



HR-08/2020

COVID-19 (Coronavirus) DRAFT

Updated guidance for managers – Annual Leave Arrangements

Following on from the staff update HR-07/2020 in relation to the arrangements for annual leave, please see additional guidance for all managers in response to some frequently asked questions.

For the most up-to-date manager guidance, please visit <https://my.nl.co.uk/article-categories/coronavirus-guidance-for-managers/>

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Arrangements associated with the management of annual leave should continue to apply to ensure employees receive a proportionate amount of annual leave throughout the leave year where possible for the purposes of rest and relaxation.

There is an obligation on employers to ensure their workers take their statutory entitlement in any one year and therefore the council extended the annual leave deadline from the 31 Jan to 31 March to allow a full annual leave year from when COVID-19 commenced on 18 March 2020.

What are the arrangements NLC are asking managers to adhere to?

1. For staff attending work as normal?

Staff will be aware that the UK Government also issued guidance through the Working Time (Coronavirus) Amendment) Regulations 2020, in that the Working Time Regulations have been amended so that up to 4 weeks leave can be carried over across the next 2 Years.

These regulations make it clear that they apply only to situations where employees have been engaged in 'essential work' and there has been an inability to take the leave due to the COVID-19 impact.

Therefore the only employees it is envisaged will be offered the wider 2 year carry over will be those where we, as a Council have been unable to allow them to take annual leave, and are likely to be those in essential services only.

This should be very limited, as those staff working on the frontline will need their annual leave for a rest where this is possible.

Proportionate annual leave should be taken throughout the leave year until the end of March 2021 to allow for this.

It is anticipated that the months of June through to October will be when employees take the largest amount of their annual leave.

2. For staff working at home?

Annual leave should be scheduled and taken throughout the leave year until the end of March 2021 to allow for rest and relaxation from work.

3. For staff who are currently shielding or on special leave due to being in a higher risk category or with childcare responsibilities?

To maintain a level of equity with the rest of the workforce, employees are required to schedule annual leave throughout the leave year and managers should contact employees to discuss and agree this.

4. For staff who are attending work on a rota basis?

Annual leave should be scheduled and taken throughout the leave year until the end of March 2021 to allow for rest and relaxation from work.

Where leave is requested when the employee would be in attendance at work, the rota should be amended in order that they are attending work on the same rota basis as other staff, thus ensuring fairness and consistency in the application of the rota, and also to allow for the increased flexibility that will be required when tracking and tracing begins.

However annual leave should only be granted on the hub week in exceptional circumstances to allow continuation of the rota to a safe level.

5. Should I be asking employees to indicate when they are planning to take annual leave between now and March 2021?

Managers should ask employees to submit requests for annual leave planned throughout the leave year, allowing for leave to be coordinated across the team and to ensure employees can be granted the leave that they want.

This may be particularly challenging this year if employees wish to take leave later in the year and so it should be scheduled now to ensure it can be granted.

6. What is proportionate annual leave?

This means that in general annual leave should be scheduled and booked so that it is well spread over the leave year, allowing for regular breaks from work. Managers should work on the general principle that by September 2020 at least 50% of the annual leave entitlement should be taken and that annual leave should be booked in regular slots across the leave year.

For a full-time 5 day per week employee, this would look like the below:

Continuous service	Full-time entitlement in days (LGE)	25%of days by June	50% of days by September
Less than 5 years	26	6.5	13
5 but less than 7 years	32	8	16
7 but less than 10 years	33	8.25	16.5
10 but less than 12 years	34	8.5	17
12 but less than 15 years	35	8.75	17.5

Over 15 years	36	9	18
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*****Please note the is just a general guide and will not take into account a larger holiday planned and agreed later in the year that may mean less is taken by these dates. Manager should use their discretion to determine the appropriate use of annual leave in these circumstances.***

7. What if employees have bought leave to use in the 20/21 leave year?

Bought leave is always used first so if not already taken, it should be scheduled as soon as possible.

8. Is there going to be buy and bank opportunities for next year?

This will be discussed and agreed towards the end of the year taking into accounts reports indicating how much annual leave employees have taken.

It is unlikely that employees will be able to bank more than 5 days if the scheme does go ahead and bought provision may be dependent on whether or not employees have managed their current annual leave provision well.

9. Returning from travel abroad

From Friday 22nd May, the Government advice is that everyone returning to the UK from abroad must self-isolate for 14 days.

If an employee had already booked leave for an abroad holiday at this date and wishes to travel abroad as planned, they will need to discuss with their manager if the additional 14 days isolation can be accommodated.

Managers would be encouraged to accommodate this request where possible and if the employee can work from home for this period, they should do so. However if they are not able to work from home, it may be that they are granted special leave for these 14 days, providing the employee can provide evidence of the booking in advance of the COVID-19 situation.

If an employee wishes to book a holiday abroad following the 22nd May announcement, they should discuss this with their manager prior to booking. In these circumstances, the employee must request sufficient leave to cover the holiday and 14 days of isolation on return. This can be by using annual leave or unpaid leave and agreed by the line manager.

10. Annual leave reporting

Enhancements are being made to the annual leave reports available on myTeam and will allow managers to see proportionately what employees have requested, booked and taken at any given date.

Reports for Heads of Service are also being developed so they can see at a glance areas where the annual leave arrangements are being well managed.

A guide to checking annual leave on myTeam can be found [here](#).