

# Annual Leave Policy

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## Annual Leave Policy

# Contents

1. Introduction.....	3
2. Scope.....	3
3. Holiday Year .....	4
4. Annual Leave Entitlements .....	4
5. Holiday Buy-Back .....	5
6. Requesting Annual Leave .....	6
7. Bank Holidays .....	8
8. Sickness and Annual Leave .....	9
9. Annual Leave During Maternity / Paternity / Adoption Leave .....	10
10. Termination of Employment .....	10
Appendix 1: Process for requesting Annual Leave .....	11
Tables .....	14

# Annual Leave Policy

## 1. Introduction

BrisDoc is committed to providing clinical care and supporting processes to an exemplary standard that ensures patients, their carers and families, and other professionals receive high-quality care and support. To ensure that staff meet the expected standards, BrisDoc will routinely audit all contacts with patients and professional, across all of its services, whether the contact is over the telephone or in person. Specific audits will also be undertaken. To assure BrisDoc of the consistency of standards of care and practice across a service and that a Service can work effectively and safely within the local healthcare community. Audit will provide evidence that areas of poor practice and flawed systems and processes are recognised and acted upon, thereby ensuring BrisDoc continues to provide high-quality patient care in accordance with its business model.

BrisDoc is committed to:

Providing staff the opportunity to take the leave to which they are entitled and ensuring the organisation manages leave in a way that does not affect patient care or service delivery.

## 2. Scope

These guidelines apply to all co-owners employed on a BrisDoc contract (except for Bank / Casual Workers and self-employed staff, including sessional or locum GPs as their holiday is “rolled up” in their pay).

The areas covered in this policy include:

- How much annual leave co-owners are entitled to
- How annual leave should be requested
- What can happen if a co-owner falls sick during a period of annual leave?
- What happens if a contract is terminated
- The accrual of annual leave during maternity leave
- How length of service impacts annual leave

All requests for annual leave will be handled fairly and consistently and per BrisDoc’s Equality & Diversity policy. Both the co-owner and the manager have a responsibility under this policy to ensure that all annual leave is taken in the leave year. Good management of leave will ensure the health and well-being of the co-owner and the organization.

# Annual Leave Policy

## 3. Holiday Year

BrisDoc's holiday year is based on a calendar year (1<sup>st</sup> January to 31<sup>st</sup> December).

It is a legal requirement that all staff use their **statutory minimum** annual leave every year. With line manager approval, BrisDoc allows a maximum of 1 week (or equivalent hours) above the statutory minimum allowance to be carried over to the next year, which must be used before 31<sup>st</sup> March of that year. Suppose a co-owner joins or leaves BrisDoc part way through the holiday year. In that case, their annual leave entitlement will be calculated on a pro-rata basis, equivalent to the proportion of the holiday year in which they have been employed.

## 4. Annual Leave Entitlements

The following annual leave entitlements are calculated based on working a full-time week, i.e.

37.5 hours (pro rata for part-time and part year co-owners).

As the majority of BrisDoc's working patterns are split into shifts of various lengths, annual leave entitlement is defined as days based on a 7.5-hour working day and hours.

### 4.1 Statutory Leave Entitlements

Statutory holiday entitlement for all co-owners is 28 days (210 hours) for a full-time co-owner, including bank holidays. This is the statutory minimum that all co-owners must ensure they take each year (pro rata for part-time/part-year staff). This is the equivalent of 5.6 weeks of holiday.

### 4.2 Entitlements for Nursing and Non-Clinical Staff

There are two sets of annual leave entitlements for Nursing and Non-Clinical Staff depending on the date the co-owner commenced employment at BrisDoc<sup>1</sup>:

**For all nursing and non-clinical staff employed on Terms & Conditions of Employment up to 31<sup>st</sup> December 2008:**

- 27 days plus 8 Bank Holidays (total of 262.5 hours) up to the end of 4<sup>th</sup> year of employment (pro rata)
- 28 days plus 8 Bank Holidays (total of 270 hours) between the 5<sup>th</sup> year and up to the end of the 9<sup>th</sup> year of employment (pro rata)

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<sup>1</sup> Some staff have moved onto the new T&Cs even if they were employed before 1<sup>st</sup> January 2009 if their job role has changed at BrisDoc.

# Annual Leave Policy

- 29 days plus 8 Bank Holidays (total of 277.5 hours) for 10 years or more service (pro rata)

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**For all nursing and non-clinical staff employed on Terms & Conditions of Employment from 1<sup>st</sup> January 2009:**

- 25 days plus 8 Bank Holidays (total of 247.5 hours) during first and second year of employment (pro rata)
- 26 days plus 8 Bank Holidays (total of 255 hours) during the third and fourth year of employment (pro rata)
- 27 days plus 8 Bank Holidays (total of 262.5 hours) once you have completed 4 years or more (pro rata)

## 4.3 Entitlements for Salaried GPs

- 30 days plus 8 Bank Holidays (total of 285 hours) and 3 days (22.5 hours) of Study Leave **inclusive of any study leave** you require to maintain yourself on the PCT performers List and achieve the standard required for your GP appraisal during the first and second year of employment (pro rata)
- 31 days plus 8 Bank Holidays (total of 292.5 hours) and 3 days (22.5 hours) of Study Leave **inclusive of any study leave** you require to maintain yourself on the PCT performers List and achieve the standard required for your GP appraisal during the third and fourth years of service
- 32 days plus 8 Bank Holidays (total of 300 hours) and 3 days (22.5 hours) of Study Leave **inclusive of any study leave** you require to maintain yourself on the PCT performers List and achieve the standard required for your GP appraisal for staff with more than 4 years of service.

## 5. Holiday Buy-Back

BrisDoc operates a flexible holiday arrangement (called 'Buy Back') to enable all staff to 'sell' holiday back to BrisDoc at their normal pay rate. This only applies to holidays above the statutory minimum that has not been used and must be agreed in advance with your Line Manager at least 4 weeks before 31<sup>st</sup> December. Holiday entitlement not used by the correct date or agreed to be bought back by BrisDoc will usually be lost.

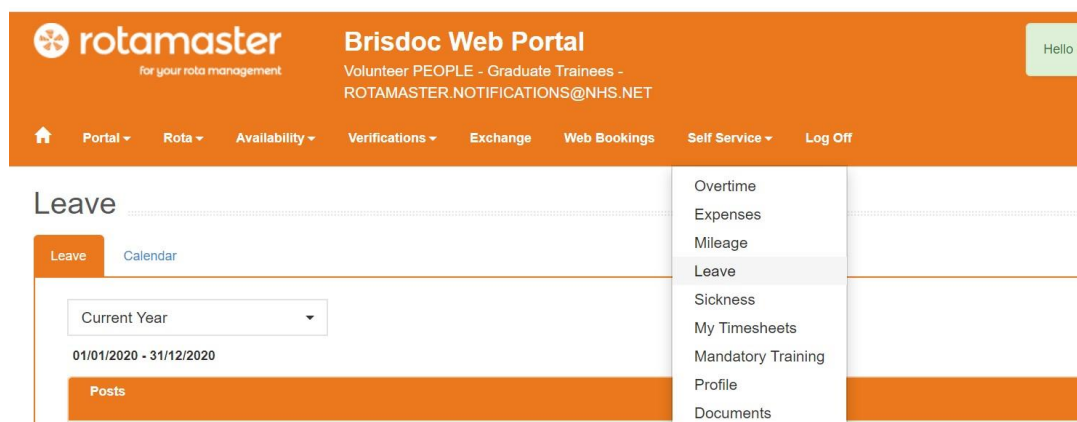
Annual leave must be spread across the year rather than leaving it until the end as requests are subject to current staffing levels – managers will notify their team members at 6 monthly reviews.

# Annual Leave Policy

## 6. Requesting Annual Leave

### 6.1 Notice for Annual Leave Requests

All requests for annual leave must be submitted and approved through Rotamaster in advance by the co-owner line manager. Staff must complete an Annual Leave Request Form:



The above form is located at <https://brisdoc.rotamasterweb.co.uk/SelfService/Leave>.

Co-owners should only book holidays once their request has been formally authorised.

Co-owners should endeavour to give as much notice as possible of proposed annual leave dates (see table below).

No more than two weeks paid annual leave may be taken at any one time without the line manager's prior written agreement, particularly at peak times, e.g., school holidays.

BrisDoc is a 24/7 service with services open on Public Holidays – we, therefore, need the cooperation of all staff during these busy times.

Request for...	Notification by co-owner
1-3 days of annual leave	4-week notice although discretion by manager can be used.
More than 3 days annual leave but less than 2 weeks	8-week notice
2 weeks or more	26-week notice

# Annual Leave Policy

BrisDoc will try to co-operate with the co-owners holiday plans where possible, but this is always subject to the requirements of the Company's business and to adequate staffing levels being maintained at all times. This requires flexibility from all staff to work as one team, providing cover for vacant shifts to maximize holiday choice for everyone. Staff can support this process by swapping shifts or arranging holiday cover directly with colleagues.

## 6.2 Guidelines for Booking Annual Leave

Providing continuity and quality of service is paramount, and therefore, when booking your holiday, please bear in mind the following guidelines:

### 6.2.1 Out of Hours Team

OOH Operational Shift Managers	No more than 2 away at one time during weekdays.  No more than 3 away at one time during weekdays (dependent on Shift Manager rota).
WACC	No more than 2 away at one time during weekdays.  No more than 3 away at one time during weekdays
Call Handlers	No more than 2 away at one time during weekends.
Drivers / Hosts	No more than 2 away at one time during weekdays.  No more than 4 away at one time during weekdays (dependent on Shift Manager rota).
Nurses	No more than one nurse away based on the shifts allocated in the rota during weekends (and bank holidays).

### 6.2.2 Broadmead Medical Centre Staff

Management Team	Both the Practice Manager and the Assistant Practice Manager should not be away at any one time
Receptionists	No more than two away at any one time.
GPs	No more than one away at any one time.
Nursing team	No more than one away at any one time.

# Annual Leave Policy

## 6.2.3 Walk-in Centre (WIC)

Nurses	No more than one away at any one time.
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## 6.2.4 IUC PL

GPs	No more than one away at any one time.
Call handlers	No more than one away at any one time.

## 6.2.5 Osprey

HR Department	No more than 2 of the HR team away at any one time, ensuring that all daily tasks are covered appropriately.
Rota Team	No more than 2 away at any one time.
Digital Team	No more than one away at any one time.
Patient Safety Team	No more than two managers away and/or one other at any one time.
Practice Services	No more than one away at any one time.
Executive Board	No more than 2 Directors away at any one time.

## 7. Bank Holidays

Due to the particular demands placed on BrisDoc by patients on public holidays, some staff members will be expected to work on public holidays if it falls on their normal working day and is part of their contractual terms and conditions. All staff on a BrisDoc contract may request annual leave for a public holiday, but the requirements set out in this paragraph will apply.

### 7.1 General Public Holidays

The General Public Holidays that fall within the annual leave year consist of:

- Good Friday
- Easter Monday

# Annual Leave Policy

- May Day
- Spring Bank Holiday
- August Bank Holiday
- Christmas Day
- Boxing Day
- New Years Day

If a Public Holiday falls on a Saturday or Sunday, the following Monday or Tuesday is usually designated as a general public holiday. Please refer to gov.uk for the confirmed list in a calendar year (<https://www.gov.uk/bank-holidays>).

All co-owners will be entitled to a holiday with a normal day's pay on the additional bank holiday (pro-rate for part-time co-owners) if there are additional bank holidays.

## 8. Sickness and Annual Leave

### 8.1 Sickness Absence During a Period of Pre-booked Annual Leave

Should you be incapacitated for work due to short-term<sup>2</sup> sickness or injury during any period of pre-booked annual leave (whether in whole or in part), you may request that this period of annual leave be reimbursed by notifying your line manager by telephone (or email or writing if you do not get through by telephone). If you are outside the UK, you should do so as soon as is practicably possible and no later than 3 calendar days after the commencement of the sickness. The period of annual leave may only be reimbursed at BrisDoc's discretion. Reimbursement will only be considered where you fell seriously ill or sustained a serious injury. You have no contractual right to reimbursement, and, before considering whether reimbursement is appropriate in the circumstances, you must deliver to BrisDoc a relevant medical certificate covering the period of incapacity. BrisDoc shall reimburse the cost, if any, of the certificate on the production of a receipt. Failure to produce this documentation will result in no further leave being added to your entitlement to cover the period of ill-health.

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<sup>2</sup> Short Term Sickness = short periods of sickness, normally less than 4 weeks

# Annual Leave Policy

Suppose you are absent from work due to sickness immediately before or immediately after a period of booked annual leave. In that case, you may be required to provide your line manager with a medical certificate. Failure to do so will result in an unauthorized absence, which will be investigated in line with BrisDoc's Disciplinary Procedure. For more information about sickness before, during or after annual leave, see BrisDoc's Sickness Absence Policy.

## 8.2 Annual Leave Accrual During Long-Term Sickness Absence

During periods of long-term<sup>3</sup> sickness, annual leave is accrued based on the contractual entitlement.

## 8.3 Taking Annual Leave During Sickness Absence

While no staff member would be asked to take annual leave while entitled to sick leave, if you are on long-term sick and wish to take any annual leave during this time, you are expected to notify your line manager. This is because sick leave/ pay will stop during your holiday, and normal pay resume during this period. If a staff member may be in financial detriment due to sick pay entitlement but has unused annual leave entitlement that they wish to use, please discuss this with the workforce team.

## 9. Annual Leave During Maternity / Paternity / Adoption Leave

Annual leave will continue to accrue during maternity / paternity / adoption leave against the annual leave terms and conditions as stated in the co-owner's contract of employment.

A co-owner may not take annual leave during the entitlement to maternity / paternity / adoption leave.

## 10. Termination of Employment

On the termination of your employment, you are entitled to be paid for any accrued annual leave for that holiday year that has not been taken by the date of termination – this also applies if you are summarily dismissed (i.e., dismissed without notice).

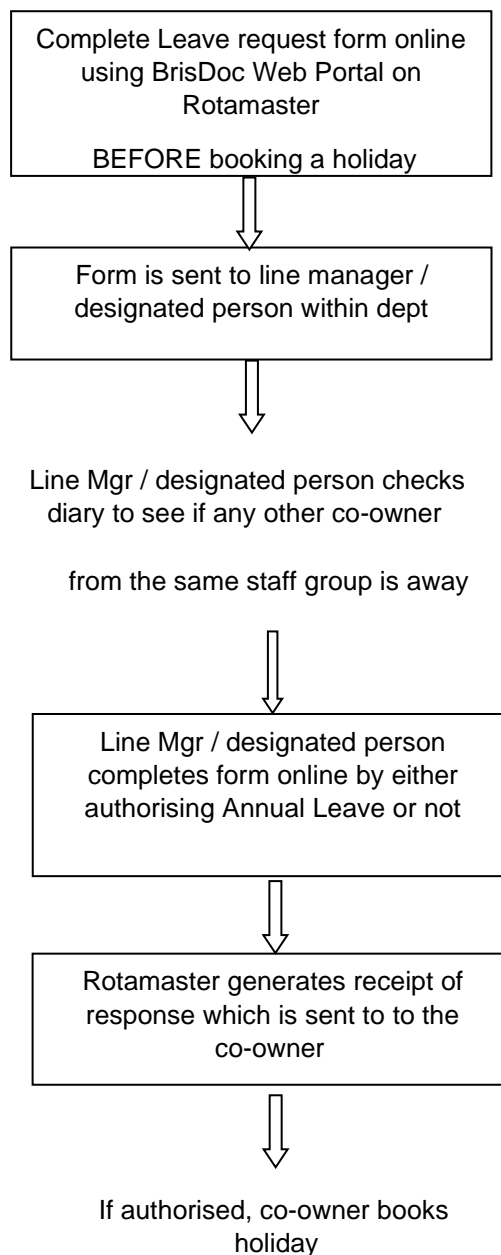
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<sup>3</sup> Long Term Sickness = long period(s) of sickness absence normally with a high number of days of absence but over few periods, normally lasting more than 4 weeks

# Annual Leave Policy

If, on the date of termination of your employment, you have taken more annual leave than you have accrued in that holiday year, you will be required to reimburse BrisDoc for such unearned annual leave. BrisDoc shall be entitled, as a result of your agreement to the terms of your contract of employment, to deduct the value of the unearned annual leave from any final payment of salary to be made to you.

## Appendix 1: Process for requesting Annual Leave



# Annual Leave Policy

## Change register

**Date of amendment:** July 2011

**Amendment(s):**

1. **Added Section 1:** Policy Statement in line with BrisDoc's 4 Focus Areas.
2. **Amended Section 4:**
  - Section 4.1: Changes to statutory leave entitlements – now 28 days inclusive of bank holidays.
  - Added sections 4.2, 4.3, 4.4 in light of employing staff on different terms and conditions of employment since 1<sup>st</sup> January 2009.
3. **Section 5:**
  - Holiday Buy Back applies to all staff, not just non-clinical and nursing staff.
  - Deleted the sentence "*and under no circumstances will payment in lieu be made for holiday entitlement that is lost through not being exercised by the correct date*" – payment will be made at the discretion of the manager.

Added the words: "*annual leave is sold back to BrisDoc **at normal rate of pay***".

4. **Section 6.1:** Added "Staff must complete an Annual Leave Request Form (see Appendix 2)"

Added length of notice to requesting A/L that lasts 2 weeks or more – now 26 weeks

5. **Amended Section 6.2:** Updated guidance on booking annual leave for each service
6. **Amended Section 8.1:** Changed the sentence "*If you are absent from work, due to sickness, immediately prior to or immediately after a period of booked annual leave, you **are** required to provide your line manager with a medical certificate*" To "*If you are absent from work, due to sickness, immediately prior to*
7. **Section 8.2:** Changed the sentence "*During periods of long term<sup>4</sup> sickness, annual leave is not accrued although BrisDoc may grant this with absolute discretion*" to "*During periods of long-term<sup>5</sup> sickness, annual leave is accrued based on the contractual entitlement.* "
8. **Section 8.3:** This has been added to the policy

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<sup>4</sup> 4 Long Term Sickness = long period(s) of sickness absence normally with a high number of days of absence but over few periods, normally lasting more than 4 weeks

<sup>5</sup> Long Term Sickness = long period(s) of sickness absence normally with a high number of days of absence but over few periods, normally lasting more than 4 weeks

# Annual Leave Policy

9. **Section 9:** Changed title to include “Paternity and Adoption” Leave.

*Also amended the paragraph “During the first 26 weeks of your maternity leave (i.e., the period of Ordinary Maternity Leave (OML)), you will accrue annual leave. If you intend on returning to work at the end of your maternity leave, you will accrue annual leave for the period of additional maternity leave (AML) (i.e. the last 26 weeks) upon your return to work. If you however, decide NOT to return to work at the end of your maternity leave, you will not receive the annual leave accrued during the period of AML” TO “Annual leave will continue to accrue during maternity / paternity / adoption leave against the annual leave terms and conditions as stated in the employee’s contract of employment.*

*An employee may not take annual leave during the entitlement to maternity / paternity / adoption leave.”*

10. **Section 10:** Changed the paragraph “No payment in lieu of accrued contractual annual leave will be made to you in the event of the termination of your employment for gross misconduct or in the event that you give inadequate notice to terminate your employment or you leave before your contractual notice period has expired”. Even if an employee is summarily dismissed, they must still receive payment in lieu of accrued contractual annual leave.

**Date of amendment:** July 2020

**Amendment(s):**

1. **Section 1:** BrisDoc’s commitment added
2. **Section 2:** Title changed to scope
3. **Section 4:** Updated leave allowances
4. **Section 6.1:** Updated to mention leave request to be made on Rotamaster
5. **Section 6.2:** Service managers asked to update leave guidelines, service names and roles
6. **Section 7:** Advice for Line managers on where to find Bank Holiday information
7. **Appendix 1:** Updated to include Rotamaster
8. **Appendix 2:** Deleted

## Related Policies

- Sickness Absence Policy
- Equality & Diversity Policy
- Maternity, Paternity & Adoption Policy

**Date of amendment:** October 2023

# Annual Leave Policy

## Amendment(s):

1. Tile page: Change to job titles.
2. Section 1: Removal of BrisDoc business model.
3. Section 7.1: Additional bank holidays: All co-owners will be entitled to a holiday with a normal day's pay on the additional bank holiday (pro-rate for part-time co-owners) if there are additional bank holidays.
4. Last page: Added footnotes
5. Changed employee/worker to co-owner.
6. Rewording/some grammar changes

## Tables

Date	Reviewed and amended by	Revision details	Issue number
01 <sup>st</sup> August 2006	C Browne		1
01 <sup>st</sup> February 2008	C Browne		2
01 <sup>st</sup> July 2011	C Browne		3
01 <sup>st</sup> July 2020	M Batten/S Aubertin		4
30 <sup>th</sup> January 2022	L Meekhums	Amended template	4
20 <sup>th</sup> October 2023	E. Veale	NHS Grad reviewed, only needed references updating for them and a few tweaks. No need for People Board <ol style="list-style-type: none"><li>1. Tile page: Change to job titles.</li><li>2. Section 1: Removal of BrisDoc business model.</li><li>3. Section 7.1: Additional bank holidays: All co-owners will be entitled to a holiday with a normal day's pay on the additional bank holiday (pro-rate for part-time co-owners) if there are additional bank holidays.</li><li>4. Last page: Added footnotes</li><li>5. Changed employee/worker to co-owner</li></ol> Re-worded/grammar changes	5.1

[1] Some staff have moved onto the new T&Cs even if they were employed before 1<sup>st</sup> January 2009 if their job role has changed at BrisDoc.

[2] Short Term Sickness = short periods of sickness, normally less than 4 weeks

[3] Long Term Sickness = long period(s) of sickness absence normally with a high number of days of absence but over few periods, normally lasting more than 4 weeks

## Annual Leave Policy

[\[4\]](#) Long Term Sickness = long period(s) of sickness absence normally with a high number of days of absence but over few periods, normally lasting more than 4 weeks

[\[5\]](#) Long Term Sickness = long period(s) of sickness absence normally with a high number of days of absence but over few periods, normally lasting more than 4 weeks