



ANNUAL LEAVE AND BANK HOLIDAY POLICY

Policy Statement:

The Annual Leave and Bank Holiday policy sets out the responsibilities of Public Health Wales in respect of annual leave and bank holiday entitlements and the method of calculation.

The policy also sets out an individual's responsibility:

- To manage their annual leave entitlement
- To ensure that annual leave is planned and taken at regular intervals throughout the leave year: and
- That annual leave is requested via the agreed procedure.

It also describes the manager's responsibility to calculate an individual's annual leave entitlement accurately; and to ensure that the leave entitlement is taken in a timely manner. The aim is to avoid unnecessary accruals or deficits, which may result in a breach of the Working Time Regulations, NHS Terms and Conditions of Service and/or this policy.

The Policy also outlines the benefits of the Annual Leave Purchase Scheme and the process for staff to follow.

Policy Commitment

Public Health Wales is committed to creating a vibrant, inclusive, and healthy culture where all our people are supported to thrive.

As an organisation, we have a duty of care for our staff and, in line with our values of working together with trust and respect to make a difference, we want all staff to be treated with dignity, trust and respect, and with a kind and compassionate approach.

We are committed to creating and nurturing a positive, flexible and sustainable work environment. Our aspiration is to be an exemplar organisation for wellbeing, where our staff are supported to ensure that their experience of work enables them to be healthier, happier in work, and able to be at their best.

This policy aims to help individuals achieve a balance between their work and home life. It also aims to help Public Health Wales fulfil its duty of care to

protect the health, safety and wellbeing of its people. It does this by establishing a clear framework for the management of annual leave entitlements.

The policy aims to ensure that annual and bank holiday leave entitlements are taken in full, at regular intervals, by all employees; and that they are managed consistently throughout the organisation.

Our documents are written in plain language so that all staff are clear about what is expected, and all policies are available on our internet and/or intranet sites.

Supporting Procedures and Written Control Documents

[All corporate policies and procedures are available on the Public Health Wales website](#)

Other related documents are:

- Managing Attendance at Work Policy
- Family Leave policy and Procedure
- Respect and Resolution Policy
- Flexible Working Policy
- Special Leave Policy
- [Being Our Best](#) (behavioural Framework)
- EQIA [add link](#)
- Annual Leave Purchase Scheme and FAQs – [add link](#)
- Annual Leave FAQs documents-[add link](#)

Scope

This procedure applies to all Agenda for Change staff

Impact Assessments	An Equality, Welsh Language and Health Impact Assessment has been completed for this policy.
Approved by	People and Organisational Development Committee
Approval Date	TBC
Review Date	TBC
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Group with authority to	People and Organisational Development Committee

approve supporting procedures	
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Disclaimer

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Summary of reviews/amendments

Version number	Date of Review	Date of Approval	Date published	Summary of Amendments
3	2026	TBC	TBC	<ul style="list-style-type: none"> • Supporting Procedures (updated) Signpost to Flexible Working Policy, Special Leave Policy, Respect & Resolution Policy and EQIA. • 6 Roles & Responsibilities 6.2 Line Manager (updated) Advising an individual of the reason for refusing annual leave Where possible ensuring on 1 st April all Bank Holidays are booked in ESR on scheduled days to work 6.3 People & OD (updated)

				<p>Submit a list of approved annual leave purchase applications to Payroll for processing</p> <ul style="list-style-type: none"> • 7 Bank Holidays <p>7.1 Easter B/H (updated) Examples moved to FAQ document</p> <p>7.2 Religious Holidays (updated) Line Manager to apply discretion to each situation</p> <ul style="list-style-type: none"> • 8 Annual Leave & Bank Holiday Entitlements (updated) <p>New colleagues will be entitled to annual leave plus bank holidays on a pro rata basis in the year joining the Trust.</p> <p>Examples of working condensed hours and part time hours added to FAQ document</p> <p>8.3 Sickness During A/L (updated) Line Managers will accept self-certification sickness absence providing the individual has followed the required notification process</p> <p>8.4 Sickness during a B/H (updated) If an employee is sick on a bank holiday, they are not entitled to an additional day off.</p> <p>8.6 Working Condensed Hours (addition)</p> <p>8.7 Change in hours / entitlement during leave year (addition)</p> <ul style="list-style-type: none"> • 9 Unsuccessful annual leave applications (addition) • 11 Continuous service (updated) <p>Aggregated NHS service i.e. any period of time that has been worked in the NHS, regardless whether or not there has been a break in service, will count as reckonable service for annual leave.</p> <ul style="list-style-type: none"> • 15 Carry over of A/L (updated) • 16 Accrual during LTS (updated inline with MAAW Policy)
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				<p>Expectation to take leave during the leave year. Carry over is based on statutory entitlement.</p> <ul style="list-style-type: none"> • 17 Deduction of A/L Leave and B/Hs in hours (updated) <p>Examples moved to FAQ document</p> <ul style="list-style-type: none"> • Appendix 1 Annual Leave Purchase Scheme <p>4 Deduction from Salary (addition)</p> <p>The annual leave purchase salary sacrifice scheme cannot reduce the individual's revised basic salary at a rate below the national minimum/living wage rate</p> <p>7.1 How to Apply (updated)</p> <ul style="list-style-type: none"> • Appendix 2 (link updated)

1. Introduction

Public Health Wales is committed to creating and nurturing a vibrant, inclusive, and healthy culture where all our people are supported to thrive.

As an organisation, we have a duty of care for our staff and, in line with our values of working together with trust and respect to make a difference, we want all staff to be treated with dignity, trust and respect, and with a kind and compassionate approach.

We are committed to creating and nurturing a positive, flexible and sustainable work environment. Our aspiration is to be an exemplar organisation for wellbeing, where our staff are supported to ensure that their experience of work enables them to be healthier, happier in work, and able to be at their best.

This policy aims to help colleagues achieve a balance between their work and home life. It also aims to help Public Health Wales fulfil its duty of care to protect the health, safety and wellbeing of its staff. It does this by establishing a clear framework for the management of annual leave entitlements.

The policy aims to ensure that annual and bank holiday leave entitlements are taken in full, at regular intervals, by all employees; and that they are managed consistently throughout the organisation.

2. Aims and objectives

Annual leave is a contractual entitlement. It should be taken in full, by all colleagues, to assist them to achieve an appropriate work/life balance.

The effective and appropriate management of annual leave is an essential requirement of employees, to ensure that they fulfil their duty of care to protect their health, safety and wellbeing.

The effective management of annual leave entitlements by managers will also enable Public Health Wales to continue to deliver high quality services, which meet the requirements of service users.

3. Scope of the policy

This policy applies to all Public Health Wales staff who are employed on Agenda for Change NHS Terms and Conditions of Service or, former Velindre NHS Trust Terms and Conditions of Service.

The policy does not cover annual leave entitlements for medical staff employed by Public Health Wales. Such staff should refer to the relevant sections of Medical and Dental Staff Whitley Council Handbook for details of their annual leave entitlement.

4. Legislative and national initiatives

This policy complies with the Employment Rights Act (2006) and the ACAS Guidance on Holidays, Sickness and Leave.

5. Annual Leave Year

For all colleagues covered by this policy, the annual leave year will run from 1 April to 31 March.

6. Roles and responsibilities

6.1 Colleagues

All colleagues are responsible for:

- checking their annual leave entitlement is correct to calculate annual leave and bank holiday entitlement, see Annual Leave and Bank Holiday FAQs.
- planning their annual leave;
- requesting annual leave in advance of the proposed date(s), in accordance with divisional protocols, prior to taking such leave;
- requesting annual leave in line with local arrangements and ensuring approved annual leave is recorded on ESR or relevant roster system;
- ensuring annual leave entitlement is taken at regular intervals throughout the leave year, subject to necessary departmental approval and subject to the needs of the service;
- ensuring, where it has not been possible to pre-book their annual leave, due to exceptional circumstances, they submit their annual leave request to their line manager within 72 hours of their return to work, to be authorised retrospectively and recorded on ESR or relevant roster system; and
- where possible ensuring at the beginning of the leave year, all bank holidays are recorded on ESR or relevant roster system.

6.2 People Managers

People Managers are responsible for:

- informing all colleagues of the team operational protocol for booking annual leave and bank holiday working;

- calculating individual's annual leave entitlement, in accordance with their length of service eligibility, as specified in their contractual terms, ensuring ESR is correct;
- maintaining accurate team annual leave records for all colleagues;
- reminding colleagues to request and record annual leave on ESR or relevant roster system;
- ensuring colleagues are effectively planning their annual leave, so that they do not run out part way through the leave year, or have excessive leave to take towards the end of the leave year;
- ensuring that colleagues are taking their requested and authorised annual leave entitlement and are not breaching the relevant Working Time Regulations (where applicable);
- ensuring that colleagues take their contractual annual leave entitlement each leave year, subject to the urgent needs of the service with reasons for inability to take annual leave being documented and approved; and
- providing consideration for extended leave requests for periods greater than two weeks.
- advising the individual of the reason if annual leave is refused see 'unsuccessful applications' below for further guidance.
- where possible ensuring on 1st April (or nearest possible day) bank holidays are booked in ESR or relevant roster system on scheduled days to work for remainder of the year.
- update ESR with any change to working hours during the leave year, as annual leave entitlement will change as a result. ESR will automatically calculate the change in annual leave.

6.3 People and Organisational Development (OD) Team:

People and OD are responsible for:

- providing advice and guidance in the event that individuals need to use this Policy/ Procedure/ Scheme. This can be sought from PeopleSupport.PHW@wales.nhs.uk
- submitting a list of approved annual leave purchase applications to NWSSP Payroll in line with deadlines.

7. Bank holidays

Staff employed on Agenda for Change NHS Terms and Conditions of Service are entitled to eight bank holiday days per year, namely:

Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, May Day, Spring Bank Holiday and August Bank Holiday.

N.B. A small number of colleagues who have chosen to retain former Velindre NHS Trust Terms and Conditions of Service have agreed to either:

- retain their eight bank holiday and two additional statutory holiday days (to be taken on the day following the May Day and August Bank holidays respectively); or
- convert the two statutory days into their annual leave entitlement.

7.1 Easter bank holidays

There will be some years when more (or fewer) than eight bank holidays fall within the annual leave year. This is because the bank holidays follow the calendar year and the Easter bank holidays can fall in March.

When this happens, ESR will be updated automatically. To calculate bank holiday entitlement, see Annual Leave and Bank Holiday FAQs. [link](#)

7.2 Religious Holidays

Whilst many religious holidays are not officially classified as bank holidays, managers should act sensitively to any requests from individuals to take these particular dates as annual leave.

Line Manager should apply discretion to each situation and consider if there is meaningful work available. For examples, see Annual Leave and Bank Holiday FAQs. [link](#)

8. Annual leave and bank holiday entitlements

Annual leave and bank holiday entitlements will be determined by the employee's terms and conditions of service.

New staff will be entitled to annual leave plus bank holidays on a pro-rata basis in the year they join the organisation. For all employees covered by this Policy, the annual leave runs from 1 April to 31 March.

Part-time staff will be entitled to a pro-rata share of the whole-time equivalent annual leave and bank holiday entitlement within the annual leave year.

All employees are entitled to the total number of paid bank holidays that fall within the leave year, part time staff will be entitled to a pro rata amount of the total paid bank holidays. Full time staff who are

not required to work on bank holidays do not need to have their bank holidays calculated separately but must record them on ESR or relevant roster system.

Full time staff who are required to work on a bank holiday should not book this day on ESR or relevant roster system, instead they will retain those leave hours to use at another time. Payment for hours worked on that day will be at the appropriate rate.

Part-time employees' bank holiday entitlement shall be added to their annual leave entitlement. Such colleagues are required to take annual leave in respect of bank holiday days on which they would normally work.

Staff working condensed hours should book in ESR or relevant roster system the number of hours normally worked on that specific day.

For examples, see Annual Leave and Bank Holiday FAQs. [link](#)

8.1 Staff employed on NHS Terms and Conditions of Service

The annual leave and bank holidays entitlements for staff employed on NHS Terms and Conditions of Service can be obtained by using the Annual Leave Calculator.

8.2 Staff employed on the former Velindre NHS Trust Terms and Conditions of Service

The annual leave and bank holiday entitlements for staff employed on former Velindre NHS Trust Terms and Conditions of service can be obtained using the Annual Leave Calculator.

8.3 Sickness occurring during annual leave

Should an individual fall sick during annual leave, they will be required to report the illness in line with normal notification procedures and produce a Statement of Fitness for Work/medical certificate from the first day of sickness. Subject to satisfactory Statements of Fitness for Work/medical certificates being received upon their return to work, the individual will be deemed to have been on sickness absence rather than annual leave from the date indicated on the medical certificate. The individual will therefore be credited with the period of annual leave in question.

Line Managers will accept self-certification sickness absence providing the individual has followed the required notification

process. Annual leave will not be credited where colleagues retrospectively advise their managers on return to work of their sickness during the booked period of holiday.

8.4 Sickness occurring during a bank holiday

Employees are not entitled to an additional day's leave should they fall sick on a bank holiday. The hours need to be booked in ESR or relevant roster system. Part time employees are entitled to a pro rata share of the bank holiday and need to book the hours usually worked in ESR or relevant roster system. For examples, see Managing Attendance at Work FAQs. [link](#)

8.5 Maternity/adoption leave during a bank holiday

In accordance with the Maternity and Parental Leave Regulations 2008, employees are entitled to accrue public holidays that fall during their maternity/paternity/adoption leave. Further guidance can be found in the Public Health Wales Family Leave Policy and Procedure.

8.6 Working Condensed Hours

Staff working condensed hours will receive the same total entitlement of annual leave and bank holidays as those colleagues working standard hours, just expressed differently to reflect the longer working days. When taking leave, the number of hours deducted corresponds to the hours worked on that specific day, e.g. when working a 9-day fortnight (75 hours / 9 days), 8.33 hours a day needs to be booked in ESR or relevant roster system .

For examples, see Annual Leave and Bank Holiday FAQs. [link](#)

8.7 Change to Working Hours

If there is a change to working hours or service increase during the leave year, annual leave entitlement will change as a result. ESR will automatically calculate this change.

9 Unsuccessful Annual Leave applications

All requests for leave should be treated with equity and consistency, and approached on the assumption they will be granted, unless legitimate business reason(s) exist for refusing the request. In circumstances where a request can't be granted, it is expected that the Line Manager will provide the individual with the business reason why it can't be accommodated. Should the individual dispute the

validity of a refusal of leave, the individual or the manager should seek support from the People and OD Team in the first instance.

10 Purchasing Additional Annual Leave

Public Health Wales recognises that it can sometimes be difficult for colleagues to balance their work and personal commitments and therefore allow employees to purchase additional annual leave under the Annual Leave Purchase Scheme. Please see Appendices 1 and 2 for details of the scheme, including how to apply.

This scheme sets out Public Health Wales' provisions regarding purchase of annual leave, ensuring a balance between the needs of the individual with those of the organisation. It enables colleagues to spread out the financial burden of purchasing additional leave, as payments are deducted over a 6- or 12-month period, rather than taking unpaid leave, which would result in a significant salary reduction in any one month.

All employees will be able to apply to purchase annual leave on an annual basis, as long as the duration of their contract (at the commencement of repayment) is greater than the number of months over which the amount owed is to be repaid, e.g. if repayments start in April for 12 months, there must be a contract in place beyond the 12 month repayment period.

As with the flexible working policy, all requests for additional leave should be treated with equity and consistency, and approached on the assumption they will be granted, unless legitimate business reason(s) exist for refusing the request.

For applications outside of the deadlines, managers and colleagues should consider making arrangements for leave through related policies, e.g. the Special Leave Policy which covers arrangements for additional leave at times of urgent and unforeseen need such as emergency carers leave, unexpected crisis leave or bereavement leave. The Flexible Working Policy also covers flexible working arrangements and allows for a reduction in hours for a set period.

Guidance relating to the Annual Leave Purchase Scheme can be found in Appendix 1 along with a link to a calculator.

11 Continuous service increased annual leave entitlement

Staff employed on NHS Terms and Conditions of service who have previously completed a period or periods of NHS employment will

have their service aggregated and it will be counted towards their annual leave entitlement.

Aggregated NHS service i.e. any period of time that has been worked in the NHS, regardless whether or not there has been a break in service, will count as reckonable service for annual leave.

A small minority of employees who have chosen to retain former Velindre NHS Trust Terms and Conditions of Service will only have their previous continuous NHS service (subject to a maximum break of three months) recognised for annual leave entitlement purposes.

11.1 Establishing continuous service

Public Health Wales will verify as much previous NHS service as possible by using an Inter Authority Transfer Form via Payroll.

In circumstances where it is not possible for Public Health Wales to confirm all of the employee's previous NHS service (e.g. the previous NHS employer no longer exists) the individual will be required to provide documentary evidence confirming their previous periods of NHS service, such as a contract of employment, offer letter or payslip.

12 Booking annual leave

Annual leave must be requested and authorised by the manager in advance of the dates required. In exceptional circumstances, colleagues may verbally request emergency annual leave. In such cases they must submit their annual leave request via ESR or relevant roster system within 72 hours of their return to work, to enable the leave to be authorised retrospectively.

Annual Leave is calculated in hours and colleagues are permitted to request their annual leave in hours.

13 Outstanding annual leave on termination from Public Health Wales

The manager will work with the individual to ensure that all outstanding accrued annual and bank holiday leave is taken prior to their termination date, where possible.

Where the urgent needs of the service prevent the accrued leave from being taken, Public Health Wales will make a payment to the individual for any outstanding annual and bank holiday leave due, in their final salary calculation.

14 Overtaken annual leave on termination from Public Health Wales

Where a colleague has taken annual and/or bank holiday leave which exceeds their part year entitlement, an appropriate deduction will be made from their final salary. This will be as detailed in the main statement of Terms and Conditions of employment.

15 Transfer of annual leave and bank holiday entitlements

Should an employee of Public Health Wales be promoted or seconded into a new post during the annual leave year, their annual leave entitlement balance, whether positive or negative, will be taken forward with them. It will be the responsibility of the individual and their new manager to manage the accrued or deficit leave balance.

There is no facility for existing NHS staff commencing employment in Public Health Wales to carry forward annual leave from their previous NHS employer.

16 Carry over of annual leave

All Public Health Wales colleagues are expected to manage and to take their full annual leave entitlement during the annual leave year. As such, employees should not normally request or be expected to carry over annual leave from one leave year to the next.

In exceptional circumstances, or where the urgent needs of Public Health Wales service delivery/needs have prevented an individual from taking their annual leave entitlement, they may request to carry forward up to a **maximum of five days** annual leave, in any given annual leave year.

The individual must discuss with their manager why they have been unable to take their annual leave entitlement and when they propose to take the outstanding amount; any such requests should be submitted by the line manager by the end of February. Any late requests should be submitted to Peoplesupport.PHW@wales.nhs.uk

All requests should be authorised by the manager and should then be submitted to the People and OD Team for collation. In any event, where a carry forward of leave is authorised, the leave must be taken within the first three months of the start of the new annual leave year. This is necessary to ensure that the individual is able to appropriately manage their contractual annual leave entitlement, within the current annual leave year.

Since the introduction of the new International Financial Reporting Standards, it is particularly important that Public Health Wales manages the carry forward of annual leave effectively and minimises the number of days carried forward. There is now a requirement to include a provision for annual leave carry forward in the organisation's annual accounts. Any increase in these figures will adversely affect Public Health Wales' financial position.

Any queries relating to this part of the policy may be directed to Peoplesupport.PHW@wales.nhs.uk

17 Accrual of annual leave during a period of long term sick leave

All staff are expected to take their annual leave entitlement during the leave year and should not normally carry over annual leave. However, colleagues on long term sickness absence must be given the opportunity to take annual leave during their sickness absence period. If an individual is sick on a bank holiday, they are not entitled to an additional day off.

Where colleagues are returning from long term sickness absence they should be expected to take any outstanding leave within the current leave year. This should be managed carefully taking account of the needs of the service and the practicalities of them being able to use up all of their entitlement in that leave year. Any annual leave accrued at the time of the return to work may also be taken, by agreement with the manager and individual to allow a more gradual return to work.

During sickness absence, annual leave continues to accrue. Every effort must be made to utilise the annual leave whilst absent as explained above. However, if the accrued annual leave spans over two or more leave years and the leave has not been utilised the individual may carry over to the new leave year. This annual leave is based on the statutory entitlement and not contractual. Therefore, the statutory entitlement of annual leave per annum is 20 days if working full time, and pro rata for part time employees (i.e. if a full time employee has already taken 10 days, they can only carry over 10 days). For examples, see Annual Leave and Bank Holiday FAQs. [link](#)

18 Deduction of annual leave and bank holiday leave in hours

Where a colleague has their annual leave/bank holiday entitlement calculated in hours, when requesting leave they must request/have

deducted the total number of hours which they would have been required to work during their normal shift / day, had they not taken annual leave. For examples, see Annual Leave and Bank Holiday FAQs. [link](#)

19 Enhanced or Emergency Response/ Pandemic Guidance

In the event of an enhanced response, such as a pandemic, how staff rest and recuperate is vital. Managers will need to consider how they ensure that staff have enough rest in order to maintain their own physical and mental wellbeing.

In these exceptional circumstances, there may be difficult choices to be made and there may be instances where pre-booked leave may need to be delayed in order to provide continuity of services. In these particular circumstances, the position must be discussed with individuals in a sensitive manner. All other avenues should be explored before a decision is taken to cancel leave.

Staff will continue to be entitled to their annual leave allowances as set out in the Agenda for Change NHS Terms and Conditions Handbook.

20 Learning and Development

There will be no requirement for Public Health Wales staff to attend a training course on this policy. Further information on how to use ESR to book leave is available via the staff intranet, https://nhswales365.sharepoint.com/sites/PHW_POD/SitePages/ESR.aspx

21 Communication to staff

This policy applies to all staff employed on NHS Terms and Conditions of Service. It does not apply to medical and dental staff. Managers are responsible for bringing this policy to the attention of their team members.

The policy will be available via the Public Health Wales staff intranet site and will be promoted via the Public Health Wales Staff e-Bulletin.

22 Monitoring and auditing

The policy lead will monitor and audit this policy to ensure it is compliant with current legislation, to ensure it is implemented and to ensure that the policy is being adhered to.

23 Review and Feedback

We are continually looking to improve our employment practices and welcome any feedback you may have in relation to this Policy. Feedback can be provided by emailing, PeopleSupport.PHW@wales.nhs.uk

This policy will be reviewed in three years' time after its approval or if there are legislative changes.

24 Records Management

All documents generated under this procedure are official records of Public Health Wales and will be managed and stored and utilised in accordance with the Public Health Wales' Guidance on Record Retention and Destruction.

25 Information Governance

This policy has been considered by the Information Governance Group which agreed that there were no special or additional implications for privacy beyond normal considerations of where records are retained and for how long.

Appendix 1 – Annual Leave Purchase Scheme

1. Introduction

We have an ongoing commitment to creating a more flexible workplace, to enable the recruitment and retention of staff and also to facilitate a healthy work-life balance.

Public Health Wales recognises that it can sometimes be difficult for colleagues to balance their work and personal commitments and therefore allow individuals to purchase additional annual leave under the Annual Leave Purchase Scheme.

2. Roles and Responsibilities

Meaningful discussion should be undertaken between staff and managers so there is full understanding of how the workload can be covered.

Additional annual leave requests should be treated in the same way as all other leave requests i.e. colleagues are responsible for planning their proposed additional annual leave. Managers may also reasonably expect that staff will have given some thought as to how their additional annual leave can be covered. This information should provide the basis of discussion, where managers and individual team members consider the impact on the service together.

Managers may wish to receive all requests within a specified timeframe, in line with the deadlines detailed in Appendix 2, in order that they can assess the impact of multiple requests within a team. The relevant responsibilities for the applicant, manager and divisional director, are detailed in Appendix 2 – Annual Leave Purchase Request and Approval Form.

3. Conditions of the Scheme

Up to 10 days additional leave (* pro rata) may be purchased in any financial year, based upon the employee's contractual hours and may be purchased in the number of hours required (i.e. in whole or half days).

* Part time staff who wish to apply for additional annual leave will be able to do so on a pro rata basis, where they may apply for the pro rata equivalent of 10 days additional leave.

Requests for purchase of additional annual leave should ideally include dates for when the leave is planned to be taken, to allow for business planning by the line manager. Where dates are not agreed at the outset, no guarantee can be provided that dates requested at a later date will be authorised as they will have to be considered in line with business need at the time of the request.

Individuals are not obliged to state the reasons for requesting the additional leave, but this information will assist managers to give full and fair consideration to requests.

Managers may only approve requests when there are no resulting requirements for backfill, temporary or agency cover requirements to cover the absence. Approval of additional leave will be captured on ESR and authorised as usual once approved.

Payment for leave will normally be taken over a fixed period of 12 months or six months, depending on the date of application, via deduction from salary.

Additional annual leave, once purchased, may not be sold back to Public Health Wales. Line managers must ensure that all additional annual leave purchased is taken in the relevant leave year, as any untaken additional annual leave will be lost at the end of the leave year.

Once signed and authorised, the approved application form (Appendix 2) will act as formal written consent from the individual and the manager. **NWSSP Payroll Services must be in receipt of this by the deadlines below, in advance of deductions from salary, and before the planned additional leave is taken.**

Requests must be submitted to the Line Manager / Payroll by the following dates:

- By the last working day of February for repayments over 12 months
- By the last working day of August for repayments over the remaining 6 months of the financial year

Please note: any approved additional annual leave will be valid for that leave year only and a new application will need to be made to buy additional annual leave in any subsequent leave year, should the scheme still be available.

4. Deductions from Salary

Salary will be reduced by the value of the number of days purchased, multiplied by the hourly rate applicable at the time of processing the first salary deduction (see FAQ for further information and examples).

Should any change to salary occur during the term of the leave purchase agreement, the contribution towards this scheme will fluctuate accordingly, i.e. change of pay band, pay point increases/decreases, as well as any annual incremental rises.

Should an employee leave the organisation, salary reimbursements or deductions will apply on a pro rata basis. In other words, those leaving the organisation will be reimbursed salary if the deductions amount to more than the leave taken. Similarly, if the total leave taken amounts to more than the salary deducted, payments will be taken from the final salary payment.

It is the manager's responsibility to inform NWSSP Payroll Services by email of any untaken purchased annual leave when an individual leaves the organisation. If no separate instruction detailing the amount untaken is received, NWSSP payroll will assume all purchased annual leave has been taken prior to termination, and the relevant outstanding deductions will be taken from the individual's final salary.

The annual leave purchase salary sacrifice scheme cannot reduce the employee's revised basic salary at a rate below the national minimum/living wage rate (i.e. the new rate of hourly pay must not equate to less than the hourly legal minimum rate). Public Health Wales must pay the legal minimum wage that employees are entitled to and therefore an application for a salary sacrifice scheme may be declined if it would take the individual below the legal minimum wage. Further information can be found here:

<https://www.gov.uk/national-minimum-wage-rates>

<https://www.legislation.gov.uk/ukpga/1998/39/contents>

5. Pension Contributions

Pension Contributions are deducted on an employee's normal pay therefore pension contributions, where made, are unaffected by an individual's use of the annual leave purchase scheme.

6. Maternity/Adoption Pay

Deductions in salary from the annual purchase scheme may impact on maternity/adoption pay, as maternity/adoption pay is calculated on the basis of an employee's average earnings during an 8-week period, which ends 15 weeks before the due date/date of placement.

Any salary reduction during this period will have a subsequent impact on average earnings and, therefore, on maternity/adoption pay entitlements. As such, the effect on maternity/adoption pay entitlements will vary on an individual basis, depending on the timing of any additional annual leave deductions.

7. Application Process

7.1 How to Apply

The line manager should complete the automated form via the [link](#) in Appendix 2, indicating whether the additional leave can be supported, taking into account the needs of the service and whether the absence could be tolerated without the need for backfill, temporary or agency cover. The line manager will then submit the form and provide a summary of all applications to the relevant Divisional Director for information.

The summary should include an indication of how many staff within the team have applied for additional leave. Consideration must be given to balance fairness for the individual against organisational need and business planning.

The manager will notify the individual if the request for additional leave has been approved. If the request is approved, the information must be emailed to the Payroll Team, who will process the deductions. The form serves as the express authorisation from the employee to make the necessary deductions from salary.

If the request is rejected, the manager will inform the individual of this and ensure that they are aware of the reasons that the application was refused.

7.2 Unsuccessful Applications

Public Health Wales reserves the right to refuse the request on the basis of operational service needs. If the request is refused, the line manager will provide reasons in writing to the individual within 10 days of receiving the request. Examples of legitimate grounds for turning down a request include:

- Detrimental effect on ability to meet customer demand
- Inability to reorganise work among existing staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes
- Consideration of numbers of applications received in a team

7.3 Appeals

Where a colleague disagrees with the reasons given for turning down a request to purchase additional annual leave, they have the right to appeal this decision.

A colleague who wishes to appeal this decision should do so in writing to their line manager (or the person who provided the written reasons for refusal) within 14 days of receipt of notification of the decision. An appeal will normally be heard by a manager one level above the manager who made the original decision.

8. Monitoring

A record of all applications, approved or not, should be kept by the manager.

Managers are required to maintain a record of savings delivered through the application of this scheme.



Appendix 2 – Application to Purchase Annual Leave

To submit an application, please click on the link below:

[Annual Leave Purchase Scheme - Approval Form](#)