

## Leave Policy

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Version	Purpose / Change	Author	Date
1	Previously part of Version 1 of the former Attendance Management policy - approved by Board of Trustees April 2011	HR	April 2011
2	New Policy – previously part of Attendance Management policy, which has now been renamed Sickness Management policy. This Leave policy has been drafted to cover all other forms of leave. Reviewed by SA Law	HR	Oct 2016
3	Review and Update	Becci Lloyd	Sept 2019
4	Updated to include Parental Bereavement Leave	Becci Lloyd	February 2020
5	Updated to include AWOL	HR	May 2022

## Table of Contents

<b>1. Purpose .....</b>	<b>3</b>
<b>2. Scope .....</b>	<b>3</b>
<b>3. Booking annual leave .....</b>	<b>3</b>
<b>4. Time off to care for dependents .....</b>	<b>3</b>
<b>5. Compassionate/emergency leave .....</b>	<b>4</b>
<b>5.1 Compassionate Leave</b>	
<b>5.2 Parental Bereavement Leave</b>	
<b>5.3 Leave for a domestic emergency</b>	
<b>6. Medical, dental and optical appointments .....</b>	<b>5</b>
<b>7. Religious holidays .....</b>	<b>6</b>
<b>8. Public duties, jury service and other duties .....</b>	<b>6</b>
<b>8.1 Public Duties</b>	
<b>8.2 Jury Service</b>	
<b>8.3 Other Duties</b>	
<b>9. Accompanying an employee to disciplinary/grievance hearing ..</b>	<b>7</b>
<b>10. Flexible working .....</b>	<b>7</b>
<b>11. Absence Without Leave (AWOL).....</b>	<b>7</b>

## **1. Purpose**

The purpose of this policy is to assist managers and employees with the management of leave - to make sure that a fair, consistent and supportive approach is adopted when dealing with requests for leave and when managing employees who are absent without leave.

## **2. Scope**

The procedures outlined within this policy apply to all employees of Age UK Hertfordshire (AUKH). (Guidance on sickness management is addressed within the organisation's Sickness Management Policy, and guidance on family related absence within the organisation's Maternity, Paternity, Adoption and Shared Parental Leave Policy).

This policy does not form part of any employee's contract of employment and may be amended at any time.

## **3. Booking Annual Leave**

Requests for annual leave should be made to the employee's line manager no less than two weeks before the date the leave is due to start. Employees who wish to take more than two weeks off at any one time need to make their request in writing to a member of the Senior Management Team, who will then decide whether to approve the request based on organisational need.

## **4. Time off to Care for Dependents**

Employees have the statutory right, regardless of length of service, to take a reasonable amount of unpaid time off work to deal with an emergency involving a dependent. This leave is intended to cover genuine emergencies and there is no set limit as to the number of times an employee can be absent from work under this right. A dependent is defined by the statute as "the partner, child, parent or someone who depends on the employee for care."

This leave can be taken, for example:

- to deal with a breakdown in childcare
- to put longer term care in place for children or elderly relatives
- if a dependent falls ill or is taken into hospital
- to arrange, or attend, a funeral.

A request to take time off to care for a dependent must be made to the individual's line manager as soon as is reasonably practicable explaining the reason for the request and how long the absence is likely to be. The manager will have the responsibility for recording this information.

This right applies to time off due to an immediate or unexpected emergency. It does not apply where an employee needs to take planned time off or to provide longer term care for a dependent. If this is the case the employee should take advice from their line manager or the HR department.

Reasonable time off in relation to a particular problem will not normally be more than one or two days per instance. However, AUKH will always consider each set of circumstances as they arise.

## **5. Compassionate/Emergency Leave**

Age UK Hertfordshire appreciates that there are occasions when employees require time away from work to deal with events of a sensitive or distressing nature, such as bereavement and serious illness of close relatives.

When dealing with such issues it is recognised that managers will need to balance the requirements of the organisation with the needs of an employee at a time of personal stress or a serious family emergency. Compassionate leave is not an entitlement, but applications will be sympathetically considered in the light of individual circumstances. The organisation also recognises that circumstances and the nature of relationships vary and will therefore consider each request individually. An employee that takes compassionate leave during their probation period will not be paid for the leave.

### **5.1 Compassionate leave**

Up to five days paid leave per instance can be granted for staff that have experienced the death of a partner or immediate family member (mother, father, sister or brother or child). If an employee has to make funeral and/or other arrangements, a further period of up to two days per instance will generally be granted for these purposes, at the discretion of a member of the senior management team. If the employee must travel a long distance to attend/arrange the funeral then, depending on circumstances, further additional time off to allow for travelling may be granted.

A further five days unpaid compassionate leave per instance can also be granted in cases when the employee is not yet able to return to work. If the employee has been signed off by a medical practitioner during, or immediately following, compassionate leave, this will be treated as sickness absence and should be dealt with by their line manager using the standard procedures.

Following other events of a distressing nature, involving the employee and their close relatives or a partner living with the employee, a period of not more than three days paid compassionate leave per instance may be granted.

Up to one day's paid leave per instance can be granted at the discretion of the line manager to attend the funeral of a relative or close friend. However, if the employee has to travel a long distance, additional paid or unpaid time off to allow for travelling may be granted at the discretion of the organisation.

AUKH recognises that it may not always be possible to request compassionate leave in advance. However, where it is possible, the employee should make a request to their line manager. The employee should tell the manager the reason for the request and the number of days they expect to be absent.

## **5.2 Parental Bereavement Leave**

Any employee, regardless of their length of service, is entitled to take two weeks' Parental Bereavement Leave following the death of a child under the age of 18 that they have parental responsibility for or following a still birth from the 24<sup>th</sup> week of pregnancy. The leave can either be taken as a single block of two weeks, or as two separate blocks of one week each, taken at different times within 56 weeks of the death.

Employees that have at least 26 weeks' continuous service with AUKH and earn above the statutory lower earnings limit, will be entitled to claim Statutory Parental Bereavement Pay (SPBP), which is paid at the statutory rate set at that time.

## **5.3 Leave for a domestic emergency**

Leave for a domestic emergency is designed to support staff where the emergencies are unrelated to children or dependents. Emergencies can include, but are not restricted to the following:

- A road accident or similar accident involving the employee
- The breakdown or theft of the employee's car when other transport is not available
- Fire or flooding at the employee's home.

All requests for leave of this type will be considered based on the nature and extent of the emergency, the availability of others to deal with the emergency and the likely impact on the employee. Up to one day of paid leave per emergency may be granted at the discretion of the individual's line manager. Any further leave should be taken as TOIL, annual leave or unpaid leave

## **6. Medical, Dental and Optical Appointments**

Wherever possible, staff should make medical and dental appointments outside normal working hours. Where this is not possible, appointments should be

booked at a time that minimises absence from work, for example, at the beginning or end of the working day.

Any absence from work for the above should be taken as TOIL and as such, the time should be made up either prior to or following the appointment. Any requests for time off to attend an appointment must be made to the relevant line manager in advance. Unless this appointment is half a day or more, this does not need to be recorded formally; however it is advisable for the line manager to keep an informal record of any time taken.

Where attendance for treatment necessitates absence for a half day, or full day, and the hours cannot be made up using TOIL, this will be taken as annual leave and recorded as such.

Details on maternity related appointments are covered by the maternity policy.

## **7. Religious Holidays**

Leave requests for religious observances will be treated granted wherever practicable. Employees are expected to give at least two weeks' notice of such requirements. Managers will allow flexibility around the working day to accommodate prayer time or the need to leave early before religious festivals.

## **8. Public Duties, Jury Service and Pension Scheme Trustees**

### **8.1 Public Duties**

Employees are entitled to a reasonable amount of unpaid time off work to carry out certain public duties, including duties as a tribunal member, magistrate, local councillor or appearing as a witness in a criminal court.

If an employee is unsure whether a public service is covered by this policy they should speak to their line manager or the HR department.

As soon as the employee is aware that they will require time off for performance of a public service they should notify their line manager and the HR Department in writing, providing full details of the time off that is being requested and the reasons for the request. In order that arrangements can be made to cover duties in the employee's absence the request should be made in good time.

Each request for time off will be considered on its merits, taking into account all the circumstances, including how much time is reasonably required for the activity, how much time an employee has already taken, and how the absence will affect the business.

## **8.2 Jury Service**

An employee should tell their line manager as soon as they are summoned for jury service and provide a copy of the summons if requested.

Depending on the demands of the business, the organisation may request that the employee apply to be excused from or defer jury service.

AUKH will pay basic pay to employees on jury service less any amounts which can be claimed from the court for lost earnings.

## **8.3 Other Duties**

An employee who is a trustee of a relevant occupational pension scheme has the right to reasonable time off with pay to perform their duties or undertake any relevant training for the performance of these duties.

Recognised trade union representatives will be allowed reasonable paid time to enable them to undertake duties concerned with Age UK Hertfordshire.

## **9. Accompanying an Employee to Disciplinary/Grievance Hearing**

Employees who have agreed to accompany a colleague to a grievance/disciplinary or redundancy meeting are entitled to paid time off, providing that they are employed by the same employer.

In cases where the companion's line manager is not aware of the situation, the companion is responsible for informing their line manager in advance.

## **10. Flexible Working**

Age UK Hertfordshire operates a flexible working scheme, ensuring equality of opportunity and supporting employees who wish to work more flexibly to create a work/life balance. For further details on the flexible working scheme and applications for flexible working, please see the Flexible Working Policy.

## **11. Absence without Leave (AWOL)**

Absence without leave (AWOL) is defined as unauthorised absence when an employee is absent for any number of days or part days without permission and without contacting their line manager.

As outlined above, any planned absence from work should be authorised in advance by the line manager and all unplanned absence including that

relating to sickness should be reported within 15 minutes of the employee's usual start time or as soon as reasonably practicable.

Cases of unauthorised absence will usually be dealt with according to the organisation's Disciplinary Procedure, although in emergency situations management can use their discretion and decide not to go down the disciplinary route.

Unauthorised absences will not be paid and the decision to start paying the employee again will only be taken once there is an authorised reason for absence.

Line managers must try to establish contact with the employee on the first day it is assumed that they are absent without prior authorisation. All reasonable attempts by the line manager must be made to contact the employee using home or mobile numbers to ensure they are safe. Records of dates/times of all attempts to contact the employee must be kept.

If the employee cannot be contacted on home or mobile numbers and the line manager feels there may be cause for concern, the HR department should be notified in order to obtain the employee's emergency contact details to attempt to establish the employee's whereabouts that way.

If by the second day of the unauthorised absence, attempts to establish contact have not been successful, the HR department should again be notified. They will send a letter by recorded delivery to the employee's home address asking them to contact their line manager within 5 working days of receipt and advising that the organisation's disciplinary procedure will be invoked if they fail to do so. The letter should also outline the possible outcomes of the disciplinary process and any decision on stopping the employee's pay during unauthorised leave.

If the employee fails to establish contact with their line manager or the HR department within the timeline outlined above, a second letter will be sent by recorded delivery inviting the employee to a disciplinary hearing. This letter will give the employee a further 5 working day deadline to respond and attend the meeting. It will also make clear that, should the employee fail to attend, the disciplinary meeting will be held in their absence and a decision made based on the available information.

In the event that the employee does not make any contact and the disciplinary meeting is held in their absence, it may be safely assumed that the employee does not desire to return to work and continue their employment. A decision to terminate their employment with immediate effect may be made and a third letter sent by recorded delivery will communicate this to the employee. This third letter should also detail the appeal procedure which would give the employee the opportunity to appeal the decision within 5 working days of receipt of the letter.