

Holiday and maternity leave

An employee will 'accrue' (build up) their holiday entitlement during statutory maternity leave. This includes bank holidays.

It's not possible to take 2 types of leave at the same time. But someone could take their holiday either before or after maternity leave.

Planning maternity leave and holiday

An employer must allow their employee to take their statutory holiday entitlement during the holiday year.

An employee might not be able to use it because they're on maternity leave for all or most of the year. In these cases, the employer must allow them to carry it over to the next holiday year.

When someone is planning maternity leave, they should agree with their employer:

- how much holiday entitlement they'll accrue before and during the planned maternity leave
- if they're going to take their accrued holiday before or after maternity leave
- how much they will carry over, if appropriate

Options to take annual leave could include:

- taking some annual leave before maternity leave and some after returning to work
- using all of their holiday for the year before they start maternity leave
- ending maternity leave earlier and taking annual leave instead
- taking most of their holiday after maternity leave, and carry some into the next holiday year

Taking holiday during maternity leave

An employee might choose to take holiday before they have used the full 52 weeks of maternity leave. This will automatically end their statutory maternity leave.

For example, Gill takes 39 weeks of maternity leave followed by 2 weeks of paid holiday. Taking the holiday will end Gill's statutory maternity leave. Gill cannot take the remaining 13 weeks after their holiday.

Example of planning holiday entitlement

Charlie's contract gives them statutory holiday entitlement of 28 days.

Charlie is planning to take a year of statutory maternity leave. They meet with their line manager to plan how to take their holiday. Their manager talks through all the options, taking into consideration:

- how it'll affect their workload and the rest of the team
- when in the holiday year they'll be going on maternity leave and coming back to work

Charlie decides to take:

- 3 days before they start maternity leave
- 25 days when they return from maternity leave.

Because of the time of year, 5 of those days will carry into the next holiday year.

Enhanced holiday entitlement

It might be written in the contract that an employee gets more than statutory holiday entitlement.

This can be called 'enhanced' or 'contractual' holiday entitlement.

If an employer offers this, the employee should agree with them whether they will:

- get payment in lieu of taking the days that are additional to statutory entitlement
- take the days additional to statutory entitlement and potentially carry them over

If an employer does not allow an employee to take holiday

It could be discrimination if an employer does not allow an employee to take their holiday entitlement because of:

- their sex
- pregnancy or maternity

[Find out more about discrimination](#)

Get more advice and support

For more advice you can:

- [find out about holiday entitlement](#)
- [find out more about holiday for irregular hours and part-year workers](#)