

## Annual Leave Guidance for Managers & Staff

This guidance has been updated to include information and FAQ in respect of the COVID-19 pandemic. Updates are highlighted in blue. If you have any queries please contact your HR Partner/Advisor or email [hr@abdn.ac.uk](mailto:hr@abdn.ac.uk).

During the current period it is particularly important that staff required to be on campus and those working from home take leave as normal to ensure a period of rest from work. Additionally, staff at home who are not able to undertake work should take leave as normal. It is important to avoid holiday being built up to the end of the 2020/21 holiday year on 30 September 2021. The University also recognises that staff may wish to change holiday plans as restrictions in travel may mean they can no longer travel to the destination they planned. The aim of the update to this guidance is to encourage normal booking and taking of leave and to enable a level of flexibility where staff wish to change booked leave.

The University recognises that all staff should have the ability to take regular and suitable annual leave and encourages staff to do so. However, there may be occasions when operational needs make it difficult for managers to approve leave requests. **During the current circumstances it is expected that leave requests will only be declined on a strictly limited basis, eg due to staff cover requirements.**

Managers and staff have joint responsibility for annual leave. This guidance outlines good practice and arrangements for requesting, recording/monitoring and carry-over of annual leave from one leave year to the next.

The University's *Annual Leave Regulations* can be found at:

<https://www.abdn.ac.uk/staffnet/working-here/leave-and-absence-183.php>

Information about other types of leave can be found at:

<https://www.abdn.ac.uk/staffnet/working-here/leave-6719.php>

This document removes the previous stipulation of a maximum of 5 days carry over, introduced by the *Collective Agreement on Terms and Conditions of Employment*. The University accepts that consultation regarding this was limited due to concentration on other matters incorporated in the Collective Agreement. This guidance defines expected norms regarding carry over of leave.

Any queries on this guidance should be directed to Human Resources.

### Requesting, recording & monitoring

#### Requesting & recording

Holidays should be agreed with the relevant line manager and in accordance with the local School/Section procedures. Staff should ensure they receive agreement in advance of making any holiday/travel bookings. However, the expectation is that requests should be accommodated and only declined in exceptional circumstances (eg due to operational needs and to ensure adequate cover). **This is particularly the case during the COVID-19 pandemic.** It is the responsibility of the line manager to ensure that staff who have had leave declined for any reason are given appropriate opportunity to take leave at the earliest mutually convenient time.

It is recommended that all Schools/Sections have a formal mechanism for requesting and recording annual leave. A sample form can be found in Appendix 1. An online system for recording annual leave will be available in future as part of development of the HR system.

Certain periods of the year (such as school holidays) are popular for taking annual leave. If too many staff request the same period of leave, managers should consider requests on a 'first come, first served' basis, but also consult and take steps to satisfy the needs of all staff as far as possible. In such circumstances a rota system may help manage expectations.

### **Cancelling annual leave during the COVID-19 pandemic**

During the current circumstances staff may wish to request cancellation of leave that has already been booked due to the ongoing travel restrictions, hotel and holiday firm cancellations. If staff want to change or cancel leave altogether that has already been booked this should be discussed with their line manager. Line managers should be sympathetic to such requests but at the same time be mindful of the overall guidance that leave should still be taken this year to ensure proper rest from work and to avoid build-up of leave towards the end of the 2020/2021 annual leave year. Where a request to cancel leave already approved is declined there should be a clear justification based on operational need for this. Should staff have any concerns where a request to cancel has been declined they may wish to raise with their HR Partner who in turn will discuss with the line manager.

### **Monitoring**

Line managers should encourage staff to plan and take annual leave to help maintain staff welfare and to avoid an excessive amount of leave at the end of the leave year. Reminders should be given at general team meetings, individual catch ups and through periodic communication to staff. **This is particularly important during the COVID-19 pandemic.**

At the halfway point of the leave year (March), individual catch ups should take place with staff to review remaining leave and encourage planning and booking where possible.

### **Carry over of annual leave**

Under normal circumstances it is expected that no more than 7 days annual leave (pro-rata for staff who work part-time) is carried over from one leave year to the next (statutory maternity, paternity, adoption leave and sickness absence exceptions are noted below). Any holiday carried over must be used by 31 March in the year immediately following its accrual.

We know staff have faced many challenges during the last fifteen months, and we recognise that some staff will have been unable to use all their annual leave. We are pleased to advise that it has been agreed with the Campus Trade Unions that, staff will be able to carry forward 10 days (pro-rata for staff who work part-time) leave rather than the previously agreed seven days (pro-rata for staff who work part-time) from the 20/21 leave year. Any annual leave carried over must be used by 31 March 2022. Only requests to carry over more than 10 days will need to be considered as an exceptional circumstance.

Discretion is encouraged regarding the expectation of no more than 7 days (pro-rata for staff who work part-time) carry over.

Examples of where discretion will apply include but are not limited to:

- where operational demands prevent staff from being able to take annual leave;
- where resource circumstances prevent staff from taking leave (for example covering the absence of a colleague);

- where agreed in advance, staff wish to carry over additional days on a one-off, or "holiday of a lifetime" basis.

In such circumstances line managers will approve carry over of more than 7 days annual leave or, in agreement with the member of staff, a combination of carry-over of annual leave and payment for annual leave that remains untaken. However, this will take account of legislation which stipulates that the statutory minimum holiday entitlement (4 weeks) cannot be carried over from one leave year to the next. Managers should seek advice from HR regarding carry over of leave above 7 days.

### **Maternity, paternity and adoption leave**

Staff on maternity/paternity/adoption leave accrue annual leave (contractual entitlement) throughout the full period of their absence. Line managers should advise staff of the amount of leave that will accrue prior to their departure and where possible, discuss annual leave options. Some or all of the annual leave that will accrue while on maternity/paternity/adoption leave may be taken immediately before or after maternity/paternity/adoption leave.

Employers have the option to pay in lieu any contractual annual leave entitlement above the statutory minimum (4 weeks).

Managers should seek advice from HR on such accrued leave and annual leave options.

### **Sickness and annual leave**

Staff accrue statutory annual leave during a period of sick leave. Staff can choose to take annual leave during a period of sick leave, but are not required to do so, and may take the annual leave at a later date.

Where a member of staff has been absent through illness for a period exceeding a total of three months in any twelve month period, entitlement to the statutory minimum annual leave is not affected. However, any additional annual leave entitlement over and above the statutory minimum will not accrue during any period of absence in excess of three months in any twelve month period.

In the event of sickness during annual leave, staff shall be regarded as being on sick leave from the date of the Medical Certificate and shall retain the entitlement to leave with pay which they would have received had they not been absent through illness. The University requires staff to provide satisfactory medical evidence from a recognised medical practitioner showing that they were unable to work due to illness or injury. Such medical evidence should cover the duration of the illness whilst on holiday

Staff who are absent due to sickness have a legal entitlement to take their annual leave at a time other than during a period that coincides with a period of sick leave, even if this means taking it outside the year in which the leave accrued. In such circumstances staff will be able to carry over up to the statutory minimum annual leave entitlement (4 weeks) to the next leave year. Leave carried over in such circumstances must be taken within 18 months after the end of the leave year in which it accrued.

### **Additional FAQ – Annual Leave during COVID-19**

#### **I have annual leave already approved by my line manager; can I still take it?**

Yes you can still take your leave and the University would stress that during this period, where many staff are still working from home, it is important to take leave in order to have a proper

period of rest away from work and to avoid building up leave towards the end of the holiday year.

**I have annual leave approved by my line manager but want to cancel it as I can no longer travel to my holiday destination.**

The University understands that given the ongoing travel restrictions in place that planned holidays may no longer be able to go ahead. If you want to amend the amount of leave you wish to take or cancel altogether leave that your manager has already approved please discuss with your line manager.

Your manager should be sympathetic to your request while being mindful of the overall guidance that leave should still be taken this year to ensure proper rest from work and to avoid build up on leave towards the end of the 2020/21 annual leave year. Your request to cancel may be declined where there is a clear operational justification. If you have any concerns where a request to cancel has been declined you may raise this with your HR Partner who in turn will discuss with the line manager.

**Am I able to book annual leave at this time?**

Yes you are able to book annual leave and are encouraged to do so in order to ensure a period of proper rest from work during this time and to avoid building up leave towards the end of the holiday year – please seek approval of your line manager in the usual way.

**What if I am unable to take all of my annual leave in this leave year due to Coronavirus?**

The University is aware that taking all of your annual leave entitlement may be more difficult in the circumstances. You are encouraged to book annual leave in order to ensure proper rest from work. Discretion is encouraged regarding the expectation of no more than 10 days (pro-rata for staff who work part-time) carry over for the 20/21 leave year. Examples of where discretion will apply include but are not limited to: - where operational demands prevent staff from being able to take annual leave; - where resource circumstances prevent staff from taking leave (for example covering the absence of a colleague); - where agreed in advance, staff wish to carry over additional days on a one-off, or "holiday of a lifetime" basis.

**The government has eased restrictions on the carry-over of statutory leave, can I now carry forward more than 7 days annual leave?**

We know staff have faced many challenges during the last fifteen months, and we recognise that some staff will have been unable to use all their annual leave as a result. We are pleased to advise that it has been agreed with the Campus Trade Unions that, staff will be able to carry forward 10 days (pro-rata for staff who work part-time) leave rather than the previously agreed seven days (pro-rata for staff who work part-time) for the 20/21 leave year. Any annual leave carried over must be used by 31 March 2022.

Although the government has eased the restrictions on carry-over of statutory leave, this is aimed at key workers who are unable to take their leave due to their work in tackling the Covid-19 epidemic. It is not aimed at staff who choose not to take their leave but are not prevented from doing so by their work. The government has specified that the carry over applies “Where it is not reasonably practicable for a worker to take some, or all, of the holiday to which they are entitled due to the coronavirus.” This will not apply to the majority of university staff who remain able to take their leave, albeit they may not be able to go where they originally planned.

However, if you are unable to take your leave because you are a key worker, for example you are a clinical academic and have increased your hours working with the NHS, then you should

speak to your manager about leave carry over. HR will need to be informed of any agreements you reach.

**I am travelling abroad and at present am not required to quarantine/self-isolate on my return, though this might change while I am on holiday. Will the University continue paying me while I quarantine/self-isolate if I cannot work from home?**

Please ensure that you follow the latest travel advice which is available at

[Coronavirus \(COVID-19\): travel and transport - gov.scot \(www.gov.scot\)](#)

If you are travelling overseas during your annual leave, you must let your line manager know. Please bear in mind that the rules can change with little or no notice and there are significant costs involved for quarantining and also costs for testing for red and amber countries. If you are required to quarantine/self-isolate, you must follow the Government's quarantine/self-isolation guidance in place at that time. You must not attend the workplace.

If you are currently homeworking, you will be expected to perform your work whilst quarantining if this is practicable, during any period of self-isolation and you will continue to be paid as normal. If you are sick and unable to work, you must let your line manager know as soon as possible. The Sickness Absence Management procedure will apply in these circumstances and sick pay will be paid for the absence subject to the terms of our sick pay scheme.

If you are currently working on campus, in certain circumstances, we may be able to accommodate a homeworking arrangement to cover any period of self-isolation. You will be expected to perform your work at home, and you will continue to be paid as normal.

If it is not possible for you to work in a quarantine hotel or we cannot otherwise accommodate a homeworking arrangement, you will be required to take annual leave to cover any period of quarantine/self-isolation. If you do not have enough leave remaining to cover the whole period, we may refuse your request for annual leave. Depending on the circumstances, we may allow you to take unpaid leave to cover any period of quarantine/self-isolation.

However, if we do not have sufficient cover for any period of self-isolation/quarantine, we may not be able to agree to all requested holiday dates.

Please also bear in mind that the rules can change with little or no notice. If you are out of the country when a quarantine/self-isolation is announced, you should let your line manager know immediately so that we can discuss your options. Please understand that if you are unable to return to work and you cannot work from home, you may not be entitled to any pay.