

Freedom of Information Request

Reference Number: EPUT.FOI.24.3352
Date Received: 2nd February 2024

Information Requested:

1. When an employee retires or gives notice and leaves NHS employment, how does EPUT calculate payment in lieu for unused holiday allowances (at the last day of employment)?

Any outstanding annual leave owed that has not been used before their last day of employment will be calculated in line with the NHS terms and conditions under Section 13.9:

13.9 Pay during annual leave will include regularly paid supplements, including any recruitment and retention premia, payments for work outside normal hours and high cost area supplements. Pay is calculated on the basis of what the individual would have received had he/she been at work.

- For staff who have regular hours the reference period should be based on the previous three months at work or any other reference period that may be locally agreed.
- With effect from 06 April 2020, for staff who have irregular hours the reference period should be based on the last 52 weeks. When calculating the 52 full weeks of pay, employers are limited to referencing the previous 104 weeks from the date the leave begins.

2. When an employee retires or gives notice and leaves NHS employment, how does EPUT calculate payment due for reimbursement by the employee for any excess holidays taken (over the actual holiday entitlement due at the last day of employment)?

The calculation will be as per above and this will be taken from their last payment with the Trust.

3. Is the correction of unused/excess holiday taken (set out above), an EPUT trust policy or is it determined under the NHS Terms and Conditions of Service Handbook?

The calculation is set out by the NHS Terms and Conditions of Service Handbook under Section 13.9.

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>