

Leave of Absence Policy

1. Introduction

Sacriston Youth Project (“the Charity”) identifies the circumstances in which employees may require time off, provides information about leave entitlements, the circumstances in which they apply and how to request such leave. The type of leave entitlements covered includes:

- Annual Leave (Authorised by your Line Manager)
- Severe Weather
- Compassionate Leave
- Parental Bereavement Leave
- Jury Service and/or Witness at Court
- Public Duties
- Time off for Medical Appointments
- Unpaid Leave

2. Procedure

2.1. Requesting a Leave of Absence (other than holidays)

2.1.1. For any leave request, the following procedure should be followed:

- The employee will submit a written request via Breathe HR to the manager detailing the type of leave of absence requested, the duration of the absence and if appropriate, further details regarding the reason why the leave of absence is required.
- Other than in exceptional circumstances, the request should be submitted in a reasonable amount of time prior to those dates.
- The manager will make a decision to accept or reject the application, advising the employee accordingly. Where the application is rejected, the reason for the decision will be given and where appropriate alternative dates suggested.
- All leave of absence will be recorded on the employee’s personal file.

2.1.2. In an emergency situation, i.e. the need for emergency or compassionate leave, a verbal request made directly to the manager or via telephone call may precede any written requests.

3. Types of Absence and Entitlements

3.1. Annual Leave

3.1.1. The annual leave year runs from 1 January to 31 December. In addition to statutory bank holidays, employee entitlement for each leave year is 20 days (pro rata for part time employees). Holidays must be agreed with the Line Manager at least 4 weeks in

advance. You may not take more than 10 working days consecutively without the Manager's prior written consent.

3.1.2. You are permitted to carry over up to 5 days entitlement from one holiday year to the following holiday year. You are also entitled to carry over outstanding holiday leave if you have been prevented from taking it in the relevant holiday year by one of the following: a period of sickness absence or statutory maternity leave, paternity, adoption, parental or shared parental leave. In cases of sickness absence, carry-over is limited to four weeks' holiday per year less any leave taken during the holiday year that has just ended. Any such carried over holiday which is not taken within fifteen months of the end of the relevant holiday year will be lost. In the holiday year in which your employment commences or terminates, your holiday entitlement will accrue on a pro-rata basis for each complete month of service.

3.2. **Severe Weather**

In the event that an employee's ability to attend work is hampered by adverse weather a decision will be made by the Charity in respect of each employee on the day(s) in question. The risk to the employee and their ability to make up the time in other ways will be taken into consideration.

3.3. **Compassionate Leave**

It would be insensitive to try to set hard and fast rules for circumstances when compassionate leave is needed. The following is simply intended as a guide and is at the discretion of the manager:

- Loss of immediate relations i.e. parent, spouse or partner, up to 5 days on full pay
- Attendance at a funeral i.e. immediate relative or close friend, up to 1 day on full pay

Any requirement for compassionate leave should be discussed with the manager as soon as possible and the details recorded on the Breathe HR system at an appropriate time.

3.4. **Parental Bereavement Leave**

3.4.1. We recognise that, while dealing with any bereavement is difficult, the death of a child is among the most devastating events that an employee can ever face. Parental Bereavement Leave applies to employees who have suffered the loss of a child under the age of 18 or to parents who suffer a stillbirth after 24 weeks of pregnancy.

3.4.2. The employee can take parental bereavement leave if an employee is one of the following:

- parent of a child who has passed away; or
- partner of the child's parent, where you live in an enduring family relationship with the child who has passed away and their parent; or
- "parent in fact" of a child who has passed away, which means that, for a continuous period of at least four weeks before the child died, you have been living with the child and had "day-to-day responsibility" for the child (but you have not been paid to look after the child);
- "intended parent" of a child who has passed away, i.e. a parent using a surrogate;
- "natural parent" of a child who has passed away who is named in a court order, i.e. where a court orders some contact for an adopted child's birth parent; or
- adopter of a child who has passed away.

- 3.4.3. For each child who has passed away, a bereaved parent can take one or two weeks' parental bereavement leave. Parental bereavement leave is not available as individual days.
- 3.4.4. The employee is able to take the leave as a single block of two weeks or two separate blocks of one week at different times. The leave must be taken within 56 weeks of the date of the death of the child.
- 3.4.5. To be eligible for statutory parental bereavement pay, the employee is required to have:
- at least 26 weeks' continuous employment with the employer by the week before the week in which the child passes away, and still be employed by that employer on the day on which the child passed away; and
 - normal weekly earnings in the eight weeks up to the week before the child's death that are no less than the lower earnings limit for national insurance contribution purposes.
- 3.4.6. If an employee takes parental bereavement leave and qualifies for statutory parental bereavement pay, they will be paid at the rate set by the Government for the relevant tax year, or 90% of their average weekly earnings where this figure is lower than the Government's set weekly rate.
- 3.4.7. If an employee does not qualify for statutory parental bereavement pay this period of leave will be unpaid.

3.5. **Jury Service and/or Witness at Court**

If an employee receives notification to attend Court as a Witness or for Jury Service they must notify their manager immediately by submitting a written request for Leave of Absence. A copy of the Court Summons must be attached to the Request for Leave of Absence. The duration of absence will be authorised as necessary and will be on full pay, less any allowances received under the Juror's Allowance Regulations.

3.6. **Public Duties**

- 3.6.1. Listed below are examples of public duties of which employees may submit requests to their manager for reasonable time off, to perform the duties associated with them. However, the list is not exhaustive.
- A Justice of the Peace (Magistrate)
 - Local councillor
 - School governor
 - A member of a policy authority
 - A member of any statutory tribunal (e.g. an Employment Tribunal)
 - A member of the managing or governing body of an educational establishment
- 3.6.2. Advance notification must be given by the employee to the manager by submitting a request for Leave of Absence on the Breathe HR system. A copy of the official notification to attend for Public Duties must be attached to the request for Leave of Absence. The amount of time which an employee will be permitted to take off to perform these public duties, and the occasions on which, and any conditions subject to which, time off may be taken, are those that are reasonable in all the circumstances, having regard in particular to the following:

- How much time off is required overall to perform the duties and how much time off is required to perform the particular duty in question;
- How much time off the employee has already been permitted for this purpose or for trade union duties and/or activities; and
- The effect of the employee's absence upon the business.

3.7. Public Holidays

There is no statutory entitlement to paid leave for public holidays, however the Charity allows all employees paid time off for UK Public Holidays. Employees who work part time and whose normal working hours do not fall on a UK Public Holiday will receive a pro-rata entitlement of days off in lieu, according to the number of hours that they normally work.

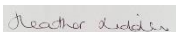
3.8. Time off for Medical Appointments

There is no contractual right to time off to attend medical appointments other than those relating to antenatal care. Appointments to attend your GP, Dentist or Optician should, as far as practicable, be carried out in your own time. However, if it is necessary for you to make such an appointment during working hours you should agree it in advance with your manager and the appointment should be made as close to either the beginning or end of your working day to minimise disruption. The Line Manager may request to see evidence of the appointment, such as appointment card or letter.

3.9. Unpaid Leave

In addition to any statutory or contractual right to time off from work, employees may occasionally have good reason to request unpaid leave. All requests, unless of an urgent nature, should be made in writing to the manager. Authorisation of unpaid leave is made by the manager and will be subject to the ability of the Charity to meet its commitments during the period of time requested.

This policy has been approved & authorised by:

Name: Heather Liddle
Position: Trustee – Sacriston Youth Project
Date: April 2021
Signature: 

| Date of Review | Reviewed By | Changes Made | Date of Next Review |
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| April 2021 | Jo Cameron - Trustee | | April 2022 |
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