**Annual Leave Policy**

June 2020

**Purpose**

Daniel Thwaites Plc ("the Company") operates the following policy in relation to annual leave. This policy applies to all team members of the Company, regardless of their position. It applies equally to all team members regardless of their age, sex, marital or civil partnership status, racial or ethnic group, disability, sexual orientation, religion or belief.

**Scope**

The policy is a guide only and not contractual and applies to all team members within the Thwaites group of companies.

Principles

Key principles of this policy are:

* To ensure team members are aware of their annual leave entitlement
* To ensure team members are aware of how annual leave payment is calculated
* To allow the business to plan annual leave accordingly

**Entitlement**

Annual leave entitlement is detailed in each team members contract of employment and should be taken throughout the holiday year.

Any additional annual leave awarded based on length of service will also be confirmed in the contract of employment.

The holiday year runs from 1st April to 31st March and the Company will try to accommodate holiday plans while balancing the business needs and high standards of customer service expected from us.

Where employment commences mid-way through the year, annual leave entitlement will be calculated on a pro-rata basis.

**Payment**

Team members will be paid their standard rate of remuneration during periods of annual leave and such sums will be paid as normal in salary payments.

**Public Holidays**

All team members are required to work on Public Holidays and will be paid at the normal daily rate. Annual leave may be used on a Public Holiday.

**Booking Procedure**

All holiday requests can be submitted using the Holiday Request Form or via email to the team members line manager. Holiday Request Forms must be signed as “Approved” and emails must be replied to by the team members line manager as evidence of holiday requests being agreed.

Holiday requests should be submitted not less than 2weeks in advance of the holiday requested and no more than 10 days can be taken at any one time during the holiday year.

Holiday requests will be agreed after taking into account the needs of the business, its clients and ensuring that the minimum staffing levels needed to provide the best service to our clients are maintained. As such team members should be aware that the Company can decline a holiday request.

Team members should not make any holiday arrangements until holiday requests have been approved in accordance with this policy. The Company will not be liable for any losses incurred as a result of a holiday request being declined. Any holidays taken without prior permission will lead to the disciplinary procedure being invoked.

The disciplinary procedure could be invoked and the team member could be dismissed in the case where a team member requests a holiday, which is refused, and then the team member subsequently takes that holiday without permission or reports in as sick.

**Sickness Whilst on Annual Leave**

Please refer to the Sickness Absence Policy for further information.

**Carrying Over Annual Leave**

We encourage all team members to take their full holiday entitlement during the holiday year. As such, team members are not allowed to carry any untaken holidays over in to the next holiday year unless:-

* You have sought prior agreement from a Director and the number of days does not exceed 5 days and shall be taken before 31st April; or
* You have been unable to use your holiday entitlement due to long term sickness or maternity or adoption leave

Any unused annual leave will be lost, provided the team member has taken the minimum statutory requirements.

**Covid-19 Changes**

**Furlough and holiday entitlements**

Team members who have been placed on furlough continue to accrue statutory holiday entitlements, and any additional holiday provided for under their employment contract.

Team members who are on furlough are unlikely to need to carry forward statutory annual leave, as they will be able to take it during the furlough period (in most cases team members on furlough can take holiday without disrupting their furlough). The notice requirements for a team member to take leave or to refuse a request for leave continue to apply.

Should we require you to take leave we will explain the reasons for wanting you to take leave before requiring you to do so.

Should we require you to take holiday while on furlough, we will consider whether any restrictions you are under, such as the need to socially distance or self-isolate, would prevent you from resting, relaxing and enjoying leisure time, which is the fundamental purpose of holiday.

Where a bank holiday falls inside your period of furlough and you would have usually worked the bank holiday, your furlough will be unaffected by the bank holiday

All holiday requests should be submitted following the booking procedure outlined in the Booking Procedure section of this policy.

The government has passed new emergency legislation to ensure businesses have the flexibility they need to respond to the coronavirus pandemic and to protect team members from losing their statutory holiday entitlement (The Working Time (Coronavirus) (Amendment) Regulations 2020, laid before Parliament on 27 March 2020). These regulations enable team members to carry holiday forward where the impact of coronavirus means that it has not been reasonably practicable to take it in the leave year to which it relates.

We will do everything reasonably practicable to ensure that the you are able to take as much of your leave as possible in the year to which it relates, and where leave is carried forward, you will be given the opportunity to take holiday at the earliest practicable opportunity.

Under certain circumstances we must allow annual leave to be carried into future leave years. Where a team member cannot take annual leave due to them being on maternity leave or sick, we will still allow them to carry their annual leave forwards. These rights remain unaffected by a team member being furloughed.

**Termination of Employment**

On termination of employment, team members are entitled to receive payment for all unused accrued annual leave in the current holiday year only.

The Company reserves the right to insist team members take accumulated annual leave within their notice period.

Any payments of holiday pay made to the team member in excess of the amount accrued on termination of employment, will be deducted in full from their final salary. Where the amount of the overpayment exceeds their final payment, the team member must reimburse the Company accordingly.