

Annual Leave in FE – Guidance for members & reps

Background

Members working in Further Education Colleges sometimes have an issue with their line manager, or the College more generally, when it comes to the taking of annual leave.

We have examples where members are told one (or more) of the following:

- You have to take the full half term off next month;
- You can't take the full half term off. I want you in for one day;
- No, you can't work at Easter and do that marking. You have to be on holiday;
- The only time that you are allowed to take holiday in the summer is between the following two sets of dates...;

This list is not exhaustive. And with the latter point, the dates when you can take annual leave over the summer are being increasingly restricted in some of our FE institutions in the region. Sometimes, with no consultation with any of the staff or trade unions. Occasionally, it is with no reference to what is written either in terms and conditions, or in advice/guidance which has previously been agreed.



“Know Your Rights”

Your Rights

Unless they are written into your employment contract, none of the four example statements above hold true.

It is important that members speak up and question assumptions about annual leave and to also speak to your union representative/s.

It is not right, for example, that if a member of staff has work which needs to be done over the Easter period, that they undertake this task whilst they are on annual leave. It should be done during working time. This could, for example, be marking.

There are some basic principles about annual leave which apply in every workplace:

- ✓ Everyone accrues it;

- ✓ You apply for annual leave, seeking the agreement of your manager to take it;
- ✓ Unless it specifies in your contract, you cannot be forced to take annual leave at certain times, and the College cannot totally control when you take it;

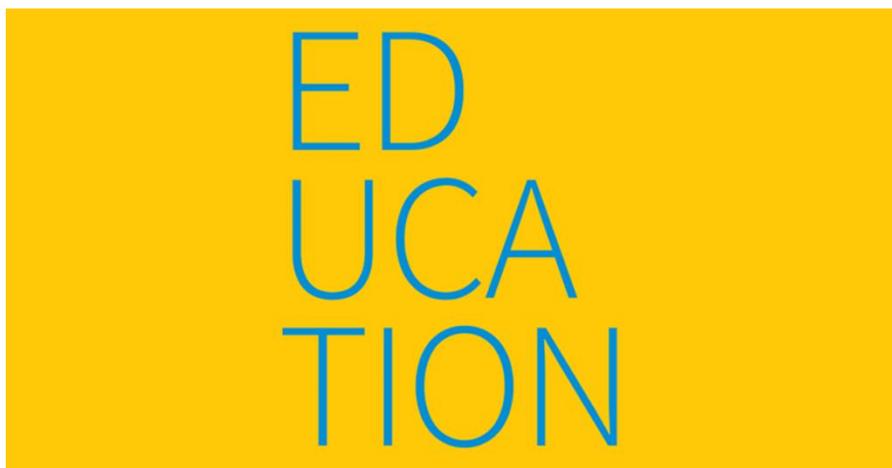
Of course, when you work in a College, you are expected to be at work when the students are, but that should still leave plenty of opportunities for you to take a break and be on holiday, away from the job.

Your Employment Contract

Employment contracts will vary from college to college. In addition, some FE institutions will have seen mergers and staff could have been transferred in under what is known as TUPE regulations. This could mean that there are two (or more) contracts in any one college.

But for everyone, there are certain things that will be the same. The academic year, for example, with a large chunk of the summer being a time when there are no/few learners on site, is a time when most of our members will take a significant proportion of their annual leave entitlement.

Some employment contracts state that you have to declare when you would like your annual leave for the next twelve months by the end of September. While some might find this a little restrictive, our advice is to apply for annual leave as soon as possible when the academic year begins, and to seek confirmation that all of that leave has been agreed – and has been confirmed in a timely manner. That way, everyone concerned can plan.

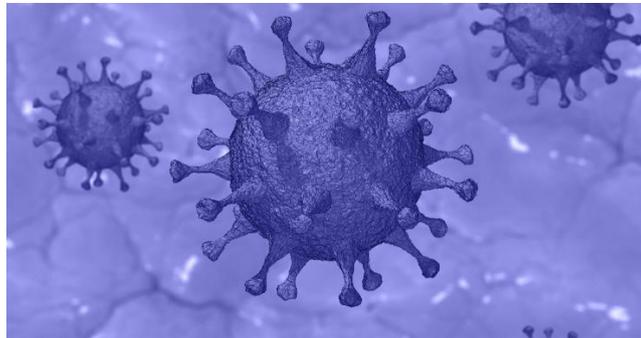


Exam results

The release of exam results in the summer of 2021 was much earlier than usual, due to the impact of the pandemic. We produced [some guidance to members on annual leave in FE \(Summer 2021\)](#) at that time.

At the time of writing (September 2021), it has not yet been confirmed when the 2022 exam results will be released. The government has consulted about this issue, but has not yet released the outcome of that consultation. However, it is usually the second Thursday in August, which would be Thursday 11 August 2022 next year.

While there will be some staff who are needed to be at work during the release of the exam results and for the recruitment of students, this is not the case for everyone. If your employer is applying a blanket approach to the taking of annual leave – e.g. no-one can take holiday before XXXX and/or everyone has to be back at work by XXXX – then this is a good issue for the union Branch to do some work on, by collecting the views of members and putting this on the agenda for meetings with HR and Senior Management. UCU Reps can seek advice on this from the Regional Office.



Difficulty taking annual leave?

Because of the pandemic, some members may have built up more than their usual allocation of annual leave. This is allowed, and some may find it difficult to take it during yet another busy year at work. However, our advice is that you seek to agree the dates of your leave as soon as possible, and get written agreement about this from your line manager. The purpose of annual leave is to prevent you from suffering from burnout. Rest and recuperation is something that everyone needs.

In all cases, members should seek advice from their local UCU Rep in the first instance.

UCU Northern Regional Office
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