



## BURGESS FARMS

### ANNUAL LEAVE POLICY AND PROCEDURE

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<b>For use by:</b>	All employees of Burgess Farms and its subsidiary Companies.		
<b>Purpose:</b>	To provide a framework for the management, application and taking of paid Annual Leave entitlement.		
<b>This document supports:</b> <i>Standards and legislation</i>	Working Time Regulations 1998		
<b>Key related documents:</b>	Employee Handbook Statement of Terms and Conditions of Employment Managing Absence Policy and Procedure Managing Long Term Absence Policy and Procedure		
<b>Review date:</b>	As required		



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# Definitions

“**Company**” means Produce World Group Ltd

“**Subsidiary Companies**” means all Companies owned by Produce World Group Ltd.

## 1. Policy statement

It is the policy of Produce World Group Ltd that all colleagues are contractually entitled to receive paid holiday. The purpose of which is to provide a break from work and to meet the legal requirements outlined by the Working Time Regulations 1998.

This policy provides the framework for the management, application and taking of paid annual leave entitlement.

## 2. Key principles

The Company Annual Leave Policy is based upon the following principles:

- The Company undertake to ensure that every employee takes the statutory minimum holiday entitlement each financial year in line with the Working Time Directive.
- Annual leave entitlement is an express term of every employee’s contract of employment – each employee must take responsibility for taking their annual leave entitlement throughout the Company financial year in line with this policy.

## 3. Scope

This policy applies to all employees employed by Produce World Group Ltd and its subsidiary companies.

## 4. Annual leave year

The Company’s holiday year runs from 1 July to 30 June inclusive each year, unless otherwise stated in your Statement of Terms and Conditions of Employment.

## 5. Annual leave entitlement

- 5.1 An employee’s paid annual leave entitlement is outlined in their Statement of Terms and Conditions of Employment.
- 5.2 Annual leave will be calculated on a pro rata basis against complete calendar weeks worked for employees who commence employment part way through a holiday year.

## 6. Additional annual leave entitlement

An employee’s entitlement to additional day’s annual leave will be detailed within their Statement of Terms and Conditions of Employment.

## **7. Holiday pay**

An employee will receive payment equivalent to their average daily or hourly rate for all holiday entitlement, unless otherwise stated in their Statement of Terms and Conditions of Employment.

## **8. Public holidays**

- 8.1 All employees are entitled to eight days to account for public holidays.
- 8.2 Specific public holidays are rolled in to the annual leave entitlement for shift and some non-shift workers (see Figure 1). These groups of employees shall be expected to book those days as part of their normal annual leave entitlement. An employee should refer to their Statement of Terms and Conditions.
- 8.3 Each business unit is closed for Christmas Day, and this 'closed' public holiday shall not be rolled in to annual leave entitlement but will be assigned as an additional day's annual leave which must be taken on the closed day; Christmas Day.
- 8.4 Unless otherwise stated in an employee's Statement of Terms and Conditions of Employment Non-shift workers will receive public holidays as a day off. Any employee expected to work on a Public Holiday will receive a day off in lieu or pay.

## **9. Length of annual leave**

- 9.1 No more than 14 days leave will normally be permitted to be taken on one occasion (this includes non-working days) unless there are exceptional circumstances.
- 9.2 Employees may request to take paid annual leave on whole or half days only.

## **10. Anticipation of annual leave entitlements**

Employees requesting to take paid annual leave in anticipation of their entitlement during the course of a leave year may do so subject to this request not exceeding the employees total annual leave entitlement and subject to line management discretion and business need.

Where a large amount of holiday is requested ahead of being accrued, the Company reserves the right to authorise the holiday without payment. Payment for such holiday will be made once the amount of days holiday has been accrued. Your line manager will discuss this with you, should this be the case and it will be confirmed to you in writing.

Where a large amount of holiday is requested ahead of being accrued, the Company also reserves the right to decline the request, should this be the case this will be discussed with you and your line manager.

## **11. Notification**

An employee wishing to book a period of annual leave must do so using the correct holiday booking procedure. Every employee must obtain authorisation of their holiday request from their line manager within the following notification periods;

No. days holiday	Notification period
1 to 3	1 week
4 or more days	2 weeks

## 12. Application of annual leave

12.1 The Company guidelines for limitations to the number of employees permitted to be absent due to holiday at the same time is as follows.

Where a department/team includes;

- 1 to 5 people no more than 1 employee will be permitted holiday
- 5 to 10 people no more than 2 employees will be permitted holiday at the same time
- 10 to 15 people no more than 3 employees will be permitted holiday at the same time
- 15 to 20 people no more than 4 employees will be permitted holiday at the same time

Limitations that are applied within the department/team will be at the discretion of the line manager at the time a holiday request is made and will be based upon department/business need.

12.2 It is expected that 50% of an employee's annual holiday entitlement will be taken during the first six months of the holiday year.

## 13. Carryover

13.1 All annual leave entitlements must be used within the holiday year 1 July to 30 June. No annual leave entitlement will be carried over.

## 14. Long term sick

14.1 An employee who is absent on sick leave will continue to accrue their full statutory holiday entitlement. However, contractual holiday entitlement over and above the minimum statutory holiday entitlement provided for by the Working Time Regulations 1998 will not accrue during any paid or unpaid period of sick leave once an employee has been continuously absent for a period of four weeks or more.

14.2 Employees who are absent on long term sick (more than 28 days) are entitled to book holiday in the same way as if they were at work during their period of ill health.

14.3 Where an employee is absent on long term sick and the period of illness limits the employees ability to take annual leave and their period of illness runs over into a new holiday year, the employee will be entitled to carry any annual leave accrued and not taken. Any carried forward holiday not taken before the earlier of a) the end of the annual leave year in which the employee returns to work and b) 13 months after the end of the annual leave year in which the holiday accrued will be forfeited.

## 15. Sickness during holiday

An employee who is ill whilst on holiday must follow the Company absence notification procedure set out below.

- Contact their line manager on the first day of ill-health providing information relating to their condition and any affects to the anticipated length of time they may be absent
- Send Statement of Fitness to Work (Fit Note) within 2 working days of receipt from their Doctor to Human Resources. Where an employee is abroad they may provide evidence of medical certificates from their destination or where they have returned to the UK and visited their GP the same
- For all absences less than seven calendar days ensure that upon return to work they complete an Ill Health Self Certificate with their line manager during a return to work interview

Where the employee fulfils all of the above conditions, the Company will consider granting the employee the same number of days' replacement holiday leave as the number of holiday days lost due to sickness or injury.

If an employee is ill or is injured before the start of a period of planned holiday and this prevents the employee taking the holiday, the Company will agree to the employee postponing the holiday dates to another mutually agreed time. Any period of sickness absence will then be treated in accordance with the Company's Managing Absence Policy on sickness absence. The employee must submit a written request to postpone the planned holiday and this must be accompanied by a letter from their doctor confirming that they are unfit, or is still likely to be unfit, to take the holiday.

An employee must request to take any replacement holiday in accordance with the Company's normal holiday policy, and should endeavour to take the replacement holiday in the same holiday year in which it was accrued.

## 16. Authorisation

- 16.1 All employees **MUST** have their holiday request authorised by their line manager prior to booking holidays externally. Any holiday that is booked externally and that has not been authorised by their line manager may lead to disappointment and the Company shall not be responsible for any resulting financial losses.
- 16.2 Line managers will only grant extensions to holiday where there is extenuating circumstances such as a marriage, birth or where you are travelling a great distance on holiday as a special trip.
- 16.3 Whilst every effort will be made to accommodate your holiday request, the Company reserves the right to refuse leave for business reasons.
- 16.4 In the event of any personal emergency, immediate holiday requests must be discussed with the line manager and HR representative.

## **17. Restricted periods**

Holiday requests may be restricted or not permitted at certain times during the Christmas period each year, exact dates will be notified to you by the business.

## **18. Substitution of paid annual leave**

Employees may not undertake paid work during any period of annual leave.

## **19. New employees**

19.1 The Company will make every effort to meet the needs of new employees in respect of commitments to holidays made prior to the commencement of employment.

19.2 Employees joining part way through a holiday year will be entitled to a pro-rated annual leave entitlement.

## **20. Leavers**

20.1 Upon notice of termination of employment from the Company, an employee will normally be required to take any outstanding paid annual leave entitlement during their notice period.

20.2 Where, in exceptional circumstances and at the discretion of the line manager, an employee is unable to take their outstanding annual leave entitlement during their notice period, the employee will be entitled to a payment in lieu at the prevailing rate.

20.3 In the event that an employee has taken more annual leave entitlement than accrued at the point of leaving the Company, the Company has the right to recover this overpayment from any monies outstanding to the employee.

## **21. Confidentiality**

21.1 The Company will treat all personal data and sensitive personal data in accordance with the Data Protection Act 1998 and other relevant legislation.

21.2 Access to this information will be restricted to the business where appropriate and used or business statistical purposes unless otherwise permitted or required by law.

## **22. Breach of policy**

Breach of the Annual Leave Policy may be regarded as misconduct and may lead to disciplinary action.

## 23. Document Control

Revision	Action	Author	Date
0.1	Policy review	SA	27/04/2021