

## Taking Annual Leave 2020

In March 2020, the following was contained in a briefing note

### 4. Annual Leave

We appreciate there may be occasions where employees have booked annual leave that they no longer wish to take (with the inability to travel to visit friends or family or where existing travel arrangements have been cancelled). There may also be occasions where we may be requesting that future leave booked is cancelled to ensure we provide adequate and much needed resource in key areas.

Rest assured in both above cases an employee will not be at detriment and the annual leave will not be 'lost'. Depending on operational requirements directorates will discuss with their employees how best to manage this situation. This may include allowing employees to carry over more annual leave entitlement to future annual leave years.

Since this briefing, further discussions have taken place and Managers should be encouraging staff to take leave and approving leave where possible for key workers. Operational Managers have the discretion to pay annual leave which is above the statutory minimum (20 + 8BH pro rata for part time staff) so an employee who is entitled to 30 days could have the remaining 10 days paid. Where payment is made the employee should have taken the statutory amount.

The government has agreed that the statutory 20 days plus 8 bank holidays can be carried forward and taken within the next two years, in these circumstances payment for balance of annual leave will not be made. The government has also stated that leave should only be carried forward where it has not been reasonably practicable to take it and in determining what is reasonably practicable the following should be considered:

- Whether the business has faced a significant increase in demand due to coronavirus that would reasonably require the worker to continue to be at work and cannot be met through alternative practical measures
- The extent to which the particular workforce is disrupted by the coronavirus and the practical options available to the business to provide temporary cover of essential activities
- The health of the worker and how soon they need to take a period of rest and relaxation
- The length of time remaining in the worker's leave year, to enable the worker to take holiday at a later date within the leave year
- The extent to which the worker taking leave would impact on wider society's response to, and recovery from, the coronavirus situation
- The ability of the remainder of the available workforce to provide cover for the worker going on leave