

# Annual Leave Policy and Procedure

## Introduction

This policy sets out the rules and procedures in relation to taking annual holidays. It applies to all employees and workers. Interr recognises the importance of annual leave enabling employees to improve their quality of working life by balancing their personal and working life. Annual leave also provides our employees a chance to relax and recuperate and return to their jobs refreshed.

The aim of this policy is to ensure that the annual leave process is managed fairly and consistently across Interr and to make all of our employees aware of the procedure when applying for leave.

## Duties and Responsibilities

### Line Manager's Responsibility

It will be part of the Line Manager's responsibility to monitor the process and ensure that individuals are taking their annual leave as planned and agreed, as well as ensuring that there are appropriate arrangements to cover service needs.

### Individual Responsibility

It is up to the individual to ensure that their annual leave is planned throughout the leave year in consultation with the Operations Team and in agreement with their line manager.

## Entitlements

The annual leave year runs from 1<sup>st</sup> April to 31<sup>st</sup> March for all staff. Under the Working Time Regulations, employees are legally entitled to take 5.6 weeks annual leave (pro-rata employees) in any leave year. Details relating to your annual leave entitlement are shown in your individual Statement of Main Terms of Employment (Form SMT).

### Calculation of entitlement

Part time staff will have their annual leave entitlement calculated based on their working hours. Employees who leave the company part way through the holiday year, will have their final salary adjusted to take account of any outstanding leave entitlement owed or, if they have exceeded their holiday entitlement an appropriate deduction will be made.

### Payment

Your holiday pay will be at your normal basic pay unless shown otherwise on your Statement of Main Terms. Your entitlement to public/bank holidays and to any additional payments, which may be made for working on a public/bank holiday, is shown in your individual Statement of Main Terms of Employment.

Regardless of a working pattern, the leave entitlement is capped at 28 days. So if you work a six day week, the statutory entitlement of 5.6 weeks will still be 28 days. All part-time staff will have their annual leave entitlement calculated on a pro rata basis. (For example: Working 2 days per week = 2 (days) x 5.6 = 11.20 days to take per annum.)

The annual leave entitlement includes the public/bank holidays listed below.

- Christmas Day
- Boxing Day
- New Year's Day
- Good Friday
- Easter Monday
- May Day
- Spring Bank Holiday
- August Bank Holiday

Entitlement in an employee's first year will be pro-rated to the amount of time left in the annual leave year. Annual holiday entitlement during your first year of employment accrues at the rate of one twelve of the full annual holiday entitlement, on the first day of each month, in advance.

Staff who join after the 1st calendar day in the month will not receive leave entitlement for this part month, unless the reason for starting after this date was as a result of a weekend or Bank Holiday on the first days of the month. For new employees the public/bank holiday entitlement will be based on the number of public/bank holidays remaining in the current leave year from the date of joining.

## **New employees**

A new employee, that has a definite holiday commitment before joining the Company, in excess of leave entitlement, may take the balance as unpaid leave. Every effort will be made to meet a new employee's needs in respect of commitments to holidays already arranged.

New employees must inform the Company prior to the commencement of employment where possible or at least within 2 weeks of joining Interr of pre-arranged holiday commitments and a holiday form must be completed. Although annual leave is accrued from the commencement of your employment annual leave is restricted during your probationary period with the Company.

## **Holiday during long-term absences**

You will continue to accrue your full holiday entitlement during sickness absence. You are permitted to take annual holiday during periods of sickness but this must be requested via the normal procedure.

If you have been unable to take annual holiday due to long-term sickness you may be permitted to carry over part of your unused annual holiday from one holiday year to the next as long as this is agreed in writing with your line manager.

## **Sickness and holidays**

If you are taken ill or sustain an injury during a period of authorised holiday, you may be permitted to take the holiday at a later time. You must follow normal absence reporting and medical certification procedures.

If you are absent from work due to sickness immediately prior to a period of authorised holiday and your incapacity extends into the authorised holiday period, you may be permitted to delay the period of holiday until a later time. You should submit a written request to postpone the planned holiday, together with a medical certificate completed by a medical practitioner.

If you receive more than the statutory minimum annual holiday entitlement and you are absent without authorisation on the day before or the day after a public holiday, the Company reserves the right to withhold holiday pay in respect of that public holiday.

## **Unauthorised holidays**

If you are absent from work on a date on which a holiday request has been refused, the Company will investigate the reason for your absence. If the Company considers that you do not have a reasonable explanation for your non-attendance, you may be subject to disciplinary action, up to and including dismissal without notice.

## **Termination of employment**

The Company may require you to take all or part of any outstanding holiday entitlement during a period of notice to terminate employment or garden leave. The Company reserves the right not to provide you with advance notice of this requirement.

Upon the termination of your employment, for whatever reason, you will be entitled to be paid for holiday accrued but not taken in the current holiday year, at the date of termination of employment.

If upon the termination of your employment you have taken more annual holiday than you have accrued in the current holiday year, an appropriate deduction will be made from your final payment.

If you are dismissed for gross misconduct or if you fail to give the required notice on resignation, you are not entitled to be recompensed for unused holidays in excess of the minimum statutory entitlement.

## Procedure for requesting holidays

All periods of annual holiday must be authorised in advance by your manager. You must not make firm holiday arrangements before receiving a written confirmation from your manager that your request has been authorised.

You are required to submit completed holiday requests as early as possible, as detailed in your Contract. Requests for annual holiday will normally be granted on a 'first come, first served' basis. Owing to the needs of the business, the Company reserves the right to limit those who are permitted to take holiday at the same time. The granting of all holiday requests will be subject to adequate cover being available and the overall needs of the Company.

### Notice Period

In order to ensure that annual leave can be granted, it is advised that the employee provides as much notice at the earliest opportunity before the required start date of annual leave or within the notice period in order to assist operational arrangements.

The minimum notice period required is;

- 1 – 2 day                                      One week notice
- 3 days +                                        Eight weeks notice

If leave is refused for reasons due to the Company's business needs, the manager will notify the employee no later than 5 days of the annual leave request being submitted. Once approval for annual leave has been given it will not normally be withdrawn (unless in exceptional circumstances).

If it becomes apparent towards the end of the annual leave year that the employee has not been given the opportunity to take their minimum statutory annual leave entitlement, arrangements may be made to ensure that every employee will be given the opportunity to take all his or her statutory annual leave entitlement.

### Carrying over of annual leave

It is part of the employee's responsibility to ensure they take all of their entitlement within the current annual leave year. If this entitlement is not taken then any remaining leave will be lost. Carrying over leave into the next annual leave year will not be permitted. Holidays not taken will be lost and will not be paid.

Managers will monitor the use of leave in their departments to ensure that leave is being planned and taken in such a way that these aims do not conflict with operational requirements and that individuals are not holding large entitlements of leave towards the end of the leave year.

### Unpaid leave

Unpaid leave can be requested and authorised by the business. Unpaid leave is not part of your paid annual leave entitlement. Unpaid leave is at the direct discretion of the company and is not guaranteed.

Unpaid leave can only be requested and approved by your line manager and no firm arrangement should be made unless a written confirmation from your line manager is received.

### Authorisation

Leave from the business can only be taken subject to agreement with the manager, so before any firm commitments are made, such as booking flights, employees should discuss any requests for holiday leave with the appropriate manager to ensure that these dates are mutually convenient.

It is particularly important to plan ahead and give plenty of notice at busy times or during peak holiday periods, as managers may have an overriding obligation to have sufficient employees available to meet operational requirements. There may be leave restrictions as times throughout a year due to operational business needs or others already on leave. If there are any extenuating circumstances they will need to be sent in writing to your line manager

All leave requested (including annual leave requests and unpaid leave) must be recorded using the Holiday Request, which will help avoid misunderstandings at a later date.

Leave requests will only be considered if you present them on a holiday form/submitted on the Time & Attendance System (Timegate). If leave has not been granted, and the employee either fails to attend work or subsequently takes sick leave in this period, the matter will be investigated by the line manager and may be subject to disciplinary action.

Where there are conflicting annual leave requirements, priority will be given to the employee whose request was received first (first come - first served). The manager will consider the application favourably, however any overriding business needs may need to be taken into account. The HR Department may be consulted by either party before a final decision is made.

Only on written receipt of confirmation from your line manager, should the employee commit him or herself to any leave plans, particularly where a deposit has to be paid. If confirmation is not received, you should not assume you holiday has been authorised. If you fail to receive written confirmation regarding your holiday then please speak to your line manager to verify whether your holiday has been approved. Unless you have received written confirmation your holiday will be considered as unauthorised.

It is the responsibility of the employee to confirm that they have annual leave entitlement remaining before submitting a Holiday Request. This information may not be recorded or known by your line manager. Annual leave requests will only be paid according to paid annual leave entitlement. If an employee is approved leave and they do not have enough paid annual leave entitlement to take this time off, the employee may still be authorised to take leave from the business. However this time will be unpaid.

Head office personal can confirm their annual leave entitlement remaining within a holiday year for the HR department. All site personnel can confirm their annual leave entitlement remaining within a holiday year with the payroll department

The company is unable to accept responsibility for any losses or additional costs if a request is declined. For security and cleaning personnel, all holidays are paid in line with the cut off date periods.

### **Cancellation of booked annual leave**

Cancelling booked leave, particularly at short notice, can lead to difficulties, when allocating and organising shifts. A written request for the cancellation of leave should be submitted to the Operations Team at the earliest opportunity. This written record avoids any further misunderstandings at a later date.

The request may not automatically be accepted and the company is unable to guarantee shifts for that period in the event that leave is cancelled at short notice.

### **Late return from annual leave**

If for any reason, the employee knows that they will be late returning from annual leave they must contact their line manager and notify their late return as soon as possible. Any absence not accounted for will be treated as unauthorised absence.

Failure to inform their line manager will render the employee liable to disciplinary action for unauthorised absence. Such disciplinary action may include dismissal.

### **Annual leave in excess of two weeks**

No more than 14 days (2 weeks) can be taken consecutively at any one time. You are not normally permitted to take more than two weeks' holiday at any one time, except at the sole discretion of the Company. Annual leave is the opportunity to take rest from work. It is therefore good practice for annual leave to be spread throughout the leave year.

Requests for leave over two weeks should be made in writing to the Operations Team/ Line Manager if needed due to extenuating circumstances. Authorisation will depend on the needs of the client and Interr and is at the sole discretion of the company. Where an employee is planning a long overseas holiday to visit relatives or friends and the employee's annual leave entitlement will be exhausted, a request may be made for additional unpaid leave. Managers have discretion to grant up to one week as unpaid annual leave (in conjunction with HR Department).

This extension of annual leave and the granting of unpaid annual leave will not usually be granted in peak holiday periods, unless prior agreement has been sought with management or there are extenuating circumstances, however it may not be granted at any time during the year. The Human Resources Department and Payroll Department are to be informed accordingly if additional unpaid leave has been granted.

Eligibility for unpaid annual leave is dependent on the member of staff having passed probation. Each case will be considered on its own merits and no one case will set a precedent for any future cases that may arise

### **Requests for urgent annual leave**

Wherever possible, and within reason, urgent requests for annual leave for special circumstances or problematic situations will be accommodated by negotiation with the line manager (or a suitable deputy if they are not available).

For other special leave (e.g. carer leave, parental leave, maternity, etc), please refer to the Absence Policy and Procedure or Maternity, Paternity or Parental Leave Policy.

Annual leave can be added to bereavement leave by negotiation with the manager. The employee may be required to supply evidence to support this evidence.

### **Failure to follow procedure**

Any leave taken without following the stated procedure and not authorised by the manager will be considered as unauthorised absence. Pay will be suspended pending a full investigation that may result in formal disciplinary action being taken. Such disciplinary action may include dismissal.

### **Appeals Procedure**

Managers should be advised that decision regarding annual leave should be applied as consistently as possible. Any employee who believes that this policy is not being fairly applied may seek redress initially in writing to the Human Resources Department and thereafter through the Grievance Procedure.

### **Policy Review and Assessment**

This policy may be amended by Interr at any time in order to take into account changes in legislation and best practice. This policy was last reviewed and agreed by the Board and seeks to be reviewed and updated annually. Any queries arising regarding this policy should be addressed to Mick Tabori.



Mick Tabori - CEO  
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