



# THE BIRMINGHAM & MIDLAND INSTITUTE

9 Margaret Street  
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Charity No. 522852

## HOLIDAY POLICY

### 1. Overview

1.1 This policy covers everything to do with your holiday entitlement and explains what you must do to arrange time off for holidays.

1.2 This policy applies to all employees and workers, but does not apply to self-employed contractors.

1.3 If you are an employee, this policy does not form part of your contract of employment, and we may amend it at any time.

### 2. What is my holiday entitlement?

2.1 *How many days holiday do I get?* You will find the number of days or weeks of paid holiday you are entitled to in your Statement of Main Terms of Employment. This includes bank and other public holidays.

2.2 *What if I work part-time?* If you work part-time, you are entitled to paid holiday and time off for public holidays on a pro-rata basis or in accordance with current legislation and case law.

2.3 *When does the holiday year start?* The Institute's holiday year begins on 1 July and ends on 30 June in the following calendar year. We will calculate your holiday entitlement on a pro-rata basis if you join or leave the Institute part-way through the holiday year.

2.4 *What if I've just started work?* During your first year the first holiday year (or part holiday year) of your employment, you can only take the number of days you have accrued up to the day your holiday starts, unless your manager has agreed otherwise.

2.5 *Can I roll my holiday over if I don't take it all?* You are required to take all the holiday due to you in the holiday year in which it has accrued.

2.6 In exceptional circumstances, for instance if unexpected events have meant your presence at work was needed and you have not been able to take all your holiday entitlement, you may be able to defer up to the equivalent of one week's holiday entitlement. Provided you have written agreement from your manager, you can carry this amount over into the next holiday year (unless otherwise legally entitled in accordance with paragraph 6 below). This must be taken within the first three months of the new holiday year. Please note that such requests will not be routinely approved in successive holiday years as such a practice would breach the relevant legislation.

### **3. How do I request time off?**

3.1 You can take a maximum of two weeks' holiday at any one time. You should put in your request as soon as you have chosen the dates, and at the minimum you should give us notice of at least twice the length of the time you want to take off.

3.2 You must make all requests for holiday leave in writing to your manager, either in an email, a letter or a memo.

3.3 Your manager must approve all holiday requests and these are usually considered on a first come, first served basis. At popular times of the year — particularly Christmas, Easter, and school holidays — we may need to rotate holiday allocation regardless of who put in the first request.

3.4 You may sometimes have to take your holiday on dates that we specify. This is most likely to be when the business is closed — such as over the Christmas and New Year period — or to avoid busy periods, or because you still have not taken all the leave due to you in the current holiday year. If you are leaving the Institute, we may also ask you to take your remaining holiday entitlement during your notice period.

3.5 Provided you have sufficient holiday entitlement, we will — wherever possible — try to fulfill requests for time off for a religious occasion. This will however be subject to our business requirements.

3.6 Your manager will always discuss alternative dates with you if we have to turn down a holiday request. If your request is refused and you take time off anyway, we will view it as an unauthorised absence and deal with the matter under our Disciplinary Procedure.

3.7 Do not make any travel arrangements or financial commitments until you have written confirmation that you can take the time off work. The Institute will not be responsible if you suffer losses because your holiday request is refused, regardless of the reason.

### **4. How much will I be paid?**

4.1 We will pay you at your normal rate while you are on holiday.

4.2 We will let you know whether any irregular payments, such as overtime if exceptionally paid, will be included in your holiday pay. If we do include these elements in your holiday pay on one occasion, it does not set a precedent and we reserve the right not to include them in the future.

## **5. What happens if I am sick during my holiday?**

5.1 If you are sick while on holiday, you can treat the time off as sick leave instead of holiday.

5.2 To reclaim your holiday time and take it at a later date, you must tell your manager as soon as possible (normally meaning while you are on holiday) and provide medical evidence — translated into English if necessary — of your illness or injury. If you do not do this, we will treat your absence as holiday and not sick leave. If your absence is treated as sick leave, you must then follow the procedure outlined above in Section 3 to book dates for another holiday.

5.3 Should you already be on sick leave at the start of a holiday period, and provided that you would not have been fit to work at any time during it, you may reschedule the affected days. You will need to provide medical evidence and follow the procedure outlined above.

5.4 We will pay you sick pay, rather than holiday pay, for any scheduled holiday days taken as sick leave provided you qualify under our sick pay policy. If you are eligible for Institute Sick Pay (CSP) and have not exhausted your entitlement to CSP, the sick pay would be at that rate for any remaining days of your CSP entitlement. After that, the outstanding days would be paid as SSP. This may mean that the first three days of illness are 'waiting days', and therefore unpaid.

5.5 We will treat dishonest claims or any other abuse of this policy under our Disciplinary Policy.

## **6. What happens to my holiday entitlement if I am on long-term absence?**

6.1 Your entitlement to annual leave accrues whenever you are off work long-term for any of the following reasons:

- sick leave;
- \*maternity leave
- \*paternity leave;
- \*adoption leave;
- \*parental leave; or
- \*shared parental leave

(\* = known as family leave in this policy).

6.2 You may carry over unused holiday to the following year if your sick leave spans two holiday years or you return to work too near the end of the holiday year to fit in the time off

due to you. Any holiday carried over will be lost if you do not take it within 18 months of the holiday year in which it accrued.

6.3 If you intend taking family leave and expect this to span two holiday years, you must give your manager as much notice as you can. You may carry over into the next holiday year any holiday entitlement that it is impractical for you take before the start of your family leave. This covers your full annual leave entitlement.

6.4 You should take any holiday leave you have carried over within the holiday year in which you return to work, unless a different timescale is agreed with your manager.

## **7. What happens if I leave the Institute?**

7.1 You will normally be required to use up any outstanding annual leave during your notice period. This applies whether you resign or we give you notice that we are ending your employment.

7.2 We may alternatively pay you in lieu of any accrued holiday you have not taken. Payment will be calculated as follows: for each day of leave you have outstanding, an amount equal to your basic salary divided by your normal or average weekly working days (usually your normal or average weekly working hours divided by normal full-time weekly working hours multiplied by 260). For full-time employees working 5 days a week, this will be 1/260th of your basic salary.

7.3 Should you have taken more annual leave than you were entitled to up to the day you leave the Institute, an amount calculated as above will be deducted from the final payment we make to you.

Dr Serena Trowbridge,  
Vice President

Stephen Hartland  
Honorary Secretary

Incepted: September 2020  
Last Reviewed: September 2023  
Next Review: September 2024