

ADVISORY NOTE

BANKED LEAVE SCHEME

INTRODUCTION

As part of the Single Status Agreement - Modernising the Employment Package -and the Council's commitment to work life balance, a number of improvements have been developed. This includes a Banked Leave Scheme which is effective from 1 August 2007.

This advisory note has been prepared to assist managers and staffing in dealing with an employee's request to bank leave.

Chief Officers and employees covered by the Single Status Agreement are eligible to request to participate in the Banked Leave Scheme, subject to the conditions of the scheme.

BANKING LEAVE

Banking leave involves sacrificing a fixed amount of leave over a set period of time, which is then used at an agreed later date. Employees can 'save up' annual leave over an agreed period and use this for a *specific purpose* i.e. visiting family overseas, travelling, personal development.

Over a maximum period of five years, employees can request to bank a maximum of five days per leave year. However, the amount of leave sacrificed each year should not reduce that year's entitlement to a level below that determined by the Working Time Regulations.

APPLICATION PROCEDURE

An employee who wishes to bank leave must complete a Banked Leave Application Form and forward it to their Head of Service or nominated officer. This form is also available from Human Resources.

The form requests details of the amount of leave to be banked, the period over which it will be accrued and when and for what purpose it will be taken. The form should be fully completed and signed by the employee. If an application form is not fully complete, it should be returned to the employee.

Executive Directors should specify who, in their Service, has the authority to approve Banked Leave applications. This information should be communicated throughout the Service to ensure that applications are approved only by those authorised to do so.

Human Resources should be aware of the nominated officers who can approve applications.

Human Resources should also ensure that a procedure is established to:

- Ensure compliance with the [Working Time Regulations](#) and the Council's Banked Leave Scheme.
- Ensure that accurate records are kept and maintained in respect of those participating in the Banked Leave Scheme.

CONSIDERATION OF REQUESTS

The Head of Service or nominated officer must acknowledge receipt of the application.

The Head of Service or nominated officer must arrange to meet with an employee to discuss an application, within 14 days of receipt.

Consideration should be given to the following:

- 1 Does the employee meet the criteria of the Scheme?
- 2 Employee's attendance record - excluding periods of maternity, adoption carer leave etc and taking cognisance of sickness absence within the scope of the Disability Discrimination Act.
- 3 The impact the requested leave will have on service provision.
- 4 Reasons for requesting banked leave.
- 5 Leave requests submitted from other employees within the team/section
- 6 The number of periods of banked leave already taken by an employee.

INFORMING THE EMPLOYEE OF THE OUTCOME

Following careful consideration of the business grounds and all other relevant factors, an employee should be notified of the decision, in writing, within 14 days of meeting with the Head of Service or nominated officer, using the Banked Leave Application Form.

An approved application should be completed, signed by the Head of Service or nominated officer, and returned to the employee. A copy should also be passed to Human Resources HR@pkc.gov.uk for the amendment of leave records and placed in the employee's personal file, as a record of their acceptance to the terms under which approval has been given.

Any failure to adhere to the terms of the Scheme may result in an employee's participation in the Scheme being withdrawn.

Where it is not possible to accommodate an employee's request, the matter should be discussed with the employee. Confirmation of the decision should then be

provided, outlining the business ground(s) and giving a brief explanation for the reason(s) in writing, using the application form.

Managers should note that an employee may wish to raise a complaint under the Council's [Fairness at Work Procedure](#) in respect of any application made which was subsequently refused. Therefore, all refusals should be capable of being justified on business ground(s) at a later stage.

MOVING TO ANOTHER POST

Where an employee applies for another post within the Council, the employee must discuss with the appointing manager whether an existing agreement can continue to be honoured, prior to appointment.

RESIGNATION

Where an employee resigns from the employment of Perth & Kinross Council before completion of their agreement, managers should, where possible, ensure outstanding leave is used. Where this is not practicable, the employee may receive payment in lieu of leave accrued.

If you require any further guidance or assistance in assessing an application for banked leave, you should contact Human Resources.