

GUIDELINES FOR CALCULATING ANNUAL LEAVE

FOR TERM TIME SUPPORT STAFF

1. PURPOSE AND SCOPE

All term time support staff are entitled to annual leave and bank holidays, which are taken during school holiday periods.

All term time support staff will accrue annual leave for each completed month of employment.

Annual Leave entitlement starts on 1st September and ends on 31st August.

For support staff who are absent due to sickness or maternity/paternity leave during a school holiday or part of a school holiday, annual leave and bank holidays will continue to accrue and will need to be taken prior to returning to work.

If staff are sick through the holidays, they will be required to inform the headteacher on day 1 and provide a fit note for the period of absence. If staff are sick partly through the holidays, they will be given a proportion of the entitled leave.

The above arrangements will ensure compliance with the working time directive and case law.

2. PROCEDURE

2.1 Annual leave and absence from work due to sickness

Support staff will continue to accrue annual leave if they are absent during the school holiday. This period must be covered with a fit note.

Once fit to return to school, support staff are required to notify the school and will then immediately take the accrued leave and any bank holidays (see **appendix 1**). If the absence is prolonged, the accrued leave can be carried forward into the following leave year.

Support staff can take leave during their absence period and must notify the school of the leave dates to ensure the correct payments are made.

The school will update the absence return indicating the member of staff is on annual leave and has returned from absence. Once the individual returns to school, a return-to-work meeting is undertaken.

2.2 Annual leave and absence from work due to maternity

Support staff will continue to accrue annual leave if they are absent during the school holiday.

Support staff are required to notify the school of their return date and will then immediately take the accrued leave and any bank holidays (**see appendix 1**) before returning to school.

2.3 Termination of Employment

When support staff give notice to terminate their employment, any leave that has been taken more than their revised entitlement will be deducted from their final salary. Similarly, any leave not taken can be paid in their final salary if unable to take it in time.

Support staff will be paid any outstanding annual leave entitlement and bank holidays when their contract is ended due to ill health or if staff do not return to work after maternity/paternity leave.

APPENDIX 1 With effect from 1.9.2023

School Holiday	38 Weeks 5 day worker (Less than 5 years' service)	38 Weeks 5 day worker (More than 5 years' service)	39 Weeks 5 day worker (Less than 5 years' service)	39 Weeks 5 day worker (More than 5 years' service)
	Leave	Leave	Leave	Leave
October Half Term	1.8	2.3	1.8	2.4
Christmas	5.05	5.6	5.1	5.7
February Half Term	1.8	2.3	1.8	2.4
Easter Holidays	4.6	5.1	4.7	5.2
May Holidays	3.1	3.5	3.1	3.6
Summer Holidays	11.65	13.62	11.76	13.97
Total days	28	32.42	28.26	33.27

For example:

1. A 39-week worker (over 5 years' service) works 3days a week and has been absent due to sickness for February and Easter holidays, they are entitled to:

$$3\text{days}/5\text{days} = 0.6$$

$$2.4 \text{ days} + 5.2 = 7.6 \text{ days} \times 0.6 = 4.5 \text{ days to be taken}$$

2. A 38-week worker (less than 5 years' service) works 4 days and has been absent due to sickness for the summer and October and Christmas holidays, they are entitled to:

4 days/5 days = 0.8

11.65 + 1.8 + 5.05 = 18.5 days x 0.8 = 14.8 days to be taken

3. a 39-week worker (less than 5 years service) works 5 days and has been absent for a whole year, they are entitled to 28.26 days.