

ANNUAL LEAVE – POLICE STAFF

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:

- This policy applies to all WMP staff, regardless of seniority, including those on temporary and fixed-term contracts with our Force.
- This policy does not apply to:
 - West Midlands Police Officers - refer to Annual Leave Policy for Police Officers Policy.
 - People working with our Force in any third-party capacity, including consultants, contractors and third-party agency staff.
- Our annual leave year runs from 1st April to 31st March each year and you are encouraged to take your full annual leave allocation within the leave year.

ENTITLEMENT

- Your annual leave entitlement is based on your Spinal Column Point (SCP) and your length of service.
- Annual leave is calculated in hours.
- For the purposes of annual leave, continuous service will include continuous previous employment with a number of specified employers, as set out within Section 6 of the Police Staff Council Handbook.
- You will receive your normal rate of pay when you are on annual leave.
- Your annual leave entitlement incorporates your statutory basic and additional annual leave entitlement.
- The table below shows your leave entitlement if you are a full-time member of Police Staff (in both hours and equivalent days):



SPINAL COLUMN POINT (SCP)	LEAVE ENTITLEMENT UP TO 5 YEARS		LEAVE ENTITLEMENT AFTER 5 YEARS	
	Entitlement in Hours	Entitlement in Days	Entitlement in Hours	Entitlement in Days
Up to 17	175.2	24	211.7	29
18 to 24	189.8	26	226.3	31
25 and above	204.4	28	240.9	33

- Annual leave days taken are deducted equal to the working day/shift hours that would have been worked on the day booked.

PRO-RATA ANNUAL LEAVE

- Annual leave entitlement is pro-rata if you work part-time hours or if you join or leave our Force part way through a leave year.
- If you work part-time hours, all your annual leave entitlement, including public holidays, is pro-rata, based on your contracted hours of work.
- Our full-time police staff work 36.5 hours each week but are paid for 37 hours; this benefit is not mirrored for part-time staff.
- To ensure you are being treated fairly and receive the equivalent benefit, we give you a pro-rata percentage of this additional half-hour in annual leave
- This represents a pro-rata reduction in your working time, which is equivalent and equitable to the full-time benefit.
- We have compiled a [Ready Reckoner](#) to calculate your individual additional annual leave entitlement.
- The entitlement is calculated to the nearest 15 minutes and will be automatically added to your annual leave entitlement on the Duty Management System.
- If you work term time only your annual leave is calculated, allocated and balanced against the school holidays when calculating your annualised hours and pay.

REQUESTING ANNUAL LEAVE

- You must submit an annual leave request through MyTime 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.
- You must submit your annual leave request to your line manager in the first instance and it must be approved via the Duty Management System i.e., MyTime.
- Requests can be submitted in advance with 15 months' notice.

- 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).
- As minimum, you are required to give us notice of at least twice the length of the time you want to take off.
- In exceptional circumstances this notice may be waived by your manager or your NPU or Department may have local arrangements due to operational requirements.
- For example, if you want to take two weeks annual leave, you must request this a minimum of four weeks before you want your leave to begin.
- If you work a standard five-day week from Monday to Friday 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 in any one period.
- Longer periods of annual leave may be permitted but must be approved by the Senior Leadership Team and are subject to operational consideration, particularly during times of high demand and during peak holiday times.
- Annual Leave requests will normally be granted on a first come, first served basis.
- For key groups of police staff, including but not limited to PCSO's, Force Contact and Criminal Justice Services, in order to create an equitable and transparent approach, during key holiday periods and/or times of high operational demand, requests will be gathered and prioritised.
- It is anticipated that this will be restricted to Christmas/New Year however there may be a requirement to look at additional dates.
- Details of additional dates will be discussed with our Trade Union colleagues and will be 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.
- Annual Leave requests may be subject to temporary restrictions or arrangements due to operational reasons. Where possible, any such restrictions will be consulted with Trade Union.
- 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.
- You can cancel your annual leave via MyTime, you do not need to raise a request on My Service Portal.
- When requesting leave you must take leave in the following order:
 - Carried over leave from a previous year first
 - Statutory basic annual leave entitlement
 - Statutory additional annual leave
 - Additional annual leave entitlement from your contractual entitlement.

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.
- However, as with all leave requests, this will be subject to our operational requirements.
- 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

- We cannot guarantee that your annual leave request will be approved and we do retain the right to decline it.
- It is therefore essential that you ensure your request has been formally approved before you make any annual leave 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 our **Disciplinary Policy** and may involve a referral to the Professional Standards Department

ANNUAL LEAVE & SICKNESS

- If you are taken ill or suffer an injury whilst on annual leave, we may, subject to you complying with the conditions below, 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 may 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 staff) 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 37 hours per week, you will be able to carry over 148 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 staff) into 2022/23. This will need to be taken by 1st 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 staff) 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.

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, 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.
- You must seek line manager's approval to request to carry annual leave.
- You must take any carried forward leave within the following year before the end of May, or you may lose it.

PUBLIC HOLIDAYS

- In addition to your individual annual leave entitlement, you will also receive the standard bank and other public holidays.
- This is usually 8 days per calendar year (based on a standard working day of 7 hours 18 minutes) and will be pro-rata for part-time staff.
- We define a public holiday as the period from 7.00 a.m. to 6.59 a.m. for all police staff.
- 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 (26th 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 \(custhelp.com\)](#)
 - [Knowledge - My rest day is rostered to fall on a Public Holiday, do I still have to take this day as my rest day? \(custhelp.com\)](#)
- If you are rostered to work on any public holiday day 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.
- If you work a public holiday, you will be entitled to the following compensation:

	REASONS FOR WORKING	COMPENSATION
WORK DAY	<p>It is part of your normal work roster and duties</p> <p>Your normal rest day has been re-rostered and you are therefore working on that day</p>	<p>Normal pay for the day & additional single time pay for all the hours you work</p> <p>Time off in Lieu (TOIL) equal to the number of hours worked</p>



REST DAYS	Called into work or scheduled to work on a rest day	Normal pay for the day & additional single time pay for all the hours you work Re-rostered rest day
STANDBY DUTIES	Called into work as part of your standby duties on a public holiday	Payment at double time for all the hours you work. This applies in all cases, regardless of your grade or spinal column point.
EMERGENCY DUTIES	Working on a Public Holiday and are requested to remain on duty due to an emergency situation Called into work on a Public Holiday due to an emergency situation and you are not on standby duties	Payment at double time for all the hours you work on that day. This applies in all cases, regardless of your grade or spinal column point.
OTHER	Working on a public holiday for reasons other than those referred to above	Spinal Column Point: <ul style="list-style-type: none"> • 24 or less – Double time for all the hours you work on that day • 24 or above – no additional payment normal pay applies.

RESIGNING AS A MEMBER OF POLICE STAFF

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 worked.
- We will expect you to take outstanding accrued annual leave during your notice period with 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 it is not possible to take leave due to operational requirements, we will pay you for any accrued but untaken annual leave entitlement.
- If you have taken more annual leave than you have accrued at the date of leaving, we will deduct this from your final salary.
- Please ensure that historical banked “Always There” days are taken before you leave as you these will not be paid in lieu.

BECOMING A POLICE OFFICER

- If you are recruited to WMP as a police officer immediately following a period of employment as a member of police staff, your continuity of service will start again and your annual leave entitlement will be based on your police officer service only.
- You must take all of your accrued police staff annual leave before the termination of your police staff employment.
- If you have an annual leave deficit at the point of termination of you police staff employment, this will need to be balanced or deducted from your final police staff pay.

Definitions/Acronyms:

WMP – West Midlands Police

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- Suitable for publication to public

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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