**LYPFT COVID 19 Annual Leave Guidance**

**Updated February 2020**

The overriding principle during this time of national emergency is to ensure all our staff are well supported and are able to maintain their health and wellbeing, so they are able to provide the care our patients rely on. Therefore all managers have been asked to ensure that particular focus is placed on ensuring provisions are in place for staff to take annual leave in order to rest and recuperate in order to maintain their own physical and mental wellbeing which is especially vital at a time of pandemic. (See Annual Leave Guidance & Principles for managers )

**Carry over of Annual Leave**

Following a review, further consideration has been given regarding the amount of carryover of annual leave in the leave year 21/22 that will be supported as a result of the Covid effort.

Where staff have been asked to cancel, delay or have had difficulty taking leave in order to provide continuity of services for patients and support for other members of staff our Trust policy on carry over of Annual Leave has been temporarily revised in order to allow all staff to sell or carry over **any outstanding leave entitlement for the 2020/21 leave year**.

Before any leave can be carried forward or sold all staff need to take the statutory leave entitlement of **28** days within the leave year. (See entitlement details below)

If these circumstances apply then staff must discuss this option with their Line Manager in the first instance, where all other avenues should be explored before a decision to carry over any Annual Leave is deemed appropriate for the staff member and the service.

If the request to carry over annual leave is approved by a Line Manager, staff will now need to ensure that the leave is taken within an extended 24 month period from the end of your leave year or March 2023.

Our message however remains the same where it is possible, all staff should continue to take leave to support wellbeing and rest away from work and managers should try to support staff to do this.

**Selling of Annual Leave back to the Trust**

Since the start of Covid we have seen huge staffing pressures across all our services and recognise that it is not always been possible to take annual leave across critical services

To support the maintenance of safe staffing and quality of care for service users and services it had previously been agreed that as a temporary measure the Trust will support staff being able to sell back leave.

Some of the considerations for managers should be:

* By supporting the request will this increase capacity across services?
* Would the leave normally be covered by bank or agency?
* Has the staff member utilised their statutory leave?
* Is their wellbeing being compromised in any way by supporting this?

The above considerations will still apply however, staff will now be able to sell **any** remaining entitlement over and above that already submitted to be sold or carried over.

The manager should explore the reasons why the annual leave entitlement has not been taken and agree measures (on an individual basis) to avoid the need to sell the annual leave back if at all possible. Under the Working Time Regulations employees must be encouraged to take their full leave entitlement.

Before the sell back request has been supported by the manager, and agreed by the Head of Operations, managers must ensure that the employee has utilised (booked or taken) the statutory annual leave entitlement of **28 days** within the leave year.

Any leave that is sold back to the Trust will be at plain time rate (not including any enhancements) based on the staff members pay point at the 1st March 2021.

**Combination of selling and carryover**

Staff have the option to combine both carry over and sold leave but as with carry over and selling leave options, managers must ensure that the employee has utilised (booked or taken) the statutory annual leave entitlement of **28 days** within the leave year.

**How to claim**

Any requests to sell leave must be supported and agreed by the line manager and the Managers Form completed by the manager and submitted to hradvice.lypft@nhs.net by the 1st March 2021.

**Please note that claims received before 5th February have been processed for payment in February’s payroll. To avoid duplication, any further requests for selling leave should not include hours previously claimed or requested as carry over and must be received by HR before the 1st March 2021.**

Carry over requests should follow the normal carry over process and be submitted to the e-Rostering and Finance teams when managers are contacted to do so.

**ANNUAL LEAVE CALCULATIONS**

**Agenda for Change**

**Full Time Employees**

|  |  |  |  |
| --- | --- | --- | --- |
| **Length of NHS Service** | **Annual Leave + Public Holidays (Days)** | **Annual Leave + Public Holidays (Hours)** | **Statutory Leave** |
| On appointment | 27 + 8 (=35) | 202.5 + 60 | 20 Days + 8 Bank Holidays |
| After 5 years service | 29 + 8 (=37) | 217.5 + 60 | 20 Days + 8 Bank Holidays |
| After 10 years service | 33 + 8 (=41) | 247.5 + 60 | 20 Days + 8 Bank Holidays |