



## **DEFENCE POLICE FEDERATION**

Established by Act of Parliament

**To All Members**

**Circular 18/16**

**09<sup>th</sup> February 2016**

### **Statutory Holiday Pay ANNEX B Claiming Your Correct Holiday Entitlement**

As of 1<sup>st</sup> May 2015 the DPF entered into an agreement with the MOD, that overtime worked will be included in the calculation of holiday pay for the first 20 days in each annual leave year. If overtime is regularly worked then this will increase members' holiday entitlements.

If a bank or public holiday falls within the first 20 days holiday each year then this should be paid inclusive of average overtime. Holiday taken after the 20<sup>th</sup> day is not paid inclusive of average overtime pay. This means holiday pay for the 21<sup>st</sup> day of holiday is not to be inclusive of average overtime.

Holiday pay should now be calculated by adding up the overtime paid for the 12 weeks prior to taking holiday, and then dividing that sum by 12, to give the average overtime for the previous 12 weeks. That average is then to be paid when on holiday.

Please note that if a day of holiday is taken, rather than a week, then the payment for holiday pay should be the average pay per day over the previous 12 weeks.

As an example, if overtime is worked for 10 hours each week, then overtime when on holiday for 1 day would be 2 hours pay, if a five day week is worked ( $10 \times 12 / 12 = 10 / 5 = 2$ ).

The MOD recently issued Defence Internal Briefing (*DIB*) 05/16: *Changes to Civilian Statutory Holiday Pay*, heralding the introduction of the new service for claiming entitlement to Statutory Holiday Pay.

This document provides information on what the new service is; how to determine whether you are entitled to claim, and how to submit your claim for payment.

## **How to Complete a Claim for Statutory Holiday Pay**

Listed below are the new claim forms for Statutory Holiday Pay.

Please note that there are five forms. This is to cater for the differing overtime arrangements that apply for each of the relevant groups. It is therefore important that when claiming you select the correct form.

*DBS Form 1910A - For MOD Broader Banded (B1 - E2) and Skill Zone 1 - 4 Grades*

*DBS Form 1910B - For Fire Fighter Grades*

*DBS Form 1910C - For Fire Service Officer Grades*

*DBS Form 1910D - For NHS Agend for Change Grades (Pay Bands 1 - 7)*

*DBS Form 1910E - For MOD Police grades*

Before completing the form please read the following “*Completing a Statutory Holiday Claim Form*” document. This document will provide you with important information about determining if you have an entitlement to Statutory Holiday Pay, and how to complete the information that DBS will need from you, in order to correctly calculate the Statutory Holiday Payment you are claiming.

When you have completed your claim for holiday pay, inclusive of average overtime, please submit it using the following Submitting a Statutory Holiday Claim Form guidance. Once you have submitted your claim, DBS will process your claim and if completed correctly your entitlement to Statutory Holiday Pay will be calculated and paid to you with your next available salary payment.

Please ensure that when you take holiday, that you enter your overtime information onto the system for the previous 12 weeks as soon as possible to ensure that you are paid, and do not lose the right to recover the holiday pay you are owed.

DPF recommend that claims for holiday pay back to 1<sup>st</sup> May 2015 are submitted as a matter of urgency through the new system. We will be approaching the MOD to suggest that the submission of holiday pay claims should not be carried out by employees, but rather that it should simply be calculated and paid by the MOD, as they would when they normally calculate wages due. We will keep you updated on the progress of that discussion, but in the meantime please submit your claims.

Please note that if you have any issues with your holiday pay being paid incorrectly, then you have 3 months, less 1-day from the date holiday pay is due to start the Employment Tribunal claims process.

If you require assistance with what this entails please contact your local DPF representative for assistance and guidance.

**DPF HQ.**