Chapter 12: Annual Leave

1. About this Chapter

1.1 This chapter has general information about holiday or annual leave entitlement

1.2 This chapter explains:

- how your annual leave is calculated
- how you might be affected if the House is recalled
- any restrictions on when annual leave can be taken
- public holidays
- how leave is handled if you become ill while on annual leave
- annual leave entitlements when absent from work

2. Principles

2.1 Your leave entitlement is shown in your letter of appointment. The annual leave year runs from 1 November to 31 October each year. Your leave allowance for each year is recorded on a leave record. The leave record also notes your Line Manager’s authority for you to take that time off. An annual leave record form is on the Intranet at:

Annual Leave Record (PDF)

2.2 The amount of annual leave builds up on a daily basis. When you leave the House, your leave entitlement for that year is calculated on a pro rata basis according to the number of days worked. If you resign before taking all of your leave entitlement to date, you will be paid for these extra days. Similarly, if you have taken more than your entitlement, the pay for the appropriate number of days will be deducted from your final pay.

2.3 Leave should be taken in the leave year it is earned. However, there are some exceptions which are listed in section 3 below. Staff on maternity leave, adoption leave or shared parental leave may also carry over some leave (see chapter 14 for more information with regard to maternity leave).

2.4 The precise arrangements for booking leave and any restrictions on the timing of leave vary by business area. Your Line Manager will be able to give you further details of how these operate in your area.

2.5 You should apply for leave from your Line Manager well before you wish to go on holiday since leave has to fit in with the operational requirements of the House. You should also make yourself aware of any specific arrangements for when leave should be taken in your work area.

3. Leave Allowances

3.1 All House of Commons staff have a common leave year starting on 1 November.

Staff in pay bands A to E and Catering staff

3.2 Staff who commenced employment on or after 1 November 2017 have annual leave entitlements as listed below.
Length of service | Annual leave entitlement
---|---
on arrival (part year) | pro rata based on 30 days per year
first full leave year | 30 days
second full leave year | 35 days

Annual leave will not increase again after further service. Entitlements for periods of service of less than one year are calculated on a pro rata basis.

3.3 Most staff who commenced employment prior to 1 November 2017 have annual leave entitlements as listed below (see paragraph 3.6 for exceptions). This entitlement is retained on promotion.

Length of service | Annual leave entitlement
---|---
on arrival (part year) | pro rata based on 28 days per year
first full leave year | 28 days
second full leave year | 30 days
third full leave year | 32 days
fourth full leave year | 33 days

Your entitlement will then increase by one day per year to a maximum of 40 days’ leave. Entitlements for periods of service of less than a year are calculated on a pro rata basis.

3.4 All leave entitlements are calculated on a pro rata basis for part-time staff. See section 5 below for the methods of calculation of leave for part-time staff and section 6 for those working compressed hours.

**Staff in the Senior Commons Structure (SCS)**

3.5 Annual leave for SCS staff appointed from outside the House will be guided by the principles applied to other staff in the House and is at the discretion of the Clerk of the House.

**Research and Information Team (Library staff)**

3.6 Library staff in post prior to 1 November 1999 have reserved rights to accrue annual leave entitlements up to a maximum of 45 days a year. On promotion or transfer to another Team (formerly Department), staff with an entitlement to more than 40 days a year will revert to the 40-day maximum.

3.7 Promoted staff (this is not limited to one promotion) may retain, on an unpaid basis only, any accrued entitlement to leave greater than 40 days. Relevant staff must declare at the time of their promotion whether they wish to exercise this entitlement. Thereafter, it should be exercised at the time of promotion.
3.8 The right to retain unpaid leave continued until 31 October 2004, at which point the post holder’s decision became binding.

**Carry over of leave**

3.9 There is no general entitlement to carry forward or be paid for leave untaken in any particular leave year with the following exceptions (see also paragraph 3.10):

- Staff on long-term sickness absence (see section 9 below)
- Staff on maternity, adoption or shared parental leave (see chapter 14).

4. **Public Holidays**

4.1 All full-time staff are entitled to the following eight public holidays and any further agreed public holidays in any leave year.

- Christmas Day
- Boxing Day
- New Year’s Day
- Good Friday
- Easter Monday
- May Bank Holiday
- Spring Bank Holiday
- Late Summer Bank Holiday.

4.2 If you have to work on any of these days you will be able to take time off in lieu by agreement with your Line Manager. For staff working compressed hours please see section 6 below.

4.3 Part-time staff entitlement to public holidays is calculated on a pro rata basis based on the number of hours worked in a normal week. If in any leave year the number of public holidays falling on the days when you normally work is either more or less than your pro rata entitlement then you will be asked to work additional days or use your ordinary annual leave entitlement in order to compensate. If you are working part-time hours spread equally over five days you will be entitled to public holidays as for full-time staff.

**Other religious holidays**

4.4 To take time off for a religious festival other than Christmas or Easter you must arrange this in advance with your Line Manager. Consideration will be given in line with the needs of the House. You should apply for leave well before you wish to take it. If leave is authorised your Line Manager will normally ask you to take these days as part of your annual leave entitlement or to work other days in lieu.

5. **Annual Leave Allowances for Part-time Staff**

5.1 The definition of a part-time staff is an employee who works less than the basic full-time contractual hours for that type of work (can be part day, part week, part year) (see chapter 11).

5.2 The leave allowance for a part-time employee will normally be calculated in hours (not days). You can calculate your holiday entitlement in hours using the [Holiday in Hours Calculator](#).
Example:

The leave calculation for a pay band A-E part-time employee working five days per week, three of six hours and two of five hours (28 hours net per week) with an annual leave entitlement of 32 days pro rata will be as follows:

- 28 (hours worked per week) divided by 36 hours (net full-time hours per week) x 32 (number of days leave entitlement) x 7.2 (hours worked per day for someone working full-time over five days per week). Total annual leave allowance = 179.2 hours.

5.3 Part-time staff entitlement to public holidays is calculated on a pro rata basis based on the number of hours worked in a normal week. See paragraph 4.3.

6. Annual Leave Allowance for Staff Working Compressed Hours

6.1 Annual leave entitlements for full-time staff are calculated on the assumption that an employee works five days a week. If you begin working compressed hours but still work full-time weekly hours, your annual leave entitlement does not change but is converted to hours. You are also entitled to eight public holidays (converted to hours) each year if you are working full-time hours.

6.2 Eight days (converted to hours) will be added to your annual leave converted entitlement to cover public holidays. Those hours will be banked to covered public holidays and managed as such. This means that you must ensure that you have sufficient leave to cover public holidays that fall on days you work. When a public holiday falls on a day you would normally work, you must deduct the appropriate number of hours you would normally work on that day from the amount of leave you have outstanding on your leave record to cover this. When a public holiday falls on day you would not normally work, you do not deduct any hours from your annual leave.

6.3 You are free to take the remainder of your leave by agreement with your Line Manager. You should deduct the number of hours you would normally work each day from the amount of leave you have outstanding for each day’s leave taken.

6.4 The example below shows the reason why your leave is converted to hours. Net hours are your hours of work, not including meal breaks.

**Example:**

Two pay band A-E members of staff work in the same type of role, 36 net hours per week with the full annual leave entitlement of 40 days.

- Employee A working 36 net hours per week over five days has to take five days’ annual leave to have one week off. Employee B works compressed hours of 36 net hours per week over four days so would only have to take four days’ annual leave to have one week off.

- If annual leave is not recalculated for Employee B, then their annual leave entitlement of 40 days would buy 10 weeks annual leave, as opposed to Employee A’s 40 days, which would buy eight weeks.

6.5 Once your annual hourly leave entitlement is calculated, rather than deducting a day’s holiday (or a public holiday), you deduct the number of hours that you would have otherwise worked on that day from your allowance, for example, for 36 hours worked equally over four days, you would take 9 hours’ holiday for each day otherwise worked.
6.6 Should your average hours change, for example during recess, you should continue to deduct the hours you usually work in a day outside recess from your annual leave allowance. This is because your allowance has been calculated based on your full working day for the whole leave year.

6.7 If you begin working compressed hours, revert back to working a five-day week or change the number of hours a week you work, you should contact your HR Adviser who will advise on recalculating your leave. You may also contact your Trade Union Representative for advice.

6.8 You can also calculate your holiday entitlement in hours using the [Holiday in Hours Calculator](#).

6.9 Maternity, paternity and other leave entitlements are unaffected by compressed hours working arrangements. However, they are based on length of service and the number of hours you work.

**Managerial responsibility**

6.10 If you are the Line Manager of staff who work compressed hours, you are expected to understand fully the principles of compressed hours working and be able to explain these to your staff. You should also ensure that all calculations of annual leave are accurate and that staff are recording their annual leave correctly.

7. **Attendance for Recall of the House**

7.1 Occasionally the House is recalled during a holiday or recess period. If this happens, and you are needed by your team, you will be expected to return to duty. Arrangements for recall of staff vary from team to team. Your HR Business Partner will provide details on request.

7.2 If you are on annual leave and have booked a holiday when the House is recalled, check with your Line Manager whether you will need to cancel or delay your holiday. If this happens, you can claim for any financial losses incurred. You may also be able to claim for any childcare costs incurred as a result of the House being recalled. Any claim must be authorised by your Managing Director or Head of Office and should include evidence of the loss incurred, such as a letter from a travel company or hotel. A recall of Parliament counts as a normal working day and the usual rules on travel and subsistence expenses apply.

8. **Becoming ill while on Annual Leave**

8.1 If you are sick during a period of annual leave, this is treated as sickness absence and not annual leave (unless you request otherwise). You must still telephone your Line Manager or other designated contact to report that you are sick and also to let them know when you are fit again. This is to enable the House to keep a proper record of statutory sick pay. You should submit a self-certificate or Fit Note from your GP as soon as you can. The day(s) in question will be restored to your leave allowance for the current year, but you will still be subject to the restrictions on carrying leave forward to the next year (see paragraph 9.5 below).

9. **Annual Leave Entitlements when Absent from Work**

9.1 You continue to be entitled to annual leave while you are on sickness absence. The following principles apply:

- you continue to be entitled to contractual annual leave while you are on long-term sickness absence and are on full or half pay
• you are entitled to statutory leave (20 days plus eight days bank holidays per annum), if you are on no pay or sick pay at pension rate
• you are able to take annual leave during sickness absence subject to the agreement of your Line Manager but are not obliged to do so
• your salary will be adjusted for periods that you are on annual leave during sickness absence
• your absence will still be recorded as sickness absence and treated as continuous provided that the period you are on annual leave is immediately preceded and followed by sickness absence
• you will still be required to provide Fit Notes for the period you are on annual leave but otherwise would have been on sickness absence
• The usual keep-in-touch arrangements put in place while you are on sickness absence will be suspended for any period you choose to take annual leave.

9.2 With your Line Manager’s agreement you may use outstanding annual leave prior to your return to work. Alternatively, you can take outstanding leave as part of a phased return to work, for example: working shorter days or weeks and taking the remainder as leave. This would be an informal arrangement agreed with your Line Manager in addition to any rehabilitation period formally agreed with the Parliamentary Health and Welfare Service (PHWS).

9.3 Any period of annual leave taken during sickness absence will continue to count towards limits of sickness absence for unsatisfactory attendance or inefficiency proceedings.

9.4 You will be paid your normal salary for any period of your annual leave entitlement taken during sickness absence. However, your leave days will continue to count towards the sickness absence trigger points for pay and for calculation of your Statutory Sick Pay (SSP) entitlement. Therefore, you will be absent due to sickness and deemed to be on annual leave at the same time. See chapter 15 for more information.

9.5 If it is not possible for you to take any or all of your leave entitlement in the current leave year, you will be able to carry over the statutory minimum amount of annual leave (20 days plus bank holidays), to the following leave year, less any leave that you have already taken.

9.6 There will be no payment for any untaken leave accrued during sickness absence during your employment. If your employment ends you will receive payment in lieu of any accrued but untaken leave in the current leave year. In addition, you will receive payment for any untaken statutory leave accrued due to long-term sickness absence in the previous leave year.