

# Covid-19: HR Guidance – Annual Leave

Last updated: 15 June 2020

This guidance is regularly being reviewed

## 1. Annual Leave and Wellbeing

It is recognised that taking regular breaks from work is crucial to support an employee's wellbeing. This is important because annual leave helps you to:

- get a rest and a break
- maintain physical health
- improve your wellbeing

The uncertainty over the coming months mean that it is difficult to know when social distancing arrangements will be relaxed and when school students will fully return. These lockdown conditions have created an uncertainty and have restricted access to leisure, travel, visiting family and friends and other things employees may have usually booked leave for. The carry-over of substantial amounts of leave will have an impact on service delivery if the Council does not manage this now, as it could mean larger numbers of staff being off at any one time.

The Council's position is **that employees should take annual leave when they can and during the current leave year**. This will support employee's mental and physical wellbeing and ensure staff have adequate rest and it will reduce pressures on teams should staff 'build up' large amounts of leave and want time off at the same time e.g. at the end of the leave year.

## 2. Pre-booked/requesting annual leave

During the initial response to Covid-19, there are a number of reasons an employee may not have been able to take annual leave e.g.:

- a holiday has been cancelled so leave was cancelled
- still had days to take but could not take them due to isolation / sickness
- are at home either working / non-working due to medical conditions or job role was not required
- a Key/Essential Worker so they were required to be at work to support service delivery and annual leave was restricted

## Can an employee cancel pre booked annual leave?

If an employee would like to cancel or change planned annual leave, they must speak to their line manager. It may be possible to change or cancel booked holiday, taking into account the Covid-19 situation, however, this will continue to be a decision for the line manager, depending on the exigencies of the service. Managers should be discussing with employees their annual leave plans, to ascertain when the employee intends to reschedule their break to ensure they have adequate rest and do not have large carry-over at the end of the leave year.

## How does an employee book annual leave during Covid-19?

Employees should request annual leave as normal and in line with service notification requirements. Managers are required to consider service continuity when considering annual leave requests. Whilst service delivery is priority, managers are required to ensure that all employees have adequate opportunity to take their annual leave to ensure they rest and so they do not have large carry-over at the end of the leave year.

### 3. Carry-over of annual leave

It is recognised that there may be staff who have been directly engaged in supporting crucial services for whom it may not be possible to take all of their leave in the current leave year due to them supporting the response to the Covid-19 pandemic. For this reason the Government amended the Working Time Regulations and the law permits up to 20 days leave to be carried over into the following two leave years, **only where it is not reasonably practicable to take it due to the pandemic**. Those employees who are identified as being unable to take annual leave due to the Covid-19 response will be permitted to carry over up to 4 weeks (20 working days or equivalent for those employees on flexible working arrangements) of unused leave into the leave years 2020/2021 and 2021/2022. The Council does not envisage that employee's would have a large amount of carry over leave at the end of the leave year. Employees should be using their annual leave throughout the leave year to ensure they have adequate rest and to maintain physical health and wellbeing.

Carry-over leave requests should be submitted to Heads of Service for approval and in exceptional circumstances additional carry over leave may be approved (up to 20 days). All leave carried forward related to Covid-19 should be taken by 31<sup>st</sup> March 2022.

Those staff who are able to take annual leave will be expected to do so within the current leave year and will only be permitted to carry over more than 5 days in line with normal Council policy and with the approval of Heads of Service.

#### 4. Quarantine on entering or returning to the UK

The government has announced that from Monday 8 June there will be new rules in place for entering the UK because of Covid-19. These rules are for residents and visitors. Everyone will:

- need to provide their journey and contact details when they travel / return to the UK
- not be allowed to leave the place they are staying for the first 14 days they are in / return to the UK they will be required to quarantine/self-isolate for 14 days.

All requests for annual leave are approved by the manager. It has not been appropriate, until now, for the manager to ask where the employee's leave will be taken. But with the new rules it is now imperative that when an employee submits a request for leave that involves travelling abroad, they are reminded of the government's advice to avoid all non-essential travel and the requirement to self-isolate for 14 days on their return. Managers should consider all annual leave requests to travel abroad with the additional 14 day quarantine in mind. Approving annual leave will continue to be a decision for the line manager, depending on the exigencies of the service.

Employees travelling abroad from this point forward will be going abroad fully aware of the quarantine requirements on re-entering the UK. Therefore, upon their return they will be unable to attend their workplace - should this be required - for a period of 14 days.

Managers should in the first instance consider all opportunities to facilitate the employee to work from home for the 14 day quarantine period i.e. if an employee is able to effectively undertake their job role at home. If an employee is unable to work from home – either because they provide a public-facing service or because they are unable to access the ICT required to work from home – managers should try to find another solution. This could include consideration of a different role for a period of 14 days, but if a solution cannot be found and the individual remains unable to work, managers should discuss how the employee would like to arrange for the additional 14 days absence they are required to be in quarantine. The following are considered reasonable options for this period of absence:

- take additional paid annual leave (from their usual leave allowance)
- take unpaid annual leave
- make up the 14 days' leave over a period of time, so they do not incur a drop in pay

These arrangements should be clear, understood and agreed by both parties before the employee embarks on leave that will require quarantine. There is no

one-size-fits-all answer to this issue so for those employees who cannot work from home during quarantine, managers should consider using a combination of some or all of the different types of leave options shown above to achieve a solution and give sympathetic consideration to extenuating circumstances i.e. such as an employee attending a family funeral abroad.