

# NHSBT's Buy and Sell Leave Arrangements FAQs

Updated May 2022

## Frequently asked questions

These are provided for guidance or quick reference guide only.

**1. Can anyone (including those on non-standard leave years/clinicians) apply to buy or sell their annual leave?**

Yes, if you have been employed as at the dates shown on the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First, you will be able to apply to buy or sell annual leave

If buying or selling annual leave may be an option for you, then discuss this with your manager first to decide the best approach for you, your team and department, and whether a request to buy or sell annual leave will be a suitable option for you.

**2. How much leave can I buy or sell?**

You can buy or sell up to one week / 37.5 hours (pro-rata for part-time employees).

**3. Will I receive confirmation of my submitted request to buy or sell annual leave?**

Once you submit your request on-line form you will receive a notification email to your work email address, which will confirm your request has been submitted and provide you with a record of the details.

**4. How will I know if my application has been successful?**

You will be notified by email at each stage of the process as to whether your request has been approved by your Line Manager and your Budget Manager. All requests will be reviewed across NHSBT to balance with operational requirements before final confirmation of whether requests can be fulfilled in full or in part. A final confirmation will be provided to you, which will include details of the monthly deduction for buying leave and the amount to be paid for selling leave.

You will find the dates for when you will receive your final confirmation for [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First.

**5. At what point will any additional annual leave I've bought or sold be added to my leave record?**

The dates can be found on the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First.

**6. If I am notified that my buy annual leave request has been accepted, and then receive notification of the monthly deductions and realise that I can't afford it can I withdraw at that stage?**

Yes, you can. Once you are notified of your deduction you will have the opportunity to change your mind and your application will not be progressed. The date you need to withdraw your request by can be found on the [Buying Annual Leave](#) page on People First.

- 7. If I am notified that my sell annual leave request has been accepted and then change my mind can I withdraw my application?**  
Yes, you can however you must withdraw your application by the deadline date. These can be found on the [Selling Annual Leave page](#) on People First.
- 8. If I forget to cancel my application will a reminder be sent out?**  
No, you will need to ensure that you respond by the relevant date if you want to cancel your application otherwise it will be processed. Dates can be found on the relevant [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First.
- 9. If my financial position changes, during the 9-month deduction period for the leave I have bought, can I then sell annual leave?**  
No, this will not be possible.
- 10. If I am unable to submit my application on time, will late applications be accepted?**  
No, late applications will not be accepted. The closing date for buying and selling annual leave applications can be found on the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First. All applications have to be submitted by the relevant date.
- 11. I have submitted an application however I've changed my mind on how much leave I want to buy or sell, what do I do?**  
If your line manager hasn't yet approved your request, you can ask them to reject it and then submit a new application with the updated amount of annual leave you want to buy or sell.  
If your line manager has already approved your request, you will need to contact HR Direct and ask them to cancel your request. You will then need to submit a new application with the updated amount before the submission deadline.
- 12. Can I apply to buy annual leave while I have other salary sacrifice (i.e. childcare voucher or cycle to work scheme)?**  
Yes, provided that your hourly rate of pay does not fall below the National Minimum Wage.
- 13. How will buying annual leave affect my tax and National Insurance contributions?**  
If you buy annual leave you need know that this will reduce your gross pay, which in turn reduces the amount of income tax and National Insurance Contributions (NIC) you pay. You may wish to check the impact on your State Pension if the deduction will take you below the earnings level for payment of NIC.
- 14. How will selling annual leave affect my tax and National Insurance contributions?**  
If you sell annual leave, you need know that this will increase your gross pay, which in turn increases the amount of income tax and National Insurance Contributions (NIC) you pay.
- 15. Will buying/selling annual leave impact on my NHS Pension?**  
No, your NHS Pension will not be impacted as the payment or deduction is not pensionable.
- 16. Is the calculation for any annual leave I buy or sell based only on my basic pay?**  
No, it will be based on your basic pay on a given month plus an average of your variable earnings over a 3-month period. Dates can be found on the relevant [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First. Variable earnings will include unsocial hours and on-call payments.

- 17. Why are unsocial hours (USH) and on-call payments used to calculate the amount that I have to pay for my annual leave?**  
When you are on annual leave you will continue to receive these USH/On-call payments either paid as a permanent allowance or paid to you through the Agenda for Change Absence payment – therefore they have to be included in the cost if you want to buy annual leave.
- 18. Are all of my additional payments included when calculating how much I will need to pay for buying the additional annual leave, such as overtime?**  
No, voluntary overtime is not included in the calculation.
- 19. What if I disagree with the calculations?**  
The standard calculation will be used for all employees, and this cannot be varied under any circumstances. If your application is approved, you will be notified of either your monthly deduction if you are buying leave or the payment to be made to you if you are selling leave; if you then decide not to pursue your application you will have the option to withdraw your application. Any withdrawals need to be confirmed by the relevant dates which can be found on the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First.
- 20. If my basic pay increases or reduces, whilst I am paying for my additional leave, will my deductions increase or reduce?**  
No, the calculations for the deductions are calculated using an average of your pay over the 3 months as shown on the [Buying Annual Leave page on People First](#).
- 21. If I want to buy the additional annual leave over a shorter or longer time period, say 3 or 12 months can I do this?**  
No, 9 months has been agreed to enable accessibility for staff and to ensure payment is complete within the leave year.
- 22. Can I choose when the payment for any leave I sell is made?**  
No, payment will be made in the relevant month for the selling leave application window as found on the [Selling Annual Leave](#) page on People First.
- 23. If I join NHSBT part way through the leave year can I still make an application under the scheme?**  
No, the date you need to have been employed by to buy or sell leave can be found on the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First.
- 24. If I am made redundant whilst I am paying for my annual leave, I bought will it affect my redundancy pay?**  
Yes, if your redundancy pay is based on a period when you are paying for annual leave your pay is reduced and this would affect any redundancy payment.
- 25. If I am full time and I buy 37½ hours leave and then I subsequently reduce my hours to part time will I be penalised?**  
No, once your application has been approved any additional annual leave hours that you have bought will be added to your leave record, going part time will not affect this, and you will still be due those additional leave hours (and make the same deduction to pay for them). Your standard entitlement will of course be affected should you change your working hours.
- 26. If I am part-time time and I buy 17½ hours leave and then I subsequently increase my hours can I buy more leave to bring this up to one week?**  
No, once your application has been approved the additional annual leave hours that you have bought will be added to your leave record, increasing your hours will not affect this, and you will still be due

the same additional leave hours (and make the same deduction to pay for them). Your standard entitlement will of course be affected should you change your working hours.

**27. If I am full time and buy 37½ hours leave and then start working part time and find I do not need as much annual leave as I thought, can I then sell it back?**

No, any untaken annual leave cannot be sold back. You should consider this when submitting your request to reduce your hours and discuss with your manager to agree how you can use your leave to ensure you don't lose it.

**28. If I leave NHSBT and I am still paying for the annual leave I bought, what will happen to the money I still owe?**

Your standard, full year, annual leave entitlement will be calculated pro-rata to determine the amount of annual leave you are entitled to up to your leaving date.

The amount of additional annual leave you will have paid for up to your leaving date will be added to the pro-rata amount of your standard annual leave entitlement.

The overall total will then be compared with the annual leave you will have taken by your leaving date and the balance, either due or overtaken, will be adjusted in your final pay.

**29. My annual leave year starts on the anniversary of my appointment which is 4<sup>th</sup> February 2017, do I still need to submit my application within the application windows?**

No, not if you wish to buy annual leave. If your leave year does not run from April to March, you will need to ensure that your application is approved and submitted at least 3 weeks before the start of your 2022/23 annual leave year.

If you wish to sell your leave, then you will need to do this during the September 2022 application window.

**30. I am not on a standard annual leave year so if I apply to buy leave when will the deductions be made from my salary for the additional annual leave?**

Deductions for annual leave bought will be made over 9 months commencing from the next available payday after your request has been approved.

**31. I am not on a standard leave year so may not be sure by September 2022 whether I want to sell any leave, will I have another opportunity to sell at a later date?**

No there is only **one** selling window in each annual leave year.

**32. Can my manager refuse my application?**

Yes, if for operational reasons your manager doesn't feel that they can approve all of the applications that they receive, or due to your personal circumstances they do not feel it is in your best interests then on this occasion your request may not be approved.

**33. If my manager refuses my application, can I appeal?**

No there is no appeal process. If your application has been rejected, you should speak to your manager to understand the reasons and options open to support you with your leave.

**34. Can I carry over additional annual leave I have purchased at the end of the coming year if I haven't had the opportunity to take it?**

For 2022/23 you will be able to carry across up to 1 week's annual leave. Any additional leave you buy cannot be carried forward in addition to these 1 week, therefore if you have not used it you will lose it. We recommend you discuss any application to buy leave with your manager to agree if you will be able to use it in 2022/23 before submitting an application.

**35. As a Line Manager can I refuse an application to buy or sell annual leave?**

Yes you can, however we would encourage all Managers to discuss the various annual leave needs with each of your employees to understand their current situation, their health and well-being, and ensure they are taking regular time away from work, ideally a week every 3 months as much as possible, whilst balancing operational needs.

This will enable you to know whether an employee will be submitting a request, and to discuss upfront, if you do not think you can approve the request.

**36. As a Line Manager how do I approve or reject a request from one of my employees?**

You will receive an email from 'NHSBT Notification' which will give details of the request and will have an approval and rejection link. You need to click on the relevant link, and this will update the request details in the system to progress the application. All approvals will need to be completed before the relevant deadline. Dates can be found on the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First.

**37. What do I do if I can't agree the full amount of annual leave requested by my employee?**

You should reject the request and discuss the reasons with your employee. If you agree a different amount of annual leave that your employee can request to buy or sell, they will need to submit a new request and submit within the submission deadline.

**38. Will I have to approve any request I receive twice if I am both the employee's line manager and the budget holder?**

No, you will only need to approve or reject the request once.

**39. As a Budget Holder how do I approve or reject a request from one of my employees?**

You will receive an email from 'NHSBT Notification' which will give details of the request and will have an approval and rejection link. You need to click on the relevant link, and this will update the request details in the system for Pay Support to check. You will need to view the [Buying Annual Leave](#) or [Selling Annual Leave](#) pages on People First for the dates you need to approve or reject requests by.

**40. As Line Manager can I refuse to let my employee carry over 2 weeks leave to 2021/22?**

You should discuss with your employees their annual leave requirements for 2020/21 and continue to discuss it during the year so that, where possible, they can take regular time away from work. This will also enable you to assist your team in managing their leave and to plan and monitor this so that you are aware of any carry-forward requests before they are made.

Ultimately any carry-forward of annual leave has to be made in agreement with and approval of their line manager, however, the limit has been uplifted to 2 weeks to help colleagues manage their leave over 2 leave years where this ability has been impacted by the COVID-19 pandemic. You are encouraged to support your team to take time away from work to minimise the need for carry-forward as much as possible.