



**Date adopted:** December 2018

**Date of last review:** June 2023

**Due for review:** Biennially

# Annual Leave Policy for Colleagues on Support Role Contracts

## 1. Introduction

1.1 This policy sets out the entitlements and methods for calculating and applying annual leave (also sometimes referred to as 'holiday') entitlements for colleagues who work in support function roles. This includes executive staff in the central team. King's Group Academies enhance the statutory minimum entitlements to annual leave and therefore this policy outlines contractual entitlements.

1.2 The annual leave year begins 1<sup>st</sup> September each year and ends on 31<sup>st</sup> August. In some cases, colleagues employed under early versions of this policy will have different leave years. These are managed locally in the academy and where possible will be reviewed and consulted to fall in line with 1<sup>st</sup> September start date.

1.3 Where colleagues are on different contractual entitlements under TUPE protection, these protected entitlements remain in force unless explicitly agreed otherwise.

1.4 Reference in this policy to TTO means Term Time Only contracts where colleagues are employed on contracts of less than 52 weeks a year (usually all weeks during term time and sometimes a few additional weeks during school closures). Conversely colleagues who are employed to work a full 52 weeks are considered to be on 'all year round' contracts

## 2. Entitlements

### 2.1 Colleagues on all KGA support bands

- With under 5 years' service; a full-time equivalent entitlement of **34 days per annum** which is made up of  
26 days + 8 public holidays
- With 5 years' or more service; a full time equivalent of **38 days per annum** which is made up of  
30 days + 8 public holidays

### 2.2 Colleagues on leadership pay bands who do not work under teaching contracts

- A full time equivalent of **38 days per annum** which is made up of  
30 days + 8 public holidays

### 3. Calculating Pro Rata Entitlement for Part time Employees

3.1 Colleagues who work less than the standard weekly contractual hours (normally 37 hours) will receive their annual leave entitlement on a pro rata basis. This is calculated as follows:

$$\text{Actual contractual hours per week} \div 5 = \text{Average hours per day}$$
$$\text{Full time annual leave entitlement in days} \times \text{Average hours per day} = \text{Pro rata annual leave entitlement}$$

3.2 For colleagues who work TTO this will be the basis on which paid holiday will be calculated and applied to their salary and deemed as taken during school closure dates.

3.3 For colleagues on all year-round contracts, the pro rata annual leave entitlement will be available to book as per the school approval process. It is important to note that the number of hours deducted from the full pro rata entitlement must be for the number of hours the person was due to work on the date they are taking leave (including public holidays). This may be more or less than the average used in the calculation

E.g. A colleague works 20 hours a week in a support role and has been employed for two years on an all year-round contract:

$$20 \text{ hours} \div 5 = 4 \text{ hours}$$
$$34 \text{ days} \times 4 \text{ hours} = 136 \text{ hours per year}$$

When this colleague books a day off the number of hours they were due to work that day are deducted from the 136 hours

### 4. Carrying over annual leave

#### 4.1 Colleagues on TTO contracts

No carry over of holiday arises because all holiday is paid during the current year and deemed as taken during school closure dates

#### 4.2 Colleagues on all year-round contracts

Up to 5 days untaken annual leave may be carried forward to the next annual leave year at the discretion and prior explicit agreement of the Headteacher/Principal/CEO.

### 5. Calculating Annual Leave entitlements for working part of a year

5.1 Annual leave entitlement for starters and leavers is calculated according to the number of completed weeks they have worked in the current annual leave year. This is done as follows:

$$\text{Full year annual leave entitlement} \div 52 \times \text{number of weeks worked}$$

5.2 If you leave KGA employment your outstanding annual leave will be calculated and an appropriate payment or deduction will be made with your final salary payment.

## 6. Term time only contracts

6.1 Colleagues employed to work on TTO contracts are given a set number of weeks where they are required to be at work each year (the dates for these are set out each academic year). These colleagues take their annual leave entitlement during weeks they are not required to work in school. KGA does not stipulate which dates are deemed as the annual leave dates, only that they fall outside of the dates the colleagues are required in school. Annual leave will therefore not be granted during the weeks they are required in school.

6.2 Annual leave entitlements for TTO colleagues are calculated using the formulas below and then added to the number of weeks they are required to work in school. The resulting total is their contractual number of weeks upon which their salary is based.

<b>Under 5 years' service (Support)</b>			<b>Service 5 years and over (Support) &amp; Leadership not on teaching contract</b>		
26 days plus 8 days = 34 days (6.8 weeks) holiday pro-rata table  <i>To calculate TTO pro rata; Weeks required to work ÷ 45.2 x 6.8 = pro-rata holiday entitlement</i>			30 days plus 8 days = 38 days (7.6 weeks) holiday pro-rata table  <i>To calculate TTO pro rata; Weeks required to work ÷ 44.4 x 7.6 = pro-rata holiday entitlement</i>		
<b>Total weeks required to work in school</b>	<b>Annual leave entitlement in weeks</b>	<b>Total weeks paid</b>	<b>Total weeks required to work in school</b>	<b>Annual leave entitlement in weeks</b>	<b>Total weeks paid</b>
37 weeks	5.8 *	42.8	37 weeks	6.3	43.3
38 weeks	5.8 *	43.8	38 weeks	6.5	44.5
39 weeks	5.9	44.9	39 weeks	6.7	45.7
40 weeks	6.0	46.0	40 weeks	6.8	46.8
41 weeks	6.2	47.2	41 weeks	7.0	48.0
42 weeks	6.3	48.3	42 weeks	7.2	49.2
43 weeks	6.5	49.5	43 weeks	7.4	50.4
44 weeks	6.6	50.6	44 weeks	7.5	51.5

*\*Due to changes in employment law interpretation, these two entitlements were uplifted to a minimum threshold and are therefore higher than the formula calculation*

## 7. Colleagues with more than one position/job in KGA

Annual leave entitlements should be calculated and tracked in respect of each job held.

## 8. Additional and variable hours of work

8.1 Colleagues who work unspecified or additional hours each week are entitled to annual leave using the appropriate formula in this policy.

8.2 For those on fixed assignments their average hours per week will be calculated across the assignment and holiday entitlement calculated using the part time formula detailed above. This is calculated in arrears, based on hours worked and claimed.

E.g. A colleague is employed as an invigilator and works variable hours across an assignment that lasts 6 weeks

Week one	2 hours
Week two	4 hours
Week three	6 hours
Week four	4 hours
Week five	3 hours
<u>Week six</u>	<u>5 hours</u>

Average number of hours worked per week is 4 hours

Full year annual leave entitlement is calculated as follows:

$$34 \text{ days} \times 4 \text{ hours} = 136 \text{ hours per year}$$

As the assignment (employment) is for 6 weeks, the annual leave entitlement is prorated according to the length of their contract using the part year worked formula detailed above which is as follows

$$136 \div 52 \times 6 = 15.7 \text{ hours}$$

This colleague is entitled to 15.7 hours holiday which can be paid at the end of the assignment

## 9. Public Holidays

10.1 Where additional public holidays (beyond the 8 already incorporated into holiday entitlements) are announced by the government, employees who work year-round will be granted additional paid time off (whether on the actual day of the public holiday or an alternative day as appropriate) and TTO employees will receive either additional paid time off during term time **or** will receive additional holiday pay.

10.2 In all cases the time off or pay will be at the appropriate *pro rata* rate (calculated using FTE for all year colleagues and paid as an additional 0.2 on standard TTO holiday entitlements (see examples below). Any time off taken by all year-round colleagues during normal term time for the purpose of public holidays will therefore count against their overall annual entitlement.

E.g. A an all year-round colleague works 20 hours a week in a support role and has been employed for two years on an all year-round contract:

$$20 \text{ hours} \div 5 = 4 \text{ hours} - \text{this is the equivalent of one day holiday entitlement}$$

The overall holiday allowance (in hours) for the year is increased by 4 hours.

If this colleague is due to work the public holiday they need to deduct the number of hours they were due to work from their total annual allowance. Alternatively, if they are not due to work the public holiday they can take the additional 4 hours as agreed with their manager and then deduct it from their total allowance.

E.g. A TTO colleague works 20 hours a week across 39 weeks a year in a support role and has been employed for two years

Their standard (contractual) holiday entitlement is 5.9 weeks (see TTO chart) which is added to their 39 weeks of work resulting in a salary paid for 44.9 weeks a year (which is paid pro rata for 20 hours)

For the year in which the additional public holiday is announced there is a choice agreed with their line managers:

Option A – where a colleague is required to work the public holiday or does not normally work that day, they can receive additional pay equivalent of their standard day rate (calculated as 0.2 FTE of a week). This has the effect of granting them an additional paid day which is deemed to be taken during school closure time.

Option B - where the colleague is due to work the public holiday and not required to work they receive this additional day off whilst retaining the same annual salary, this has the effect of them receiving an additional day of paid holiday

## 10. Management of policy

The King's Group Academies Board of Trustees has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes. King's Group Academies policies will be reviewed regularly and will include an evaluation for impact on workload and working hours.