

Office of Police & Crime Commissioner – Devon & Cornwall

Policy Cover Sheet

Policy Name:	Annual Leave Policy
Version Number:	V1.0
Date:	9 November 2012
Policy Author:	Claire Mead, ER Specialist
Policy Authorised by:	Julie Hall-Williams
Policy Sign off Date:	12 November 2012
Policy Signed off by:	Sue Howl – Chief Executive
Cover note:	<p>As this is a new policy it will require consultation by the Police Authority (PA)/Office of Police & Crime Commissioner (OPCC).</p> <p>This policy sets out the high level principles and ethos around the management of annual leave and is based on the existing version held by Devon & Cornwall Police (D&CP).</p> <p>D&CP are currently putting all HR policies into the new Force template style and reviewing content in terms of legislative changes, terminology and bringing them up to date. This policy version is based on the revised D&CP draft recently consulted on and signed off at Partnership Group.</p> <p>It is proposed the existing PA annual leave operating procedures remain in place from a practical implementation of policy perspective.</p>
EIA status:	Policy will require EIA from the PA/OPCC perspective.

Office of Police & Crime Commissioner – Devon & Cornwall Annual Leave & Public/Bank Holiday Policy

Version dated:

1.0 Contents List [FOIA Open]

- 1.0 Contents List
- 2.0 Policy Statement
- 3.0 Introduction
- 4.0 Principles/Ethos of Policy
- 5.0 Audit Compliance
- 6.0 Review and Ownership
- 7.0 Useful Links

2.0 Policy Statement [FOIA Open]

2.1 The Office of Police & Crime Commissioner (OPCC) is committed to:

- a) Maintaining effective operational capacity across the organisation, allowing the delivery of service at a consistently high standard whilst, at the same time,
- b) Meeting the needs of a diverse workforce and providing a healthy and safe working environment; recognising that health/welfare of individuals is key to delivering quality policing, as well as maintaining job satisfaction, reducing staff turnover and increasing morale.

2.2 The OPCC recognises that time away from the workplace is essential in minimising the risk of fatigue and to actively assist individuals in maintaining a healthy work-life balance. To maintain these commitments and to meet legislative requirements individuals are entitled to a period of annual leave each year.

2.3 This policy has been created in line with the requirements of the Working Time Regulations, and the Agency Worker Regulations. The practical implementation of the legislation is clarified by the European and UK courts.

3.0 Introduction [FOIA Open]

3.1 The OPCC 'people management' policies reflect the organisation's commitment to its staff, and are underpinned by the highest standards of integrity. They provide a high-level set of principles, which are supported by procedures, working practices and guidance. By nature, however, it is not possible to cover every eventuality that may occur within the context of 'people management'. It may be necessary to vary the approach to ensure matters are dealt with in the most efficient/appropriate way whilst maintaining equity and fairness. Any variance from the stated practice should be justifiable in these terms.

4.0 Principles/Ethos of the Policy [FOIA Open]

4.1 Working Time Regulations state that individuals are entitled to 5.6 weeks (28 days) paid statutory annual leave per year, pro rata for part time. Any annual leave in excess of the 28 day statutory minimum is deemed as contractual leave.

- 4.2 The statutory 28 days is inclusive of leave for public/bank holidays including: New Years Day, Good Friday, Easter Monday, Spring Bank Holiday, May Day, Late Summer Bank Holiday, Christmas Day & Boxing Day.
- 4.3 A typical leave year will include 8 public/bank holidays; however this will vary depending on which days of the week Christmas/New Year fall and how Easter falls.
- 4.4 The overriding principles of this policy are:
 - 4.4.1 The OPCC holiday year runs for the 12 month period from the individual's date of appointment inclusive.
 - 4.4.2 Individuals have an allocation of annual leave for use within the current holiday year, which accrues on a weekly basis.
 - 4.4.3 The organisation provides individuals with a minimum of 22 days annual leave (for staff with less than 5 years service) for use throughout the holiday year (pro rata for part time and starters/leavers). In addition individuals are also provided with an allocation of leave days for use on public/bank holidays that fall within the current leave year.
 - 4.4.4 The OPCC meets the statutory minimum 28 day entitlement and in most years, depending on how public/bank holidays fall, the organisation's provision exceeds the statutory minimum.
 - 4.4.5 Annual leave entitlement increases on the anniversary of 5 years service to 30 days. **Please note:** the 5 years service applies to the date of joining the Police Authority and not the transfer date to the OPCC.
 - 4.4.6 Individuals are encouraged to take their annual leave in periods spread across the leave year, in order to get full benefit of the rest and recuperation for which it is intended.
 - 4.4.7 The OPCC is able to specify with reasonable notice when leave will be taken. There are times, for example, public/bank holidays, or where operational (business) needs dictate, the organisation will look to implement this.
 - 4.4.8 Individuals requiring clarification of annual leave entitlement should liaise with their line manager at the start of their holiday year to confirm the pro rata annual leave entitlement for the year ahead.
 - 4.4.9 Where an individual changes their working hours part way through a holiday year, their annual leave entitlement will be recalculated to reflect the annual leave accrued based on both the old and new working arrangements.
 - 4.4.10 In the case of an individual leaving the OPCC, any pro rata accrued annual leave up to and including the last day of service should, wherever possible and in liaison with the line manager, be taken prior to the individual leaving. Only in circumstances where this is not possible will the individual receive pay for any accrued but untaken annual leave (See 4.5.5).

4.5 Areas of Responsibility:

- 4.5.1 Line managers are required to consider organisational needs when authorising requests for annual leave. There are times where due to business requirements, line managers will not be able to grant all or some of the leave requested. It is therefore essential that requests for leave are submitted at the earliest opportunity and that travel/holiday arrangements, etc. are not booked until the period of annual leave has been approved.
- 4.5.2 Individuals, together with their line manager, are responsible for keeping a record of annual leave taken each year and, ensuring they take annual leave throughout the

year, avoiding the need to request to carry forward untaken leave at the end of the leave year.

- 4.5.3 Line managers are responsible for monitoring/authorising annual leave, and in liaison with individuals, maintaining sufficient organisational cover.
- 4.5.4 In the case of long term sickness there is an expectation that individuals will (whilst on sick leave) request to take periods of annual leave, proportionate to that accrued during the time on long term sick.
- 4.5.5 At the time of an individual leaving the OPCC, line managers must advise Payroll of either:
 - (a) Any outstanding accrued but untaken annual leave entitlement for the current year/current series of absence.
 - (b) Any excess annual leave that has been taken. Payroll will make any necessary adjustment to the final salary payment.

5.0 Audit Compliance [FOIA Open]

- 5.1 This policy has been drafted and audited to comply with the principles of the Human Rights Act. Equality and diversity issues have also been considered to ensure compliance with equality legislation and policies. In addition Data Protection, Freedom of Information, Management of Police Information and Health and Safety issues have been considered. Adherence to this policy will therefore ensure compliance with all relevant legislation and internal policies. Under the Freedom of Information Act 2000, the document is classified as 'OPEN'.

6.0 Review and Ownership [FOIA Open]

- 6.1 This policy is owned by the Office of the Police & Crime Commissioner, with a review undertaken on a two yearly basis or earlier if required.

7.0 Useful Links [FOIA Open]

- 7.1 Practical procedures are available to assist with the effective and consistent implementation of the policy. For enquiries relating to this policy contact the Chief Executive until such time as the structure of the OPCC is determined.