

Annual Leave Purchase Scheme Additional Guidance Notes

1. The following guidance notes should be read in conjunction with the policy governing annual leave purchase.
2. Staff and managers are reminded that the University has a range of policies governing leave arrangements, such as unpaid leave, parental leave, compassionate leave etc, details of these other leave schemes can be found here
<https://www.sussex.ac.uk/webteam/gateway/file.php?name=sectionheadnonfaceleaveabsence.pdf&site=302>

Application Windows

3. The Annual Leave Purchase scheme will run during 2 application windows;

Window 1 – will run between July – August, enabling the additional leave (if approved) to be authorised and ready to use by the start of the leave year (i.e. 01st October).

Window 2 will run between January - February enabling the additional leave (if approved) to be authorised and ready to use at the midpoint of the leave year (i.e. 01st April).

Application Process

4. Before making an application, the employee should discuss the request with their manager, and should receive a decision in principle before completing the application form.
5. The Annual Leave Purchase Scheme form should be completed by the employee who is requesting the additional annual leave during the application windows detailed above.
6. Employees/managers should ensure that the additional leave is requested in hours not days, for the avoidance of doubt:
 - a. for full time staff in grades 1-6, one working day is 7 hours 18 minutes (7.3 hours)
 - b. For full time staff in grades 7-10, one working day is 7 hours 30 minutes (7.5 hours)
7. Once completed the form should be sent to the employee's line manager for consideration. The line manager must have sufficient time within the windows (outlined above) to consider all applications, it is therefore strongly recommended that all applications are submitted to the manager at least 10 days prior to the closure of the application windows.

Management Responsibilities during Application Process

8. Managers must ensure that they are able to give due consideration to all applications received prior to the end of the application window.
9. On receipt of the form managers must consider the impact on service provision if the additional annual leave is purchased. It is recommended that the management team consider all requests received from staff together, and consider the impact of allowing

additional leave to be taken. If the request is agreed, managers must ensure that provision of a normal service will be maintained.

10. Managers should be mindful of the reasons for declining or reducing the amount requested, and must communicate these to the employee. Care should be taken to ensure there is no bias in determining the outcome of the decisions. Part time staff and full time staff must be treated equally.
11. Managers must be mindful of all requests received and ensure that each application is considered in light of others received and on its own merits. It may be appropriate to decline a request but offer a reduced amount of additional leave, as long as this is justified within the exigencies of the service.
12. Managers must ensure that the Head of Service/School are aware of all such requests and give them time to feedback on such requests, in view of the impact of the wider division/school.
13. Once managers have determined the viability of the request (in terms of service provision), the decision will be communicated to the employee. Managers may either approve the request in full, decline the requested additional leave or offer the employee an alternative amount in line with being able to maintain the service.
14. There is no right of appeal to the manager's decision.
15. Managers must submit all forms to HR (reward@sussex.ac.uk) at the end of the application window. HR will then undertake earnings checks to ensure that the salary sacrificed in the purchase of the additional annual leave does not reduce the hourly rate to such an extent that the effect is to lower the employee's hourly rate below National Living Wage rates (as set out by the government).

HR Responsibilities and Duties

16. Where the reduction in pay would reduce the hourly rate to below the National Living Wage rate, the request will be rejected by HR and the employee will be notified of the rejection, and be given the reasons why.
17. The outcome of this final level of approval will be communicated to the employee by the end of the month following the close of the application window.
18. By submitting the application form to HR (via line managers) the employee accepts that should the request be approved their salary will be deducted at the agreed rate as outlined in 5.3 of the Annual Leave Purchase Scheme policy.

Terms of additional annual leave

19. The costs of the additional annual leave purchased will be recovered from the employee's pay so that the costs will be repaid by the end of the leave year to which the additional annual leave relates. I.e. if an employee makes an application in window 1 the repayments

will be made over 12 months, and if application is made in window 2 the repayments will be made over 6 months.

20. Applications submitted during window 1 may request a maximum of 10 days additional annual leave pro rata. The additional annual leave should be added to the employee's leave entitlement.
21. Applications submitted during window 2 will be able to request a maximum of 5 days additional annual leave pro rata. The additional annual leave should be added to the employee's leave entitlement.
22. An employee will only be able to request a maximum of 10 days additional leave per year, i.e. if an employee receives approval for 10 days additional leave in window 1, an application for additional leave in window 2 will be automatically rejected.
23. For the avoidance of doubt, the additional annual leave will be used prior to the normal contractual entitlement. Employees will not normally be able to roll the additional annual leave over into subsequent leave years. No refunds will be processed where the additional annual leave has not been taken, and where there is no good reason that has prevented the employee from taking the additional leave.
24. Normal procedures governing the rolling over of normal annual leave will be observed at all times (i.e. at the manager's discretion an employee will be able to roll over 5 days untaken annual leave).
25. Employees will need to request the use of the additional annual leave subject to normal procedures. This means that managers will be able to refuse specific dates where there is good reason to do so.
26. The granting of additional annual leave in one leave year does not imply that requests in subsequent windows will be agreed. Each window's applications will be treated on their own merits and with due consideration to the service provided for each year.
27. HR will return application forms in the following events:
 - The amount requested is not stipulated in hours
 - Where there are missing signatures
 - Where the requested amount is beyond the maximum allowed amounts.

Changing Jobs and Leaving the University mid-way through the leave year

28. Where an employee is aware that they have been successful in securing a new role within the University prior to the opening of the application windows, employees should discuss any requests for additional leave with their new line manager rather than their current one, as it is the new manager who will have to consider the impact on resources of additional annual leave.
29. Where an employee transfers to a new role within the University (including promotion) the employee should endeavour to use up their additional leave prior to undertaking the new

duties. Where this is not possible the employee should discuss their annual leave provision with their new manager prior to taking up the role.

30. Under normal circumstances employees are permitted to roll over up to 5 days annual leave from one year to the next. Where employees are unable to use all their annual leave due to the additional leave not being accommodated in their new role, employees may be able to take advantage of this rolling over annual leave.
31. Where a member of staff leaves the University part way through the leave year, their annual leave allowance will be recalculated on a pro rata basis up to their last day of employment, plus any additional leave purchased. Any debit in the amount of leave taken, or balance of monies to be repaid in respect of days bought, will be recovered automatically from the member of staff's final pay. Any outstanding leave of any type should normally be taken in the notice period.
32. Where an employee changes roles during the leave year, even where the new role is higher or lower graded than their preceding role the annual leave deductions will not be recalculated to account for the new rate of pay.