Policy 4: Special and Annual Leave

Last updated by: SH /JH

Links to policies: 2,37

<table>
<thead>
<tr>
<th>Version</th>
<th>Changes</th>
<th>Policy Date</th>
<th>Next Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>1/1/18</td>
<td>1/1/19</td>
</tr>
</tbody>
</table>
1. Introduction

a) There are three policies concerned with leave arrangements for employees of Age UK York (AUKY):

- Policy 37, Family Leave and Pay Policy, deals with the legislative protection concerning maternity, paternity and adoption leave and pay;
- Policy 2, Sickness Absence Management Policy, deals with short and long term sickness absence and return to work arrangements. It also covers compassionate and bereavement leave and dental and GP appointments;
- Policy 4, Special and Annual Leave Policy covers annual leave (for further details of which, employees should consult their own contracts of employment) as well as a range of ad hoc leave needs such as jury service, study leave and emergency caring leave;

b) In any case of doubt concerning eligibility for leave, employees should consult their own line manager or supervisor;

c) Employees must not take any leave without prior permission from their line manager or supervisor or, in particular emergencies, must speak to their line manager, supervisor or other senior manager. Messages by text are not acceptable.

2. Legislation

a) AUKY acknowledges and works within relevant legislation. Where AUKY policies differ from current legislation, the legislation will be followed;

b) Employees should particularly note the protection provided by employment legislation, legislation regarding maternity, paternity and adoption arrangements and the terms of the Modern Slavery Act, 2015 which guards them against exploitation whether while undertaking paid work, while taking sick leave, on holiday or absent with leave for any other reason.

3. Special leave

a) Employees may be granted time off, with the permission of and at the discretion of management for study leave. For full details see Policy 58, Worker supervision, training and development;

b) Members of staff called for Jury Service must immediately notify their supervisor or manager. Employees must claim their full loss of earnings from the Court via the jury allowance procedure. The supervisor or manager will sign the form to indicate that pay will be reduced to enable a claim of the maximum available from the court. The organisation will make up the difference between the court allowance and the normal rate of pay. If called to appear in court as a witness, then employees should follow a similar process.;

d) AUKY endeavours to support all staff with caring responsibilities including those with a responsibility for caring for an adult, child, parent, older relative and or other adults for whom the worker has a caring responsibility;

e) Staff may be offered flexible working, depending on the effect that working time changes would have on the service and colleagues;

f) The right to request flexible working, if not agreed at initial appointment, covers all employees with 26 weeks service or more. The request can cover changing hours, times or places of work;
g) The Employment Rights Act, 1996 gives all employees the right to take a ‘reasonable’ amount of time off work to deal with an emergency involving a dependant. Whether the time off is paid or not is at the discretion of the employer. A dependant includes spouse or partner, child or parent, or someone living with an employee as part of the family. Others who rely on an employee for help in an emergency may also qualify.

The situations where leave might be taken are:

- a disruption or breakdown in care arrangements
- to deal with the death of a dependant
- if a dependant falls ill, has been assaulted or in an accident
- to make longer term arrangements for a dependant who is ill or injured (but not to provide long term care yourself)
- to deal with an incident involving a child during school hours

To use this right to time off, employees must inform their line manager as soon as possible after the emergency has happened.

4. Annual leave

The general organisational annual leave entitlement for paid staff is outlined within the workers “terms and conditions” contract. Staff will receive the equivalent of 5 weeks and 1 day of their contracted working week as their annual leave entitlement (this is shown in hours per week for part time staff). A working week for each individual will vary according to their contractual arrangements. Those staff who have a nil hours contract will receive an annual leave payment based on a calculation of their average hours worked over the last 3 month period.

A local agreement exists within AU KY whereby all workers receive their own birthday day as an additional day off. If the birthday falls on a weekend staff are required to take the preceding Friday or following Monday instead. Nil hours contracted workers will receive a payment in respect of an average working day.

Staff who have completed five years service with AU KY will receive an additional one day added to their annual leave entitlement. For staff employed from before 2006 existing terms and conditions apply.

Annual leave must be booked with line management approval and records kept within the service area. The Walmgate Duty team and Administration and Finance team should be informed of staff annual leave information. The Duty team must also be informed of cover/deputy arrangements for service areas to ensure continuity of service and support for staff. AU KY will ensure that services are staffed appropriately at all times of the year.

Service areas have their service specific requirements for their teams i.e. how many staff can be absent at any one time and this needs to be respected when requesting annual leave. Staff also are required to respect fellow team members needs at popular times of the year e.g. school holidays/bank holidays and share these time off appropriately with the support of line management.

5. Bank Holidays

AU KY provides services across the whole year, but the Walmgate and Priory Street offices are closed for the core Bank Holiday Days: Christmas Day, Boxing Day, New Year’s Day, Good Friday, Easter Monday, May and August Banks holidays and any “special” days. Some services close for additional days around bank holidays, with local arrangements respected within the service area with regard to time worked in lieu/additional hours worked throughout the year. Those staff working across the full year when office bases are closed, will have access to supervisory support via the AU KY Out of Hours arrangements.
The majority of AUKY staff are part time and annual leave and bank holidays time off is recorded in hours worked per week rather than whole weeks. AUKY endeavours to ensure that all staff receive a fair allocation of bank holiday time off. Bank holiday entitlement is therefore added to the staff annual leave entitlement for that year and taken off the total entitlement when the bank holiday occurs on their working day. This ensures that those staff who are not ordinarily scheduled to work on a bank holiday (and would therefore have received the day off automatically) benefit from bank holiday entitlements.

6. Unauthorised absence

Any periods of absence from work without authority or adequate explanation are a breach of discipline and will be treated as such. Disciplinary action may be taken, up to and including dismissal.