

ANNUAL LEAVE AND PUBLIC HOLIDAY POLICY

INTRODUCTION

The purpose of the annual leave and public holiday policy is to ensure that leave is managed fairly and consistently across the organisation, and to inform employees of their entitlement and the procedure that they should follow when applying for annual leave.

Tayside Contracts' annual leave year runs from 1 January to 31 December each calendar year for all employees, with the exception of anyone who works a reduced year on a term-time only basis. The annual leave year for these employees is 1 August to 31 July each year (often referred to as 'the academic year').

The annual leave and public holiday arrangements vary in each Division/Unit but the common principles are outlined below, with details of their application provided in the relevant sub-sections.

SCOPE OF POLICY

This policy applies to all individuals working at all levels and grades within Tayside Contracts. This includes those employed on temporary or fixed term contracts but excludes agency workers and contractors.

For those employees who participate in the Time and Attendance Policy this policy should be read in conjunction with the Time and Attendance Policy.

ANNUAL LEAVE, PUBLIC HOLIDAY AND LONG SERVICE LEAVE ENTITLEMENT

Annual leave entitlement is expressed in days, which is converted to hours for ease of processing. Tayside Contracts' standard working week for full-time employees is 37 hours, worked over 5 days Monday to Friday. This means that a standard working day for a full-time employee is 7.4 hours.

Full-Time Entitlement	Annual Leave (Days)	Public Holidays (Days)	Long Service Leave (Days)	Total Entitlement (Weeks)	Total Entitlement (Hours)
Less than 5 years' local authority service	28	5	0	6.6 weeks	244.2 (244 hours and 12 minutes)
5 or more years' local authority service	33	5	0	7.6 weeks	281.2 (281 hours and 12 minutes)
10 years Tayside Contracts service	33	5	1	7.8 weeks	288.6 (288 hours and 36 minutes)
20 years Tayside Contracts service	33	5	3*	8.2 weeks	303.4 (303 hours and 24 minutes)
30 years Tayside Contracts service	33	5	5**	8.6 weeks	318.2 (318 hours and 12 minutes)

* 3 days total long service leave per year, pro-rata for any part-time working pattern.

** 5 days total long service leave per year, pro-rata for any part-time working pattern.

The entitlement to additional leave applies in the leave year when the 5 year's continuous local authority service or the ten, twenty or thirty year's continuous Tayside Contracts service is achieved (for anyone who

transferred/transfers to Tayside Contracts from 1 January 2014 onwards, their continuous service with their previous local authority employer will count towards their Tayside Contracts service).

Annual leave is calculated and processed in hours and can be requested as a minimum of one hour for all employees who participate in the Time and Attendance Policy, including those on seasonal hours. However, for operational reasons, annual leave can only be requested for half or full days for front-line employees

In some Divisions/Units, for operational reasons, annual leave is fixed and must be taken at set times as detailed in the appropriate sections below.

Part-time Working Patterns

If an employee works any part-time working pattern their entitlement to annual leave, public holidays and long service leave combined is calculated on a pro rata basis by dividing the FTE annual entitlement (in hours) by 37 and multiplying by the employee's contractual weekly hours.

If an employee has more than one part-time post, their entitlement to annual leave etc. is calculated based on their total weekly contractual hours.

If the employee is not part of the Time and Attendance Policy then any fraction of annual leave (i.e. any hours that do not equate to a half or full day) will be paid at the end of the calendar year.

6-day Working Patterns

If an employee works any 6-day working pattern their entitlement to annual leave, public holidays and long service leave combined is calculated on a pro rata basis by multiplying their weekly contractual hours by the total full-time entitlement in weeks (e.g. employee works 24 hours per week across 6 days, their annual leave entitlement is 24×6.6 , or 7.6, 7.8 etc. depending on their length of service).

If the employee is not part of the Time and Attendance Policy then any fraction of annual leave (i.e. any hours that do not equate to a half or full day) will be paid at the end of the calendar year.

Job Share Arrangements

If an employee is participating in a job share arrangement their entitlement to annual leave, public holidays and long service leave combined is calculated on a pro rata basis.

Annual leave will be adjusted with regard to any shortfall or excess of public holiday entitlement (which would occur if the majority of public holidays fall on the workings days of one job share partner).

Compressed Hours and other Flexible Working Arrangements

If an employee compresses their working hours, or has another full-time flexible working arrangement, they are still entitled to the total full-time entitlement of annual leave and public holidays in hours (e.g. 244.2 hours, 281.2 hours etc.) which is requested and taken in hours, as per all other employees who participate in Time and Attendance.

Annual leave will be adjusted to cover any shortfall of public holiday entitlement (which would occur if the majority of public holidays fall on a longer/compressed working day), likewise any excess public holiday

entitlement (which would occur if public holidays fall on a non-working or shorter working day) will be credited to the employee's annual leave balance.

Per-Annum Hours within the Facilities Services Division

If an employee is employed on a per-annum hours contract they will receive holiday pay/paid leave proportionate to the hours worked during the year on the first pay date in April every year. This includes annual leave, public holiday and any long service leave entitlement.

Seasonal Hours within the Construction Division (front-line)

Annual leave, public holiday and long service leave entitlement is credited and debited as a standard day (7.4 hours) for all front-line employees within the Construction Division who are employed on seasonal hours, regardless of whether it is taken in a shorter or longer hours period.

FIXED PUBLIC HOLIDAYS

Tayside Contracts' fixed public holidays for 2025 are as follows:

- 1 January 2025
- 2 January 2025
- 5 May 2025
- 25 December 2025
- 26 December 2025

Notes

1. Dundee Assistant Facilities Managers, Dundee Senior Facilities Assistants, Dundee Facilities Assistants, Dundee City Square, East and West Housing Cleaners, Resources Assistants, 52 week Cleaners based in PPP schools, and employees based in Dundee Year-Round Nurseries have 24 December 2025 instead of 5 May 2025 as a fixed public holiday.

ANNUAL LEAVE ARRANGEMENTS

Construction Division

Appendix 1 details the fixed annual leave dates for front-line employees within the Construction Division which includes Angus, Angus Street Lighting Partnership, Dundee Roads Maintenance Partnership, Collace Quarry and Perth and Kinross Roads Maintenance Partnership.

The remaining days are floating days which employees can request at any time throughout the year in accordance with the annual leave request and approval procedure.

Any lieu days accrued from working on a public holiday during the winter maintenance period must be taken before or with the Easter break.

Employees within Transport Services, Dundee Street Lighting Partnership, Perth and Kinross Street Lighting Partnership, Sign Shop and gully motor employees within Construction are excluded from the fixed leave periods and should stagger their annual leave throughout the year in accordance with operational requirements. Employees involved in surface dressing are excluded from the summer fixed leave periods,

but the April and October periods continue to apply. These employees should also stagger their remaining leave across the year in accordance with operational requirements.

Supervisors and managers will, as directed by their manager, take the majority of their annual leave during the fixed periods established for the front-line employees for their respective areas and the remaining days will be floating days.

Any requests for annual leave outwith the fixed periods will be considered on their merits and granted or otherwise in accordance with operational service requirements.

Note – Stores employees who provide a service to the Construction Division are not included in the fixed leave arrangements.

Facilities Services Division

There are specific leave arrangements which apply within Facilities Services, as detailed below:

- **Assistant Facilities Managers, Senior Facilities Assistants and Facilities Assistants**

There are four main school holiday periods when Assistant Facilities Managers, Senior Facilities Assistants and Facilities Assistants will take the majority of their annual leave. The core service provision is provided during term-time, therefore, the service requires to be adequately resourced during this time.

Any requests for annual leave and/or long service leave during term-time will be considered on their merits and granted or otherwise in accordance with operational service requirements.

Facilities Assistants who work a reduced year on a term-time only basis (190 or 205 days) are paid on a pro-rata basis for their annual leave and public holiday entitlement (see Term-Time Employees below). The working and non-working days for these employees are agreed with their line manager at the beginning of every leave year.

- **Term-Time Employees**

School based Cleaning, Catering and Crossing Patrol employees are required to work for either 205, 200, 195, 192, or 154 days a year. For these employees the remaining days during the working year are a combination of annual leave, public holidays and non-working days.

All term-time employees are paid for their annual leave and public holiday entitlement and no fixed public or annual leave dates are set. Employees entitled to long service leave will be issued a leave sheet at the start of their leave year in respect of their long service leave which must be taken when operationally suitable and avoiding December where possible. If it is not possible to agree a date for long service leave to be taken that suits the employee **and** is operationally suitable, employees can be paid in lieu of their long service leave.

Appendices 2, 3 and 4, published separately, detail the working and non-working days for all term-time school and nursery employees for the academic year, in the Angus, Dundee and Perth and Kinross areas.

- **Non Term-Time Employees**

If a client's premises are closed for a public holiday (as determined by the client) and it is not a fixed Tayside Contracts public holiday, then non-term-time employees are required to take annual leave on these days.

If the client's premises are open on a Tayside Contracts fixed public holiday then employees will be required to attend work and the employee will take that public holiday at another date as approved by their manager. Likewise if the fixed public holiday is on an employee's non-working day, the employee will take that public holiday at another date as approved by their manager.

All non-term-time employees will be issued an annual leave sheet at the start of their leave year which will confirm their annual leave entitlement, long service days if applicable and fixed public holidays.

School Cleaners employed on 52 week contracts will be required to use annual leave during the Christmas and New Year break to facilitate a period of shut-down for the school, which will be specified on their leave sheet, as detailed in Appendix 5.

Resources Assistants and Community Centre Cleaners in Dundee will also be required to use annual leave during the Christmas and New Year break, to facilitate a period of shut-down, which will be specified on their leave sheets.

- **Catering and Cleaning Employees, Year-Round Nurseries**

Catering and Cleaning employees based in Council nurseries with extended provision ('year-round' opening) will have fixed annual leave dates, detailed in Appendix 5.

The remaining days are floating days and while employees can request at any time throughout the year in accordance with the annual leave request and approval procedure, the expectation is that the majority of annual leave will be taken during term time. Leave requests will be considered on their merits and granted or otherwise in accordance with service requirements.

Any requests for annual leave to be taken during non-term time (i.e. Summer, Easter or October school holidays) must be requested as early as possible during the term before the holiday is due in order that all efforts can be made to secure cover and agree to the leave request.

As with other non-term time employees if a client's premises are open on a Tayside Contracts fixed public holiday then employees will be required to attend work and the employee will take that public holiday at another date as approved by their manager. Likewise if the fixed public holiday is on an employee's non-working day, the employee will take that public holiday at another date as approved by their manager.

- **Community Meals Hub, Dundee**

Employees within the Community Meals Hub (based within Sidlaw View Primary School) are entitled to the 5 fixed public holidays, however, as services within this Hub are provided all year round, employees are required to cover the fixed public holidays (based on a rota system) and will receive the appropriate enhancements and time off in lieu.

- **Central Production Unit, Dundee & Ruthvenfield**

Employees based within the Central Production Unit (CPU) in Dundee and the satellite unit in Ruthvenfield are required to work for either 205 days or 52 weeks per year. Employees who work 205 days have fixed annual leave dates, as detailed in Appendix 6. As with all other employees working a reduced year, the remaining days during the working year are a combination of annual leave, public holidays and non-working days.

ANNUAL LEAVE REQUEST AND APPROVAL PROCEDURE

To request annual leave, front-line employees must complete an annual leave request form. This form is issued at the start of each leave year and details the employee's total leave entitlement. Employees on the Time and Attendance System must request their leave via the system.

Annual leave may be taken at any time throughout the year subject to maintaining required standards of service, operational requirements and managerial support. This may involve staggering annual leave within a team throughout the year.

Line managers must approve all annual leave in advance. Managers are responsible for ensuring that requests are handled fairly and that all team members get a fair share of popular holiday times, i.e. 'first come, first served' will not automatically be applied.

Employees are not guaranteed that their annual leave requests will be authorised. All requests are granted subject to operational requirements.

Annual Leave Request Notice Period

The minimum notice period for taking annual leave should be at least twice as long as the amount of annual leave that employees wish to take, for example, 2 days' notice should be given for 1 day's leave.

It is recommended that employees request annual leave well in advance so there is less chance that their request will be refused due to operational difficulties or conflict with colleagues' leave.

Failure to give the required notice may result in the annual leave request being refused. However, complying with the required notice does not necessarily guarantee that the annual leave request will be approved.

- **Short Notice Annual Leave Requests**

It is preferred that employees give the minimum notice, as described above, of their wish to take annual leave to enable managers to ensure the correct level of service is maintained. However, it is recognised that this is not always possible and, therefore, employees can request short notice annual leave, which, subject to operational requirements, may be approved by their line manager. Short notice annual leave requests should be kept to a minimum.

CARRYING FORWARD/BRINGING FORWARD ANNUAL LEAVE

If an employee was prevented from taking annual leave for operational reasons or is planning a special trip e.g. a long stay holiday abroad, they may request to carry forward leave and/or bring forward leave.

All requests to carry over/bring forward leave must be approved by the Head of Unit or the Head of Division in the case of Heads of Unit and Section Heads and the Managing Director in the case of CLT members.

For employees who participate in the Time and Attendance Policy the requirement to seek approval from the Head of Unit/CLT to carry over leave applies to annual leave balances of 3.7 hours and over (or half a standard day for part-time employees). Annual leave balances of less than this will automatically be carried over to the next leave year.

A minimum of 28 days annual leave and public holidays combined must be taken during the course of any leave year. The maximum leave that can be carried forward or brought forward in any leave year, following authorisation is:

- 5 days (37 hours) for those with 28 days annual leave entitlement.
- 10 days (74 hours) for those with 33 days annual leave entitlement.

This is pro rata for part-time employees.

Any leave that is carried forward will be added at the start of the new leave year and should be used in the new leave year, with the exception of leave that has been automatically carried forward as a result of sickness absence.

Employees who have been prevented from taking annual leave due to an extended period of sickness absence will have their remaining leave balance automatically carried over to the new leave year. The carried over leave must be used within 18 months of the original leave year.

PAY IN LIEU OF CARRY OVER OF LEAVE

In exceptional circumstances, pay in lieu of leave can be made for outstanding leave where a minimum of 28 days annual leave and public holidays combined have been taken during the course of any leave year.

All requests to be paid in lieu of outstanding leave must be approved by the relevant CLT member, or the Managing Director in the case of CLT members.

ANNUAL LEAVE DURING MATERNITY/ADOPTION AND SHARED PARENTAL LEAVE

Employees will continue to accrue annual leave including public holidays and long service days throughout maternity, adoption and/or shared parental leave.

If an employee has not taken all their annual leave following maternity, adoption and/or shared parental leave accrued leave is automatically added to the employee's annual leave entitlement for the new leave year and must be taken in that leave year.

ANNUAL LEAVE DURING SUSPENSION

If an employee is suspended from work they are obliged to remain contactable and available to attend work throughout their suspension. The employee will continue to accrue annual leave including public holidays and long service days throughout their suspension and should continue to request annual leave in accordance with this policy. If the period of suspension coincides with a period of fixed leave, planned annual leave, or an extended period of closure, the suspension will be temporarily lifted to allow the period of leave to go ahead and will resume again after the leave.

SICKNESS DURING ANNUAL LEAVE

If an employee falls sick during a period of annual leave and would like the period to be classed as sickness absence they must follow the sickness absence reporting procedure detailed within the Sickness Absence Management Policy.

If the period of annual leave is recorded as sickness absence and covered by a Fit Note from a healthcare professional an employee can request to have the period of annual leave credited back to their entitlement by submitting the Fit Note to their manager who will inform the Payroll Team.

Employees continue to accrue annual leave during periods of sickness absence, including long service days. However, employees who are sick during a fixed public holiday are not credited with the missed leave.

If an employee has been unable to take all their annual leave following a period of sickness absence accrued leave is automatically carried over to the new leave year and must be taken within eighteen months of being carried over.

- **Term-Time employees**

Term-time employees who are sick during term-time must notify Tayside Contracts if they become fit to work prior to, or during, the non-working periods (i.e. school holidays) even though this is non-working time.

If term-time employees are not fit for work during the non-working periods they should continue to hand in Fit Notes for the duration of the period of sickness. Employees who do not hand in Fit Notes, or declare themselves as fit for work, will be processed as 'sick – no medical cover'.

ANNUAL LEAVE REQUESTS DURING SICKNESS

If an employee is on long term sickness and would like to take some of their annual leave entitlement they must follow the annual leave request and approval procedure, above.

NEW EMPLOYEES

If an employee commences employment with Tayside Contracts part way through a leave year their annual leave and public holiday entitlement will be calculated on a pro rata basis.

Annual leave will also be adjusted to cover any shortfall of public holiday entitlement. For example, if an employee commences employment on 1 December, they will be entitled to 3.14 hours of public holidays. However, given that two fixed public holidays fall in December, the employee would be left with a shortfall. If there is insufficient annual leave to cover the shortfall the employee will be offered the choice of having the time deducted from their pay, working the time back (within an agreed timescale), or bringing forward leave from the next leave year to cover the shortfall.

TERMINATION OF CONTRACT OF EMPLOYMENT

If an employee terminates their employment with Tayside Contracts part way through a leave year then their annual leave and public holiday entitlement will be calculated on a pro rata basis and they will receive pay in lieu of any outstanding leave entitlement in their final pay. Long service leave is unaffected and any outstanding long service leave will be paid.

Annual leave will also be adjusted to cover any shortfall of public holiday entitlement. For example, if an employee leaves Tayside Contracts on 31 January they will be entitled to 3.14 hours of public holidays. However, given that two fixed public holidays fall in January, the employee would be left with a shortfall. A deduction will be made from the employee's final pay in this scenario.

POLICY VIOLATIONS

Failure to comply with this, or any other employment policy, may result in individuals being investigated and disciplinary action taken against them in accordance with Tayside Contracts' Disciplinary Policy.

RELATED POLICIES

The Annual Leave and Public Holiday Policy links to the following policies which can be accessed on the Intranet, our website, or requested from your line manager or from the HR Admin Team:

- Adoption Leave and Pay Policy
- Disciplinary Policy
- Maternity Leave and Pay Policy
- Shared Parental Leave and Pay Policy
- Sickness Absence Management Policy
- Time and Attendance Policy
- Collective Agreement on Holiday Pay
- Holiday Pay – Non-Contractual Overtime/ Additional Hours Policy

The above list is not exhaustive.

CONSULTATION

Tayside Contracts' recognised Trade Unions have been fully consulted on this employment policy.

POLICY REVIEW

The Annual Leave and Public Holiday Policy will be reviewed annually.

DATA PROTECTION LEGISLATION

Tayside Contracts respects the privacy of our employees, any personal data processed during the application of this policy will be in line with Data Protection Legislation. Further information on how we may process personal data for the purpose of applying this policy can be found in our Privacy Notice.

Should you have any queries or require further clarification regarding any aspects of this policy or related policies please contact, HR Services on 01382 812721 or employment.policies@tayside-contracts.co.uk

If you would like this document translated into another language or in another format such as audio or large print then please contact the Equalities and Communications Section on 01382 834165 or communications@tayside-contracts.co.uk

Appendix 1 - CONSTRUCTION DIVISION (1 January - 31 December 2025)

MONTH	FIXED PUBLIC HOLIDAY DATES	NO	FIXED ANNUAL LEAVE DATES	NO
January	1 & 2 January	2		
February				
March				
April			<u>Angus/Dundee/Perth & Kinross (includes Collace Quarry)</u> 7 April – 11 April	5
May	5 May	1		
June				
July/August			<u>Angus</u> 21 July– 1 August	10
			<u>Dundee</u> 21 July– 1 August	10
			<u>Perth and Kinross</u> <u>Ruthvenfield Depot and Aberfeldy Depot</u> 7 July – 18 July <u>Blairgowrie Depot and Collace Quarry</u> 21 July – 1 August	10
September				
October			<u>Angus/Dundee/Perth & Kinross (includes Collace Quarry)</u> 13 October – 17 October	5
November				
December	25 & 26 December	2		

Appendix 5 – FACILITIES SERVICES – CATERERS AND CLEANERS, YEAR-ROUND NURSERIES AND 52 WEEK SCHOOL CLEANERS: FIXED LEAVE PERIODS (1 January - 31 December 2025)

MONTH	DUNDEE				ANGUS				PERTH			
	Fixed Public Holidays		Fixed Annual Leave		Fixed Public Holidays		Fixed Annual Leave		Fixed Public Holidays		Fixed Annual Leave	
January	1 & 2 January	2	3 January***	1	1 & 2 January	2	3 January	1	1 & 2 January	2	3 January	1
February			18 February	1			19 February*	1			13-14 February**	2
March												
April							21 April	1				
May	5 May**	1	23 May	1	5 May	1	26 May*	1	5 May **			
June												
July							22 to 31 July	8				
August			18 August	1			1 to 8 August	7				
September							11 – 15 August**	5				
October												
November			13-14 November	2								
December	25-26 December	2	24 December 29-31 December	1 3	25-26 December	2	4-5 December * 6 December 23-24 December** 27 December 30-31 December	2 1 2 1 2	25-26 December	2	24 December 29-31 December	1 3
TOTAL		4 / 5		9 / 10		5		26 / 27		4		5 / 7

Notes*, ** and ***

- Dates marked with* only apply to Catering employees.
- Dates marked with ** only apply to Cleaning employees
- Dates marked with *** do not apply to 52 week Cleaners based in PPP schools

Dates highlighted turquoise are to be confirmed.