



## Holiday Policy

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## Document Control

<b>Title</b>	Holiday Policy
<b>Supersedes</b>	1.0
<b>Owner</b>	Lisa-Marie Flynn
<b>Circulation/Distribution</b>	All Staff
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## Version History

<b>Next Review Date</b>		01/02/2025		
<b>Version</b>	<b>Date</b>	<b>Amendments</b>	<b>Author</b>	<b>Status</b>
0.1 to 0.4	Oct 2021 to Oct 2022	Initial Draft – Reviewed by the HR Team & the Trust Board. Consultation Process – Draft shared with the working group consisting of Senior Leaders, HR, and the Trade Unions.	Lisa-Marie McGrath	Consulted & Reviewed, and implemented agreed points
1.0	01/12/2022	Final Draft – Approved by the CEO and The Trust Board	Lisa-Marie McGrath	Approved
2.0	01/02/2024	N/A	Lisa-Marie Flynn	Approved

## Holidays Policy (All Year Round)

### 1. ABOUT THIS POLICY

- 1.1 This policy sets out our arrangements for staff wishing to take holidays (also known as annual leave).
- 1.2 This policy covers all employees who are employed on an 'All-year contract'.

### 2. YOUR HOLIDAY ENTITLEMENT

- 2.1 The Trust's holiday year runs from 1 September to 31 August. If your employment starts or finishes partway through the holiday year, your holiday entitlement during that year shall be calculated on a pro-rata basis rounded up to the nearest whole day.
- 2.2 Unless otherwise set out in your employment contract, you are entitled to 26 days paid holiday each holiday year or the pro-rata equivalent if you work part-time. In addition, you are entitled to take the usual public holidays in England and Wales.
- 2.3 Employees will be entitled to service days per their contract of employment. Employees will be eligible for contractual service days on the relevant anniversary of their employment commencement date.
- 2.4 For the avoidance of doubt, the first four weeks of the leave you take in any holiday year shall be deemed to be the leave derived from regulation 13 of the Working Time Regulations 1998 (*SI 1998/1833*), and the remainder shall be deemed to be derived from regulation 13A of those regulations. Currently, the law states that regulation 13 leave shall be paid at the rate of "normal remuneration", whereas regulation 13A leave may be paid only at the rate of your basic salary.
- 2.5 Except as set out in this policy, holiday entitlement must be taken during the holiday year it accrues. Any holiday not taken by the end of the holiday year will be lost, and you will not receive any payment in lieu.
- 2.6 Unused holidays can **only** be carried over to another holiday year:
- in cases involving sickness absence, as set out in paragraph 5;
  - in cases of maternity, paternity, adoption, parental or shared parental leave, as set out in paragraph 6;
  - in any other case where your Line Manager/SLT has permitted in writing limited to no more than one week and to be taken in the first three months of the next leave year; and
  - if otherwise required by law.

### 3. TAKING A HOLIDAY

- 3.1 All holidays must be approved in advance by your Line Manager/SLT. You should normally give at least four weeks' notice of holiday requests to allow planning of rotas or work schedules where necessary. You must not make travel bookings until approval has been given.
- 3.2 We may require you to take (or not to take) holidays on particular dates, including when the academies are closed, particularly busy, or during your notice period.

### 4. SICKNESS DURING PERIODS OF HOLIDAY

- 4.1 If you are sick or injured during a holiday period and would have been incapable of work, you may choose to treat the period of incapacity as sick leave and reclaim the affected days of the holiday.
- 4.2 Employees already on sick leave before a pre-arranged holiday period may choose to cancel any days of holiday that coincide with the period of incapacity and treat them as sick leave.
- 4.3 Occupational sick pay will only be paid for such days if you comply with our Sickness Absence Policy, including immediately notifying your Line Manager/SLT of your incapacity and obtaining medical evidence, even if you are abroad.
- 4.4 Dishonest claims or other abuse of this policy will be treated as misconduct under our disciplinary procedure.

### 5. LONG-TERM SICKNESS ABSENCE AND HOLIDAY ENTITLEMENT

- 5.1 Holiday entitlement continues to accrue during periods of sick leave.
- 5.2 If you are on a period of sick leave that spans two holiday years or return to work after sick leave so close to the end of the holiday year that you cannot reasonably take your remaining holiday, you may carry over unused holiday following the leave year.
- 5.3 Carryover under this rule is limited to the four-week minimum holiday entitlement under EU law (which includes bank holidays), less any leave taken during the holiday year that has just ended. If you take four weeks' holiday by the end of the holiday year, you will not be allowed to carry anything under this rule. The remainder may be carried over under this rule if you have taken less than four weeks. For example, a full-time employee who has taken two weeks' holiday plus two bank holidays before starting long-term sick leave can only carry over one week and three days. This limit does not affect your right to carry over holiday under paragraph 2.6.
- 5.4 Any holiday carried over under this rule but not taken within 18 months of the end of the holiday year in which it accrued will be lost.

5.5 Alternatively, you can choose to take your paid holiday during your sick leave, which means you will be paid at your normal rate.

## 6. ARRANGEMENTS FOR TERMINATION

6.1 On termination of employment, you may be required to use any remaining holiday entitlement during your notice period. Alternatively, you will be paid in lieu of any accrued but untaken holiday entitlement for the current holiday year, plus any holiday permitted to be carried over from previous years under this policy or as required by law. You are entitled to be paid at 1/260th of your full-time equivalent basic salary for each day of untaken entitlement.