

EXECUTIVE BOARD**12 SEPTEMBER 2022****CHRISTMAS LEAVE ARRANGEMENTS****Purpose**

1. In March 2021 a paper was presented to EB to consider “Festive PPA Leave Arrangements” which highlighted inconsistencies in the way that a discretionary ½ day was being applied across the FC in regard to Christmas leave arrangements. EB agreed that the practice of gifting staff an extra ½ day should be rolled out consistently and fairly across FC for Christmas 2021 and endorsed Option 2 which is set out below. It was agreed that this arrangement would be reviewed annually.
2. This paper therefore seeks a decision as to whether to continue with this arrangement for Christmas 2022.
3. The standard PPA allowance over the Christmas period includes 25 December or substitute day (Christmas Day Public Holiday); 26 December or substitute day (Boxing Day Public Holiday); Extra Day at Christmas (28 December for 2022); 1 January or substitute day (New Year’s Day Public Holiday).

Previous arrangements meant that for offices that closed between Christmas and New Year, 4 of the 6 days were covered by this standard PPA Allowance (25, 26, extra day at Christmas & 1) with the remaining 2 days being managed differently across FC.

In summary, there were a number of inconsistencies across FC in the gifting of a ½ day. Some used it to cover the period between 25 December and 1st January, some did not receive it at all, whilst others used it on Christmas Eve if offices closed at midday despite Christmas Eve being a standard working day.

It should also be noted that operational staff did not receive the ½ day and separate arrangements were made in line with operational cover.

4. The options considered by EB in March 2021 and that are asked to be considered again are:
 - Option 1 - Remove the ½ day concession for all staff and confirm any leave/time taken at Christmas is used as per the Annual Leave/PPA Policy
 - Option 2 – Gift all staff an extra ½ day concession during the Christmas period.

Recommendations

5. The Executive Board is invited to consider **Option 2** as the preferred option to achieve consistency across the FC with the following principles.
 - The half day is not contractual but discretionary and will be reviewed each year
 - For those who already take a discretionary half day this is **not** in “addition” to this, it simply clarifies that arrangement and brings consistency for those who haven’t received it in previous years
 - Is pro-rata for part timers
 - Recorded locally and not through iTrent/Business World (FR) as this is discretionary and not contractual
 - Can be taken during a set period of time to offer flexibility e.g.: 3 weeks during the festive period
 - The half day cannot be sold back to the business or carried forward
 - HR will communicate the proposals locally through District/Area management teams as appropriate (to minimise the risks of any back dating claims from staff who haven’t received the half day previously)

Option 2 would be a non-contractual arrangement and would be discretionary which over a period of time could present an issue of custom and practice repeated over multiple years. This practice could therefore be considered contractual.

If it was deemed to be contractual and a decision was made in the future to remove the half day it should be noted that the organisation would need to inform and consult with staff, in order to avoid potential claims for breach of contract.