

OP-02.001B, Annual Leave and Public Holidays for Wholetime Personnel

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1 Introduction

- 1.1 Annual leave (AL) is an important element of an employees' terms and conditions that contributes towards achieving a work life balance.
- 1.2 Wholetime employees of South Wales Fire and Rescue Service ("the Service") are afforded AL in accordance with the National Joint Council for Local Authorities' Fire Brigades (Grey book). In certain instances additional enhancements and conditions also apply and these are also included within this procedure.

2 Corporate Policy

- 2.1 This Organisational Procedure supports Corporate Policy 02, Our People.

3 Scope and Applicability

- 3.1 This procedure applies to the AL and Public Holiday (PH) arrangements for Wholetime employees. Employees who work part time will be treated comparably with their full-time colleagues.
- 3.2 AL can be used in conjunction with other types of leave such as Maternity Leave, Care of Dependants Leave, Paternity Leave, Adoption Leave and Parental Leave. It should not however be used to substitute the aforementioned types of leave.
- 3.3 All employees are required to adhere to this procedure. Employees should note that any breaches of this procedure may lead to disciplinary action. Serious breaches of this procedure may constitute gross misconduct and lead to dismissal. Please refer to our disciplinary procedure OP-02.007 for further information.
- 3.4 The Service supports an environment of mutual respect and equality of opportunity. In accordance with the Equality Act (2010), this document has been Equality Risk Assessed to ensure all Protected Characteristics are considered. Should an employee perceive that an adverse impact does exist, it is their responsibility to bring it to the attention of the Diversity Officer. This document also complies with other relevant legislation.

4 Roles and Responsibilities

4.1 The Service

- 4.1.1 The Service has overall responsibility to have processes in place to ensure that employees are aware of this procedure and adhere to its requirements.
- 4.1.2 The Service has a responsibility to ensure the employees are taking their statutory leave in line with legislation.

4.2 Managers

- 4.2.1 Managers are responsible for ensuring that employees are aware of the procedures for requesting AL and are aware of their entitlements.
- 4.2.2 Managers are responsible for ensuring that AL is planned and authorised subject to the needs of the Service.
- 4.2.3 Managers are responsible for ensuring that all AL and PHs are recorded and authorised appropriately.

4.3 Employees

- 4.3.1 Employees must familiarise themselves with the expectations of this procedure.
- 4.3.2 Employees are responsible for ensuring that their AL entitlement is used at the end of the leave calendar unless there are exceptional circumstances.

5 General Principles

- 5.1 The AL entitlement for Wholetime employees runs from 1st January to 31st December.
- 5.2 AL not taken by 31st December shall be forfeited except where exceptional circumstances exist whereby the employee, at the discretion of the Departmental Head, may take all or part of the outstanding leave by 31st March of the following year.
- 5.3 AL can only be taken in full days, not half days and must adhere to the defined blocks distributed by Central Staffing [link](#).
- 5.4 Employees who join the Service mid-way through the year will receive an AL entitlement proportionate to their service that year (calculated in complete months). [link](#)
- 5.5 An employee may anticipate AL on the understanding that if they voluntarily leave before the end of the leave year any AL taken in excess of their proportionate entitlement may be treated as unpaid leave and their pay adjusted accordingly.

6 Annual Leave Entitlements

6.1 Scale A and Scale B leave

6.1.1 There are two different types of AL for Wholetime employees (Scale A leave and Scale B leave). Please see the table below for an explanation:

Scale A	<p>Scale A leave is a block of leave in which off-duty days that fall within it are counted, for example:</p> <p>If an employee wanted to take two weeks' leave (i.e. 2 tours of duty in succession) this would equate to 14 days Scale A. Below is an example.</p> <table border="1"> <tr> <th>1st Day Shift</th> <th>2nd Day Shift</th> <th>1st Night Shift</th> <th>2nd Night Shift</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> </tr> <tr> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> </tr> <tr> <th>Rota Day</th> <th>1st Day Shift</th> <th>2nd Day Shift</th> <th>1st Night Shift</th> <th>2nd Night Shift</th> <th>Rota Day</th> <th>Rota Day</th> </tr> <tr> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> </tr> </table>	1 st Day Shift	2 nd Day Shift	1 st Night Shift	2 nd Night Shift	Rota Day	Rota Day	Rota Day	Scale A	Scale A	Scale A	Scale A	Scale A	Scale A	Scale A	Rota Day	1 st Day Shift	2 nd Day Shift	1 st Night Shift	2 nd Night Shift	Rota Day	Rota Day	Scale A	Scale A	Scale A	Scale A	Scale A	Scale A	Scale A																				
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Scale B	<p>Scale B leave may be taken as part of a block of leave i.e. used together with Scale A leave, Long Service leave or Public Holidays, please see the examples below:</p> <table border="1"> <tr> <th>1st Day Shift</th> <th>2nd Day Shift</th> <th>1st Night Shift</th> <th>2nd Night Shift</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> </tr> <tr> <td>Scale B</td> <td>Scale B</td> <td>Scale B</td> <td>PH</td> <td>Rota</td> <td>Rota</td> <td>Rota</td> <td>Rota</td> </tr> </table> <table border="1"> <tr> <th>1st Day Shift</th> <th>2nd Day Shift</th> <th>1st Night Shift</th> <th>2nd Night Shift</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> </tr> <tr> <td>Long Service</td> <td>Long Service</td> <td>Long Service</td> <td>Scale B</td> <td>Rota</td> <td>Rota</td> <td>Rota</td> <td>Rota</td> </tr> </table> <table border="1"> <tr> <th>1st Day Shift</th> <th>2nd Day Shift</th> <th>1st Night Shift</th> <th>2nd Night Shift</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> <th>Rota Day</th> </tr> <tr> <td>Scale A</td> <td>Scale A</td> <td>Scale A</td> <td>Scale B</td> <td>Rota</td> <td>Rota</td> <td>Rota</td> <td>Rota</td> </tr> </table>	1 st Day Shift	2 nd Day Shift	1 st Night Shift	2 nd Night Shift	Rota Day	Rota Day	Rota Day	Rota Day	Scale B	Scale B	Scale B	PH	Rota	Rota	Rota	Rota	1 st Day Shift	2 nd Day Shift	1 st Night Shift	2 nd Night Shift	Rota Day	Rota Day	Rota Day	Rota Day	Long Service	Long Service	Long Service	Scale B	Rota	Rota	Rota	Rota	1 st Day Shift	2 nd Day Shift	1 st Night Shift	2 nd Night Shift	Rota Day	Rota Day	Rota Day	Rota Day	Scale A	Scale A	Scale A	Scale B	Rota	Rota	Rota	Rota
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6.1.2 In addition to Scale A and Scale B Leave, Wholetime Employees are also entitled to statutory Public Holidays [link](#) and may be entitled to Long Service (LS) leave [link](#).

6.2 Firefighter to Watch Manager

Entitlement	Scale A	Scale B	Long Service
Watch Manager/ Crew Manager/ Firefighter	25 days	5 days	3 days
Managed by Central Staffing			

6.3 Day Duty Station Manager (Station Manager 42s)

Entitlement	Scale A	Scale B	Long Service
Day Duty Station Manager	28 days	5 days	3 days
Managed by the respective Line Manager			

6.4 Flexible Duty Station Manager

Entitlement	Scale A	Scale B	Long Service
Flexible Duty Station Manager	28 days	5 days	3 days
The rotas are administered by Central Staffing in accordance with operational requirements. The final authorisation of all leave, lies with the Area Manager, Operations.			

6.5 Group Manager

Entitlement	Scale A	Scale B	Long Service
Group Manager	28 days	5 days	3 days

6.6 Brigade Manager/ Area Manager

Entitlement	Scale A	Scale B	Long Service
Brigade Manager/ Area Manager	35 days	2 days	3 days

6.7 Allocation of leave for completed months service – all Wholetime Personnel

The AL entitlement of an employee who joins or leaves South Wales Fire and Rescue Service during the leave year shall be proportionate to the employee's service (completed calendar months) in that year (see below).

	Watch Manager and Below		Station Manager – Group Manager		Brigade Manager/ Area Manager	
MONTH	SCALE A/ SCALE B		SCALE A/ SCALE B		SCALE A/ SCALE B	
JAN	3	0	3	0	3	0
FEB	2	1	2	1	3	0
MAR	2	0	2	0	3	0
APR	2	0	3	0	3	0
MAY	2	1	2	1	3	0
JUNE	2	0	2	0	3	1
JULY	2	1	2	1	3	0
AUG	2	0	3	0	3	0
SEPT	2	1	2	1	3	0
OCT	2	0	2	0	3	0
NOV	2	1	2	1	3	0
DEC	2	0	3	0	2	1
TOTAL	25	5	28	5	35	2

7 Public Holidays

7.1 Public Holidays and how can they be used

- A PH refers to the period of twenty-four hours from midnight to midnight.
- A PH can only be requested once it has been accrued i.e. worked in full.
- The employee will only receive confirmation of whether a PH has been approved or rejected 7 days prior to the booked date (the seven day rule).
- Employees who have applied for and been granted a PH may have the request cancelled up to seven clear Central Staffing working days/nights beforehand.
- Employees wishing to cancel a PH are required to give seven clear Central Staffing working days/nights beforehand via the availability system. An email must be sent to the Station Availability e-mail account confirming the cancellation.
- Any requests received shall be granted on a “date requested” priority basis across the Service.

7.2 Entitlement

Employees shall, subject to the exigencies of the service, be entitled to a day's leave on the following eight PHs:

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

7.3 PHs General Principles

- 7.3.1 The responsibility for the management of PH leave and the rota system will lie with the Area Manager (Operations). The administration of this function lies with Central Staffing.
- 7.3.2 PH leave will not be granted if the granting of such leave would drop staffing levels below the optimum agreed levels.
- 7.3.3 Day duty personnel must take leave on all eight PHs.
- 7.3.4 Personnel who are deemed to be in excess of the optimum crewing level for their respective station will be given seven days' notice to be rostered off on any of the shifts covering the PHs. They will be required to pay back the shift. Subsequently if a station is above optimum an employee will be given a rota day, even though they will not have been given seven days' notice they will not have to pay back the shift.
- 7.3.5 Where Tactical Managers are scheduled for 24 hour duty, but are not required to work because of minimum staffing they shall be rostered off duty on either PH leave or Compensatory Leave (CL). The choice will be at the discretion of the manager but CL will be deducted at the agreed standby time rate.
- 7.3.6 Tactical Managers scheduled for eight-hour duty on a PH will automatically be rostered off on CL at standby time rate. It is the employee's responsibility to make the appropriate deductions from their CL record.
- 7.3.7 Where Tactical Managers are rostered off this will be subject to cancellation up to seventy-two hours prior to the appropriate PH.

7.4 Working on a PH

- 7.4.1 An employee in the role of **Station Manager or below** (but not on the flexible duty system) who is required to work on a PH shall be paid for those hours (which shall not be pensionable) and be granted a day's leave in lieu.
- 7.4.2 An employee in the role of **Station Manager on the Flexible Duty System** who is required to work on a PH shall be granted one and a half days' leave in lieu.

- 7.4.3 An employee in the role of **Group or Area Manager** who is required to work on a PH shall be granted a day's leave in lieu.
- 7.4.4 For employees who normally work on a rota that does not include weekend working (e.g. day duty), whenever any or all of Christmas Day, Boxing Day or New Year's Day falls on a Saturday or Sunday, the alternative PHs announced by the Government will apply.
- 7.4.5 For shift-based employees (e.g. station-based) and Flexible Duty Managers, Christmas Day, Boxing Day and New Year's Day will be treated as PHs on whichever days of the week they fall, irrespective of alternative days announced by the Government.

7.5 Accrual and Utilisation of PHs

- 7.5.1 An employee who is on their rota day, on AL or Maternity Leave on a PH, shall be granted a day's leave in lieu.
- 7.5.2 An employee who is on sick leave on a PH shall be deemed to be on PH leave and shall not be granted a day's leave in lieu.
- 7.5.3 When taking PHs on a normal duty day, Managers will be allowed the option to take PH leave from 0900 hours to 0900 hours or from 1700 hours to 1700 hours, subject to staffing levels being maintained.
- 7.5.4 The days in lieu referred to above should be taken within twelve months of the PH, a day's leave in lieu means one shift off duty for each shift worked. Days in lieu may be taken at the request of the employee on any duty day, including successive days, subject to the exigencies of the Service.
- 7.5.5 PHs remain valid for a twelve-month period from the original date. Those days not taken within this timescale will be forfeited.
- 7.5.6 Station-based personnel booking fit for duty will be automatically rostered off if the shift encompasses a PH and will be required to pay the shift back. The exception to this shall be where prior notice has been given to Central Staffing i.e. by the end of the working week, or they are required to maintain optimum crewing levels.

8 Long Service (LS) Leave

8.1 Entitlement

- 8.1.1 Employees are entitled to three days Long Service (LS) leave where, at the start of the leave year, they have at least five years' continuous full-time or part-time service.

- 8.1.2 Where an employee attains five years' service during a leave year the following applies:

Date of fifth anniversary	No. of days entitlement
Up to and inc. 30 th April	3 days
1 st May to 30 th August (inc.)	2 days
1 st September onwards	1 day

- 8.1.3 Please note that the above entitlements would be calculated on a pro-rata basis for part time employees.

- 8.1.4 Please refer to Section 9 for information as to how Long-Service leave may be taken.

8.2 Previous service on the Retained Duty System (RDS)

Where an employee has previous continuous RDS service, prior to becoming a Wholetime employee, this service shall be taken into account on the basis of three years counting as one year's Wholetime service and six years counting as two years' service for Long Service Leave calculations. Any RDS service over and above six years does not count for this purpose.

8.3 Previous service within Fire Control

Where an employee has previous Fire Control service, prior to becoming a Wholetime employee, this service shall be taken into account for the purpose of Long Service Leave calculations.

8.4 Employee's final year of employment

During the final year of an employee's service, the following entitlements to Long Service leave apply:

Date of termination	No. of days entitlement
Up to and including 30 th April	1 day
1 st May to 30 th August (inclusive)	2 days
1 st September onwards	3 days

9 Booking Leave (AL, PH and LS Leave)

9.1 Principles for booking leave that apply to all roles

- 9.1.1 The timing of all leave shall be subject to the exigencies of the Service and will require the relevant authorisation.

- 9.1.2 Leave entitlement is based upon the employee's **substantive** role/post. No additional leave will be granted where an employee is temporarily promoted to a higher grade role/ post.

9.2 Station based Firefighters, Crew Managers and Watch Managers

- 9.2.1 AL sheets shall be issued in September of each year in order for personnel to submit their leave requirements. These must be submitted to Central Staffing for final approval.
- 9.2.2 AL will be split into **five mandatory and one optional** separate leave blocks as indicated below and detailed on the Station AL sheets. Blocks cannot be split into individual days.

Block	Scale A	Scale B	Long Service (LS) Leave (if applicable)	Public Holidays (PH)
One		3		1
Two	8			
Three	14			
Four	3	1		
Five		1	3	
Optional period of PH's				4
Totals	25	5	3	1

- 9.2.3 The five Scale B and three LS days must be taken as follows:
- Three Scale B days should be combined with a PH to form leave block one.
 - One Scale B day should be combined with three Scale A days to form leave block four.
 - One Scale B day should be combined with three LS leave days where applicable to form leave block five.
 - Where personnel are not eligible for three LS leave days, the remaining Scale B day and any individual long service days may be taken as an individual day and shall be treated as a PH for cancellation purposes. If preferred they may be combined with PH's to make one additional leave period.
 - This block of four days will be honoured as with AL and will not be subject to cancellation.
- 9.2.4 At the time of the AL submission employees may choose to take an additional block of leave consisting of 4 PH's in the designated periods in the PH column. This leave period, in line with other leave periods, cannot be cancelled.

- 9.2.5 Station-based personnel will not be required to work a rostered shift on rota days either side of their leave period. They can choose to be rostered in if they wish to with the exception of the four rota days in the middle of their summer leave block.
- 9.2.6 In order to maintain appropriate crewing levels, the maximum number of personnel permitted to be on leave at any one time is indicated below:

Watch establishment	Maximum number of employees who can be on leave (including optional PH period)	Maximum number of Managers who can be on leave at any given time
14	3	One Watch Manager and one Crew Manager or two Crew Managers
7 to 9	2	One Watch Manager or one Crew Manager

9.3 Day-duty Firefighters, Crew Managers and Watch Managers

- 9.3.1 The first leave day of a 14-day or 7-day period shall commence on a Saturday and the first day of a five-day period shall be a Monday.
- 9.3.2 Day-duty personnel will need to submit their leave requirements to their respective Line Manager for authorisation.
- 9.3.3 **Scheduling of AL**

AL will be split into **four** separate leave periods as indicated below:

Leave Periods	Scale A	Scale B	Long Service (LS) Leave (if applicable)
One	7		
Two	14		
Three	4	1	
Four		2	3
Totals	25	3*	3

*The remaining two Scale B days must be taken as individual days and will be treated as PHs for cancellation purposes.

9.4 Flexi Duty System Station Managers and Group Managers

9.4.1 Central Staffing will, in the October/November of each year, co-ordinate the leave requirements of Managers for the following calendar year. In this respect each rota group shall identify one Manager to co-ordinate and submit the leave requirements for the group. In doing so, Managers must comply with the requirements outlined below, and also give due consideration to the management functions of their respective department. Consequently, all Group Managers and the Area Manager within each department should not be on leave at the same time.

9.4.2 The minimum number of Tactical Managers that must be available for 24-hour operational cover at any given time will be:

- Three Group Managers
- Eight Station Managers

Consequently, within each rota group the maximum numbers of Managers who can be on leave at any one time are as follows:

- Two Group Managers
- Three Station Managers

9.4.3 Leave should not be assumed as granted until such time as approval has been notified by Central Staffing.

9.4.4 The first leave day of any leave period shall be the first working day of the rota week i.e. Monday or Tuesday.

9.4.5 All leave is to be grouped in periods as follows:

14 days	Scale A
7 days	Scale A
7 days	Scale A
5 days	Scale B
3 days	Long Service (LS) Leave

9.5 Brigade Manager/ Area Manager

9.5.1 All leave is to be taken in such periods and at such times as agreed by the Chief Fire Officer.

9.5.2 Area Managers who work a continuous duty system which requires a minimum of one Brigade Manager and one Area Manager to be available at all times.

- 9.5.3 Brigade Managers and Area Managers should submit details of their required periods of leave to Central Staffing.

9.6 Cancelling or amending booked leave

- 9.6.1 Consideration will only be given to leave changes between employees on the same station/watch, after the AL had been approved.
- 9.6.2 Any requested amendments to previously booked leave must be authorised by the relevant Line Manager. For station-based personnel requests should be submitted with a minimum of twenty days' notice for authorisation by Central Staffing.
- 9.6.3 Amendments to previously booked leave must be submitted to Central Staffing giving a minimum of twenty days' notice.

9.7 Refusal of AL Requests

- 9.7.1 Whilst AL requests should not be unreasonably refused, all leave requests must be approved taking into account the needs of the Service and where this will be compromised, Managers have the right to refuse the request. However, where possible, discussion should take place with the employee and consideration given to alternative options which would allow the leave to be taken.
- 9.7.2 Any employee who feels their leave has been unreasonably refused should discuss their concerns with their Line Manager in the first instance. If it is not possible to achieve a satisfactory resolution then the Service's Grievance Procedure should be referred to.

10 The relationship between Sickness and AL

10.1 Accruing AL whilst Sick

For the avoidance of doubt, employees should note that they will continue to accrue AL during periods of sickness but will cease to accrue PHs.

10.2 Taking AL during a period of sickness

- 10.2.1 Employees may take their leave entitlement while on sick leave. An employee wishing to take leave while absent due to sickness should acquire the approval of all leave dates in accordance with the Service's normal policy. At the Service's entire discretion, it may waive the need for the employee to comply with normal notice requirements.
- 10.2.2 Where an employee is unable to apply for leave through the normal channels due to being away from the workplace they shall be required to submit any requests in writing/email to their Line Manager.

- 10.2.3 Regardless of an employee's pay status whilst on sick leave, they shall be remunerated at their full rate of pay for any periods of AL they take.
- 10.2.4 Employees who wish to go on holiday whilst on sick leave must seek the written permission of their Line Manager. This will allow the Manager to consider whether or not the nature of the holiday will exacerbate their illness/injury. In certain circumstances the Service reserves the right to refer the employee to the Occupational Health Department prior to making a decision on whether to support the leave request. In this respect the employee must ensure that they give their Line Manager sufficient notice of their application for AL.

10.3 Employee falls sick whilst on AL

- 10.3.1 If an employee falls sick whilst on AL the correct sickness absence reporting procedure must be followed. A doctor's medical certificate and/or other supporting evidence must be provided, the period covered will be treated as sick leave, allowing the employee to take the same amount of AL at another time. Please refer to OP-02.013, Welfare and Attendance Monitoring.
- 10.3.2 Employees will continue to accrue AL during periods of sickness but will cease to accrue PHs.

11 Delays on Return from AL

- 11.1 If an employee is unavoidably delayed in returning to work from AL e.g. travel delays, they should inform their Line Manager as soon as reasonably practicable, they should also provide regular updates on progress. Upon their return to work documentary evidence may be required of the reasons for the employee's failure to return to work on time. On the employee's return the Line Manager will discuss the options of how to process the additional period of leave e.g. AL, PH etc.
- 11.2 If an employee fails to return to work when expected and has not contacted their Line Manager the Service reserves the right to apply its disciplinary procedures as it may be considered as unauthorised absence. In such cases all the factors will be considered and the Service will act reasonably.

12 Accrual of AL whilst Suspended from Duty

- 12.1 An employee who is suspended from duty in accordance with the Service's Discipline Procedure will continue to accrue AL and PHs during the period of suspension.

13 Employees due to Leave the Service

- 13.1 **Employees are expected to take their entire accrued AL entitlement prior to their last day of employment with the Service.** In this respect, Line Managers are expected to manage this process while ensuring business continuity.
- 13.2 Employees due to leave their employment with the Service shall receive a proportion of their AL entitlement for each complete calendar month worked in that leave year.
- 13.3 In instances where an employee takes more AL or other time off e.g. rostered off shifts than they are entitled to at the end of their employment the Service will make the appropriate deduction from their final salary payment.
- 13.4 Payments shall be made in lieu of any leave accrued but not taken in the current leave year in cases of termination of employment. In the case of death this amount shall be paid into the employee's estate.

14 Religious and Cultural Observances

- 14.1 Subject to Service needs, the Service will support requests, wherever possible, for time off during religious festivals, which are not covered by statutory PHs. Line Managers should use discretion to grant AL, time off in lieu, flexible working, make up the time or unpaid leave when considering requests for such leave.
- 14.2 It is recommended that employees make their request for time off as soon as the dates are known in order to facilitate the effective planning of leave arrangements. Line Managers should keep in mind that some religious festivals are determined by the lunar calendar, and therefore dates change from year to year. The dates for some festivals do not become clear until quite close to the actual day. Managers will be expected to consider such requests in accordance with Service needs, and accommodate these where reasonable to do so.