

**Paid Annual Leave for no fixed hrs/ zero hours contracts**

Paid Annual Leave overview:

* All PA’s, working set hours every week or non-regular/ad hoc hours, are entitled to receive paid time off, known as statutory annual leave.
* PA’s are entitled a maximum of 28 days paid leave per year (pro rata).
* PA’s cannot be paid more than the statutory entitlement, regardless of working above the 48 hrs a week working time regulations.
* Overtime worked will not result in additional annual leave entitlement.

**What has changed since April 2020?**

In the past, PA’s employed to no fixed hrs types of contracts had received a payment every 3 months for annual leave hours built up whilst working in that period, known as ‘rolled-up’ leave payments. This type of arrangement is no longer legal, and our Payroll Service is unable to process annual leave payments in this way.

**How should my PA claim annual leave payments?**

Your PA will now need to claim their paid annual leave hours, ideally at a time they are not needed to work for you and should let you know the number of hours they wish to claim. The Employer will then need to complete this information into a Timesheet Summary for the Payroll Service to process through the PAYE system.

**The Payroll Service** will provide payslips to you to give to your PA’s which will include the amount of paid annual leave hrs they have available to claim. If you needed further support with this area please contact our **Helpline** **Tel:** 01908 101306 (answer phone facility available)  Email: **sdshelpline@connectionsupport.org.uk**

**Checking your Employment Contracts are appropriate:**

We would also recommend all employer’s check the employment contract they have in place with their PA so make sure it complies with the law and are still relevant and appropriate. Consideration should be given to the following areas:

* If a PA is working a regular number of hours every week for 52 weeks of the year and if they should be contracted to a ‘fixed hrs contract’.
* If a PA is working ad-hoc or varied none-regular hrs, ensure the contract is not stating that annual leave is paid every 3 months. If it does, it will need to be removed and reworded.

If Employers would like further assistance, we have example Employment Contracts templates available both employer liability insurance companies, Mark Bates and FISH view as being appropriate to offer employers.