

# ANNUAL LEAVE (POLICE OFFICER)

## Executive Summary

At West Midlands Police (WMP), we recognise that time away from work for rest and recuperation is essential to your general health and wellbeing. It is also an opportunity for you to have a break from your normal work duties and focus on your life outside of work. We therefore expect and encourage you to take your full paid annual leave entitlement each year.

We have set out this policy to:

- Explain your annual leave entitlement
- Provide the framework for managing your requests for annual leave

## Authorised Professional Practice (APP):

- This policy has been checked against APP and there is none in relation to the subject matter of this policy.

## Policy Statements:

**The specific provisions of this policy are not contractual, unless expressly stated, and can be amended from time to time.**

- This policy applies to all WMP officers, regardless of seniority.
- This policy does not apply to:
  - Police Staff who should refer to the **Annual Leave Policy for Police Staff**
  - People working with our Force in any third-party capacity, including consultants, contractors and third-party agency staff.
- Our annual leave year runs from 1<sup>st</sup> April to 31<sup>st</sup> March each year.
- You are encouraged to take your full annual leave allocation within the leave year.
- You will receive your normal rate of pay when you are on annual leave unless stated otherwise as per this policy.

## ENTITLEMENT

- At WMP, we calculate your annual leave entitlement in hours (based on 8 hour day).
- If you work part-time hours, or join or leave our Force during the leave year, your entitlement will be pro-rata.
- If you are a full-time Officer, your annual leave entitlement is set out in the table below:

LENGTH OF SERVICE	ENTITLEMENT IN HOURS	ENTITLEMENT IN DAYS
Less than 2 years	176	22
2 or more years' service	200	25
5 or more years' service	200	25
10 or more years' service	216	27
15 or more years' service	224	28
20 or more years' service	240	30
Officers in Superintendent ranks are entitled to 248 hours (31 days) annual leave.		

- In the years where your length of service triggers an increase to your leave entitlement, we will calculate your annual leave entitlement, on a pro-rata basis calculated from the anniversary date of your increase in service.

## REQUESTING ANNUAL LEAVE

- You must submit any requests for annual leave (usually in writing) to your line manager. Requests must also be approved via the Duty Management System, i.e., MyTime.
- If you work a standard five-day Monday to Friday working week you can take a maximum of 12 days' annual leave (including working days/free days but excluding rest days) in any one period.
- If you work shifts, you can take a maximum of two sets annual leave in any one period.
- As a minimum, you are required to give us notice of at least twice the length of the time you want to take off. However, your NPU or Department may have local arrangements due to operational requirements.
- For example, if you want to take two weeks annual leave, you should request this a minimum of four weeks before you want your leave to begin, however in exceptional circumstances this may be waived.
- Longer periods of annual leave may be permitted but must be approved by the Senior Leadership Team. Requests are subject to operational consideration, particularly during times of high demand and during peak holiday times.
- You must submit an annual leave request as soon as you have identified the dates you would like to take, as this will give you a greater likelihood of having your time off agreed.
- Annual leave requests can be submitted with 15 months' notice.
- Annual Leave requests will normally be granted on a first come, first served basis.
- However, in order to create an equitable and transparent approach, during key holiday periods (e.g. Christmas/New Year) and/or times of high operational demand, requests will be gathered and prioritised.

- During the year there may be a requirement to look at additional dates, details of which will be discussed with our Police Federation colleagues and communicated each year along with details of the process to be followed.
- In such circumstances you will always be given at least 8 months' notice of leave authorisation and exceptional circumstances will be considered.
- In order to ensure that you have opportunity to take your annual leave allocation, you should request 50% of your annual leave for the following leave year by Quarter 4 (e.g. Jan – March 2020 for 2020/21).
- Once the annual leave is agreed by your line manager it will then be confirmed by the Duty Management Team within agreed SLA timescales.
- You can cancel your annual leave via MyTime, you do not need to raise a request on My Service Portal.

### **RELIGIOUS OBSERVANCE**

- We will, wherever possible, try to fulfil your request to take time off for a specific religious occasion, providing you have sufficient remaining annual leave available.
- Alternative elected public holidays may also be requested.
- However, as with all leave requests, this will be subject to our Force operational demands.
- We appreciate that the dates of some religious festivals can vary, with exact dates remaining unclear until very close to the date of the religious event.
- We encourage reasonable notice of your intention to request leave and we will be flexible in accommodating your dates, where it is reasonable and possible to do so.

### **DECLINED ANNUAL LEAVE REQUESTS**

- We cannot guarantee that your annual leave request will be approved and we do retain the right to decline it subject to operational demand.
- It is essential that you check your request has been formally approved before you make any holiday plans.
- If we have to decline your request, we will explain the reason why it could not be granted and your line manager will discuss alternative dates with you, wherever possible.
- If your leave request is declined and you take the time off anyway, we may view this as unauthorised absence and we may deal with this as misconduct matter in line with the Police (Conduct) Regulations 2020 and may involve a referral to the Professional Standards Department.

### **RESTRICTIONS ON ANNUAL LEAVE REQUESTS**

- Annual Leave requests may be subject to temporary restrictions or arrangements due to operational reasons.

- In such instances, you will be expected to seek authorisation from your line manager and submit the request through MyService Portal with the appropriate authorisation.
- We may require you to take annual leave on particular dates including during any notice period.
- In such circumstances, you will be given reasonable notice of any such requirement.

## RECALL FROM ANNUAL LEAVE

- We will compensate you if:
  - You are recalled back to duty whilst on a period of leave of three or more days and at least one day is annual leave
  - We need to cancel your pre-booked, scheduled leave of three or more days and at least one day is annual leave
- The days which are not annual leave, must be:
  - Re-rostered rest days,
  - Days taken as time off in lieu of overtime,
  - Public holidays (or days taken in lieu of public holidays),
  - Rest days,
  - Any combination of the above.
- The compensation is as follows:

Number of annual leave days* worked	Compensation only
One	2 days annual leave, or, if you choose 1 day's annual leave plus 1 day's pay at double time
Two	4 days annual leave, or, if you choose 2 days annual leave plus 2 day's pay at double time
Three or more	1.5 days for each further annual leave day worked, or, if you choose, 1 day's annual leave plus 0.5 days' pay at double time

*\*a day is defined as 8 hours*

- If you are recalled from annual leave to attend Court, we will also compensate you for expenses incurred, as follows:
  - Any necessary travel expenses you incur in attending Court and returning to your holiday place;
  - Reimbursement of reasonable receipted expenses, within the limits of Police Regulations that you necessarily incur for food and lodgings because you cannot go to your home.

## CARRYING OVER ANNUAL LEAVE

- We expect and encourage you to take all of your annual leave in the year in which it has accrued.
- You must, as a minimum, take all your statutory annual leave entitlement (5.6 weeks per year, including public holidays) within each leave year, unless this is not possible, due to sickness absence.
- If you have not been able to take all of your annual leave entitlement due to e.g. genuine operational reasons, we may allow you to:
  - Carry forward up to a maximum of 5 days to the following leave year, which must be taken before end of May, or
  - Bring forward up to a maximum of 5 days from the following leave year, but only in the last month of the current leave year.

## ANNUAL LEAVE & SICKNESS

- If you are taken ill or suffer an injury whilst on annual leave, we may agree to treat this as sickness absence and allow you to take your leave later in the year.
- To reclaim your annual leave, you must:
- Notify us as soon as possible that you were ill whilst on annual leave, including the days affected
- Provide medical evidence to support your illness or injury
- If you do not follow these requirements, we will treat your absence as annual leave and not sickness absence.
- If you are off work due to sickness absence immediately prior to the start of your annual leave, and you would not have been fit to work at any time during your annual leave, you may reschedule the affected days, providing you supply medical evidence to support this
- Your line manager may apply discretion as to whether or not to ask you for medical evidence where annual leave claimed due to sickness is either for a day or less.
- We will consider any dishonest claims or abuse of this policy as misconduct and consider as a potential breach of the Standards of Professional Behaviour resulting in a referral to the Professional Standards Department.

### **LONG-TERM SICKNESS ABSENCE**

- You will continue to accrue your annual leave entitlement when you are off work due to long-term sickness absence.
- You may carry over any unused statutory annual leave entitlement covering 4 weeks\* per year (pro-rated for part time officers) to the following year if you have been unable to take your leave during the relevant year due to sickness absence.



- A week refers to your standard working hours per week. For example, if you work 40 hours per week, you will be able to carry over 160 hours. And, if you work 20 hours per week, you will be able to carry over 80 hours.
- You may need to carry over annual leave if your sickness absence spans the two leave years or you return to work so near to the end of the annual leave year that you are unable to take the time off that is due to you.
- In these circumstances, you must take any carried over leave within 18 months of the leave year in which the leave has been accrued or you will lose it.

**EXAMPLE:**

If you have been absent due to sickness within the financial year 2021/22 and as a result have been unable to take any annual leave, you will be able to carry forward 4 weeks annual leave (pro-rated for part time officers) into 2022/23. This will need to be taken by 1<sup>st</sup> September 2023.

- If you have been absent due to sickness but have been able to take some leave, this will need to be deducted (less any annual leave or bank holidays already taken) from the 4 week carry forward provision.

**EXAMPLE:**

You have taken 8 days annual leave, you will be able to carry over 12 days (pro-rated for part time officers) ) therefore, if you work 20 hours per week and have already taken 32 hours' annual leave, you will be entitled to carry over 48 hours.

- You are not entitled to carry over any additional annual leave, in excess of the 4 weeks.
- If you have taken your 4 weeks statutory annual leave but have had sickness that has prevented you from taking your full entitlement you can apply to carry forward up to 5 days in line with this policy.

## PUBLIC HOLIDAYS

- In addition to your individual annual leave entitlement, you will also receive the standard bank and other public holidays in England and Wales, which is usually 8 days (64 hours) per calendar year (pro-rata for part-time officers).
- For police officers, each public holiday:
  - Equates to 8 hours, and
  - Covers the period from 7am to 7am.
- The public holidays for each year are published on the Force Intranet site.

## WORKING PUBLIC HOLIDAYS

- If you are rostered to work on any public holiday and want to take annual leave on that day, you must submit a leave request in the same way as you would to book leave at any other time of the year.
- We cannot always guarantee your leave request will be accepted and we retain the right to decline it.

**CONSTABLES  
SERGEANTS**

You are entitled to payment at double time for the hours that you work on a public holiday.  
If you receive less than 8 days' notice, you will be entitled to payment at double time for all the hours you work, plus a day in lieu of the public holiday.  
If your period of duty on the public holiday is less than four hours, we will recompense you for a minimum of four hours.

**INSPECTORS  
CHIEF INSPECTORS  
NON-FEDERATED RANKS**

For acting inspectors the above will apply.  
You will be entitled to re-rostered rest days which you must take within the following twelve months.

**CHRISTMAS DAY, BOXING DAY & NEW YEARS DAY**

- When Christmas Day, Boxing Day or New Year's Day falls on a Saturday or Sunday, the public holiday is allocated to the next working day.
- We will also treat the 25<sup>th</sup> December, 26<sup>th</sup> December and 1<sup>st</sup> January as public holidays for the purposes of your pay and compensation

**ROSTERED REST DAYS**

- Public holidays for each year are published on the Force Intranet site.
- If you are rostered for a rest day and it coincides with a Public Holiday day, we will class the day as a Public Holiday and re-roster your rest day.
- Example: if you are rostered for a rest day on Boxing Day (26<sup>th</sup> December), this day will be classified as a Public Holiday and your rest day will be re-rostered.
- Re-rostered days are only applied to the statutory Public Holiday dates.
- More information on rostered rest days that coincides with a Public Holiday can be found
  - [Knowledge - Re-Rostered Rest Days Information \(custhelp.com\)](http://custhelp.com)
  - [Knowledge - My rest day is rostered to fall on a Public Holiday, do I still have to take this day as my rest day? \(custhelp.com\)](http://custhelp.com)

**ALTERNATIVE ELECTED PUBLIC HOLIDAYS (CONSABLES & SERGEANTS)**

- If you wish to elect to have one or more of the public holidays, except Christmas Day, for another elected day, you can do so subject to our prior approval.
- During times of peak or exceptional operational demand, we may restrict the ability to elect alternative public holiday dates or operate a revised process whereby annual leave requests are considered in the first instance.
- In such circumstances, this will be discussed with our Police Federation colleagues in the first instance.
- When you elect to take alternative dates for statutory public holidays, if you are rostered to work on the actual statutory public holiday it will become a normal working day paid at your normal rate of pay.
- The annual window for election is 1<sup>st</sup> December - 31<sup>st</sup> January each year.

- If you are subsequently required to work on your alternative public holiday day, you will be paid in line with the payments for working on a public holiday.

## RESIGNING AS A POLICE OFFICER

### LEAVING WMP

- If you are leaving our Force, we will calculate your outstanding annual leave entitlement on a pro-rata basis to the nearest full day served.
- We will expect you to take outstanding accrued annual leave during your notice period.
- There is however a maximum limit of 35 days that may be taken.
- This can be made up of 15 days annual leave and 20 days of other leave i.e. time owing, rest days in lieu and Always There Banked days.
- Where this is not possible due to operational requirements, we will pay you for any accrued but untaken annual leave entitlement.
- You must take all historical banked “Always There” days before you leave as these will not be paid in lieu.
- If you have taken more annual leave than you have accrued at the date of leaving, we will deduct this from your final salary.

### BECOMING A MEMBER OF POLICE STAFF

- If you have retired or resigned as a police officer and become a member of police staff, your continuity of service will start again and your annual leave entitlement will be based on your police staff service only.
- You must therefore take all of your accrued police officer leave before your retirement/resignation date.
- If you have an annual leave deficit at the point of termination of your police officer employment, this will need to be balanced or deducted from your final police officer pay.

### Publication Instructions:

- Suitable for publication to public
- Internal document only – unsuitable for publication to public
- Redacted version required for publication to public

**Policy Ref: PODP/19**

**POD Doc Ref: ALO-ER-001**

**Version: 1.0**

**Initial Policy Implementation Date: 12/09/2022**

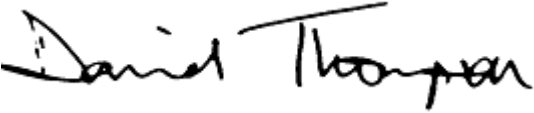
**Version Date: 12/09/2022**





**Review Date:** 12/09/2024  
**Policy Author:** Amy Smith, Head of Employee Relations / Sumita Sopariwala, Employee Relations Manager  
**Business Area Owner:** Business Partnering  
**Department Responsible:** Employee Relations  
*Any enquiries in relation to this policy should be made directly with the policy author shown above.*

**Force Executive Approval:**



**CHIEF CONSTABLE**

**Monitoring and Review**

Version	Date Reviewed	No change / Minor Changes / Major Changes ( <i>detail</i> )	Amended / Agreed by