



Circular STS 02/22 – Support Staff Annual Leave Policy

This Circular is issued under the provisions of the National Joint Negotiating Committee (NJNC) – Side Table (Support) and is binding on the college signatories of the National Recognition and Procedures Agreement (NRPA). Non-NRPA colleges are encouraged to shadow the agreement.

This Circular implements the Support Staff Annual Leave Policy agreed in March 2022 attached as **Appendix 1**. The Annual Leave Policy is an agreed output of the NJNC.

The Annual Leave Policy will apply from 1st September 2022.

All of the above will be covered in NJNC Circular STS 02/22.

Scope

The terms of this Circular will apply to all employees and new entrants, including those on a temporary, fixed term or non-permanent contracts. The Annual Leave Policy will be applied pro rata for part-time employees, unless expressly stated otherwise.

If any clarification is sought, this should be directed to the Joint Secretaries, employment.services@collegesscotland.ac.uk and j.gallacher@unison.co.uk. A joint response will be provided to all points of clarification.

NJNC Joint Secretaries

John Gallacher

Zelda Franklin-Hills

March 2022

Guidance,
Empowering, Principles,
Trade Unions
National Bargaining,
Scope,
Employee Relations
Resilient,
Flexible, Staff Development
Values, Fairness
Communication, Purpose,
Policies, Trust, Review,

National Annual Leave Policy

March 2022

1. Statement of Intent

Colleges will promote a positive and healthy work-life balance and recognise the importance of annual leave in achieving this. This policy aims to provide a fair, consistent and equitable approach to managing annual leave, which ensures that individual needs are balanced with operational requirements.

2. Policy Principles

This Policy complies, as a minimum, with relevant ACAS codes and reflects industry good practice and the principles of Fair Work.

It is important that employees take regular breaks from their duties through taking annual leave proportionately throughout the year.

The holiday leave year operates from 1 September to 31 August.

Employees can carry forward 5 days annual leave to be used by 31st August of the following leave year. In exceptional circumstances, and subject to agreement with the local college, 10 days annual leave can be carried forward to be used by 31st August the following leave year. Employees should apply for the 10 days through their line manager in the first instance.

In addition, it is recognised that there may be times when the ability to take leave is affected by a period of long term sickness or maternity leave, or other exceptional circumstances. In these circumstances the carry forward of leave may be increased.

Entitlements to leave are pro-rated for part time employees and those who join or leave part way through a leave year.

Employees are expected to take any outstanding leave before leaving the college. If, due to priorities of work or other exceptional circumstances, employees are not able to take their leave, they shall receive payment for any unused annual leave entitlement.

Where an employee has received more than the accrued entitlement prior to the date of termination of employment, one day's pay for each day's leave received in excess of entitlement will be recovered, subject to meeting minimum statutory leave entitlements. The personal representatives, e.g. next of kin, of an employee who dies in service, shall be paid an allowance in lieu of any outstanding accrued annual leave entitlement due to the deceased employee at the date of death.

Employees should give the equivalent reasonable notice when submitting a request for annual leave. Normally the notice period should be the number of days to be taken.

Managers will approve annual leave requests timeously and as soon as possible, subject to operational requirements.

Colleges will develop local administrative procedures for the requesting, approval and monitoring of annual leave.

Annual leave must be approved by the manager before it can be taken. Annual leave should normally be taken in full or half day blocks, unless the leave entitlement is expressed in hours and as such may be taken in hours.

Where a manager is unable to approve a request for leave due to business needs, the reason must be explained to the employee. This will be provided in writing, if requested by the employee.

Managers should proactively monitor the annual leave entitlement of their team, ensuring that college workload and appropriate cover arrangements are always in place to ensure a good work/life balance when considering annual leave requests.

Managers must ensure that all employees have fair and equitable access to time off throughout the year, including school holidays, public holidays/closure days and off-peak periods. Managers and employees must both recognise the needs of the college and that some periods of the year can coincide with peak work demands of the college, however, this should not impact on when they apply to take time off.

Should a local manager wish to implement a restriction on when staff can take leave, then trade unions, as courtesy, should be informed by the college.

In the event of an employee falling ill during a period of annual leave, including fixed/closure days, the employee must comply with normal sickness absence reporting procedures in order to claim reinstatement of the annual leave. The employee must also supply an appropriate medical certificate to cover the period of absence. The college will meet the cost of the medical certificate if necessary.

Where an employee is or has been on long term sickness absence and exhausted sick pay, the employee may request payment for accrued annual leave as an alternative to taking holidays.

Where any disagreements occur in relation to the operation of this annual leave policy at a local level, the college's local grievance and appeals procedures [can](#) be followed to resolve these.

3. Table of Annual Leave

The following table shows the annual leave entitlement inclusive of all fixed, public and closure days for the standard sector leave entitlement of 45 days. Colleges with annual leave entitlements in excess of 45 days will have their own table of completed months entitlement.

Assuming the minimum number of 12 closure days, the number and timings of fixed days, closure days and public holidays will be determined locally.

Leave for full time support staff shall accrue as shown in the following table:

Support Staff												
Completed months of service	1	2	3	4	5	6	7	8	9	10	11	12
Leave days	4.0	7.5	11.5	15.0	19.0	22.5	26.5	30.0	34.0	37.5	41.5	45

A 'completed month' means the period between a date in one month and the immediately preceding date in the following month (for example, 15 February to 14 March inclusive).

4. Payment During Annual Leave

Pay during annual leave will be calculated on the basis of what the individual would have received had the employee been at work. This means all regular contractual elements are included. For non-contractual elements, pay when on annual leave should be no less than the average based on the previous 52 weeks remuneration.

March 2022