



Cyngor Sir
CEREDIGION
County Council

Leave and Absences Policy



People & Organisation Service
January 2024



DYSGU PERTHYN LLWYDDO BYW
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1. Introduction

1.1 Background

1.1.1 Ceredigion County Council (the Council) is committed to supporting employees to achieve a healthy balance between their work and personal commitments. The Council recognises that whilst employees have statutory entitlements to paid time away from work there may be circumstances outside of an employee's control where other leave may be more appropriate. In response to this, and in line with the Council's commitment to supporting employee health and wellbeing, the Council offers a range of additional paid and unpaid leave opportunities to employees.

1.2.2 This policy outlines employees' statutory leave entitlements as well as the additional leave entitlements offered by the Council.

1.2 Scope

This policy applies to all employees other than those who are employed by School Governing Bodies

2 Annual Leave and Pay

2.1 Annual Leave Entitlement

2.1.1 The annual leave year runs from 1 September to 31 August for all employees.

2.1.2 Annual leave entitlement for full-time employees is as follows:

National Joint Council (NJC) and Soulbury

Period of Continuous Local Government Service	No of Hours (FTE)	No of Days (FTE)
Less than 5 years' service	199.8 hours	27 days
5 to 10 years' service	229.4 hours	31 days
Over 10 years' service	251.6 hours	34 days

Chief Officers

Period of Continuous Local Government Service	No of Hours (FTE)	No of Days (FTE)
Less than 10 years' service	244.2 hours	33 days
Over 10 years' service	266.4 hours	36 days

- 2.1.3 Annual leave entitlement (including public holidays) is pro-rata for part time employees.
- 2.1.4 Where the service qualifying commencement date falls before 1st March the full additional entitlement will be applied for that leave year. If the qualifying commencement date falls on or after 1st March half the additional entitlement will be applied for that leave year. Additional entitlement for length of service will be pro rata to the contracted hours and weeks worked.
- 2.1.5 In order to meet the requirements of Working Time Legislation a minimum of 207.2 hours (28 FTE days) holidays (including public holidays) must be taken each annual leave year. This figure is pro-rata for part time employees.

2.2 Carry over of annual leave

- 2.2.1 Up to 37 hours (5 FTE days) of your annual entitlement can be carried forward into the next annual leave year. This figure is pro-rata for part time employees.
- 2.2.2 In exceptional circumstances, it may be possible to carry forward in excess of 37 hours, subject to the prior approval of the Corporate Director. Applications to carry over additional leave should be submitted, using the appropriate form, within the advertised by application window each year.
- 2.2.3 The carry forward of leave in exceptional circumstances is subject to the requirement of the working time regulations, i.e. that all employees must take the minimum of 207.2 hours (28 FTE days) holidays (including bank holidays) as detailed above.

2.3 Applications for annual leave

- 2.3.1 All annual leave dates must be approved in advance by the employee's line manager.
- 2.3.2 To ensure adequate staffing coverage employees should provide as much notice as possible of proposed annual leave dates. Such notice should normally be at least twice the number of annual leave days that the employee wishes to take. It is however accepted that this may not be possible in all cases.
- 2.3.3 Employees submit applications for annual leave via Ceri Self-Service.
- 2.3.4 Line managers reserve the right to request employees to take their annual leave and will, if required, designate annual leave dates on behalf of employees. Where this is necessary, sufficient notice will be given to the employee which will be at least twice the number of annual leave days that the employee is required to take. Line managers may also request employees take a certain number of days within a given period, such as, 8 days in first four months of the year.

2.4 Pay in lieu of annual leave

2.4.1 There will be no payment in lieu of any untaken annual leave (except in exceptional circumstances on termination as indicated below).

2.4.2 Holiday pay for relief workers will be calculated in arrears on a monthly basis.

2.5 Holiday entitlement in year of commencement

If the employee joins Ceredigion County Council part way through a holiday year, they will be entitled to a proportion of their annual leave and any bank holiday (pro rata where necessary) that fall during their remaining leave year.

2.6 Holiday Pay on Termination of Employment

2.6.1 If the employee leaves Ceredigion County Council's employment part way through an annual leave year, they will be entitled to any accrued annual leave up until the date of termination. Arrangements should be made to take this entitlement before the date of termination. Payment in lieu of annual leave will only be made in very exceptional circumstances (usually no more than 5 days).

2.6.2 If, on the employee's date of termination, they have taken paid annual leave in excess of earned entitlement, they will be required to reimburse the Council (by means of deduction from salary if necessary) in respect of such holiday.

2.6.3 No payment in lieu of accrued contractual annual leave will be made to the employee (and where appropriate a deduction will be made from salary) in the event of their termination for gross misconduct or in the event of the employee giving inadequate notice of termination or leaving before the contractual notice period has expired. Contractual holiday for these purposes means all and any leave entitlement provided for in the employee's contract that is over and above the minimum statutory leave period provided for in the Working Time Regulations 1998 (i.e. 5.6 weeks or a maximum of 28 days).

2.7 Annual Leave and Bank Holiday whilst on Maternity/Adoption Leave

2.7.1 An employee will still receive their annual leave entitlement whilst they are on maternity leave and they may choose to use it to extend the time they have off after their paid maternity period ends or to take it before the start of their paid maternity leave.

2.7.2 Employees are encouraged, where possible, to take any annual leave prior to commencing maternity leave. Should it not be possible to take all annual leave prior to commencing maternity leave then any carried over leave would need to be taken before the employee returns to work, i.e. immediately following the end of their maternity leave.

2.7.3 An employee will be entitled to time off in lieu for any bank holidays that occur on the days that they are contracted to work whilst they are on maternity leave.

2.7.4 Further information on leave entitlements when on maternity (including entitlements for centrally employed teachers) is available within the Council's Family Leave and Support Policy and on [CeriNet](#).

2.8 Sickness whilst on annual leave

2.8.1 Where an employee falls ill or becomes injured while on annual leave, they are entitled to claim sick absence and re-schedule their accrued annual leave for a later time, subject to the following conditions being met: the total period of sickness absence must be fully certificated by a qualified medical practitioner.

- The employee must contact their Line Manager by telephone, on the first day of any known period of sickness absence during annual leave.
- The employee must submit a written request no later than 5 working days after returning to work setting out how much of the annual leave period was affected by sickness and the amount of leave that the employee wishes to take at another time.
- Where the employee is overseas when he/she falls ill or is injured, evidence must still be produced that the employee was ill by way of either a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location.
- All costs of medical certification are to be incurred by the employee.

2.8.2 Where the employee fulfils all the above conditions, the Council will grant the employee the same number of days' replacement annual leave in the current leave year as the number of holiday days lost due to sickness or injury. The replacement leave must be taken in the employee's current leave year wherever practicable.

2.8.3 Where carry over of leave is necessary due to the granting of replacement annual leave, only the statutory element of any untaken leave may be carried over (with statutory annual leave being assumed to have been taken first in any leave year).

2.8.4 If an employee is ill or is injured before commencing a period of planned annual leave, and as a result have had to cancel their arrangements, the Council will agree to the employee postponing the annual leave dates to another mutually agreed time (in that leave year whenever possible). Any period of sickness absence will then be treated in accordance with the Council's Sickness Absence Management Policy. The employee must submit a written request to postpone the planned annual leave and this must be accompanied by a letter from his/her doctor confirming that he/she is unfit, or is still likely to be unfit, to take the holiday.

2.8.5 An employee must request to take any replacement annual leave in accordance with the Council's standard annual leave procedure and should endeavour to take

the replacement annual leave in the same leave year in which it was accrued. However, where an employee has good reason for not being able to do so, the Council will allow the employee to carry the statutory element of any untaken leave forward into the next holiday year. The Council may require an employee to take all or part of his/her replacement annual leave on particular days. At least the minimum notice period under the Working Time Directive will be provided in such cases (twice the number of days' notice of the period of leave).

2.9 Holiday entitlement whilst on suspension

If an employee is on suspension, the Council may require the employee to take any accrued annual leave during his/her current leave year. The usual authorisation from the line manager and notice periods will apply.

2.10 Taking holidays whilst on sick leave

2.10.1 The Council recognises that employees who are absent for reasons of sickness may in certain circumstances find it beneficial to take a holiday. In this case the Council will support this need provided that the employee takes their accrued annual leave for those periods

2.10.2 An employee on sick leave may apply in the normal way to take their accrued annual leave entitlement while on sick leave. The holiday dates must be approved in accordance with this policy. This will not impact on the employee's overall entitlement to sick leave.

2.10.3 Employees on paid or unpaid sick leave who travel for holidays or other purposes should be aware that if they do something inconsistent with their stated reasons for sickness absence or something that worsens their illness or prolongs their absence, the Council reserves the right to stop statutory sick pay and/or occupational sick pay, and in some cases this could result in disciplinary action.

2.11 Holiday entitlement and long-term sick leave

2.11.1 Where the employee returns to work following long term sick absence, any outstanding statutory leave entitlement accrued should be taken in the same leave year where practicable. The Council may require an employee to take all or part of his/her accrued holiday on particular days as indicated above.

2.12.2 Where the employee is absent for the whole leave year or there is insufficient time for accrued statutory leave to be taken in the same year, the employee will be permitted to carry forward the statutory element of any accrued leave to the next leave year, subject to a maximum of four weeks leave (i.e. 20 days for a full time employee, pro rata for a part time employee). Any leave carried over must be taken in the following year and the Council may require an employee to take all or part of his/her accrued holiday on specified days.

2.12 Annual leave for phased returns to work after long-term sickness absence

2.12.1 Phased returns are used for a variety of reasons when someone has been off sick and may last for different lengths of time depending on the individual's reasons for absence. The normal period of phased return will be up to four weeks. Please refer to the Managing Sickness Absence at Work Policy for further details on phased return.

2.12.2 When advised by the employee's GP or other medical practitioner that there should be a phased return following long term sickness this will be managed according to the individual and their particular circumstances. It is recognised that it is not appropriate to require employees to use their annual leave during this time. However, the employee and the Council may agree that accrued annual leave could be used to arrange a period of part time working at the end of the period of phased return.

3. Public and Bank Holidays

3.1.1 Ceredigion County Council recognises the following eight public/bank holidays each year:

- New Year's Day
- Good Friday
- Easter Monday
- Early May bank holiday
- Spring bank holiday
- Summer bank holiday
- Christmas Day
- Boxing Day

3.1.2 All recognised public and bank holidays are permitted as paid leave in addition to the annual leave entitlement specified in Section 1 above.

3.1.3 Public and bank holiday entitlement is pro-rata for part time employees.

3.1.4 Certain employees may be required to work on recognised public and bank holidays. Payment for working on such days and/or arrangements for time off in lieu are in accordance with their specific terms and conditions of employment.

4. Time Off In Lieu (TOIL)

4.1 What is TOIL?

TOIL is time taken as additional leave instead of overtime pay by employees working beyond their contractual or standard working hours to meet operational demands.

4.2 Application of TOIL

4.2.1 TOIL is not intended to replace overtime payments or the flexi-time scheme.

4.2.2 TOIL must be requested and authorised in advance by the line manager. If this is not the case, any TOIL accrued by the employee will be lost.

4.2.3 All TOIL should be recorded on the corporate TOIL form and made available for the line manager to view.

4.2.4 Employees who access the flexi-time scheme may only accrue TOIL when additional hours are worked outside the bandwidth of the flexi-time scheme.

4.2.5 The Council does not encourage employees to work excessive hours. Under the Council's Flexible Working Policy, a maximum of 12 hours (including flexi-time, over-time and/or TOIL) should be worked on any normal working day. Further, managers should ensure working hours do not exceed those stipulated by the Working Time Regulations.

4.3 Using TOIL

4.3.1 TOIL will be based on plain time only, irrespective of the day worked. Employees will be allowed time off with pay equivalent to the number of hours worked.

4.3.2 TOIL should be taken as soon as is reasonably possible after it has been accrued and within a maximum of 8 weeks.

4.3.3. All requests to take TOIL should be recorded on Ceri Self-Service and must be authorised by the line manager.

4.4 Exemptions

4.4.1 Employees who choose to work outside of standard working hours through personal choice cannot accrue TOIL.

4.4.2 TOIL should not be accrued on a regular basis.

4.4.3 If employees are routinely expected to start or finish work outside of their standard working hours an alternative solution should be considered.

3.4.4 Excess hours accrued under the flexi-time scheme may not be transferred to TOIL or vice-versa.

3.4.5 Employees leaving the Council should ensure they have taken any remaining TOIL prior to the termination of their employment.

5. Special Leave

5.1 Background

5.1.1 The Council recognises that there are occasions when a short period of time off is necessary outside of leave entitlement and will endeavour to support employees in balancing their work and personal circumstances.

5.1.2 Requests for special leave will be considered sympathetically in light of the individual circumstances. It is important for employees to consider the needs of the Council and to make every effort to make alternative arrangements wherever possible.

5.1.3 Requests for Special Leave must be made through Ceri Self-Service.

5.2 Unpaid leave

5.2.1 It is recognised that for various reasons employees may request additional time off over and above their annual leave entitlement. Consideration for such unpaid time up to a maximum of 6 months will only be made according to the needs of the Service and the employee's annual leave entitlement.

5.2.2 Applications should be made in writing to the Corporate Lead Officer. This includes employees who work term time only.

5.2.3 Employees applying for a period of unpaid leave greater one month must have a minimum of 12 months service with Ceredigion County Council at the time that they wish to take the period of unpaid leave.

5.3 Compassionate Leave

Type		Maximum Entitlement	Relationship	Approval by
i.	Serious illness (life threatening)	Up to five days leave with pay for the serious illness of an immediate family member	Parent, spouse, partner or child or relative who depends on the employee for care	Corporate Lead Officer
ii.	Bereavement	Up to seven days leave with pay on the death of a close family member, to include 1 day to attend the funeral	Child Grandchild Next of kin or nominated next of kin. Spouse, partner, civil partner, Parent including stepparents, Grandparents,	Corporate Lead Officer

			Brother or sister – including stepbrother/sister. Parent of spouse / partner / civil partner/.	
	Bereavement	Up to 1 days leave to attend the funeral of close family member as indicated (that is not included in the above provision)	In-laws (e.g. sister-in-law, brother-in-law, daughter-in-law, son-in-law) Aunt / Uncle / Cousin / Nephew / Niece (this provision excludes second cousins, great aunts etc)	Corporate Lead Officer
iii.	Unpaid leave	A maximum of 12 weeks unpaid leave following the serious illness or death of an immediate family member	Parent, spouse, partner or child or relative who depends on the employee for care	Corporate Lead Officer

5.4 Health and Wellbeing

5.4.1 There is no right to paid time off to attend planned doctor, dentist or hospital appointments however the Council recognises the value of encouraging employees to maintain their health and wellbeing .

5.4.2 It is expected that appointments are attended outside of standard working hours and in an employee's own time however where this is not possible paid appointment allowances are as follows:

Type		Entitlement	Authorised by
i.	Medical Appointments: <ul style="list-style-type: none"> • Doctor • Dentist • Optician 	Employees should try and make appointments outside their normal working hours wherever possible if this is not possible then the following paid time will apply: Doctor – up to 2 hours Dentist – up to 2 hours, twice a year Optician – up to 1 hour, once a year	Line Manager
ii.	Hospital outpatient	Hospital outpatient appointments and travel time will be as paid time on production of an appointment letter. For appointments outside of Ceredigion the maximum time claimed must not exceed an employee's standard working day.	Line Manager

iii.	Cancer screening	Time off for cancer screening e.g. cervical, mammogram and prostate will be with pay. Employees should however strive to accommodate such appointments outside working hours.	Line Manager
iv.	Occupational Health	Time off with pay will be granted for employees to meet virtually or attend occupational health appointments arranged by the Council	Line Manager
v.	Blood donation	Up to 90 mins time off with pay will be granted for the purpose of donating blood. Employees should make arrangements outside of working hours wherever possible.	Line Manager
vi.	Physiotherapy/ Rehabilitation	Reasonable time off with pay will be granted for the purpose of attending one course of physiotherapy or rehabilitation session/s	Line Manager
vii.	Ante-natal appointments	Refer to Family Leave and Support Policy	

5.4.3 Approval must be sought from the line manager prior to attending any appointments and evidence of the appointment provided.

5.4.4 Discretion and confidentiality must be maintained by Line Managers when information regarding health issues is shared by employees.

5.5 Time off for public duties

5.5.1 Paid time off will be granted for public duties. The full classification of public duties can be found at Direct Gov ([Time off work for public duties - GOV.UK \(www.gov.uk\)](http://www.gov.uk))

Type	Maximum entitlement	Authorised by
i. Magistrate	Employees undertaking magistrates' duties will be granted up to 15 contractual days per annum with pay	Corporate Lead Officer
ii. Members of Local Authorities	Members of a unitary local authority are allowed 18 days/36 half days leave each year.	Corporate Lead Officer
iii. Governing Bodies	School Governors are allowed up to 5 working days per annum to attend School Governing Body meetings	Corporate Lead Officer
iv. Jury Service	Leave with pay will be granted subject to the employee reimbursing to the Council their claim for loss of earnings.	Corporate Manager must ensure that the absence is

		Employees will receive a loss of earnings form from the Court and must forward this to the Pay and Benefits Section in People & Organisation <u>before</u> attending jury service	recorded on the Ceri system
v.	Regular or Volunteer Reserves	Up to 10 days paid leave to attend annual training.	Corporate Lead Officer

5.5.2 The maximum individual entitlement for paid time off for public duties (excluding jury service) will be 30 contractual days per annum (pro-rata for part time employees).

5.5.3 Where an allowance is claimable for loss of earnings the employee must claim and pay the allowance to the Council.

5.6 Other Special Leave

Type	Maximum entitlement	Authorised by
i. Emergency & Rescue Services	Time off will be granted with pay for a maximum of 10 days to attend call outs during working hours. Employees must ensure adequate cover prior to attending the emergency call out otherwise payment will be withheld.	Corporate Lead Officer
ii. Special leave for employees to represent the Country at sporting, events	Applications for special leave for representation of sport, charitable or other events at a National level up to 5 days with pay.	Corporate Lead Officer
iii. Participation in election as a candidate –UK Parliament, the Welsh Government or a Unitary Authority.	Leave without pay may be granted from the date of the valid nomination to the date of the poll. (The same provisions would apply to an employee who acts as an official agent of a candidate at the elections indicated).	Corporate Lead Officer
iv. Participation in election duties	Leave with pay will be granted to those staff who need to be away from their job during normal working hours to undertake election work. This includes polling day duties and count duties, and any consequential training/briefing sessions. Staff will be entitled to be paid for the additional polling day and count duties.	Line Manager
v. Foster Carer Leave	5 days paid leave to attend training/ home assessment/ foster panels per placement	Line Manager
vi. Time off for interviews	Reasonable time off with pay to attend interviews for positions within Ceredigion Council. Employees must take annual	Line Manager

		leave to attend interviews with other employers including local authorities except in times of organisational change where an individual may be 'at risk' of redundancy (and has received formal notice to this effect). In this circumstance, the employee would need to have at least one years' service to receive paid time off to attend interviews.	
vii	Court	<ul style="list-style-type: none"> • Attendance as an officer as part of their paid employment – leave with pay. • Attendance as a witness for the police – leave with pay subject to the reimbursement of any allowance received by the employee. • Attendance in all other cases – leave without pay 	Line Manager

5.7 Carers' Leave

The Council has developed a comprehensive Carer's Policy that supports employees who have caring responsibilities to remain in work and fulfil their careers.

The policy outlines the range of flexible working options available to support carers alongside the development of a carers passport to help and support employees who have specific caring responsibilities.

Carers who hold a Carers passport are able to claim up to five days paid Carers leave within any 12 month period.

Full details can be found in the Carers' Policy on [CeriNet](#).

5.8 Flexi-time Leave

The Council operates a discretionary flexi-time scheme where eligible employees can vary working hours and take any excess hours accrued as flexi leave.. Full details of the flexi-time scheme are included in the Council's Flexible Working Policy on [CeriNet](#).

5.9 Misuse of The Entitlement

Any abuse of the entitlements within this policy will be dealt with under the Council's Disciplinary Policy. The following are examples of misuse:

- Taking leave under the policies for purposes other than the purpose they are intended for.
- Making a false statement as to entitlement to the leave available within the policy,

- Knowingly giving information to obtain leave that is subsequently found to be false.



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Caru·Love
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