

# **Guidance on the Booking and Taking of Annual Leave during the COVID19 Pandemic**

## **1. Public Health Wales NHS Trust Annual Leave Policy**

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Our Annual Leave and Bank Holiday Policy (PHW06) will continue to apply in respect of the process for requesting and approving annual leave requests, for all staff groups. In accordance with the Policy, approval of annual leave requests will be a decision for the line manager, subject to the needs of the service and depending on the circumstances at the time.

The Trust's Annual Leave and Bank Holiday Policy can be accessed via our HR Policies intranet page: <https://phw.nhs.wales/about-us/policies-and-procedures/policies-and-procedures-documents/human-resources-policies/> .

This guidance has been produced to supplement the policy and to address issues that may arise due to the work and social environment created by the COVID19 pandemic.

## **2. Annual Leave Year**

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### **2.1 NHS Terms and Conditions of Service**

The annual leave year runs from 1<sup>st</sup> April to 31<sup>st</sup> March for all staff groups covered by NHS Terms and Conditions of Service Conditions of Service.

### **2.2 Medical and Dental Terms and Conditions of Service**

The annual leave year runs from the employee's incremental or appointment date.

## **3. Taking Annual Leave During the COVID19 Pandemic**

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Figures obtained for the first two months of this leave year indicate that the annual leave hours taken are 40% down on what we would normally expect to see at this point. This can potentially have a damaging effect on staff health and well-being as well as a potentially negative impact on workforce resilience and business continuity, and has been raised by staff as an issue in our recent communications & well-being survey.

PHW is therefore looking to support and encourage staff and line managers to ensure that annual leave is taken in a planned and regular manner throughout the year.

Given the unprecedented and unpredictable times, with little to no opportunities to socialise in person with family and friends or go away on holiday, PHW appreciates that some staff may not wish to use their leave at this time,

preferring to allow it to build up, to be taken later in the year when guidance may be different. Some staff may also feel that they cannot take annual leave at this time, due to their role in supporting PHW's response to the pandemic.

However, the Trust is actively encouraging and supporting staff to continue to take their annual leave, at regular intervals throughout the year. This is even if travel and normal holiday arrangements continue to be disrupted and even if they continue to be involved in PHW's response to the pandemic. This is vitally important in order to support everyone's health and wellbeing.

The build-up of untaken annual leave by staff could have a negative impact on wellbeing, staff capacity and our ability to deliver services during the pandemic and in the future. Therefore, the proactive management of annual leave is vital to ensuring that we maximise the number of staff available to work at the times of greatest need and still support staff wellbeing by approving annual leave at times when operational needs allow.

Whilst we are not being prescriptive on how annual leave is to be taken, we encourage the usual local dialogue between staff and line managers in order to manage annual leave in their local teams, with as much flexibility as possible to accommodate both the needs of staff and business and service continuity.

#### **4. Submitting Annual Leave Requests**

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Staff are **actively encouraged** and supported to take their annual leave at regular intervals through their leave year. Managers may not be able to accommodate late requests and priority will be given to those staff that have previously booked and had their leave approved.

Should staff plan to take a proportion of their annual leave later in the year, they should book the leave on ESR as soon as possible, to assist managers to fairly manage these requests.

During the pandemic, all staff may be asked to be flexible regarding their annual leave dates, to enable Public Health Wales to respond appropriately to the circumstances. Where annual leave requests, that have previously been approved, would now leave the department short-staffed, or put undue pressure on colleagues, for the period of our Covid response, the manager may in exceptional circumstances, discuss postponing approved leave and agreeing alternative leave dates with the staff member.

#### **5. Changing Annual Leave Requests**

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We appreciate that some staff have already pre-booked annual leave dates that they may now like to change, as they are unable to go away on holiday and we will continue to be as flexible as we can be in such circumstances, subject to the needs of the service.

Where staff would like to change planned annual leave, they should speak to their manager in the first instance to confirm their revised leave proposal. The manager will make the decision based on the staff member's circumstances, their proposed alternative leave dates, the approved leave dates of other staff and the needs of the service.

## **6. Agreement of Annual Leave Requests**

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To ensure, wherever possible that all staff are able to book and take their leave on dates that are convenient for them, it is important that leave is agreed and booked throughout the current leave year.

Managers will be responsible for regularly reviewing the annual leave calendar for their staff. This review will help ensure that all staff regularly book and take annual leave throughout the year and not build it up, without any plans to take it.

Where staff do not book their leave throughout the year, in the interest of their own physical and mental health, their line manager will discuss with them the need for regular annual leave to be taken.

Following these discussions, the staff member and their line manager will agree dates for annual leave to be taken, which will ensure the health and well-being of the staff member as well as taking into account service needs.

## **7. Carry Over of Annual Leave**

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The UK Government has relaxed the Working Time Regulations 1998 on carrying over untaken annual leave, where staff have been unable to take leave due to the effects of COVID-19. However the advice to employers is that despite the Amendment Regulations, employers should encourage all workers to take all of their holiday entitlement during the current holiday year where it is practicable for them to take it.

The intention of this change is to allow flexibility where needed, and not intended for routine use. Therefore, Public Health Wales' approach for all staff will be as follows.

- **2019 – 2020 Annual Leave year**

In order to ensure that PHW was able to respond to the pandemic we took the decision to allow additional carry over of leave into the 2020/2021 leave year. We would now encourage those staff who took advantage of this provision to take their carried over leave from 2019 / 2020, as soon as is practically possible.

It is recognised that the 2019 / 2020 leave year may still be running for some medical staff. Where these staff were / are prevented by the Trust from taking their leave, due to the needs of the service in response to the pandemic, they

too will be permitted to additional carry over of leave, into their new leave year. We would encourage these staff to take their carried over leave from 2019/2020, as soon as is practically possible.

- **2020 – 2021 Annual Leave Year**

For this year our standard policy (i.e. allowing 5 days carry over where a business case is made) will remain in place. However, this policy will be reviewed at the end of the summer 2020.

## **8. Bank Holidays**

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Bank Holidays **are included** in staff members' annual leave entitlements and should therefore be booked off as leave in the same way as annual leave.

Where a staff member is required to work on a bank holiday, they are not required to book the day off as annual leave. They will be able to book this day as leave on an alternative date.

## **9. Summary**

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- Annual leave is provided to afford staff with time away from their workplace and to support their physical and psychological health and wellbeing;
- We expect staff and line managers to manage the taking of annual leave in the usual way, but with as much flexibility as possible to ensure the health and well-being of staff as well as business and service continuity;
- Annual leave and bank holiday requests should continue to be booked in the normal way;
- Managers will encourage those staff that are not booking leave, to do so;
- Requests to change booked and approved annual leave will be at the manager's discretion;
- These provisions apply equally to staff who are working from home and those attending a place of work