



Review Sheet



Last Reviewed
18 Nov 2025



Last Amended
18 Nov 2025



This policy will be reviewed as needs require or at the following interval:
Annual

Business Impact:	 <p>Changes are important, but urgent implementation is not required, incorporate into your existing workflow.</p> <p>MEDIUM</p>
Reason for this Review:	Scheduled review
Changes Made:	Yes
Summary:	This policy highlights the annual holiday entitlements of staff. It has been updated in line with current guidance and to confirm that employees are able to carry over holiday entitlement if they have been unable to use this due to parental bereavement leave, carers leave or neonatal care leave. References have also been checked to ensure they remain current.
Relevant Legislation:	<ul style="list-style-type: none"> • Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023 • Employment Rights Act 1996 • Working Time Regulations 1998
Underpinning Knowledge:	<ul style="list-style-type: none"> • Author: Legislation.gov.uk, (1996), Employment Rights Act 1996 [Online] Available from: https://www.legislation.gov.uk/ukpga/1996/18/contents [Accessed: 18/11/2025] • Author: Legislation.gov.uk, (1998), The Working Time Regulations 1998 [Online] Available from: https://www.legislation.gov.uk/uksi/1998/1833/contents/made [Accessed: 18/11/2025] • Author: ACAS, (2023), Holiday Entitlement [Online] Available from: https://www.acas.org.uk/checking-holiday-entitlement/asking-for-and-taking-holiday [Accessed: 18/11/2025] • Author: Legislation, (2024), Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023 [Online] Available from: https://www.legislation.gov.uk/ukdsi/2023/9780348253269 [Accessed: 18/11/2025]
Suggested Action:	<ul style="list-style-type: none"> • Encourage sharing the policy through the use of the QCS App
Equality Impact Assessment:	QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful

discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.

Quality Compliance Systems
Corton House & Brewster Court
Downloaded: 29 January 2026
Jason Parker



1. Purpose

1.1 To set out the arrangements of Corton House & Brewster Court for employees and workers wishing to take holidays.

1.2

Key Question

Quality Statements

SAFE	QSS6: Safe and effective staffing
WELL-LED	QSW5: Governance, management and sustainability

1.3 Relevant Legislation

- Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023
- Employment Rights Act 1996
- Working Time Regulations 1998



2. Scope

2.1 Roles Affected:

- All Staff

2.2 People Affected:

- Residents

2.3 Stakeholders Affected:

- Family



3. Objectives

3.1 For all employees and workers to be aware of their holiday entitlement and pay.

3.2 For all employees and workers to be aware of the holiday arrangements and booking process.

3.3 For Corton House & Brewster Court to ensure that there are sufficient numbers of staff to cover any periods where others may be on annual leave.

3.4 For annual leave to be properly managed to ensure that service levels for Residents are maintained and any impact on their families is minimised.



4. Policy

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4.1 Corton House & Brewster Court will comply with the WTR and the ERA and any subsequent amendments which may come into force and which govern annual leave entitlements.

4.2 Corton House & Brewster Court will always meet its obligations to provide at least statutory minimum annual leave to all employees and workers who are entitled to it.

4.3 Managers will be responsible for ensuring that the workload does not prevent employees and workers from taking holiday, whilst also ensuring that the needs of Corton House & Brewster Court and Residents are taken into account.

4.4 This policy does not form part of any employee's contract of employment and Corton House & Brewster Court may vary or amend it at any time.



5. Procedure

5.1 Entitlement

- Unless otherwise stated in the employment contract, employees and workers are entitled to 28 days annual holiday per year (or the pro-rata equivalent if they work on a part-time basis). This is inclusive of the usual bank holidays in England and Wales
- One "week" is defined as the average working week of the fifty-two (52) weeks prior to the holiday. This may be calculated in days or hours, depending on whether or not the working hours vary each week. If the employee or worker receives a smaller amount of pay than usual (for example, due to SSP or statutory leave) or receives no pay at all for a given week, Corton House & Brewster Court will look further back and only include weeks where the employee or worker received their usual pay
- If the employment or engagement starts or finishes part way through the holiday year, holiday entitlement during that year shall be calculated on a pro-rata basis

5.2 Accrual

- In the first year of employment, and for leave purposes only, accrual of leave entitlement will be one-twelfth of annual entitlement for each calendar month in which the employee or worker works. Accrued entitlement for leave purposes is rounded to the nearest half-day. Service with any other employer will not count when calculating accrued entitlement
- Holidays may not usually be taken in advance of being accrued. If an employee or worker wishes to exceed this limit, they must make a request to management at least three months in advance. If the holiday is approved, the employee or worker is reminded that, if they leave employment with Corton House & Brewster Court having taken holidays in excess of their accrued pay entitlement, the excess will be reclaimed and deducted from their final salary. In the event that the excess owed exceeds the salary owed, they must refund the difference to Corton House & Brewster Court personally
- For the purposes of holiday pay due (or to be repaid) on termination, the accrued holiday is calculated pro-rata to the actual days on which the employee or worker were employed in the holiday year, irrespective of whether this is their first year of employment or not. For pay purposes, there is no half-day rounding

5.3 New Employees

Every effort will be made to meet the needs of new employees in respect of commitments to holidays already made. New employees should inform Corton House & Brewster Court

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of any holiday plans at the earliest opportunity. Where the booked holiday exceeds annual holiday entitlement, consideration will be given to granting unpaid holiday up to a maximum of two weeks entirely at the discretion of Corton House & Brewster Court.

5.4 Holiday Rules

- The following rules apply to all holidays:
 - Annual Leave is not permitted between 16th December and 2nd January unless it has been authorised by the Manager for exceptional circumstances or agreed in advance on the rota. Normal rotas are used throughout the Festive period however if the staff member wishes to swap their shifts this is the staff member's responsibility to cover and failure of the person covering the shift to attend will mean the staff member on the original shift will be expected to cover.
 - An employee's annual entitlement includes the usual 8 public holidays in England and Wales. Although Corton House & Brewster Court usually observes the usual 8 public holidays, Corton House & Brewster Court reserves the right to require an individual to work on a public holiday. If an employee is required to work on a public holiday, a day in lieu will be granted to take account of the public holiday worked. Details of an individual rate of pay for working on a bank holiday will be contained in the employee's contract of employment
 - Employees who do not regularly work on the weekday on which a public holiday falls, are not entitled to pay for the day in question. However, their holiday entitlement will be adjusted to ensure that they receive a pro-rata equivalent to full-time employees
 - For the avoidance of doubt, the first four weeks of the leave an employee takes in any holiday year shall be deemed to be the leave derived from Regulation 13 of the WTR and the remainder shall be deemed to be derived from Regulation 13A of the WTR
 - Where there are conflicting holiday requests, priority will normally be given to the employee whose request was received first. Management may exercise some discretion to ensure equitable treatment
 - No more than two weeks of annual holiday may normally be taken at one time. If an employee wishes to exceed this limit, they must make a request to management at least three months in advance
 - No more than two weeks' holiday may be taken during the first two quarters of the annual leave year cycle at Corton House & Brewster Court, and no more than one week in each of the following two quarters. If an employee wishes to exceed this limit, they must make a request to management at least three months in advance
 - If an employee takes annual holiday not previously approved, they will be deemed to be absent without authorisation and they may be subject to disciplinary action, which could include dismissal
 - Corton House & Brewster Court may require an employee to take (or not to take) holiday on particular dates, including when Corton House & Brewster Court is closed, particularly busy, or during their notice period; such days to be notified to the employee in a reasonable time ahead of the required dates
 - If an employee is ill or injured whilst on holiday, to the extent that they would be unable to come to work (when they are meant to be at work), then they may choose to treat the period of incapacity as sick leave and reclaim the affected days of holiday. In these circumstances, the employee must comply with the sickness absence reporting requirements at Corton House & Brewster Court as if they were at work. If an employee is already on sick

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leave before a pre-arranged period of holiday, they may choose to cancel any days of holiday that coincide with the period of incapacity and treat them as sick leave. The employee will be entitled to any SSP (not holiday pay) in relation to any such days of sickness. Any dishonest claims or other abuse of these rules will be treated as misconduct under the Discipline Policy and Procedure at Corton House & Brewster Court

5.5 Obtaining Approval

- All annual holiday requests must receive management approval before being taken. When an employee wishes to take part of their annual holiday entitlement, they should follow the procedure set out below:
 - Submit a request in writing using the appropriate form (Holiday Request Form), at the earliest reasonable opportunity and generally no later than four weeks before the required start date. It should be passed to their manager
 - The manager will consider the application, having regard to the needs of Corton House & Brewster Court, Residents and the rules on annual holiday set out below. Where necessary, Mr Jason David Parker will be consulted before a final decision is made
 - A copy of the form marked “approved” or “not approved”, with brief reasons for refusal where applicable, should be signed by the manager and returned to the employee. Only on receipt of this form, duly approved, should the employee commit themselves to any holiday plans. If an employee pays a deposit for the holiday before the dates are approved, then the organisation is not responsible for any losses they may incur if the dates are refused
 - In the event an employee disputes the decision of management, the Grievances Policy and Procedure at Corton House & Brewster Court should be used. Once approval for annual holiday has been given, it will not normally be withdrawn

5.6 Carrying Holiday Over

- The holiday year at Corton House & Brewster Court runs for the period: 01 April to 31 March
- Full annual holiday entitlement for the year must be taken during the holiday year in which it accrues. No payment in lieu will be made for any untaken holiday, nor will an employee be allowed to carry it over to the next year in normal circumstances
- Untaken holiday entitlement can only be carried over into another holiday year as follows:
 - In cases involving long-term sickness absence (see below)
 - In cases of maternity, paternity, adoption, parental, shared parental leave, parental bereavement leave, carers leave or neonatal care leave
 - In exceptional circumstances, where permission in writing has been given, or
 - If otherwise required by law
- Holiday entitlement continues to accrue during periods of maternity, paternity, adoption, parental, shared parental, parental bereavement, carers or neonatal care leave (referred to collectively in this policy as family leave)
- If an employee is planning a period of family leave that is likely to last beyond the end of the holiday year, they should discuss their holiday plans with their manager in good time, before starting their family leave. Any holiday entitlement for the year that cannot reasonably be taken before starting their family leave can be carried over to the next holiday year
- For the avoidance of doubt, this covers the employee's full holiday entitlement

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- Any holiday carried over should be taken within three months of returning to work after the family leave

5.7 Long Term Sickness Absence and Holiday Entitlement

- Holiday entitlement continues to accrue during periods of sickness absence
- If a period of sickness absence spans two holiday years, or a return to work after sickness absence happens so close to the end of the holiday year that an employee cannot reasonably take their remaining holiday, they may carry over any unused holiday entitlement into the following holiday year. Carry over under this rule is limited to the four-week minimum holiday entitlement under the Working Time Directive, less any leave taken in the holiday year that has just ended. If the employee has taken four weeks' holiday by the end of the holiday year, they will not be entitled to carry any leave over into the next holiday year
- Any holiday that is carried over under this rule but is not taken within 18 months of the end of the holiday year in which it accrued will be lost
- Alternatively, an employee can choose to take paid holiday during their sick leave, in which case they will be paid at their normal rate of pay

5.8 Sickness During Period of Holiday

- If an employee is sick or injured during a holiday period and would have been incapable of work, they may choose to treat the period of incapacity as sick leave and reclaim the affected days of holiday
- Employees already on sick leave before a pre-arranged period of holiday may choose to cancel any days of holiday that coincide with the period of incapacity and treat them as sick leave
- Dishonest claims or other abuse of this policy will be treated as misconduct under the Discipline Policy and Procedure

5.9 Late Return

If, for any reason, an employee or worker knows that they will be late returning from holiday, they must contact Mr Jason David Parker and notify them of their late return as soon as possible. Mr Jason David Parker will then discuss what options are available. Failure to do so may result in disciplinary action for unauthorised absence.

5.10 Termination

- On termination of employment employees may be required to use any remaining holiday entitlement during their notice period. Alternatively, they will be paid in lieu of any accrued but untaken holiday entitlement for the current holiday year to date. Employees are entitled to be paid at a rate of 1/260th of their full-time equivalent salary for each day of untaken entitlement
- If, upon termination of employment, they have taken more annual holiday than accrued, Corton House & Brewster Court reserves the right to deduct the equivalent of the payments made for such additional days from final pay (calculated at 1/260th of full-time equivalent salary for each excess day)

5.11 Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023

For individuals whose holiday year begins on or after the 1 April 2024, Corton House & Brewster Court will ensure it follows the new law on holiday entitlement and pay, for workers who work part of the year or irregular hours (including zero-hour workers).

For irregular or part year workers, Corton House & Brewster Court will calculate holiday entitlement for workers who only work part of the year or irregular hours (including zero-hour workers), by calculating the actual hours of work undertaken by that individual in a

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pay period and multiplying it by 12.07%. Any holiday requests should be made in accordance with this policy.

Alternatively, Corton House & Brewster Court may elect to pay irregular hours or part year workers rolled up holiday pay rather than allow the workers to take their holidays. If Corton House & Brewster Court elects to pay rolled up holiday pay, then Corton House & Brewster Court will apply an uplift to that individual's pay by 12.07% for the pay period to include an enhanced payment for any holidays accrued during that period.



6. Definitions

6.1 WTR

- Working Time Regulations 1998

6.2 ERA

- Employment Rights Act 1996

6.3 SSP

- Statutory Sick Pay



7. Key Facts - Professionals

Professionals providing this service should be aware of the following:

- If there are any specific concerns about annual leave entitlements, then employers should refer to the full policy
- Employees and workers are entitled to at least the statutory minimum holiday entitlement of 28 days pro-rata per holiday year
- Employers are entitled to provide additional contractual holiday entitlement on top of the statutory minimum. However, employers cannot agree to provide less holiday than the statutory minimum
- Employees are entitled to be paid for the holidays that they take under the WTR (Working Time Regulations 1998) and ERA (Employment Rights Act 1996)
- Employees are entitled to carry over any holiday entitlement that they have accrued if they have been unable to take this holiday due to long-term sickness absence, maternity leave, paternity leave, parental leave, shared parental leave, parental bereavement leave, carers leave or neonatal care leave



8. Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- Corton House & Brewster Court will monitor the scheduling of annual leave throughout the year to ensure that you continue to receive the high level of care that you have come to expect

- Corton House & Brewster Court may reject annual leave requests if the impact of these requests would be to affect the level of care that you would receive



Further Reading

GOV.UK - Holiday Entitlement:

<https://www.gov.uk/holiday-entitlement-rights>

QCS/AfterAthena Blog - Be Aware - Calculation to Holiday Entitlement Calculation and Pay:

<https://www.qcs.co.uk/be-aware-changes-to-holiday-entitlement-calculation-and-pay/>

ACAS - Holiday Entitlement:

<https://www.acas.org.uk/checking-holiday-entitlement>



Outstanding Practice

To be "outstanding" in this policy area you could provide evidence that:

- Corton House & Brewster Court can demonstrate it has offered in excess of the statutory holiday entitlement
- Corton House & Brewster Court can demonstrate that all staff have a full understanding of the holiday request and booking process
- The wide understanding of the policy is enabled by proactive use of the QCS App
- Corton House & Brewster Court has taken full account of the needs of the employee to take their annual leave against the needs of the business to maintain the necessary level of care



Forms

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Holiday Request Form - PA02	When requesting annual leave.	QCS



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Title of form	When would the form be used?	Created by
Letter To Employee Rejecting a Request for Annual Leave - PA02	To reject a holiday request.	QCS

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Holiday Request Form - PA02

Employee name	
Job title	
Date of request	
Type of leave (e.g. annual holiday, jury duty, bereavement)	
The first day you would like as holiday (Day of the week and the date)	
The last day you would like as holiday (Day of the week and the date)	
The day on which you will be returning to work (Day of the week and the date)	
How many working days is this? (Do not include in this number the days on which you would not normally be working)	
How many days have you taken since the beginning of the holiday year?	
How many days will you have remaining when you've taken this requested holiday?	
Employee Signature	
Holiday Dates Approved / Not Approved	
Approved Signature	

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Letter To Employee Rejecting a Request for Annual Leave - PA02

[on headed notepaper of Corton House & Brewster Court]

[Employee's name]

[Employee's address]

[Date]

Dear **[Employee's name]**

Re: Your request for Annual Leave

I note your holiday request dated **[date]** where you requested annual leave to take place between **[date]** and **[date]**.

Unfortunately, I have to inform you that we are unable to accommodate your request at this time as **[insert Option 1, Option 2, Option 3 or an alternative reason]**.

[Option 1]

- *You have previously taken [insert amount] days' holiday during the current holiday year from your existing holiday entitlement. As a result, you do not have sufficient holiday entitlement left in order for you to take the days you have requested.*

[Option 2]

- *We have already received and granted annual leave to [number] of other employees in your department. Your department would not be in a position to function adequately should your request also be granted.*

[Option 3]

- *We are currently experiencing a high volume of work and, as such, we are unable to grant annual leave to any members of staff at this time.]*

I appreciate you may be disappointed by this but I am sure you will understand the reasons why we have had to make this decision.

Please do not hesitate to contact me if you have any queries or concerns.

Yours sincerely,

[Name]

on behalf of Corton House & Brewster Court