Asking for and taking holiday

It's a good idea to ask for your holiday dates as far in advance as possible so that your employer can make arrangements.

You should give at least twice the amount of notice as the amount of time you want to take off, unless your contract or written terms of employment say otherwise.

For example, if you want 10 days off you'll need to ask at least 20 days in advance.

Your employer can:

- refuse to give leave at certain times, for example during busy periods, but they cannot refuse to let you take any holiday at all
- make you take leave at certain times, such as Christmas or bank holidays
- restrict how much holiday you take at one time

3. If you are refused leave

An employer can refuse leave but they must give you at least the same amount of notice to refuse leave as the amount of holiday you have requested.

For example, you ask your employer for 7 days off. If they need to refuse your request, they must do this at least 7 days before your holiday is due to start.

Your employer should give good reason for refusing holiday dates and might suggest alternatives, so it’s a good idea to talk to them about it.

If you are forced to take leave

Your employer can make you take:

- leave when they want, for example they might shut down over Christmas
- unpaid leave at times, if this is in your contract or written terms of employment

If your employer requires you to take leave in this way, the notice they give you should be at least twice as long as the period they want you to take.

For example, if they want you to take 5 days of holiday, they should tell
you at least 10 days before.

**When you should take your holiday by**

Your employer will have a start and end date when you should take your holiday by – called the ‘leave year’.

When you start a job, you should be told when your workplace’s leave year runs from and to.

You must take most of your statutory leave during the leave year.

**Carrying over leave**

You must take your legal minimum holiday during your leave year. If you get more than the legal minimum 5.6 weeks, your contract or written terms of employment should say if you can carry over holiday and how much.

When you’re not able to use your paid holiday, for example if you’re on maternity leave, you must be allowed to carry it over to the next leave year. It’s a good idea to arrange this with your employer as early as possible.

If you’re on long-term sick leave, you can carry over 4 weeks’ paid holiday and it must be used within 18 months of the date it carried over from.

If you cannot take your full paid holiday for any other reason and you are worried about losing it, talk to your employer and try to reach an agreement.

**Holiday when leaving a job**

You may be able to take what’s left of your annual leave during your notice period before leaving a job, or your employer might want you to.

How much you get depends on how far through the leave year you end the job.

Work out how much holiday you should get with the holiday entitlement calculator on GOV.UK.

If there’s any statutory holiday left that you have not taken by the time you leave, your employer must pay you for it (‘payment in lieu’).

If you’ve taken more holiday than your entitlement by the time your job ends, your employer can take money from your final pay if agreed beforehand in writing. This is sometimes known as a ‘payback clause’.
Holiday when starting a job

You start to build up ('accrue’) leave as soon as you start a job.

In the first year of a job your employer might use an 'accrual system' where leave is calculated as you go along.

For example, you build up one twelfth of your leave each month, so that by the end of the third month you can take a quarter of your annual leave.

Unpaid leave

If you have run out or do not want to use your paid holiday for some time off, you can ask your employer for unpaid leave.

It’s up to your employer whether to agree or not, but you can explain the reason for your request and try to come to the best agreement together.

Unpaid leave and how you can request it might be set out in your contract or written terms of employment.

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