Name of organisation

Time off Work Policy

**Approved on:**

**Next Review Date:**

**Introduction**

1. [name of the organization] recognises that employees will from time to time experience situations which will result in them being absent from work for reasons other than illness.

# Scope

1. This policy applies to all employees xxxx

# Processes

1. In order to address various different situations that may arise, which result in an employee’s absence from work, for reasons other than their own sickness, the policy has been subdivided into the following categories.
* [**Being absent from work**](#_bookmark7)
* [**Annual Leave**](#_bookmark0)
* [**Medical Appointments**](#_bookmark1)
* [**Domestic Emergencies**](#_bookmark2)
* [**Compassionate/Bereavement Leave**](#_bookmark3)
* [**Family Friendly leave**](#family)
* **Carer’s Leave**
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* [**Public duties**](#_bookmark5)
* [**Adverse weather/public transport**](#_bookmark6)
* [**Unauthorised**](#_bookmark8) **Absence**

# Being absent from work

1. If an employee needs time off work for reasons they can plan for, they must agree this with [usually their line manager] beforehand wherever they can. However, we know things happen that we can’t always plan for, including illness. If this happens, the employee needs to let xxxx, or xxxx in their absence, know that they won’t be at work as soon as they can. Managing our own wellbeing makes it easier to enjoy life and attend work, so we want to help all employees as much as we can. Please refer to the organisation's sickness absence policy.

# Annual Leave – check this matches with your organisation’s arrangments

1. The `holiday year’ runs from xxxx to xxxx (usually 1st January to 31st December). During the first year of employment, holidays accrue from the date of joining and, for the purposes of calculating holiday entitlement, only complete weeks are counted.
2. An individual’s holiday entitlement is set out within the Contract. Upon termination of employment, payment will **not** normally be made for all unused accrued holiday entitlement as employees are expected to arrange with [usually their line manager] to use all untaken holiday entitlement. If an employee has taken more annual holiday entitlement than they have accrued during the holiday year, the balance will be deducted from any outstanding pay.
3. Firm commitments to holiday dates should not be made without the prior agreement of [usually the employee’s line manager].
4. Up to x days’ holiday (pro rata) can be carried over to the following year/Except in exceptional circumstances holidays must not be carried over to the following year.
5. Employees can take up to 2 weeks’ annual leave at a time (or the pro rata equivalent for part-time employees) with no further authorisation required beyond line manager approval. If an employee wishes to take more than 2 weeks’ leave in one go, they should speak to [usually their line manager].
6. Full-time employees are also entitled to take bank holidays and the customary days outlined in the Statement of Particulars (part-time employees and employees working compressed hours are also entitled to a pro-rata amount of these but they are included in the overall allowance). If an employee works full-time and a bank holiday or customary day is on a day when they would normally be working, then they will get paid leave for that day. If an employee works part-time or on a compressed hours pattern, they will be given a pro-rata amount of holiday in hours for their bank holidays and customary days based on the amount of hours they work. They will then need to use this to cover any bank holidays or customary days that fall on a day they would normally be working.
7. ***Statutory holidays***

New Year's Day

Good Friday

Easter Monday

May Day Bank Holiday

Spring Bank Holiday

August Bank Holiday Christmas Day

Boxing Day

## Customary days – if applicable

1. 4 days from Christmas Eve to New Year’s Eve inclusive.
2. Contractual annual holiday entitlement will cease to accrue when an employee is absent from work for a continuous period in excess of six months. However, the PCC will ensure that the statutory minimum holiday entitlement obligations have been met. Accrual will recommence after the completion of one calendar month of work.
3. An employee must obtain permission in advance from [usually their line manager] before leave is planned.

## Sickness during holiday

1. Where an employee falls sick or is injured while on holiday, the organisation will allow the employee to transfer to sick leave and take replacement holiday at a later time. This policy is subject to the following conditions:
* The total period of incapacity must be fully certificated by a qualified medical practitioner (where it exceeds seven days).
* The employee must contact the organisation (by telephone if possible) as soon as they know that there will be a period of incapacity during a holiday.
* The employee must submit a written request no later than seven calendar days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time.
* Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of a medical certificate.
1. Where the employee fulfils all of the above conditions, the organisation will grant the employee the same number of days' replacement holiday leave as the number of holiday days lost due to sickness or injury.
2. If an employee is ill or is injured before the start of a period of planned holiday, and consequently unable to take the holiday, the organisation will agree to the employee postponing the holiday dates to another mutually agreed time. Any period of sickness absence will then be treated in accordance with the organisation's Sickness Absence Policy. The employee must submit a written request to postpone the planned holiday, along with any documentation required under the Sickness Absence Policy.
3. An employee must request to take any replacement holiday in accordance with the organisation's normal annual leave procedure, and should endeavour to take the replacement holiday in the same holiday year in which it was accrued. However, where an employee has good reason for not being able to do so, the organisation will allow the employee to carry that leave forward into the next holiday year (in agreement senior staff/PCC). The organisation may require an employee to take all or part of their replacement holiday on particular days and it is not required to provide the employee with any minimum period of notice to do this, although it will aim to provide reasonable notice.

**Medical Appointments**

## Approval in advance

1. Employees are normally expected to ensure that appointments to visit the doctor, dentist, hospital etc are made in their own time and outside normal working hours.
2. In the event that this is not reasonably practicable, time off work will be permitted to attend appointments providing that the appointment is substantiated with an appointment card/letter and the timing of the appointment causes as little disruption as possible to the working day (i.e. at the beginning or end of the day). Employees are expected to make up this time off in agreement with their line manager (or flexitime can be used/the time can be worked back at a later time).

## Antenatal appointments

1. Employees who are pregnant have a statutory right not to be unreasonably refused time off work with pay for antenatal appointments on medical advice. Paid time off in such circumstances will automatically be granted, although [usually the employee’s line manager] will still have the right to request sight of the appointment card.

## Time off to accompany a pregnant woman

1. If the employee has a ‘qualifying relationship’ with a pregnant woman or her expected child, they will be entitled to take time off to accompany her to antenatal appointments. The employee meets the term ‘qualifying relationship’ if:
* They are the pregnant woman’s husband or civil partner;
* They live with the woman in an enduring relationship and are not a relative of the woman;
* They are the expected child’s father;
* They are one of a same-sex couple who is to be treated as the child’s other parent under the assisted reproduction provisions; or
* They are a potential applicant for a parental order in relation to a child who is expected to be born to a surrogate mother.

**Domestic emergencies**

1. It is intended to allow those who have a genuine domestic emergency to take a reasonable amount of time off work to deal with the emergency.
2. This does not apply to planned events such as domestic repairs, refurbishment, building or trades work, installation of appliances, or home deliveries.
3. An employee who needs to take time off for a domestic emergency should contact their line manager at the earliest opportunity. If the employee becomes aware of an emergency while at work, they should immediately speak to their line manager about leaving work early. The employee should explain:
* the reason for the absence; and
* how long they expect to be absent from work.
1. If the employee's line manager is unavailable, they must speak to a more senior manager /a member of the PCC. If the employee is unable to contact their line manager before taking time off to deal with an emergency, they should contact them as soon as possible.
2. The employee must inform their line manager as soon as possible of any change in the anticipated date of their return to work.
3. Any absence taken under this arrangement will either be unpaid, use retrospective holiday leave or time off in lieu, by arrangement with xxxx
4. The amount of time off work taken is only that which is necessary to resolve the immediate emergency (which in most cases will be no more than one day).

# Compassionate/Bereavement Leave

1. The purpose of compassionate leave is to help employees come to terms with the death, serious illness or injury of an immediate family member, or serious personal relationship problems. There is a separate policy for dealing with time off for dependents (Family Friendly Policy). **– if applicable**
2. Employees in these circumstances will be granted up to five days of paid compassionate leave for a one-off incident (pro rata for part-time employees). Each case will be viewed sympathetically and the amount of leave granted will depend on the employee's circumstances. The line manager will take into account factors such as the nature of the incident and, if applicable, the closeness of the relationship.
3. The employee should inform [usually their line manager] of the need to take compassionate leave as soon as reasonably practicable or, at the latest, on the first day that they are absent.
4. The [Parental Bereavement (Leave and Pay) Act 2018](http://www.legislation.gov.uk/ukpga/2018/24/contents/enacted) provides for at least two weeks' leave for employees following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy. Employees with 26 weeks' continuous service will be entitled to paid leave at the statutory rate and other employees will be entitled to unpaid leave.
5. The PCC/name of organisation acknowledges that every bereavement is different and grief impacts everyone in different ways. This policy is intended to cater for a wide range of circumstances and the differing impacts that a bereavement can have, whilst also recognising the needs of [the organization]

***Immediate family members***

1. For the purposes of this policy, an "immediate family member" is defined as a:
* spouse or civil partner;
* partner;
* parent (including step-parent);
* child (including where the employee is the adoptive parent, legal guardian or carer);
* sibling (including step-sibling);
* grandparent; or
* grandchild.

## Individuals who are not immediate family members

1. xxxx recognises that an employee may be grieving following the death of an individual who is not an immediate family member, but with whom the employee nevertheless has a close relationship, for example an aunt, an uncle, a cousin or a close friend.
2. If this is the case, the employee can request compassionate leave and it will be up to xxxx to decide whether or not to grant compassionate leave and, if so, how much compassionate leave to grant. The decision will depend on the employee's circumstances, taking into account issues such as:
* the closeness of the employee's relationship with the deceased;
* the employee's obligations towards the deceased (for example if the employee is responsible for arranging the deceased's funeral); and
* travel required (for example if the employee needs to travel a significant distance to be with relatives).

## Support during bereavement

1. A bereaved employee who cannot attend work should inform [usually their line manager] of what has happened by telephone as soon as reasonably practicable. This will allow the organisation to support the employee.
2. The employee should inform [usually their line manager] of what they would like colleagues to know about the situation, of any urgent tasks that other staff need to pick up, and of any meetings that need to be cancelled or rearranged. [name of organization] will ensure that we are compassionate and provides appropriate support for the employee.
3. Following the initial contact, the employee and [usually their line manager] should keep in touch. The level of contact is a matter for agreement between the employee and [their line manager].
4. If an employee is taking sickness absence as a result of ill health brought on by a bereavement, the organisation's Sickness Absence Policy will apply.

**Family Friendly Leave – as appropriate to your organisation**

1. Please refer to separate Family Friendly policy for the following types of leave:
* Maternity
* Paternity
* Adoption
* Surrogacy
* Shared parental leave
* Parental bereavement
* Parental leave

**Carers Leave – this is a statutory entitlement**

1. Employees are entitled to unpaid leave to give or arrange care for a ‘dependent’ who has:
* a physical or mental illness or injury that means they’re expected to need care for more than 3 months.
* a disability (as [defined in the Equality Act 2010](https://www.gov.uk/definition-of-disability-under-equality-act-2010)).
* care needs because of their old age.
1. The dependent does not have to be a family member. It can be anyone who relies on them for care.
2. Employees are entitled to carer’s leave from their first day of work for their employer. Their [employment rights](https://www.gov.uk/employee-rights-when-on-leave) (like holidays and returning to their job) are protected during carer’s leave.

## How long employees can take

## Employees can take up to one week of leave every 12 months. A ‘week’ means the length of time they usually work over 7 days. For example, if someone usually works 3 days a week, they can take 3 days of carer’s leave.

1. An employee can either take a whole week off or take individual days or half days throughout the year.
2. If an employee needs to care for more than one person, they cannot take a week of carer’s leave for each dependent. They can only take one week every 12 months. They can use the week of leave on more than one dependent.
3. Arrangements should be agreed with the employee’s Line Managerprior to the commencement of the leave.

**Other unpaid leave**

1. When an employee wishes to take planned unpaid leave for any other reason, then they should consult with xxxx

# Jury service

1. In the event of an employee being called up for jury service, they should contact [usually their line manager] at the earliest opportunity to discuss the matter. Jury service normally lasts for 10 working days, but may be longer. The employee should provide their line manager with a copy of the court summons and any other relevant documentation.
2. The employee will continue to be paid while on jury service at the normal rate of pay.
3. If the employee's jury service ends before the expected 10-day period (or such longer period as the court may have indicated to the employee that they will be required for), the employee will be expected to return to work for the remainder of that period.
4. The length of a case can be difficult for the court to predict. However, they are sometimes able to indicate to potential jurors when a case will be a longer one. If, at the beginning of or during the employee’s jury service, jurors are asked whether they would be available for a longer case expected to last longer than the expected two weeks, the employee should speak to their line manager as soon as possible as consideration will need to be given to the reclamation of pay from HM Courts and Tribunal Service.

# Public Duties

1. Where an employee is a volunteer for a charity and is required to attend meetings for that charity during their normal working day, an application for holiday leave or arrangement for making time back up should be made in consultation with their line manager.

# Adverse Weather/Major Disruptions to Public Transport

1. [name of organization] recognises that adverse/extreme weather conditions may prevent an employee from performing their normal duties, and employees should follow the procedure set out below.
2. In the event of extreme adverse weather conditions, and/or severe disruptions to public transport, employees are expected to make every attempt to arrive at work at the normal starting time where it is safe to do so.
3. If an employee decides that the weather/transport conditions will prevent safe travel to work, they must telephone [usually their line manager] by their normal start time and discuss with them the option they wish to take (holiday/authorised unpaid leave of absence/working from home). If their line manager is not available, they must ensure that xxxx is notified in their absence.
4. Absence from or lateness to work due to extreme adverse weather conditions/severe disruption to public transport will not be subject to organisation’s Disciplinary Policy and Procedure, provided employees notify [usually their line manager] in accordance with the above.
5. Where minor public transport disruptions persistently cause an employee’s lateness to work, an employee should either:
* use an alternative mode of travelling to work i.e. different route /earlier service; or
* discuss with their line manager a flexible adjustment to working hours to ensure that the required number of hours are worked.
1. Extreme cases of severe weather conditions or disruptions to public transport may necessitate temporary closure of the employee's place of work. If the PCC makes such a decision, they will inform employees as soon as possible. The employee will be paid as if they had attended work.

## Severe conditions or disruptions to public transport occurring during the course of a working day

1. The PCC will decide on a case-by-case basis whether or not it is appropriate for employees to leave work early. When making this decision, they should take into account the employee's circumstances (e.g. distance from their home to work and the mode of transport), the employee's views, and the needs of the organisation. Employees will be required to take work home with them as appropriate.

# Unauthorised Absence

1. Unauthorised absence is an absence where an employee is absent from work for **any** reason without having been given permission, which may include:
* failure to comply with the organisation's sickness absence reporting procedure (or provide the necessary evidence within the required time period);
* failure to attend work without a valid authorised reason;
* failure to return from holiday; and
* taking a holiday that has not been authorised by a line manager.
1. If an employee is absent from work without good cause and/or fails properly and effectively to notify the organisation of their absence, this may be treated as a serious disciplinary offence, potentially constituting gross misconduct.