

## Annual Leave and Public Holidays

**Please note that this section does not apply to bank workers.**

Please do not read the questions in isolation, read through the whole section as there may be another scenario more suited to your particular query.

Updated Q&A 05/05/2020 08.30 hours

**Q. Can my approved annual leave be cancelled by NHS Grampian?**

**A.** NHS Grampian will, wherever possible, honour annual leave that has already been booked. However it is recognised that in order to continue to provide essential operational services during the major incident, there may be situations where pre-booked annual leave will need to be postponed or cancelled in order to provide continuity of services for patients and support for other members of staff. All other avenues should be explored with you before a decision is taken. Decisions to cancel leave must be very carefully considered as part of emergency preparedness planning. Authority to cancel leave will rest with the Head of Service.

**Q. I booked a holiday after having annual leave approved and my annual leave has now been cancelled by Management due to the unique role I work in. Can I claim the cost of the holiday back from NHS Grampian?**

**A.** When leave is cancelled, by the Head of Service, during an exceptional event, such as a pandemic, reasonable costs may be reimbursed provided that claims are for incurred costs and evidenced by appropriate documentation e.g. receipts and where these costs are not covered by existing insurance policies held by staff. As these are exceptional circumstances a paper claim should be completed, accompanied by the appropriate receipts, and authorised by your Manager. The paper claim is available from the Expenses page of NHS Grampian's intranet page. Please scan both claim and receipts and email to [gram.expensesadmin@nhs.scot](mailto:gram.expensesadmin@nhs.scot). Where you have no access to a scanner, please send the paper claim, along with receipts, to the Expenses Team, HR Service Centre, Westholme, Woodend Hospital, Aberdeen.

Updated Q&A 05/05/2020 08.30 hours

**Q. My annual leave has been approved, can I still take my planned time off?**

**A.** Yes, in the event that your leave can no longer be accommodated by the service, your manager would make you aware at the earliest opportunity. As this outbreak could last for some time, it is important that staff are permitted to take appropriate periods of annual leave.

New Q&A 23/07/20 08.30 hours

Updated 18/08/20 08.30 hours

**Q. Prior to 9<sup>th</sup> June 2020 I had booked a holiday/trip outwith the UK which my manager had authorised annual leave for. What happens with regards to any quarantine/self-isolation period that would be applicable for me on re-entering the UK?**

**A.** The Scottish Government have now confirmed [a list of countries](#) which will not require self-isolation quarantine restrictions to be adhered to on return to Scotland. Please note that at this time this arrangement is not reciprocal – not all countries

listed have lifted quarantine restrictions on entry. As such you must check [travel advice](#) before travelling taking particular account of whether you will be required to quarantine on entry/return and what impact this may have on your time away from the workplace. If self-isolation on entry to the foreign country is required and this extends your period away from the workplace this must be taken as additional annual leave, with appropriate approval.

You should speak with your manager as soon as possible to discuss your plans and provide evidence (emails, booking confirmation etc will be accepted forms of confirmation) of the date the trip/holiday was booked. Your manager will discuss with you what work can be undertaken at home for all or part of the quarantine, and arrange whatever support is required for this to happen. Every effort will be made to allow you to work at home. This could include providing you with different work; for example, a nurse undertaking administration duties from home. Employees will be expected to undertake work according to their skills and capabilities. This is subject to change pending clarification from the Scottish Government.

Any period where working at home is not possible, will be recorded as Special Leave and you will receive payment for the shifts which you would have normally worked.

Before your return to the UK you are required to complete an online “passenger locator form” regardless of where outside the UK you are travelling from (unless this is Ireland, the Channel Islands or the Isle of Man) The form and instructions on what information you need to complete it can be found [here](#). Should you not complete the form at the appropriate time and this results in a delay to your return to work, special leave will not be approved. Should this situation arise you must advise your manager as soon as possible and agree with them how this period will be covered. If you are unable to resolve this between you and manager you can contact the HR Hub on extn 52888/ [gram.hr@nhs.scot](mailto:gram.hr@nhs.scot) to discuss a solution.

**New Q&A 18/08/20 08.30 hours**

**Q. Between the 9th June and 9th July 2020 I booked a holiday which includes foreign travel. What happens if I am required to quarantine during this trip?**

**A.** As quarantine restrictions were in place at this time for every country outside the UK (except Ireland, the Channel Islands or the Isle of Man) if there is a requirement for you to quarantine/self-isolate at either end of your break ie on entry to another country or on your return to the UK, you must discuss with your manager how any quarantine period would be covered and if this extended period is able to be approved. Available options would include annual leave, parental leave if eligible, TOIL etc. Special leave and home working **will not** be granted to cover any quarantine/self-isolation for staff who booked their foreign travel during this period.

Before your return to the UK you are required to complete an online “passenger locator form” regardless of where outside the UK you are travelling from (unless this is Ireland, the Channel Islands or the Isle of Man) The form and instructions on what information you need to complete it can be found [here](#). Should you not complete the form at the appropriate time and this results in a delay to your return to work, special leave will not be approved. Should this situation arise you must advise your manager as soon as possible and agree with them how this period will be covered. If you are

unable to resolve this between you and manager you can contact the HR Hub on extn 52888/ [gram.hr@nhs.scot](mailto:gram.hr@nhs.scot) to discuss a solution.

New Q&A 23/07/20 08.30 hours

Updated 18/08/20 08.30 hours

**Q. From 10<sup>th</sup> June 2020, what should I do if I want to book a holiday/trip out with the UK and what happens with regards to any quarantine/self-isolation periods?**

**A.** You should speak with your manager as soon as possible to discuss your plans and will be asked provide evidence (emails, booking confirmation etc will be accepted forms of confirmation) of the date the trip/holiday was booked if your leave can be accommodated. You will also be asked to provide evidence from the [Foreign Commonwealth Office \(FCO\) Internet page](#) to evidence whether travel to your chosen destination at the time of booking was subject to quarantine restrictions on return to the UK, ideally in the form of a print out from this page.

The Scottish Government have now confirmed [a list of countries](#) which do not require self-isolation quarantine restrictions to be adhered to on return to Scotland. Please note that at this time this arrangement is not reciprocal – not all countries listed have lifted quarantine restrictions on entry and the list may change with countries being added or removed. As such you must check [travel advice](#) before booking, taking particular account of whether you will be required to quarantine on entry/return.

If you have booked leave to travel to a country where no quarantine restrictions apply on return to Scotland, at the time of the booking and the advice changes before travel or whilst you are in that country, requiring you to quarantine on return your manager will discuss with you what work can be undertaken at home and arrange whatever support is required for this to happen. Every effort will be made to allow you to work at home. This could include providing you with different work; for example, a nurse undertaking administration duties from home. Employees will be expected to undertake work according to their skills and capabilities. Any period where working at home is not be possible, will be recorded as Special Leave and you will receive payment for the shifts which you would have normally worked.

It is recommended that this discussion around work which can be undertaken at home takes place prior to the holiday and that any support/equipment required to allow for this work to happen at home is arranged prior to the period of leave too.

If at the time of booking quarantine restrictions on return to Scotland were in place, you must discuss with your manager whether this extended period can be approved and how the quarantine period would be covered. Available options would include annual leave, parental leave if eligible, TOIL etc. Special leave and home working **will not** be granted to cover any quarantine/self-isolation for staff who booked their foreign travel while quarantine restrictions were in place at the time of booking. It may not be operationally possible for your manager to approve extended holidays in

these circumstances and as such you must seek approval from your manager prior to booking your holiday.

If self-isolation on entry to the foreign country is required and this extends your period away from the workplace this must be taken as additional annual leave, with appropriate approval, regardless of it's quarantine status at the time of booking.

This advice will be kept under review by the Scottish Government as if the re-imposition of quarantine becomes a common occurrence then it may no longer be possible to book foreign travel "in good faith" on the assumption that a quarantine period will not be required.

Before your return to the UK you are required to complete an online "passenger locator form" regardless of where outside the UK you are travelling from (unless this is Ireland, the Channel Islands or the Isle of Man) The form and instructions on what information you need to complete it can be found [here](#). Should you not complete the form at the appropriate time and this results in a delay to your return to work, special leave will not be approved. Should this situation arise you must advise your manager as soon as possible and agree with them how this period will be covered. If you are unable to resolve this between you and manager you can contact the HR Hub on extn 52888/ [gram.hr@nhs.scot](mailto:gram.hr@nhs.scot) to discuss a solution.

**New Q&A 23/07/20 08.30 hours**

**Q. Due to a personal emergency I need to travel abroad at short notice, what happens with any travel quarantine/ self-isolation in this circumstance?**

**A.** In situations such as a family bereavement/serious illness, special leave would be granted for the self-isolation period. You will receive payment for the shifts which you would have normally worked.

**New Q&A 23/07/20 08.30 hours**

**Updated 14/08/20 08.30 hours**

**Q. Prior to 9<sup>th</sup> June 2020, I booked foreign travel but did not have annual leave authorised by my manager, what should I do?**

**A.** Staff should not make any leave arrangements e.g. booking flights etc, until such time as their leave has been authorised, therefore you should speak to your manager as soon as possible and advise them of the situation. Your manager will need to consider the leave of staff who sought authorisation before your leave can be considered for approval. Your manager may be able to approve the request but equally the request may have to be refused.

If the request is approved, advice is awaited from the Scottish Government as to what kind of leave should be put in place to cover any required quarantine self-

isolation period on the return to the UK. If self-isolation on entry to the foreign country is required and this extends their period away from the workplace this must be taken as additional annual leave, with appropriate approval.

In the event that your manager is unable to approve this leave and you do not attend work, the period of absence would be classed as unauthorised absence and subject to investigation and use of the [Once for Scotland Conduct Policy](#). The Annual leave – [Best practice Q&A](#) Question 7 should also be referred to.

Before your return to the UK you are required to complete an online “passenger locator form” regardless of where outside the UK you are travelling from (unless this is Ireland, the Channel Islands or the Isle of Man) The form and instructions on what information you need to complete it can be found [here](#). Should you not complete the form at the appropriate time and this results in a delay to your return to work, special leave will not be approved. Should this situation arise you must advise your manager as soon as possible and agree with them how this period will be covered. If you are unable to resolve this between you and manager you can contact the HR Hub on extn 52888/ [gram.hr@nhs.scot](mailto:gram.hr@nhs.scot) to discuss a solution.

New Q&A 05/05/2020 08.30 hours

Updated Q&A 07/08/20 12.30 hours

**Q. I have been unable to take my full 2019/20 annual leave by 31 March 2020\* as a consequence of COVID-19. What happens to my outstanding annual leave?**

\*For medical staff, where 31 March is quoted this should be substituted with your individual annual leave year date. See the full DL [here](#).

**A.** If you were required to work during your planned annual leave or public holidays, or still had leave to take but could not do so due to covid19 service requirements then these unused days can be transferred into this leave year. In accordance with the [DL\(2020\)9](#) Annual Leave and Public Holidays during the Covid19 Pandemic you have until 31 March 2022 to use this leave, or alternatively you can receive payment for some or all of this untaken leave. The process for payment arrangement is included in the [HR forms and documents section](#) of this Q&A.

New Q&A 05/05/2020 08.30 hours

**Q. I had outstanding annual leave that I should have used before 31<sup>st</sup> March 2020. When requesting to take this leave in March it could not be accommodated due to other staff being off on planned leave – am I allowed to carry this forward?**

**A.** No, unless you fall within one of the exceptions which are:

- staff on long term sickness absence
- staff on maternity leave
- where annual leave could not be taken due to service needs and
- where individuals request to carry forward leave under genuinely exceptional circumstances.

If you do fall within one of the exceptions, except long term sickness, you will be able to carry forward your unused annual leave to be taken in the current leave year.

If you have been on long term sickness please refer to the [Long Term Sick Carry Forward of Annual Leave Document](#) for further information.

However in either case, as it is not as a consequence of COVID-19, it will not be possible to request payment for some or all of that annual leave.

**Updated Q&A 05/05/2020 08.30 hours**

**Q. Can I request annual leave and/or parental leave during the period of time the Major Incident Policy is invoked?**

**A.** Yes, it is important that staff do utilise leave where this can be accommodated, however annual leave will be prioritised in line with the needs of maintaining essential services. For parental leave the needs of the service will have to be balanced with the needs of the individual.

**New Q&A 05/05/2020 08.30 hours**

**Updated Q&A 16/06/20 08.30 hours**

**Q. Do I have to take annual leave in this leave year i.e. by 31 March 2021?**

**A.** Yes and you should plan to take all of your annual leave entitlement this leave year. Leave will be granted in line with the needs of maintaining essential services. As a guide staff should aim to take 25% of their leave each quarter of the leave year. Staff rest and recuperation at a time of the pandemic is vital. NHS Grampian must ensure that you have enough rest in order to maintain your own physical and mental wellbeing. The culture of NHS Scotland has traditionally been of working as many hours as necessary during an emergency. However, working prolonged and sustained excessive hours is not good for staff or patient care and all annual leave should be taken this leave year

Staff are expected to take their full annual leave entitlement for 2020/2021. There is no facility for staff to receive or request payment for untaken leave from 2020/2021.

**New Q&A 25/06/20 08.30 hours**

**Q. I am currently excluded from the workplace as I am aged 70 and over/ 28 plus weeks pregnant/ with significant health conditions. Am I required to take annual leave at this time?**

**A.** Yes, these groups of staff are all expected to take their annual leave in line with the above answer.

**New Q&A 05/05/2020 08.30 hours**

**Updated Q&A 23/07/20 08.30 hours**

**Q. I have received a letter from the Chief Medical Officer advising that I must shield as I am in the “very high risk” health group. Do I take annual leave?**

**A.** To reflect the additional restrictions placed on you shielding within your home, there is no expectation that you will take annual leave during the notified shielding period, however you may request annual leave during this period if you wish. . It is recognised that this leaves a limited period for you as a shielder to utilise your full year annual leave entitlement, however, you should discuss your plans to utilise your

leave with your manager as soon as possible who will accommodate this where business needs allow. In the circumstance that your manager is unable to accommodate your full leave within this leave year, they should contact the HR Hub on extn 52888/ [gram.hr@nhs.scot](mailto:gram.hr@nhs.scot) to discuss a solution.

**Updated Q&A 22/12/2020 08.30 hours**

**Q. What happens if staff members are not able to take all of their annual leave entitlement this leave year i.e. by 31 March 2021 due to service needs?**

**A.** The manager and staff member should explore options for them to take all their annual leave. However as a minimum all staff must take their statutory leave of 28 days (includes 20 days of their leave entitlement and 8 public holidays) pro rata for part time staff, this leave year i.e. by 31 March 2021. To help with planning of annual leave, as a guide staff should aim to take 25% of their leave each quarter of the leave year. Staff are expected to take their full annual leave entitlement for 2020/2021. There is no facility for staff to receive or request payment for untaken leave from 2020/2021.

The following is applicable to staff covered by the Agenda for Change agreement and the Executive and Senior Manager cohort. Arrangements with regard to the carry forward of annual leave remain unchanged for Medical Staff.

In the absence of specific national guidance, the System Leadership Team has been considering the issue of 2020/21 annual leave.

All employees were expected to take their full annual leave entitlement for 2020/21, however it is recognised, and data shows that, service demands have meant this has been difficult for some colleagues to use up at the same rate as in previous years.

The default position remains that colleagues across Grampian should do what they can to use their remaining annual leave for 2020/21 by 31st March 2021. This is to support their wellbeing by getting rest and recuperation, which managers should both encourage and facilitate. It is one of the reasons for focussing our collective efforts in a more concentrated way in Operation Snowdrop.

Nonetheless, where service demands make taking the full allocation of 2020/21 leave problematic, a carry-over into the 2021/22 annual leave year can be agreed now, up to the equivalent of an employee's weekly contracted hours. This will only apply in areas where it will be difficult to ensure staff can be given their full annual leave entitlement. Any requests to carry over leave in this way should be made by the staff member to their manager by 13<sup>th</sup> January 2021 to support planning/stability of services.

Where there are exceptional personal circumstances/service pressures, in line with our extant annual leave policy more than one week of the employees contracted hours may be carried over by mutual agreement, or carry over may be agreed after the above date. However, this should be referred to the relevant Sector Leadership Teams for sign off to ensure that all alternatives have been properly considered.

This does not change the position in relation to decisions already made about how to handle untaken 2019/20 annual leave in response to [DL\(2020\)09](#) and [DL\(2020\)16](#),

either by carry over and use by the end of the 2021/22 leave year or payment in lieu. Further information is contained within the Covid-19 Q&A's and HR forms and documents.

**Updated Q&A 05/05/2020 08.30 hours**

**Q. On the removal of the Major Incident Policy, how will annual leave be fitted in to the remainder of the leave year?**

**A.** Annual leave must be planned throughout the leave year. At this time it is unclear how long the Major Incident Policy will remain in place, so there may be a continued effect into the following leave year.

**New Q&A 05/05/2020 08.30 hours**

**Q. I have already booked leave for the annual leave year 2020/21, but would like to reschedule these dates. Can I do this?**

**A.** Discuss your request with your manager to explore options to take your annual leave at a later date within the leave year. Any requests should not be unreasonably refused however please appreciate that your manager's priority is to ensure that they are able to fairly and consistently meet the needs of their whole department whilst delivering a service.

**New Q&A 09/06/20 08.30 hours**

**Q. I was due to be on annual leave during the last week of the school summer holidays (week of 10<sup>th</sup> August). With schools in Moray, Aberdeen City and Aberdeenshire returning a week earlier than had been expected after the summer break, I no longer want to take this week, can I change it?**

**A.** Discuss your request with your manager to explore options to take your annual leave at another date within the leave year. Any requests should not be unreasonably refused however please appreciate that your manager's priority is to ensure that they are able to fairly and consistently meet the needs of their whole department whilst delivering a service.

**New Q&A 05/05/2020 08.30 hours**

**Q. I normally do not work on a public holiday, can I now be asked to work on a public holiday?**

**A.** As a consequence of increased/different demand, staffing levels will constantly need to be revised. You may be asked to work on a designated public holiday that you would not normally be scheduled to work on. If you do work on a public holiday you will be recompensed as set out in your terms and conditions of employment. A table showing payment due for enhancements included at the end of the working differently and pay section of this [Q&A](#)

For Agenda for Change staff, you will receive in addition to payment the equivalent time (a maximum of 7.5 hours, pro rata for part time staff) to be taken off in lieu at plain time rates.

Consultant Medical and Dental staff have options within their terms and conditions. In the main they choose to receive a premium payment in addition to his/her contracted salary at a rate of one third of their basic hourly rate, excluding discretionary points and/or distinction awards – A table showing payment due is included at the end of the working differently and pay section of this [Q&A](#)

New Q&A 05/04/2020 08.30 hours

**Q. I am self-isolating or shielding, what is the arrangement for a public holiday?**

**A.** The following should apply in terms of public holidays:

- Staff who would not normally work public holidays will be considered to have had the public holiday and the hours should be deducted from their leave entitlement;
- For staff on a standard rota who are due to be working a public holiday, they should receive public holiday rates and the hours should not be deducted from their leave entitlement, so still due a public holiday in lieu;
- For staff on a flexible rota, the normal arrangements should apply over the leave year in terms of numbers of public holidays worked. If these fall within the period of self-isolation/shielding, they will receive public holiday rates and hours will not be deducted. If they were not rostered during this period as due to work other public holidays in the year, they will have the hours deducted from their leave entitlement.