Annual Leave Policy

1. Purpose

The purpose of this policy is to ensure that annual leave is managed fairly and consistently across Monitor, and to inform all members of staff of the procedure that must be followed when applying for annual leave.

2. Scope

This policy applies to all staff working under a contract of employment on a substantive or fixed-term appointment with Monitor.

3. Entitlement

All staff to whom this policy applies are entitled to 30 days annual leave and 10.5 days public and privilege holidays; for part-time staff these will be pro-rated.

Monitor’s leave year runs from January to December inclusive. Subject to paragraph 6 below, all annual leave for the year must be taken within this period. Subject to paragraph 7 below, no payment in lieu will be made for any annual leave not taken.

4. Leave application procedure

Your line manager must approve all annual leave in advance.

To request annual leave, you must complete enter your leave request into CiphrNet (to be found on Monitor’s intranet); this will then go to your line manager for approval and verification. All requests must be made to your line manager at your earliest opportunity, within reason and in light of current business needs.

Your line manager will consider your application having regard to the needs of the directorate. Human Resources may be consulted before a final decision is made.

You may only commit to your leave plans on receipt of your signed annual leave card from your line manager which authorises your request for leave.
If your application for leave is refused, your line manager will notify you as soon as possible.

If you wish to dispute your line manager's decision to decline your annual leave request, you may use the procedures in Monitor's grievance procedure.

Where there are conflicting annual leave requirements, priority will be given to the member of staff whose request was received first, subject to business needs.

Should you take unauthorised annual leave you may be subject to disciplinary action, including dismissal.

5. Taking leave in advance of accrual

Leave accrues monthly in advance, at the rate of one twelfth of your annual leave entitlement. It is for your line manager, with the support of Human Resources, to decide whether to authorise a request for leave in advance of accrual.

6. Carrying forward annual leave

You may not carry forward unused annual leave, from one year to the next, unless you obtain prior approval from your line manager.

You may only carry forward a maximum of 5 days unused annual leave; additional days will be forfeited.

Any such leave carried over must be taken by the end of the following February after the end of the annual leave year to which the unused holiday relates.

7. Exceptions to carrying forward

You may be eligible to receive payment in lieu of unused annual leave, which exceeds 5 days in total, where one of the following exceptional circumstances applies:

- you are unable to take your annual leave entitlement because you are suffering from a long term sickness; or
- the operational needs of Monitor have inhibited you from taking your annual leave.

Should Monitor decide to make payment in lieu of leave on the basis of the above, payment will be made at base rate for the accumulated leave due.

8. New Members of Staff

If you join Monitor part-way through the annual leave year, your entitlement to annual leave will be proportionate to the amount of time left in the annual leave year.
During your first year of employment with Monitor, the amount of annual leave you may take is limited to the amount accrued at that time. Notwithstanding the rules of accrual (set out above), every effort will be made to meet your needs in respect of commitments to holidays already arranged.

9. Religious Holidays

If you wish to observe religious holidays which do not coincide with public holidays in England, you must take annual leave or unpaid leave. Every effort will be made to accommodate such requests.

10. Sickness during Annual Leave

Annual leave may only be reclaimed by staff where their sickness is confirmed by receipt of a GP or hospital medical certificate.

If you are ill during a period of annual leave you may be able to reclaim the time as sick leave if you:

- ring your line manager on the first day of sickness and
- provide a medical certificate (regardless of the length of absence).

11. Late Return from Annual Leave

If for any reason, you know that you will be late returning from annual leave you must notify your line manager of the late return as soon as possible and discuss and agree revised arrangements i.e. additional annual leave, unpaid leave or other arrangements. Failure to do so will render you liable to disciplinary action for unauthorised absence.

12. Termination of Contract of Employment

If you are working out your notice period, you will only be guaranteed annual leave during that time if either:

- the annual leave was booked prior to the start of the notice period; or
- the notice period runs between two annual leave calendar years and you have not taken your minimum statutory entitlement for the current year.

Annual leave requests submitted during the notice period will be approved where possible, but it may not be practicable to approve such requests because of the need for you to complete outstanding work or hand over to a successor. Monitor therefore reserves the right to refuse requests for leave made during the notice period (subject to the requirement to comply with the Working Time Regulations 1998), and to make payment in lieu of annual leave.

Unused annual leave, which has accrued but has not been taken, will be paid with your final salary; such payment will be subject to deductions for tax and national insurance contributions.
Where annual leave taken exceeds the numbers of days accrued at the date of termination, Monitor will deduct the appropriate, corresponding sum from your final salary.

This policy has been operational since August 2004 and was updated in August 2005, October 2006, September 2008 and again in April 2010.