rata for part time employees) should agree this in advance with their line manager. In exceptional circumstances in accordance with business need an employee can normally carry forward no more than 8 days annual leave (pro-rata) with the approval of their Head of Service / Assistant Director.

Any employee requesting to carry over annual leave must discuss and agree the carry forward with their line manager in advance of the end of the calendar year. Agreement must be sought from the line manager who will either authorise or decline this request and where appropriate complete a quota correction on HRPTS to enable the leave to be carried forward. It is noted that HRPTS automatically enables 5 days to be carried forward. Failure to comply with this process may result in the loss of any untaken annual leave. [\[Click here to access quota correction guidance\]](#)

Payment in lieu of untaken annual leave will not be made to employees whilst employed by the BSO. Any payment of annual leave will only be made on termination of an employee's contract as a result of resignation or dismissal.

Employees moving internally between Teams/Departments will carry forward their remaining annual leave allowance for that holiday year. The amount of leave transferred must be agreed by the new line manager, and the BSO reserves the right to request employees to take annual leave during their notice period prior to the transferring to another HSC Employer.



5.8 Annual Leave during Precautionary Suspension

Annual leave continues to accrue during a period of suspension. Any pre-authorized leave will be honoured; however this planned leave must be brought to the attention of the Investigating officer by the employee at the outset of the investigation.

However, where the period of suspension exceeds 8 weeks, it is necessary to manage the ongoing absence. This applies where annual leave has accrued and remains untaken in relation to the proportion of the remaining leave year. In these circumstances it is expected that the employee will be given the opportunity to use annual leave either during the course of the investigation. The timing of this leave will be arranged with the employee. Employees should be made aware that they are required to use their leave in accordance with the normal leave provisions and will only be permitted to carry forward leave in accordance with section 5.7

5.9 Ill Health and Annual Leave

For guidance on ill health during periods of annual leave, please refer to the Attendance at Work Procedure and HR guidance for the management of serious / terminal ill health. [\[Click here to access Guidance on stat C/O of Annual Leave \(Stringer\)\]](#)

Payment in lieu of annual leave not taken due to sickness or any other reason is not permitted, apart from a case whereby there is a termination of employment.

Should employees returning from sickness absence wish to extend their phased return beyond the period originally agreed with their manager, managers may use their discretion to allow the employee to use annual leave to facilitate this request.

Managers should discuss with Human Resources if they have any queries regarding the interaction between annual leave and sickness absence.

In accordance with Agenda for Change Terms and Conditions, employees will **not** be entitled to an additional day off if sick on a Public Holiday that they would otherwise have been required to work as part of their basic week. Employees who work shifts and who are off sick on a Public holiday will have 7.5 hours deducted from **their Public holiday** entitlement. Employees who work part time and who are off sick on a Public holiday will have the pro-rata equivalent deducted from their Public holiday entitlement.

5.10 Entitlement on Leaving Employment



If an employee leaving employment of the BSO has any remaining unused holiday entitlement the BSO may require the employee to take some or all of it during their notice period.

Any request for annual leave during an employees' notice period will be considered, however the BSO reserves the right to refuse this request on reasonable grounds, which may include a requirement for the employee to complete any work prior to leaving or to facilitate an effective handover of work.

If an employee leaving employment of the BSO has taken more than their leave entitlement pro-rata the BSO will deduct the excess from their final salary payment. Alternatively line managers may authorise the employee to work additional hours during their notice period to repay any excess annual leave taken.

Should any overpayment be identified following the employee being terminated, the BSO Payroll Shared Service Centre will recoup the outstanding amounts in accordance with the Regional HSC Overpayments Policy.

6.0 Reviewing the Policy

It will be the responsibility of the Senior HR Manager - Attendance Management, Employee Relations and Pay & Conditions to review the implementation of this Procedure. The Policy will be updated should there be any Regional changes agreed with the Trade Unions that would require it to be re-worded.

7.0 Equality & Human Rights

This procedure has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998. Using the Equality Commissions screening criteria, no significant equality implications have been identified. The Policy is therefore not subject to equality impact assessment.

8.0 Alternative Formats

This document can be made available on request in alternative formats, e.g. plain English, Braille, disc, audiocassette and in other languages to meet the needs of those who are not fluent in English.

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Procedure 2022**