

### Annual Leave and other leave policy

Owner	John Harrison, Town Clerk
Reviewer	Rachel Brazier, HR Manager
Previous versions	
Templates used/adapted	NALC/ACAS
Approver	Initial: Staffing Committee Final: Finance & Governance Committee
Date approved	
Resolution number	
Date of next review	2 years
Related policies/procedures	Sickness Policy (reviewed March 26) Maternity/paternity and other parental leave ( <b>Updated March 26</b> )
Policy covers	Hailsham Town Council Hailsham Youth Service For Post Office individual contracts
Revisions	18.03.2026 Updated for Employment Rights Bill Changes 11.11.25 Added in resolution number and disability statement

### Contents

1- Annual Leave entitlement .....	2
2- Working Part-time.....	2
3- Leave year .....	2
4- Carrying over leave .....	2
5- Christmas closure .....	2
6- Requesting leave .....	3
7- Recording leave.....	3
8- Sickness during leave.....	3
9- Payment of annual leave .....	4
10- Public and Extra Statutory Holidays.....	4
11- Payment in lieu .....	4
12- Medical appointments.....	4
13- Carer's leave entitlement .....	5
14- Parental leave.....	5
15- Neonatal Care Leave.....	6
16- Emergency Leave.....	7
17- Compassionate leave .....	7

18- Jury Service ..... 8

If you require any support in understanding or applying this policy, please contact the Corporate Services Manager. In addition, in line with the Equality Act 2010, we will make reasonable adjustments to remove or reduce disadvantages faced by disabled employees, Councillors, or applicants.

## 1- Annual Leave entitlement

1.1 Hailsham Town Council (HTC) staff follow the National Joint Council “Green Book” annual leave entitlement. Hailsham Youth Service staff follow the Joint Negotiating Committee for Youth and Community Workers “Pink Book” annual leave entitlement. For Post Office see individual contracts

1.2 Within this policy a ‘week’ means the length of time an employee usually works over 7 days.

## 2- Working Part-time

2.1 If you work part time your paid annual leave entitlement is pro rata your full-time equivalent (FTE) percentage e.g. if you work 18.5 hours out of 37 hours this is 0.5 FTE.

2.2 You will receive pro-rata entitlement for bank holidays. If your entitlement to Bank Holidays exceeds the number of days that fall on your normal working days (typically because you don’t work on Mondays), you will be able to take the excess as annual leave. If your entitlement to Bank Holidays is less than the number of Bank Holidays that fall on your normal working days (typically because your normal working days include Mondays), then you can make up the difference by using your annual leave entitlement. With agreement from your Line Manager, you may be able to work additional hours to make up the deficit.

2.3 Part-time employees are responsible for “taking off” bank holidays using their bank holiday entitlement and annual leave entitlement, if necessary.

## 3- Leave year

3.1 The annual leave year runs from 1st April to 31st March. It is your responsibility to manage your annual leave in such a way that you can take it all during the annual leave year. Your annual leave entitlement will be pro-rated in your first and last year of employment with the Council.

## 4- Carrying over leave

4.1 The Council would prefer and should encourage employees to use their statutory annual leave within an annual leave year. However, the Council does realise there are circumstances where this is not always possible, or employees need more annual leave in the preceding year. Up to a week of annual leave can be carried over to the next annual leave year. Carrying over more than 1 week of annual leave would need approval from Senior Management team.

## 5- Christmas closure

5.1 The Youth Service closes for two weeks over Christmas; Youth Service employees use their annual leave entitlement to cover this closure.

5.2 HTC's office typically closes mid-afternoon on Christmas Eve and opens on the 2<sup>nd</sup> of January unless the 2<sup>nd</sup> is a public holiday or non-working day. HTC employees use the two days given by the Council for Christmas closure and then use their annual leave entitlement to cover working days. If employees work between Christmas and New Years on non-public holidays e.g. the Works Team, they can use the two statutory days at another time if agreed by their Line Manager by prior agreement.

5.3 Employees are responsible for taking off and having enough annual leave to cover the Christmas closure. This will be monitored by Line Managers.

## **6- Requesting leave**

6.1 You should request annual leave from your Line Manager. Requests for annual leave must be made as far in advance as practicable in order to enable managers to make the necessary arrangements to ensure adequate staffing levels in the service delivery.

6.2 Before granting annual leave your Line Manager will consider:

- Tasks/meetings which will be impacted,
- The team's workload,
- The need for office or team cover, and,
- Whether other staff have or are likely to ask for the same time off (e.g. a popular holiday time).
- The personal/cultural requirements of the employee.

6.3 Holidays or other excursions should not be booked before annual leave has been approved by the Line Manager. The Council is not liable for any costs incurred by employees in booking trips or excursions when annual leave has not been approved.

6.4 If you take annual leave without Line Manager permission, it will be treated as an unauthorised absence and dealt with under the Disciplinary Procedure.

## **7- Recording leave**

7.1 Line Managers should oversee the recording of annual leave taken within Excel. The Senior Management Team should have access to this information.

7.2 Reception should be informed of upcoming annual leave.

7.3 Employees or their Line Managers should let their team know about upcoming annual leave once this is approved.

7.4 Annual leave which has been approved should be recorded in Outlook Calendars and any team calendars managed for your work area.

## **8- Sickness during leave**

8.1 If you become ill during a period of paid annual leave, you must comply with the requirements of the sickness reporting and certification procedure if you wish to have this sickness period discounted from the period of paid annual leave taken. It is important that you contact your Line Manager on the first day of sickness and keep the Council up to date during the period of sickness. Employees who fall sick on a bank/public holiday, irrespective of whether they were scheduled to work, will not be entitled to take that bank/public holiday leave at another time.

## **9- Payment of annual leave**

9.1 If you work regular hours or a full year, holiday pay will be the same as the pay you will have received if you had been at work and working.

## **10- Public and Extra Statutory Holidays**

10.1 Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid at plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

- Time worked less than half the normal working hours on that day — half day
- Time worked more than half the normal Working hours on that day — full day

## **11- Payment in lieu**

11.1 The Council cannot offer payment in lieu of annual leave entitlement unless you are leaving the Council and have not taken annual leave entitlement that you have accrued at the time of leaving. If you leave during the course of an annual leave year and cannot take any outstanding accrued annual leave before your last day, you will receive a payment in lieu of any outstanding accrued annual leave. In such a case, a calculation will be made of the amount of paid annual leave due to you, on a pro rata basis, for that part of the annual leave year up to the date of termination of the contract. Holiday pay will be based on your current rate of pay including any regular overtime.

11.2 If, however, you have taken more paid annual leave than is due by this calculation, then a deduction will be made from your salary payments for an amount at your basic daily rate for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

## **12- Medical appointments**

12.1 There's no legal right to time off work for a medical appointment (except for maternity leave and time off for antenatal appointments, see maternity leave policy). However, the Council has a 'duty of care' to do all they reasonably can to protect their employees' health, safety and wellbeing at work. Medical appointments can include doctors, dentist, appointments for mental health – for example counselling. Employees are expected to make every effort to make medical appointments outside their working hours.

12.2 To be able to attend their appointment, employees could consider:

- using their unpaid breaks
- making up the time they take off later
- rearranging an appointment to be outside of work hours
- organising the appointment for the beginning or the end of the working day
- using holiday entitlement

12.3 Hospital, consultation, or specialist clinic appointments are considered an authorised absence. The Council will pay time off for this.

12.4 There's no legal requirement for an employee to provide proof of a medical appointment. However, if an employee is happy to provide it, proof can be helpful. It can help everyone agree how the employee can take the time they need for the appointment. Proof could be a hospital letter or a text message confirming a GP appointment.

12.3 See sickness policy for time off for surgery.

### **13- Carer's leave entitlement**

13.1 All eligible employees, regardless of hours worked or length of service, have the right to take a maximum of one week's unpaid carer's leave during any 12-month period to provide or arrange care for a dependant with a long-term care need. They can either take a whole week off or take individual days or half days throughout the year. The entitlement to a maximum of one week's unpaid leave is irrespective of the number of dependants.

13.2 A "dependant" is a parent, spouse, civil partner, child, or someone who lives in the same household as the employee, but excluding tenants, lodgers or boarders, or someone who is employed by the employee.

13.3 Long term care is when the dependant has:

- any physical or mental illness or injury that requires or is likely to require care for more than three months.
- a condition or illness that is considered a disability under with the Equality Act 2010
- care needs connected with their old age.

13.4 To help the Council to manage the planned absence from work, if you intend on taking a period of carer's leave, you are required to provide notice that is double the length of time that is being requested or at least three days in advance, whichever provides the greater amount of notice. (See below for emergency leave).

13.5 The Council reserve the right to postpone carer's leave if it believes that the absence would unduly disrupt the Council. If it is deemed necessary to postpone carer's leave, the Council will notify you in writing within seven days of receipt of your request for carer's leave, setting out the reason for the postponement. The Council will also offer alternative dates on which carer's leave can be taken. The leave will not be postponed later than one month after the start of the original request.

13.6 Failure to follow the Council's procedures for taking carer's leave could lead to disciplinary action under our disciplinary procedure for absence without leave

13.7 During the unpaid time off, you continue to be bound by and remain entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary. You will remain employed by the Council and accrue unbroken continuity of service and continue to accrue holiday entitlement.

### **14- Parental leave**

14.1 Unpaid parental leave is a day one right for all employees with parental responsibilities. There is no longer a need to complete qualifying service before becoming eligible. The employee must have parental responsibility for the child. All eligible employees, regardless of hours worked, have the right to take up to 18 weeks of parental leave for each child until each child is 18 years

old. If an employee takes it, it must be in blocks of weeks, a maximum of 4 weeks a year for each child.

14.2 If an employee is taking parental leave for a disabled child, they can take parental leave in blocks of days or hours if they are entitled to one of the following for their child: Disability Living Allowance or Personal Independence Payment.

14.3 An employee might take parental leave to be with their child so they can:

- provide care when usual childcare arrangements are disrupted and the time off can be planned in advance
- look after them during school holidays
- care for them when they're off school sick
- go to school open days or events with them
- settle them into new childcare arrangements

14.4 An employee wishing to take parental leave should give 21 days' notice before the date they want to start a block of parental leave and give the exact dates they plan to start and finish the block of parental leave. See below for emergency leave.

14.5 The Council reserve the right to postpone parental leave if it believes that the absence would unduly disrupt the Council. If the Council deemed it necessary to postpone parental leave, it will notify you in writing within seven days of receipt of your request for parental leave, setting out the reason for the postponement. The Council will also offer alternative dates on which parental leave can be taken. The leave will not be postponed later than six months after the start of the original request.

14.6 Failure to follow the Council's procedures for taking parental leave could lead to disciplinary action under our disciplinary procedure for absence without leave.

14.7 During the unpaid time off, you continue to be bound by and remain entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary. You will remain employed by us and accrue unbroken continuity of service and continue to accrue holiday entitlement.

14.8 For leave associated with maternity or paternity or adoption, please see the Council Policy entitled Maternity/paternity/adoption and other parental leave.

## **15– Neonatal Care Leave**

15.1 Neonatal care leave allows parents to have additional time off to be with a baby who is receiving neonatal care. The law is the Neonatal Care (Leave and Pay) Act 2023.

15.2 The right to take neonatal care leave applies from the first day of work. Eligible parents can take neonatal care leave once their child has been in neonatal care for at least 7 consecutive days.

15.3 Parents who have a baby admitted to neonatal care up to the age of 28 days might be eligible for up to 12 weeks of leave. This includes fathers and partners of birth parents.

15.4 The Council will follow the ACAS guidelines: [What the law says - Neonatal care leave and pay - Acas](#)

## **16– Emergency Leave**

- 16.1 From time to time, employees may need to take unplanned absences to attend to urgent or serious situations affecting their dependants or other issues. The purpose of emergency leave is to provide the employee with a short period to deal with the emergency situation.
- 16.2 Employees are not entitled to pay while taking emergency dependant leave. However, all other terms and conditions of employment are preserved. Employees could take annual leave, take time in lieu or make up the time.
- 16.3 Notification of emergency leave: As soon as reasonably practicable, an employee should contact their Line Manager by phone to explain their absence. Employees may not wish others to know why they are absent, so the Line Manager should exercise discretion to protect their privacy.
- 16.4 The Line Manager to discuss with the employee how long they expect to be off; ask employee to let the Line Manager know if anything changes; discuss any immediate work matters that may need attention; discuss how the emergency leave will be covered e.g. annual leave, TOIL.
- 16.5 The Council will adopt a flexible, understanding approach and recognise that the situation may be stressful for the employee.
- 16.6 The Council will consider whether the employee needs support on their return to work, depending on the circumstances of their absence.
- 16.7 Where an employee needs to care for a dependant on an ongoing basis see Carer's and parental leave above.

## **17- Compassionate leave**

- 17.1 The Council aims to extend sympathy, compassion and understanding should employees suffer a bereavement.
- 17.2 Application for bereavement leave should be made via your Line Manager.
- 17.3 Employees have a right to paid 2 weeks off if their child dies under the age of 18 or is stillborn after 24 weeks of pregnancy. This is called 'parental bereavement leave' and is also known as 'Jack's Law'.
- 17.4 The Council will normally grant up to 5 days paid leave in the event of the death of an immediate relative (spouse, civil partner, parent, stepparent, grandparent, brother, sister, brother-in-law, sister-in-law, mother-in-law and father-in-law). Any time off in addition to this will be unpaid and should be discussed with the employee's Line Manager. Reasonable unpaid compassionate leave will be granted taking into account such factors as the relationship with the deceased person and the timing and location of the funeral.
- 17.5 We accept that sometimes the need to take this leave can arise at very short notice, but request that employees should discuss their requirements with their manager before taking any time off and, in any event, at the earliest opportunity. All requests for compassionate leave will be dealt with on a confidential basis.

## **18- Jury Service**

- 18.1 The Council will not pay your earnings if you are on jury service. Employees can claim for loss of earnings allowance from the court. The exception to this rule is if you are receiving less than your usual take home pay. In this case the Council will top up, so you do not lose out on pay.
- 18.2 The Council reserves the right to ask you to defer or be excluded from jury service if it believes that the absence would unduly disrupt the Council.