

## **Policy on Holiday Leave**

### **1. Introduction**

- 1.1 This document sets out the Public Services Ombudsman for Wales (PSOW) policy on holiday leave.

### **2. Holiday Leave Allowance**

- 2.1 All staff are entitled to the paid holiday leave allowance specified in their contract, which exceeds statutory minimum provision in all cases. Calculations for staff working part-time hours are calculated on a pro-rata basis.
- 2.2 The PSOW office is closed on bank and public holidays, and on the afternoon of the last working day before Christmas. All PSOW staff members are entitled to paid leave on these days.
- 2.3 Part time staff are entitled to time off for PSOW office closure days in proportion to their weekly hours of work, regardless of whether or not they would normally have worked on the days on which the office is closed.
- 2.4 If a staff member temporarily works more or less than their normal working hours there is no corresponding adjustment of their holiday leave allowance. If a staff member moves from full to part-time working, or vice versa, or otherwise changes their number of working hours during a leave year, they must receive written agreement to a permanent change of working hours and the new holiday leave allowance entitlement will be calculated.

### **3. Holiday Leave Year**

- 3.1 The PSOW holiday year will run from 1 April to 31 March.

### **4. Holiday Leave Calculation**

- 4.1 If employment starts part way through the holiday year, the entitlement to requested holiday leave during that year will be assessed on a pro rata basis, and calculated for the completed calendar months to be worked. Any fraction is rounded up to the nearest whole day.

## **5. Requesting Holiday Leave**

- 5.1 Staff must not take holiday leave without the prior approval of their line manager. The line manager has the right to delay a request for operational reasons. The PSOW has a separate policy on Compassionate and Emergency Leave.
- 5.2 Line managers should make appropriate arrangements to ensure that all staff have the opportunity to take their full leave entitlement whenever this can be approved without disadvantage to operational activities. This will involve planning any necessary absence cover and, as far as is practicable, organising work to take account of anticipated variations in staff resource.
- 5.3 Staff members should request holidays – especially longer ones - a reasonable time prior to the dates they wish to take. It is recommended that staff members do not make firm holiday arrangements until their leave request has been approved. Late requests will be accommodated whenever this will not cause operational difficulty.
- 5.4 Where several staff members apply for leave for the same period, line managers may need to balance the number on holiday with the office needs to make sure that services are maintained. This includes consideration at organisational, team and grade levels as well as flexibility for the individual. Every effort will be made to resolve these matters as quickly as possible and both common sense and consideration for others will be used to agree periods of holiday leave.

## **6. Recording Holiday Leave**

- 6.1 All staff members are issued with personal leave sheets showing their holiday leave entitlement. Staff members should use the leave sheets to apply for leave. The line manager will check that the leave allowance is not exceeded and that the total and balance entries are correctly calculated before approving the leave by initialling the leave sheets. All entries on leave sheets should be in ink and alterations will be countersigned by a more senior staff member, for example where a member of staff has been sick during the holiday leave.

## **7. Anticipation and Carry Over of Holiday Leave**

- 7.1 Staff should normally take their full leave entitlement within the individual holiday leave year. However, staff may anticipate up to 3 days, pro-rata for staff working part-time hours, from their next year's holiday leave allowance.
- 7.2 Similarly, staff members can carry over up to 7 days leave and take it during their next holiday leave year. Part-time staff can anticipate or carry over the corresponding proportion of their leave allowance on the same terms.

- 7.3 Anticipation of more than 3 days or carry over of more than 7 days (or the part-time equivalent) may be agreed under the following circumstances at the discretion of the Ombudsman:
- (a) in exceptional circumstances when pressure of work delays anyone from taking their full entitlement in the leave year in which it is earned; or
  - (b) where a period of paid sickness absence has prevented holiday leave being exhausted during the holiday year; or
  - (c) in agreed circumstances, for example to visit relatives living abroad.
- 7.4 As the PSOW wishes staff to take up all holiday entitlement, any holiday leave that is in excess of that which can be carried over, and is not taken by the holiday year end, will be lost.
- 7.5 In exceptional cases, payment may be offered in lieu of a maximum of 10 days holiday leave in excess of that which can be carried over. Payment in these cases will be at the normal basic remuneration and is subject to the approval of the Ombudsman. This discretion will only be used where line managers have delayed staff from taking holiday leave due to the pressure of work.

## **8. Casual Employees**

- 8.1 Casual employees are entitled to one twelfth of the holiday leave allowance for each completed month of casual service. Holiday leave for casual staff should not usually be taken before it is earned. When 4 weeks have been worked, casual staff can anticipate leave. They must not, however, take more leave than they will earn during the period the appointment is expected to last.

## **9. Relationship between Holiday Leave and Sick Leave**

- 9.1 After any period of sick leave staff may not take holiday leave unless:
- (a) they have gone back to work for at least one day; or
  - (b) they produce a self-certificate or medical certificate as appropriate saying that they are fit to return to work.
- 9.2 Part-time attendance for recuperative purposes is seen as an alternative to sick leave, and staff would not normally take holiday leave during such periods of work.
- 9.3 If a staff member falls sick while on holiday leave, at the discretion of the Ombudsman, the whole period of illness may be treated as sick leave rather than holiday leave if:

- (a) where possible, line management have been notified not later than the fourth day of illness; and
- (b) the illness lasts 4 days or more; and
- (c) a medical certificate is provided.

9.4 Where a dependent has been ill, at the discretion of the Ombudsman, the Compassionate and Emergency Leave policy may apply and a percentage of the holiday leave may be taken at a later date.

9.5 Pay will be at the appropriate sick pay rate. All holiday leave covered by the certificate should be cancelled and recorded as sick leave. Any balance should still be regarded as holiday leave.

## **10. Maternity and Adoption Leave – Holiday Leave Entitlement**

10.1 While on paid ordinary Maternity or Adoption Leave all staff members will accrue holiday leave at their normal rate (i.e. pro-rated if part-time).

## **11. Holiday Leave on Termination**

11.1 When it is known that a staff member is leaving the PSOW, the line manager will work out any outstanding holiday leave (see Holiday Leave Calculation above). As far as possible, line managers should ensure that all leave entitlement is taken before the date of termination, and that at the time of leaving staff will not have taken more leave than they have earned.

11.2 Staff members who have taken more leave than their entitled holiday allowance at the date of termination will be normally be required to refund the difference in the form of a deduction from their salary.

This policy is issued after consultation with Representative Council.

**October 2005**

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