

NHS WALES
GUIDANCE – CALCULATION OF ANNUAL LEAVE
AND STATUTORY BANK HOLIDAYS
VERSION 4 – EFFECTIVE FROM 1.4.21

1. Purpose

The aim of this guidance is to provide a uniform and equitable approach to the calculation of annual leave and Statutory Bank Holiday entitlements which take into account the entitlements and arrangements defined under NHS Terms and Conditions of Service.

2. Scope

The guidance applies to all NHS Wales staff covered by the NHS Terms and Conditions of Service.

3. Annual leave year

The annual leave period shall be from 1 April to 31 March (for staff covered by the NHS Terms and Conditions of Service).

4. Entitlement

4.1 Entitlement for complete years

The basic annual leave provisions under the NHS Terms and Conditions of Service are contained in Table 1 below.

Table 1 ANNUAL LEAVE ENTITLEMENT Length of service

Length of service	Annual leave	Statutory Bank Holidays	Total
On appointment	28 days	8 days	36 days
After 5 years' service	30 days	8 days	38 days
After 10 years' service	34 days	8 days	42 days

Under the NHS Terms and Conditions of Service, calculations for staff who do not work 37.5 hours in five 7.5 hour shifts will be worked out in hours.

The calculation of annual leave entitlements pertaining to all staff is contained at Table 2. **Hours have been rounded up or down to the nearest 0.5 decimal point (i.e. the nearest ½ hour).**

In addition to annual leave entitlement, staff are entitled to 8 paid Statutory Bank Holidays. In the case of all part time staff, this entitlement is pro rata to the full time allowance of 8 days. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. In this way, all staff will receive a fair and equitable, static entitlement rather than one based solely on the normal days of work. Otherwise, this would result in some part time staff never receiving the benefit of a Statutory Bank Holidays unless they fall on their normal days of work. Similarly, this calculation based on the number of basic weekly contracted hours removes any potential for inequity in the case of staff whose working days vary.

Table 3 contains the Statutory Bank Holiday entitlement for all staff both for a full leave year and for each Statutory Bank Holiday.

To calculate an employee's total leave entitlement inclusive of Statutory Bank Holidays, Tables 2 and 3 should be added together. They are shown separately so that the composition of an employee's full entitlement is clear.

4.2 Entitlement on joining

All new members of staff will be entitled to annual leave plus Statutory Bank Holidays in the year of joining the NHS, on a pro-rata basis.

Annual leave entitlement for part years can be calculated using Tables 2+3 but this must be pro rata to the number of days in the leave year since joining. **Annual leave is calculated based on days in post rather than completed months.**

The Statutory Bank Holiday hours entitlement will be based on the number of Statutory Bank Holidays remaining in the current leave year from the date of joining.

Example 1: A member of staff works 25 hours per week, their joining date is 1 October 2022 and they are new to the NHS:

Their annual leave entitlement for a full leave year would be 180 hours (as per Tables 2+3). As they started on 1 October, they are entitled to 6 months' of annual leave ie 6/12ths of 140 hours (Table 2) which is 70 hours' annual leave. Statutory Bank Holiday hours must be added to this. This total will vary depending upon where the Statutory Bank Holidays fall during the calendar year and for the purposes of this example, there are 3 Statutory Bank Holidays remaining in the leave year. Therefore, using Table 3, 3 Statutory Bank Holidays x 5 hours per Statutory Bank Holiday = 15 hours.

So the total leave entitlement for the part leave year will be 70hrs +15hrs = 85 hours to be taken by 31 March.

Where someone starts part way through a month the leave would be calculated based on the remaining days in the year.

Example 2: A member of staff works 30 hours per week, their joining date is 20 June 2022 and they have over 10 years' experience in the NHS:

Their annual leave entitlement for a full leave year would be 252 hours (as per Tables 2+3). As they started on 20 June, they are entitled to annual leave for the remaining 9 months and 11 days in the leave year which is 285 days, ie 285/365 of 204 hours (Table 2) which is 159.5 hours' annual leave. Statutory Bank Holiday hours must be added to this. This total will vary depending upon where the Statutory Bank Holidays fall during the calendar year and for the purposes of this example, there are 4 Statutory Bank Holidays remaining in the leave year. Therefore, using Table 3, 4 Statutory Bank Holidays x 6 hours per Statutory Bank Holiday = 24 hours.

So the total leave entitlement for the part leave year will be 159.5hrs + 24hrs = 183.5 hours to be taken by 31 March.

4.3 Entitlement on changing contracted hours

Where staff change their contracted hours, this will result in a re-calculation of their annual leave entitlement based on completed months on the new and the old contracted hours to give the full year entitlement. The expectation is that where staff change their contracted hours part way through a month they should not lose entitlement. Therefore, in these cases the entitlement for the first month will be calculated on the basic weekly contracted hours that they predominantly worked for that initial month.

5. Bank Holidays

5.1 Statutory Bank Holidays

A Statutory Bank Holiday is defined as a period of normal duty that **starts** within the period of 24 hours from midnight to midnight.

Full time staff will be entitled to all paid Statutory Bank Holidays in the leave year. All part time staff are entitled to Statutory Bank Holidays pro rata to the full time allowance.

The 8 Statutory Bank Holidays in the year are:

Christmas Day	Boxing Day	New Year's Day
Good Friday	Easter Monday	May Day
Spring Bank Holiday	August Bank Holiday	

5.2 Examples of calculating Bank Holiday entitlement

Example: Employee B works 30 hours per week. They would normally work 7.5 hours on a Monday and have over 10 years' service. They are required to work on May Bank Holiday so their leave entitlement remains intact as this day has been worked and not been taken off as leave. If they are not required to work on August Bank Holiday, 7.5 hours will be deducted from their total leave entitlement of 252 hours (Tables 2+3).

On each and every occasion a member of staff takes paid time off on a Statutory Bank Holiday as part of their basic week, the appropriate deduction of their normal basic working hours for that day will be made from their overall entitlement (i.e. Tables 2+3 combined) . Where operationally possible and subject to mutual agreement, a member of staff may change their days of working during a Statutory Bank Holiday week and therefore retain their leave entitlement in respect of the Statutory Bank Holiday. This can then be taken as time off at another time.

Example: Employee C is not required to work on May Bank Holiday. Their normal contracted hours of work are 18 per week. They would normally work 6 hours on a Monday and they have less than 5 years service. So, using the above principle, 6 hours will be deducted from their total entitlement of 130 hours (Tables 2+3)

Example: Employee D works 30 hours per week. They would normally work 7.5 hours on a Monday and have over 10 years' service. They are required to work on May Bank Holiday so their leave entitlement remains intact as this day has been worked and not been taken off as leave. If they are not required to work on August Bank Holiday, 7.5 hours will be deducted from their total leave entitlement of 252 hours (Tables 2+3).

It is suggested, in the case of staff who are **never** required to work on any Statutory Bank Holidays that fall on a normal working day, that at the beginning of the leave year, Managers and staff may find it helpful to make the appropriate total Bank Holidays deduction (using Table 3) so that the balance of leave entitlement is identified and recorded. Clearly, this deduction cannot be made if the employee's working days/hours vary.

5.3 Arrangements when there are more or less than 8 Bank Holidays in a leave year

There will be some years when more (or less) than 8 Statutory Bank Holidays fall within the leave year simply because Statutory Bank Holidays follow the calendar year and the Easter Bank Holidays can be in either March or April. In these circumstances the Statutory Bank Holiday entitlement should be increased or reduced accordingly at the beginning of the leave year and the Hourly Entitlement on each Bank Holiday as it occurs in Table 3 should be used to increase or reduce the entitlement in any on year accordingly.

Leave Year	Good Friday	Easter Monday	Good Friday	Easter Monday	Total No. of B/Hs in Leave Year
2022/23	15 April 2022	18 April 2022			8
2023/24	7 April 2023	10 April 2023	29 March 2024		9
2024/25		1 April 2024			7
2025/26	18 April 2025	21 April 2025			8
2026/27	3 April 2026	6 April 2026	26 March 2027	29 March 2027	10
2027/28					6
2028/29	14 April 2028	17 April 2028	30 March 2029		9
2029/30		2 April 2029			7
2030/31	19 April 2030	22 April 2030			8
2031/32	11 April 2031	14 April 2031	26 March 2032	29 March 2032	10
2032/33					6

There are also occasions when an additional Bank Holiday may occur during the year e.g. for a royal occasion and the “*Hourly Entitlement on each Bank Holiday as it occurs*” column in Table 3 should similarly be used to increase the annual leave entitlement.

6. Term Time Working

Annual leave for staff who work during school term time only must be calculated on a pro rata basis for part time staff. Term time staff are typically expected to take their annual leave and bank holiday entitlement during school holidays.

Method of Calculation

The method of calculation is based on:

A = Actual number of weeks contracted work per annum divided by

B = Actual number of weeks in year (52.143) minus number of weeks annual leave and Bank Holidays per annum

Multiplied by

C = Number of contracted hours per week

The following examples are based on the contractual entitlements in accordance with NHS Terms and Conditions:

Example 1 is based on an individual who works for 39 weeks of the year and is entitled to 28 days’ annual leave plus 8 Bank Holidays (7.2 weeks) as if they worked the whole time during the year.

A = Actual number of weeks contracted work per annum (39) divided by

B = Actual number of weeks in year (52.143) **minus** number of weeks annual leave and Bank Holidays per annum (7.2) = 44.943

Multiplied by

C = Number of contracted hours per week (37.5)

$A/B \times C$ = hours payable

Therefore:

$39 (A) / 44.943 (B) \times 37.5 (C) = 32.54$ hours payable for 52 weeks of the year

Example 2 is based on an individual who works 39 weeks of the year and is entitled to 30 days' annual leave plus 8 Bank Holidays (7.6 weeks) as if they worked the whole time during the year.

A = Actual number of weeks contracted work per annum (39) divided by

B = Actual number of weeks in year (52.143) **minus** number of weeks annual leave and Bank Holidays per annum (7.6) = 44.543

Multiplied by

C = Number of contracted hours per week:

$A/B \times C = \text{hours payable}$

Therefore:

$39 (A) / 44.543(B) * 37.5 (C) = 32.83 \text{ hours payable for 52 weeks of the year}$

Example 3 is based on an individual who works 39 weeks of the year and is entitled to 34 days' annual leave plus 8 Bank Holidays (8.4 weeks) as if they worked the whole time during the year.

A = Actual number of weeks contracted work per annum (39) divided by

B = Actual number of weeks in year (52.143) **minus** number of weeks annual leave and Bank Holidays per annum (8.4) = 43.743

Multiplied by

C = Number of contracted hours per week(37.5):

$A/B \times C = \text{hours payable}$

Therefore:

$39 (A) / 43.743 (B) * 37.5 (C) = 33.43 \text{ hours payable for 52 weeks of the year}$

7. Entitlement on Leaving

Staff who leave will receive their annual leave entitlement as per Table 2 calculated based on the number of days spent in employment, less any annual leave taken.

Example: A member of staff starts on 37.5 hours per week with an NHS Wales employer on 10 October 2022 and moves to another employer with effect from on 14 March 2023. It is their first NHS employment and their full year's leave entitlement would therefore be 210 hours plus bank holidays.

When they leave, they have been employed for:

- 22 days in October
- 30 days in November
- 31 Days in December
- 31 Days in January
- 28 days in February
- 13 days in March

They have therefore spent 155 days in employment, and their annual leave entitlement is therefore $155/365 \times 210$

= 89 hours basic, plus 22.5 hours for the three bank holidays on Christmas Day, Boxing Day and New Year's Day 2022/23 as these have fallen during their period of employment.

Total entitlement therefore = 111.5 hours

TABLE 2: AGENDA FOR CHANGE: ANNUAL LEAVE ENTITLEMENT FOR COMPLETE YEARS EXCLUSIVE OF STATUTORY BANK HOLIDAYS

Formula: Weekly contracted hours/5 x no. of annual leave days' entitlement.

WEEKLY BASIC CONTRACTED HOURS		ON APPOINTMENT	AFTER 5 YEARS' SERVICE	AFTER 10 YEARS' SERVICE
		28 DAYS	30 DAYS	34 DAYS
HOURS	FTE	HOURS EQUIVALENT:		
37.5	1.00	210.0	225	255.0
37.0	0.99	207.0	222	251.5
36.5	0.97	205.5	219	248.0
36.0	0.96	201.5	216	245.0
35.5	0.95	199.0	213	241.5
35.0	0.93	196.0	210	238.0
34.5	0.92	193.0	207	234.5
34.0	0.91	190.5	204	231.0
33.5	0.89	187.5	201	228.0
33.0	0.88	185.0	198	224.5
32.5	0.87	182.0	195	221.0
32.0	0.85	179.0	192	217.5
31.5	0.84	176.5	189	214.0
31.0	0.83	173.5	186	211.0
30.5	0.81	171.0	183	207.5
30.0	0.80	168.0	180	204.0
29.5	0.79	165.0	177	200.5
29.0	0.77	162.5	174	197.0
28.5	0.76	159.5	171	194.0
28.0	0.75	157.0	168	190.5
27.5	0.73	154.0	165	187.0
27.0	0.72	151.0	162	183.5
26.5	0.71	148.5	159	180.0
26.0	0.69	145.5	156	177.0
25.5	0.68	143.0	153	173.5
25.0	0.67	140.0	150	170.0
24.5	0.65	137.0	147	166.5
24.0	0.64	134.5	144	163.0
23.5	0.63	131.5	141	160.0
23.0	0.61	129.0	138	156.5
22.5	0.60	126.0	135	153.0
22.0	0.59	123.0	132	149.5
21.5	0.57	120.5	129	146.0
21.0	0.56	117.5	126	143.0
20.5	0.55	115.0	123	139.5
20.0	0.53	112.0	120	136.0
19.5	0.52	109.0	117	132.5
19.0	0.51	106.5	114	129.0
18.75	0.50	105.0	112.5	127.5
18.5	0.49	103.5	111	126.0
18.0	0.48	101.0	108	122.5
17.5	0.47	98.0	105	119.0
17.0	0.45	95.0	102	115.5
16.5	0.44	92.5	99	112.0
16.0	0.43	89.5	96	109.0
15.5	0.41	87.0	93	105.5

WEEKLY BASIC CONTRACTED HOURS		ON APPOINTMENT	AFTER 5 YEARS' SERVICE	AFTER 10 YEARS' SERVICE
		28 DAYS	30 DAYS	34 DAYS
HOURS	FTE	HOURS EQUIVALENT:		
15.0	0.40	84.0	90	102.0
14.5	0.39	81.0	87	98.5
14.0	0.37	78.5	84	95.0
13.5	0.36	75.5	81	92.0
13.0	0.35	73.0	78	88.5
12.5	0.33	70.0	75	85.0
12.0	0.32	67.0	72	81.5
11.5	0.31	64.5	69	78.0
11.0	0.29	61.5	66	74.5
10.5	0.28	59.0	63	71.5
10.0	0.27	56.0	60	68.0
9.5	0.25	53.0	57	64.5
9.0	0.24	50.5	54	61.0
8.5	0.23	47.5	51	58.0
8.0	0.21	45.0	48	54.5
7.5	0.20	42.0	45	51.0
7.0	0.19	39.0	42	47.5
6.5	0.17	36.5	39	44.0
6.0	0.16	33.5	36	41.0
5.5	0.15	31.0	33	37.5
5.0	0.13	28.0	30	34.0
4.5	0.12	25.0	27	30.5
4.0	0.11	22.5	24	27.0
3.5	0.09	19.5	21	24.0
3.0	0.08	17.0	18	20.5
2.5	0.07	14.0	15	17.0
2.0	0.05	11.0	12	13.5
1.5	0.04	8.5	9	10
1.0	0.03	5.5	6	7.0
0.5	0.01	3.0	3	3.5

Table 3: AGENDA FOR CHANGE: CALCULATION OF STATUTORY BANK HOLIDAY ENTITLEMENT – (FOR 8 BANK HOLIDAYS IN A YEAR)

Formula: Weekly contracted hours/5 x no. of Bank holidays

WEEKLY BASIC CONTRACTED HOURS		HOURLY ENTITLEMENT FOR FULL LEAVE YEAR	HOURLY ENTITLEMENT ON EACH BANK HOLIDAY AS IT OCCURS
HOURS	FTE	(8 BANK HOLIDAYS)	
37.5	1.00	60.0	7.5
37.0	0.99	59.0	7.4
36.5	0.97	58.5	7.3
36.0	0.96	57.5	7.2
35.5	0.95	57.0	7.1
35.0	0.93	56.0	7.0
34.5	0.92	55.0	6.9
34.0	0.91	54.5	6.8
33.5	0.89	53.5	6.7
33.0	0.88	53.0	6.6
32.5	0.87	52.0	6.5
32.0	0.85	51.0	6.4
31.5	0.84	50.5	6.3
31.0	0.83	49.5	6.2
30.5	0.81	49.0	6.1
30.0	0.80	48.0	6.0
29.5	0.79	47.0	5.9
29.0	0.77	46.5	5.8
28.5	0.76	45.5	5.7
28.0	0.75	45.0	5.6
27.5	0.73	44.0	5.5
27.0	0.72	43.0	5.4
26.5	0.71	42.5	5.3
26.0	0.69	41.5	5.2
25.5	0.68	41.0	5.1
25.0	0.67	40.0	5.0
24.5	0.65	39.0	4.9
24.0	0.64	38.5	4.8
23.5	0.63	37.5	4.7
23.0	0.61	37.0	4.6
22.5	0.60	36.0	4.5
22.0	0.59	35.0	4.4
21.5	0.57	34.5	4.3
21.0	0.56	33.5	4.2
20.5	0.55	33.0	4.1
20.0	0.53	32.0	4.0
19.5	0.52	31.0	3.9
19.0	0.51	30.5	3.8
18.75	0.50	30.0	3.75
18.5	0.49	29.5	3.7
18.0	0.48	29.0	3.6
17.5	0.47	28.0	3.5
17.0	0.45	27.0	3.4
16.5	0.44	26.5	3.3
16.0	0.43	25.5	3.2
15.5	0.41	25.0	3.1

WEEKLY BASIC CONTRACTED HOURS		HOURLY ENTITLEMENT FOR FULL LEAVE YEAR	HOURLY ENTITLEMENT ON EACH BANK HOLIDAY AS IT OCCURS
HOURS	FTE	(8 BANK HOLIDAYS)	
15.0	0.40	24.0	3.0
14.5	0.39	23.0	2.9
14.0	0.37	22.5	2.8
13.5	0.36	21.5	2.7
13.0	0.35	21.0	2.6
12.5	0.33	20.0	2.5
12.0	0.32	19.0	2.4
11.5	0.31	18.5	2.3
11.0	0.29	17.5	2.2
10.5	0.28	17.0	2.1
10.0	0.27	16.0	2.0
9.5	0.25	15.0	1.9
9.0	0.24	14.5	1.8
8.5	0.23	13.5	1.7
8.0	0.21	13.0	1.6
7.5	0.20	12.0	1.5
7.0	0.19	11.0	1.4
6.5	0.17	10.5	1.3
6.0	0.16	9.5	1.2
5.5	0.15	9.0	1.1
5.0	0.13	8.0	1.0
4.5	0.12	7.0	0.9
4.0	0.11	6.5	0.8
3.5	0.09	5.5	0.7
3.0	0.08	5.0	0.6
2.5	0.07	4.0	0.5
2.0	0.05	3.0	0.4
1.5	0.04	2.5	0.3
1.0	0.03	1.5	0.2
0.5	0.01	1.0	0.1