

Rules on carrying over annual leave to be relaxed to support key industries during COVID-19

- Government to amend regulations to allow annual leave to be carried over into the next 2 years
- measures will ensure workers won't lose their leave entitlements
- move gives flexibility to business at a time when it is needed most

Workers who have not taken all of their statutory annual leave entitlement due to COVID-19 will now be able to carry it over into the next 2 leave years, under measures introduced by Business Secretary Alok Sharma today (Friday 27 March).

Currently, almost all workers are entitled to 28 days holiday including bank holidays each year. However, most of this entitlement cannot be carried between leave years, meaning workers lose their holiday if they do not take it.

There is also an obligation on employers to ensure their workers take their statutory entitlement in any one year – failure to do so could result in a financial penalty.

The regulations will allow up to 4 weeks of unused leave to be carried into the next 2 leave years, easing the requirements on business to ensure that workers take statutory amount of annual leave in any one year.

This will mean staff can continue working in the national effort against the coronavirus without losing out on annual leave entitlement.

The changes will also ensure all employers affected by COVID-19 have the flexibility to allow workers to carry over leave at a time when granting annual leave could leave them short-staffed in some of Britain's key industries, such as food and healthcare.

Business Secretary Alok Sharma said:

Whether it is in our hospitals, or our supermarkets, people are working around the clock to help our country deal with the coronavirus pandemic.

Today's changes will mean these valued employees do not lose out on the annual leave they are entitled to as a result of their efforts, and employers are not penalised.

Environment Secretary George Eustice said:

From our fields to our supermarkets, we are hugely grateful to the many people working around the clock to keep the nation fed.

At this crucial time, relaxing laws on statutory leave will help ensure key workers can continue the important work to keep supplies flowing, but without losing the crucial time off they are entitled to.

We welcome the measures the food industry is already taking to keep shelves stocked and supply chains resilient, and will continue to support them with their response to coronavirus.

The changes will amend the Working Time Regulations, which apply to almost all workers, including agency workers, those who work irregular hours, and workers on zero-hours contracts.

The change is aimed at allowing businesses under particular pressure from the impacts of COVID-19 the flexibility to better manage their workforce, while protecting workers' right to paid holiday.

1. The Working Time Regulations 1998 convey a range of health and safety protections on workers, including daily and weekly rest breaks and paid statutory annual leave. Annual leave is granted by regulations 13 and 13A of the Working Time Regulations 1998, giving 4 weeks and 1.6 weeks of annual leave respectively.
2. The 4 weeks of annual leave granted by regulation 13 cannot generally be carried between leave years, with exceptions when a worker cannot take annual leave due to sickness or maternity leave. The 1.6 weeks of annual leave granted by regulation 13A can be carried forward one leave year (but no further) through an agreement between workers and their employers.
3. There is an obligation on an employer to ensure that their workers have an adequate opportunity to take their holiday. This holiday cannot be replaced with a payment in lieu unless the worker is leaving employment.
4. The Working Time (Coronavirus) (Amendment) Regulations 2020 amends the Working Time Regulations 1998 to create a further exemption relating specifically to COVID-19. Where it is not reasonably practicable for a worker to take some, or all, of the holiday to which they are entitled due to the coronavirus, they have a right to carry the 4 weeks under regulation 13 into the next 2 leave years. This will not apply to the 1.6 weeks under regulation 13A leave, but this can be carried forward one year by agreement between workers and employers.
5. For the purposes of annual leave, a year is the leave year as agreed in writing between the worker and their employer, usually stipulated in a worker's contract. Although for some workers this will align with the calendar year (1 January to 31 December), it can be any year long period that is agreed upon.
6. All employers are subject to the Working Time Regulations 1998, and thus

will be subject to the changes in the Working Time (Coronavirus) (Amendment) Regulations 2020.

7. All workers are subject to the Working Time Regulations 1998 unless they are subject to a different set of regulations. The Working Time Regulations 1998 do not apply to:

- workers covered by the Merchant Shipping (Hours of Work) Regulations 2002
- workers covered by the Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004
- workers covered by the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003

8. Furthermore, the regulations giving a right to paid annual leave do not apply to:

- where characteristics peculiar to certain specific services such as the armed forces, or to certain specific activities in the civil protection services conflict with the regulations
- workers covered by the Civil Aviation (Working Time) Regulations 2004
- the activities of workers who are doctors in training

[Further details of Coronavirus Job Retention Scheme announced](#)

- government to cover employer National Insurance and pension contributions of furloughed workers – on top of 80% of salary
- those furloughed can volunteer for the NHS without risking their pay

Businesses furloughing staff during the coronavirus outbreak will receive further financial support – with the costs of employer national insurance and pension contributions being covered by the government.

Under the scheme, employers can claim a grant covering 80% of the wages for a furloughed employee, subject to a cap of £2,500 a month.

In a move that could save businesses an extra £300 a month for each employee under the scheme, the government will now cover the employer national insurance and minimum auto-enrollment pension scheme contributions employers pay on the wages they must pay their furloughed staff – on top of the wages covered under the scheme.

Chancellor of the Exchequer Rt Hon Rishi Sunak MP said:

Since the start of the coronavirus outbreak, I've made it clear

that hard-working employers and employees should not have to suffer hardship unnecessarily.

Our Coronavirus Job Retention Scheme supports workers and businesses up and down the UK – and today we're strengthening it because we will do whatever it takes to support jobs.

New guidance on the Coronavirus Job Retention Scheme published by the government also confirmed that those made redundant after 28 February can be reemployed and placed on furlough.

Those on furlough will also be permitted to volunteer without risking their pay – and will be able to join the 500,000 members of the public who have signed up to help the NHS during the coronavirus outbreak.

The scheme is part of an unprecedented package of measures announced by the Chancellor to protect individuals and businesses.

Pano Christou, CEO, Pret A Manger said:

At Pret, our number one priority has been to look after our Team Members and protect jobs. We had already made a commitment to keep jobs across Pret for as long as possible, but thanks to the Government's support can also keep paying all of 8,000 UK employees, despite the fact that our UK shops are not currently open.

We're grateful to the Chancellor for his support through this crisis – and in turn, we've been doing whatever we can to help the national effort, supporting NHS workers with discounted food and coffee, as well as giving all our surplus food to people in need. We stand ready to help further over the coming weeks and are actively looking at what more we can do.

James Watt, Co-Founder, BrewDog said:

The generous support plans introduced by the government are positive and have allowed us to better look after our people and business.

This has allowed us to keep doing our best to ensure our business survives and we protect as many jobs as we can.

James Timpson, CEO, Timpson Group said:

The support that the government has given to business is vital to keep people employed, and to ensure we can plan our futures with more certainty.

The package of support given makes our future secure and our colleagues and suppliers can sleep well at night now.

Notes

Employer National Insurance contributions are contributions employers must make which help fund the NHS and benefits like the state pension.

- minimum automatic enrolment employer contributions are the minimum contributions that employers must make into their employees' pensions
- the joint contributions on monthly wages of an individual employee earning £2,500 equate to more than £300
- guidance for employers on the Coronavirus Job Retention Scheme can be found [here](#)
- guidance for employees can be found [here](#)

[Message from Tim Lowe CBE on COVID-19](#)

On behalf of the UK Hydrographic Office (UKHO), I would like to reassure users of our products and services that maintaining safety of life at sea during this time remains one of our highest priorities. We are working hard to ensure that there is minimal disruption to the production and delivery of our products and services during the ongoing COVID-19 pandemic.

Through our dedicated UKHO COVID-19 working group, we are continuing to monitor the situation and are implementing the latest advice from the UK Government to help safeguard UKHO staff. We have enacted our comprehensive business continuity plans, including remote working across our organisation, enabling us to continue to meet key safety and defence obligations and to support our customers and distributors.

We have already seen our staff go above and beyond to safeguard continuity across all our products and services. On Wednesday 25 March we issued 39 Notices to Mariners – a significant increase compared to our average daily output of 25. This achievement is testament to the dedication and skill of our teams and our business continuity plans, making it possible for us to continue to serve the maritime sector during this challenging period. We will continue to keep users informed should this change.

I advise all users to continue to monitor the ADMIRALTY website, distributor updates, weekly bulletins and e-Newsletter, the AVCS Readme file, and messages from your ADMIRALTY Chart Agent for further news and updates from the UKHO.

It is important, now more than ever, that we work together to meet the needs of our teams and to keep the mariner safe at sea. I thank you for your

ongoing support and commitment.

Tim Lowe, Chief Executive

Coronavirus: Changes to UKSV Services

UKSV is currently operating, with a significantly reduced workforce, in support of the COVID-19 containment effort.

As such the need to reduce to a minimum business as usual workflow is crucial. We therefore ask that you initiate only those cases which relate directly to COVID-19 or are within the Priority category. All other vetting activity will be processed only when UKSV capacity allows. Our telephone lines are now closed however you can still contact us via email for urgent enquiries at UKSV-ContactUs@mod.gov.uk.

Please only contact us if your enquiry is business critical.

Priority courts to make sure justice is served

The work of courts and tribunals will be consolidated into fewer buildings, maintaining the safety of all in the courts and in line with public health advice.

Work is being developed across the entire estate, following enormous changes to everyday life, and capacity for phone and video hearings has been significantly increased.

There will be 157 priority court and tribunal buildings open for essential face-to-face hearings. This represents 42% of the 370 crown, magistrates, county and family courts and tribunals across England and Wales.

MS Excel Spreadsheet, 54.3KB

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- Open courts – these buildings are open to the public for essential face-to-face hearings
- Staffed courts – staff and judges will work from these buildings, but they will not be open to the public
- Suspended courts – these courts will be temporarily closed

The temporary changes, designed in partnership between HM Courts and Tribunals Service and the judiciary will help maintain a core justice system focused on the most essential cases.

They will also ensure effective social distancing for all court users and for cleaning and security work to be focused on fewer buildings.

Lord Chancellor Robert Buckland said:

We are facing an unprecedented challenge and the government's absolute priority is to save lives and protect the NHS.

With each part of our justice system – from police to probation – dependent on one another, it is vital that we keep our courts running.

This will only be done while ensuring the safety of the public, judges, legal professionals, staff and all those attending hearings and I'd like to thank everyone for their extraordinary efforts so far.

The Lord Chief Justice said:

An extraordinary amount of hard work has gone into keeping our justice system functioning. Technology is being used creatively to ensure that many cases can continue. Not everything can be dealt with remotely and so we need to maintain functioning courts.

These temporary adjustments to how we use the court estate will help ensure that we can continue to deal with work appropriately in all jurisdictions whilst safeguarding the well-being of all those who work in and visit the courts.

Media and members of the public will be able to attend priority court hearings in person, if safe to do so in line with Public Health England guidance, thereby ensuring the principle of open justice.

Where this is not possible, judicial consideration will be given to them joining a hearing remotely or a transcript provided afterwards.

In addition, a further 124 court and tribunal buildings will remain closed to the public but open to HM Courts and Tribunal (HMCTS) staff, the judiciary and those from other agencies.

These 'staffed courts' will support video and telephone hearings, progress cases without hearings and ensure continued access to justice.

All remaining courts and tribunals will close temporarily.

These measures, which will come into effect from Monday, 30 March 2020, will be kept in place for as long as necessary to comply with government and public health advice and will be reviewed regularly.

Notes to editors:

- Hearings that cannot be heard by video or telephone and which cannot be delayed will be held in a priority court and tribunal buildings, except in exceptional circumstances, from Monday, 30 March 2020.
- Currently, fewer than half of all court and tribunal buildings will remain open for physical hearings, although this is due to change over time in response to circumstances as measures are reviewed.
- These changes affect all jurisdictions and any urgent or essential hearing that must be held in person, as decided by a judge, can be heard in these priority buildings.
- [Guidance has already been issued in civil and family cases to ensure remote hearings](#) can be carried out in as many cases as possible, subject to judicial discretion.
- Decisions on individual hearings are a matter for the judiciary, who will have regard to open justice, the matters at stake in the hearing, and the needs of court users when determining whether to use audio or video technology.