

3.07 Annual Leave

This policy is about your annual leave entitlement and how it is applied in various situations.

- The amount of annual leave to which you are entitled will depend on your grade and level of service – Annex 1.
- The annual leave year runs from 01 February to 31 January – Section 2.1 Leave Year
- You must get approval from your line manager to take annual leave.
- If you work an alternative working pattern, such as compressed hours your annual leave entitlement may be affected – Section 2.6 Reserved Rights.
- If you change your hours of work during the holiday year, the policy describes how your holiday entitlement is recalculated – Section 2.7 Staff Working Compressed Hours.
- Being absent from work for other reasons for example Career Break, unpaid sickness absence etc may impact on the amount of annual leave you are entitled to in a year (it may also impact on the amount of service counted towards to get a higher annual leave allowance) – Section 2.9 Reckonable Service .
- At the end of the leave year, you may be allowed to carry some or all of your unused leave into the next leave year – Section 3.1 Carry Over of Annual Leave.
- If you leave the NICS you may be compensated for untaken annual leave – Section 4 Cash Compensation.

The following terms within this policy are defined in the glossary:

Compressed hours, reserved rights, reckonable service.

You may also be interested in the following policies:

3.08 Special Leave, 3.10 Alternative Working Patterns, 3.02 Maternity Leave, 3.05 Adoption Leave, 3.03 Paternity Leave and 3.06 Public and Privilege Holidays.

This policy is version 6.0

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This homepage is only a guide to the policy, not the policy itself. In the event of any discrepancy between the content of this homepage and the associated policy, the wording of the policy shall apply.

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3.07 Annual Leave

1 Introduction

Authority for the granting of annual leave lies, subject to prescribed limits, with Permanent Heads of Departments. You are encouraged to take your full annual leave allowance and subject to official requirements, you will be allowed, as far as possible, to decide when to take leave. You cannot claim the right to take leave at any particular period of the year or take annual leave without prior permission.

2 Annual Leave Allowances

2.1 Leave Year

2.1.1 The leave year begins on 1 February and ends on the following 31 January.

2.2 Annual Leave Allowances - Non-industrial Civil Servants

2.2.1 Annual leave allowances are determined by grade and length of service.

2.2.2 Allowances attaching to particular grades and particular lengths of service are determined by the Department of Finance and Personnel in consultation with the Trade Union Side of the Civil Service Central Whitley Council (NI) and fall within the annual leave bands at Annex 1.

2.2.3 The leave allowance of a new grade will be determined in relation to its equivalence with other grades in a relevant annual leave band by the Department of Finance and Personnel.

2.2.4 The leave band into which individual grades and officers fall is shown in Annex 2.

2.2.5 Once the leave band of a grade has been determined as provided in Annex 2 it may only be altered if there has been a significant change in the circumstances of the grade. Any such change will require the specific agreement of the Department of Finance and Personnel.

2.3 Annual Leave Allowances - Industrial Civil Servants

2.3.1 The annual leave allowance for industrial Civil Servants is shown in Annex 3.

2.4 Joining or Leaving the Service

2.4.1 The annual leave allowance due to you during the leave year in which you take up employment in the NI Civil Service (NICS) is the amount which you will earn between the date of taking up duty and the end of the leave year. Similarly, the leave allowance due to

you if you resign or retire during the course of the leave year is the amount which you will earn between the beginning of the leave year and your last day of service. If you join or leave the NICS during any month you will have your leave allowance for your first or last month of service calculated on a pro rata basis (rounded up to the nearest half day or, if you are part-time, hour). The calculation of the annual leave entitlement will be based on the number of calendar days you are employed in that particular month.

Example A

An officer (25 days' annual leave allowance) commences employment with the NICS on 18 October 2007.

Annual leave allowance for October 2007 is therefore:

$$\frac{\text{annual leave allowance for the full year in days}}{12 \text{ (months)}} \times \frac{\text{calendar days remaining in month of appointment}}{\text{no of days in month of appointment}}$$

ie

$$\frac{25}{12} \times \frac{14}{31} = 0.94 \text{ days}$$

Annual leave allowance for the period 01/11/07-31/01/08 (ie 3 full calendar months) is calculated, as follows:

$$\frac{25 \text{ (annual leave allowance in days)}}{12 \text{ (months in year)}} \times \frac{3 \text{ (months of leave year remaining)}}{12} = 6.25 \text{ days}$$

Total annual leave allowance for period 18/10/07-31/01/08:

$$0.94 + 6.25 = 7.19 \text{ days, rounded up to the nearest half day, 7.5 days}$$

Example B

An officer (30 days annual leave allowance) leaves the NICS on 18 October 2007.

Annual leave for the period 01/02/07-30/09/07 (ie 8 full calendar months) is calculated as follows:

$$\frac{30 \text{ days (annual leave allowance)}}{12 \text{ (months in year)}} \times \frac{8 \text{ (months of leave year remaining)}}{12} = 20 \text{ days}$$

Annual leave allowance for October 2007 is calculated as follows:

$$\frac{\text{annual leave allowance for the full year in days}}{12 \text{ (months)}} \times \frac{\text{no of calendar days employed in last month of service}}{\text{no of days in last month of service}}$$

ie

$$\frac{30}{12} \times \frac{18}{31} = 1.45 \text{ days}$$

Total annual leave allowance for period 01/02/07-18/10/07:

20 + 1.45 = 21.45 days, rounded up to the nearest half day, 21.5 days

2.5 Change of Leave Allowance During Leave Year

2.5.1 On qualifying for additional leave by promotion or by completing the necessary period of service, you will receive a proportionate increase (rounded up to the nearest half day) in accordance with the number of full months remaining in the current leave year. Increases for part-time staff should be calculated on a pro rata basis, rounded up to the nearest hour.

Months Remaining	Annual Increase 2 Days	Annual Increase 5 Days
1	1	1
2	1	1
3	1	2
4	1	2
5	1	3
6	1	3
7	2	3
8	2	4
9	2	4
10	2	5
11	2	5

2.6 Staff on Reduced House (Part-time)

2.6.1 If you work part-time, you should be allowed paid annual leave, appropriate to your grade and length of service, in proportion to the number of hours that you work. The allowance is expressed in hours and will be calculated as follows:

$$\frac{\text{full-time leave allowance (in hours)}}{37 \text{ (full-time net working hours)}} \times \text{net hours worked per week by the part-time officer}$$

Example

The annual leave allowance of an officer working 30 hours per week in a grade which attracts 25 days' (ie 185 hours) annual leave allowance is calculated as follows:

$$\frac{185}{37} \times 30 = 150 \text{ hours per year}$$

2.7 Staff Working Compressed Hours

2.7.1 If you opt to work compressed hours, that is to say, full-time conditioned hours over less than five days, the value of a day differs so an adjustment is necessary. The annual leave allowance should be calculated by dividing the corresponding full-time annual leave allowance for the grade and length of service (expressed in hours) by the daily working time agreed under the compressed hours arrangement.

Example:

Individual who works five days per week at 7 hours 24 minutes each day is entitled to 30 days' annual leave at 7 hours 24 minutes, equivalent to 222 hours when expressed in hours.

Therefore, an individual who elects to work 4 days at 9 hours 15 minutes each day is entitled to:

$$\frac{222 \text{ hours}}{9\text{hrs } 15\text{mins}} = 24 \text{ days (at 9hrs 15mins each day)}$$

2.8 Change of Employment Status During Leave Year

2.8.1 Where you change from full-time to part-time working, or vice versa, part way through a leave year, your annual leave entitlement for the remainder of that leave year should be calculated by adding the proportion of the annual leave allowance earned during the period of full-time status to the calculated annual leave entitlement during the period of part-time work. In the event of you having taken annual leave while employed in a different working pattern, the amount of leave taken should be deducted from the recalculated annual leave allowance to determine the balance of annual leave for the remainder of that leave year.

Example A

A member of staff, who has an annual leave entitlement of 30 days, converts from full-time to part-time (0.5) status on 1 August. At this date only 10 of the 15 days annual leave allowance in respect of the period February-July have been taken. Leave entitlement owing for the remainder of the year is therefore calculated as:

Annual Leave Entitlement as a full-time employee from 1 February-31 July	=	15 days @ 7 hours 24 minutes = 111 hours
Annual Leave Entitlement as a part-time employee from 1 August-31 January	=	15 days @ 3 hours 45 minutes = 56 hrs 15 minutes
Total	=	167 hours 15 minutes
Annual Leave taken up to 31 July	=	10 days @ 7 hours 24 minutes = 74 hours
Balance of Annual Leave owing for the remainder of the leave year	=	93 hours 15 minutes

Example B

Conversely, if you move from part-time to full-time status on the same date, also having taken 10 days would be entitled to:

Annual Leave Entitlement as a part-time employee from 1 February-31 July	=	15 days @ 3 hours 45 minutes = 56 hours 15 minutes
Annual Leave Entitlement as a full-time employee from 1 August-31 January	=	15 days @ 7 hours 24 minutes = 111 hours
Total	=	167 hours 15 minutes
Annual Leave taken up to 31 July	=	10 days @ 3 hours 45 minutes = 37 hours 30 minutes
Balance of Annual Leave owing for the remainder of the leave year	=	129 hours 45 minutes
Converted into days as follows:		
129 hours ÷ 7 hours 24 minutes = 17.53 days, rounded up to 18 days		

2.9 Reckonable Service

2.9.1 The following types of service reckon as qualifying service for a higher annual leave allowance:

- a. full-time or part-time service with a Northern Ireland Civil Service Department;
- b. war-time service with HM Forces or Merchant Navy or National Service undertaken between two otherwise unbroken periods of Northern Ireland Civil Service employment;
- c. service with the Home Civil Service provided you resigned such an appointment in order to take up duty with the NI Civil Service;
- d. paid sick absence at either full or half rate;
- e. paid special leave;
- f. maternity, paternity and adoption leave;
- g. in the case of a permanent appointment, temporary service in the NI Civil Service since 1 October 2002;
- h. if you are recruited in a temporary capacity for 51 weeks, and, within 12 months, take up a further temporary appointment, you should be granted an increase in annual leave allowance after serving one week in the second temporary appointment.

2.9.2 The following circumstances disqualify previous service from reckoning for a higher annual leave allowance:

- a. termination of service for misconduct or inefficiency;
- b. a break in service exceeding 12 months except for reinstated or re-employed officers whose previous service will count as qualifying, irrespective of the length of the break. A career break does not count as a break in service for the purposes of this sub-paragraph.

2.9.3 The following are not reckonable as qualifying service:

- a. unpaid sick absence;
- b. unpaid special leave;
- c. parental leave.

2.9.4 However, such periods do not break otherwise continuous service for the purpose of qualifying for a higher annual leave allowance.

2.9.5 A cash payment in lieu of annual leave may not be regarded as reckonable service for annual leave purposes.

2.10 Accrual

2.10.1 Annual leave accrues in the following situations:

- a. during periods of paid sick absence at either full or half rate (but see paragraph 4.1 (c));
- b. during maternity, paternity and adoption leave;
- c. during periods of secondment;
- d. during periods of paid special leave;
- e. during periods of suspension on full pay.

2.10.2 Annual leave does not accrue in the following situations:

- a. during unpaid sick absence or sick absence at pension rate;
- b. during unpaid special leave;
- c. during periods of suspension without pay;
- d. during periods of unauthorised absence;
- e. during parental leave.

2.10.3 All periods of unpaid absence associated with the examples given above will be aggregated to determine the proportionate deduction, which is to be made from your annual leave allowance for that leave year. The resultant figure should be rounded down to the nearest half day (or hour if you are part-time) and subtracted from your normal annual leave allowance to obtain the revised entitlement.

3 Annual leave: Rules and Procedures

3.1 Carry Over of Annual Leave

3.1.1 If permission is requested before 15 January, up to 9 days annual leave may be carried over and taken at any time during the next leave year.

3.1.2 Where you are retired on medical grounds and are unable to take the carried forward leave it may attract a cash payment under the terms of paragraph 4.1

3.1.3 If you are specifically prevented by management from taking your full annual leave allowance in the year in which it is earned, you will be allowed to carry over into the next leave year the full amount of leave untaken.

3.1.4 There is discretion to allow you to carry over all or part of one year's annual leave allowance into the following leave year for particular personal reasons, such as to visit relatives in distant countries.

3.1.5 Where you are prevented by ill-health from taking your full annual leave allowance and at the end of the leave year and you have more than the normal carry-over permitted under paragraph 3.1.1, you may seek approval from your Establishment/Personnel Branch to carry-over a proportion of your outstanding leave, subject to the limits set out below, in addition to the normal carry-over of nine days:

- a. where you are absent sick for a period during December/January and return to work so late in January that despite taking as much leave as is reasonably practicable between your return date and 31 January you still have excess annual leave, additional carry-over will be limited to 25% of your annual leave allowance;
- b. where you are absent sick on or after 1 December and do not return to work before 1 February additional carry-over will be limited to 25% of your annual leave allowance;
- c. where you are absent sick for more than two months during the year and return so late in January that it is not reasonably practicable for you to use all your annual leave, additional carry-over will be limited to 30% of your annual leave allowance.

3.2 Anticipation of Annual Leave

3.2.1 You may be allowed to anticipate up to seven days annual leave during the last month of the leave year.

3.3 Last Day of Service

3.3.1 Every effort should be made to ensure that if you are due to retire you take whatever annual leave is due to you. Wherever possible, therefore, the last day of attendance should be fixed to take into account any untaken leave. If this is not possible, the arrangements set out in paragraph 4 below should apply. These arrangements are not intended to enable you

to accumulate annual leave with the intention of converting it into a cash payment. It is not necessary for you to attend on your last day of service.

3.3.2 Any untaken leave to which an entitlement exists under the normal rules may be converted into a cash payment under the terms of paragraph 4 when you leave the Service.

3.4 Recording

3.4.1 Records will be kept of all annual leave taken.

3.5 Annual Leave and Sickness

3.5.1 Annual leave may not be taken instead of sick absence. If you fall sick while on annual leave, the period of illness will be recorded as sick absence. You must inform your Department immediately and produce a self-certificate or a statement by a qualified medical practitioner.

3.5.2 Annual leave should not be granted immediately following a period of sick absence unless you produce either a self-certificate or a statement by a qualified medical practitioner of fitness to return to duty.

3.6 Annual Leave and Public/Privilege Holidays

3.6.1 Bank, public or privilege holidays falling during an absence on annual leave will not count against the annual leave allowance.

3.7 Leave Taken in Half Days

3.7.1 Half a day's leave involves attendance for half the net hours (that is excluding meal breaks), which would normally be worked on the day concerned.

3.8 Recall From Annual Leave

3.8.1 You will only be recalled from annual leave when it is essential to do so, and in such circumstances you will have your untaken leave credited and will have an entitlement to travelling and subsistence expenses. Details of these expenses can be found in the Travel and Subsistence section of this Handbook.

4 Cash Compensation

4.1 Except in cases of dismissal, which are covered below, payment for untaken leave should be made only in the following circumstances:

- a. where the last day of service is known well in advance (as is usual with normal and early retirement and redundancy) payment should be made only for annual leave which you have been specifically prevented from taking by management;

- b. if you resign you may convert up to two weeks of any untaken leave into a cash payment. Any other leave outstanding should be taken before the last day of service and may only be converted into cash where for management reasons you have been specifically prevented from taking it;
- c. if you are absent sick up to your last day of service, cash compensation should be allowed only for the amount of leave accrued (including any leave carried over from the previous year) and untaken up to the start of the last period of sick absence;
- d. payment in full should be made for all leave untaken at the date of death in service, apply paragraph 2.4 to determine the amount of annual leave untaken for the month in which death occurs.

4.2 If you leave the Service having exceeded your annual leave allowance, you should be required to refund from salary an amount equivalent to the number of days leave overtaken calculated in accordance with paragraph 4.6. When death occurs in service recovery should be waived.

4.3 If you are under notice of dismissal you should be required to take all outstanding leave within the period before your last day of service. No payment will be made to you for any untaken leave which might remain.

4.4 Departments may waive the requirements of paragraph 4.3 if your appointment is terminated during or at the end of your period of probation.

4.5 If you are dismissed for serious misconduct (instant dismissal or relieved from duty without pay) you would normally forfeit your right to the annual leave provisions set out above.

4.6 Payments or refunds of pay for days of untaken or overtaken leave should be based on the full daily rate of pay that is inclusive of all regular allowances and other emoluments in the nature of pay (such as Shift Disturbance Allowance), but exclusive of overtime, on-call and other allowances of a reimbursement nature, calculated in accordance with Northern Ireland Civil Service Pay and Conditions of Service Code paragraphs [4163] and [4173], which would be applicable on the date of termination of service; or which would have been applicable if your pay has been reduced for example sick absence on half pay or pension rate. Payments for untaken annual leave are subject to the normal statutory deductions but not to contributions to the Principal Civil Service Pension Scheme (Northern Ireland) (PCSPS (NI)). The value of a days leave is not determined by the period when it is earned but by the period when it is taken. Leave earned but untaken and carried forward on a change of grade assumes a value related to the new grade.

4.7 If, on leaving the service, you are given a cash payment in lieu of untaken leave, the payment will not be regarded as a pensionable emolument and service will reckon only up to the last day of service for the purposes of the PCSPS (NI). Similarly, a refund made in respect of excess annual leave will not affect the rate of pensionable pay and reckonable service will be determined up to the last day of service with no adjustment being made in respect of the period of excess leave to which the refund relates.

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Annual Leave Allowances – Non-industrial

Annual leave allowances fall into five bands, which are described below. To identify into which band individual grades and officers fall, see [Annex 2](#). A week's leave is the same as the length of time the officer is conditioned to work in a normal week.

As a result of the 2009 pay award for NICS staff up to and including Grade 6, a reduced qualifying period for an increased annual leave allowance became effective for grades in leave bands A, B, C and D with effect from 1 February 2010.

BAND A

On entry	5 weeks
After 5 years' qualifying service (see Section 2.9)	6 weeks

BAND B

On entry	5 weeks
After 5 years' qualifying service (see Section 2.9)	6 weeks

BAND C

On entry	5 weeks
After 5 years' qualifying service (see Section 2.9)	6 weeks

BAND D

On entry	5 weeks
After 5 years' qualifying service (see Section 2.9)	6 weeks

BAND E 6 weeks

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ANNEX 2

Non-Industrial Grades Included in Band 'A'

Administrative Assistant
Administrative Officer
Assistant Programmer
Assistant Supervisor (Office Machines) (Obsolescent)
Brucella Tester
Cleaner
Dental Surgery Assistant
Field Monument Warden
Graduate Trainee
Mapper
Mapping & Charting Technical Grade II
O Level Trainee
Personal Secretary
Security Officer
Social Security Officer II
Support Grade Band 1
Support Grade Band 2
Technical Grade II
Typist

Non-Industrial Grades Included in Band 'B'

Accommodation Manager/ess
Assistant Accommodation Manager/ess
Assistant Auditor (DHSS)
Assistant Auditor (Environment)
Assistant Draftsman Illustrator
Assistant Manager/Warden
Assistant Scientific Officer
Assistant Supervisor (Water)
Audio Visual Technician
Assistant Warden
Audit Assistant (DHSS)
Careers Officer
Driving & Traffic Examiner
Enforcement Officer
Executive Officer I
Executive Officer I (Accountant)
Executive Officer II
Executive Officer II (Accountant)
Fisheries Officer 1
Fisheries Officer 2

Food Technology Technician
Imports Inspector
Inspector Group 1
Inspector Group 2
Instructional Officer
Law Clerk I
Law Clerk II
Manager/Warden
Mapping & Charting Technical Grade 1
Nurse Grade C
Nurse Grade D
Nurse Grade E
Nurse Grade F
Poultry Meat Inspector
Post Mortem Attendant
Programmer
Programmer Analyst
Senior Audit Assistant
Senior Driving & Traffic Examiner
Senior Enforcement Officer
Senior Imports Inspector
Senior Mapper
Senior Personal Secretary
Senior Warden
Social Security Officer I
Superintendent (Office Machines) (Obsolescent)
Superintendent Mapper
Support Manager 2
Support Manager 3
Support Manager 3 (Supervisor of Security Guards)
Technical Grade 1
Typing Manager
Valuation Assistant

Non-Industrial Grades Included in Band 'C'

Area Foreman
Area Forest Engineer
Assistant Librarian
Auditor (Environment)
Auditor (H&SS)
Auditor SO
Auditor SO IT
Careers Adviser
Catering Manager III
Chief Mapper
Chief Typing Manager
Clerk of Works II

Conservation Grade F
Curatorial Grade F
Deputy Catering Adviser
Fire Officer II
Forestry Officer III
Harbour Master/Foreman of Works (Donaghadee)
Higher Instructional Officer (DED)
Housing Inspector II
Information Officer
Inspector Group 3
Inspector Group 4
Inspector (TSB)
Investigation Officer
Land Survey Technician III
Mapping & Charting Officer
Meat Inspector
Nurse Grade G
Photographic Officer
Professional & Technology Officer
Scientific Officer
Senior Graphic Designer
Senior Inspector (TSB)
Senior Meat Inspector
Senior Law Clerk
Senior Valuation Assistant
Senior Work Study Officer
Ships First Engineer
Ships Second Engineer/Ships Mate
Staff Officer
Staff Officer (Accountant)
Stores Officer Grade C
Supervising Examiner (ADI/Driving Tests)
Systems Analyst
Vehicle/Driving Examiner
Warden
Works Technical Officer

Non-Industrial Grades Included in Band 'D'

Accountant Grade 7
Accountant Deputy Principal
Agricultural Economist
Alkali and Radiochemical Inspector
Area Inspector (TSB)
Area Transport Manager
Assistant Area Transport Manager
Assistant Chief Inspector
Auditor DP

Auditor DP IT
Catering Adviser
Chief Alkali and Radiochemical Inspector
Chief Clerk of Works
Chief Fisheries Officer
Chief Law Clerk
Clerk of Works I
Curatorial Grade E
Curatorial Grade D
Curatorial Grade D + 4 (DOE)
Dental Officer
Deputy Chief Examiner (PSV)
Deputy Chief Fisheries Officer
Deputy Chief Trading Standards Officer
Deputy Chief Veterinary Research Officer
Deputy Chief Driving Examiner
Deputy Development Executive
Deputy Economist
Deputy Principal
Deputy Principal Information Officer
Deputy Principal Statistician
Deputy Registrar Land Registry
Development Executive
Divisional Veterinary Officer
Environmental Health Officer
Estates Superintendent
Fire Surveyor
Fire Officer I
Fire Officer (DED)
Forestry Officer I
Forestry Officer II
Higher Mapping & Charting Officer
Higher Photographic Officer
Higher Professional & Technology Officer (All disciplines)
Higher Psychologist
Higher Scientific Officer
Inspector III (Agric)
Inspector II (Agric)
Inspector (Health & Safety)
Inspector (Agriculture)
Inspector (SSI)
Inspector Group 5
Legal Assistant
Librarian
Management Accountant
Management Training Adviser
Medical Officer
Nursing Officer
Pharmaceutical Officer
Pollution Inspector

Principal Auditor H&SS (Accountant)
Principal Inspector (Health & Safety)
Principal Nurse
Principal Pharmaceutical Officer
Registrar, Lands Tribunal
Research Assistant (Historic Monuments)
Senior Agricultural Economist
Senior Auditor (H&SS)
Senior Auditor H&SS (Accountant)
Senior Examiner
Senior Fire Officer
Senior Fisheries Officer
Senior Housing Inspector
Senior Legal Assistant
Senior Systems Analyst
Senior Mapping & Charting Officer
Senior Psychologist
Senior Professional & Technology Officer
Senior Scientific Officer
Senior Veterinary Research Officer II
Ships Captain
Supplies Officer
Training Service Manager
Unified Grade 6
Unified Grade 7
Valuer I
Valuer II

Non-Industrial Grades Included in Band 'E'

Members of the Senior Civil Service
Non - SCS Members (at entry level equivalent and above)

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ANNEX 3

Annual Leave Allowance – Industrial Employees

(i) With effect from 1 February 2008:

25 days on entry.

(ii) With effect from 1 February 2010:

30 days after 5 years' reckonable service (see Section 2.9).