



# Annual Leave Policy

## Purpose

The purpose of this policy is to set out the requirements relating to the entitlement and taking of annual leave.

## The law

The law relating to holiday entitlement is set out in the Working Time Regulations 1998 and amended by the Work and Families Act 2006. Employees are entitled to 5.6 weeks paid holiday per annum. The eight public holidays are to be taken as part of this amount of paid leave.

## Holiday entitlement

The holiday entitlement for employees is as set out in their contract of employment. Employees of Old Rayne Preschool are entitled to a minimum of 5.6 weeks' paid leave per annum. Leave entitlement is pro rata. Currently the formula for calculating holiday entitlement for term time workers is:

The number of hours worked per week...multiplied by the number of weeks worked per year...divided by 46.4...multiplied by 5.6...and the answer is the number of hours holiday entitlement.

This calculation applies where the member of staff works during term time but takes the holidays outwith the weeks worked e.g. works 39 weeks of the year and gets holidays outwith this time.

Holiday entitlement for a zero-hours worker will be based on their average wages over the previous 12 working weeks. If there was a week during which no work was carried out within the previous 12 weeks, the employer should discount this week from the calculation, and include a previous working week instead.

## Payment during holiday

Employees receive their normal rate of pay on any days which are taken as part of their annual holiday entitlement.

## Holiday year

Old Rayne Preschool's holiday year runs from 1<sup>st</sup> August to 31<sup>st</sup> July. Employees should take their full holiday entitlement during that 12-month period.

## Carrying holiday forward

Employees will not typically be allowed to carry holiday entitlement forward from one year to the next; however, in some cases according to the committee's discretion there may be flexibility.

## Booking of holiday

Old Rayne Preschool employees are term time workers. It is important to note that employees are required to take their annual leave during closure times. Employees should discuss holiday dates with their line manager at the beginning of each holiday year. No employee should book a holiday until they have received confirmation that they will be allowed to take the holiday from work. Old Rayne Preschool accepts no responsibility for the loss of deposits or other monies if employees book holidays in this way.

In exceptional circumstances it may be possible to take annual leave during term time. However, permission for any planned leave during term time must be sought from your line manager and the committee prior to booking. If this cannot be easily accommodated the preschool reserves the right to refuse your request.

The Old Rayne Preschool Annual Leave Entitlement form must be completed to submit for approval of annual leave.

### **Holiday entitlement if an employee leaves during the holiday year**

If an employee leaves the organisation during a holiday year, the holiday entitlement that the employee would have been allowed up to the date of leaving will be calculated on a pro-rata basis. If the employee has outstanding holiday entitlement, the corresponding amount of money will be paid to the employee in the final salary payment. If the employee has taken more than the pro-rata holiday entitlement, this amount of money will be deducted from the employee in the final salary payment. If the amount of holiday taken equates to more money than the final salary payment, the employee will not receive a final salary payment, but will not be required to pay back the additional amount to the organisation.

### **Maternity leave**

When an employee is on maternity leave her annual leave entitlement continues to accrue. The woman is not required to take her annual leave during her maternity leave but will be entitled to take it at a later date.