



Leave Arrangements Policy Central England Area Quaker Meeting

Introduction

This policy sets out CEQ's approach to the management of leave within the organisation. This policy does not cover Maternity, Paternity, Adoption, Shared Parental or Parental Leave or sickness absence, as these are covered in the separate **Family Leave** and **Sickness Absence** Policies.

CEQ recognises that there are many reasons why employees may be absent from work; some of these will be planned in advance and some may be unexpected.

We are committed to providing fair and appropriate leave for all employees, regardless of the reason, whilst also acknowledging the needs of our organisation.

By having a broad Leave Arrangements Policy we hope to encourage employees to discuss their reasons for needing leave with their line manager. Doing this reduces the amount of leave taken as sick leave when it is really for a different purpose and enables us to truly respond to and manage leave requests in a way that is fair to all.

In every instance, the needs of the organisation will be considered in balance with the request for leave and/or needs of the employee. There are some circumstances where there is a statutory right to leave and these are highlighted within the procedures that follow. Where there is no such statutory right, there is no automatic right to time off unless agreed in advance with the line manager. Even where there is a statutory right to leave, employees must still follow the procedures laid out in this policy; failing to do so will mean the absence is unauthorised and as such will be managed in accordance with our Disciplinary Procedure.

There are many instances referred to below where leave, or payment for leave, may be granted at management discretion. For the avoidance of doubt, this means that:

- Each case will be assessed on its own merits and factors, for instance recent absence for other reasons, general performance and length of service; and
- The decision to authorise leave or payment for leave will be that of the line manager or Principal Officer.

If an employee is unhappy with a decision taken by their line manager, they can seek to resolve the issue informally or by referring to the formal process outlined in our Grievance Procedure.

This policy is not contractual and we reserve the right to vary, replace or terminate it at any time.

Scope

This policy applies to all employees. It does not apply to self employed contractors, volunteers, casual or agency workers although we ask everyone who works with us to comply with the principles of this policy, as appropriate.

Annual Leave

Entitlement

Annual leave entitlement can be found in the employee's Contract of Employment or as subsequently confirmed in writing.

Employees who join or leave us during the holiday year will have their holiday entitlement for that year calculated on a pro-rata basis. This will be calculated as 1/12th of the leave entitlement for each complete month of service during the holiday year, rounded up to the nearest hour.

Normally no holiday can be taken during the first **3** months' of employment, but we may at our discretion authorise a request.

Holidays may be taken as whole or half working days. Holiday pay will be calculated using an employee's basic hourly rate. Should an employee not work a basic week of fixed or regular hours and/or days of work, a "week's holiday pay" will usually be calculated by taking an average over the 52 weeks actually worked in the period immediately leading up to the commencement date of the holiday, or the number of weeks an employee has worked for CEQ if this is less than 52 weeks.

Public holidays

The eight public/bank holidays each year are:

- New Year's Day
- Good Friday
- Easter Monday
- Early May Bank Holiday
- Spring Bank Holiday
- Summer Bank Holiday
- Christmas Day
- Boxing Day

Where an employee works a public/bank holiday this time will be given back as either time off in lieu, or swapping to take a normal working day off.

Part time employees

Part time employees receive the same amount of holiday as their full time colleagues, but on a pro rata basis based on contracted days or hours of work. This also applies to bank/public holidays e.g. if a full-time employee receives eight paid public holidays per annum, a 0.5 whole time equivalent (wte) employee would receive four paid public holidays per annum. This entitlement is added to the annual leave entitlement, giving one total amount of leave.

Pro rata leave entitlement can be calculated in a number of ways, depending on the work pattern. Some examples are outlined below:

- **Same number of days, but fewer hours:**

An employee who works 4 hours per day, 5 days a week would still have an entitlement of 33 days' paid holiday each year (including the bank/public holidays) but their days (and pay) consist of 4 hours each, rather than 7.5 hours.

- **Fewer days per week:**

An employee works three days a week: Tuesday, Wednesday and Thursday. The holiday entitlement for full-time employees is 33 days (including bank/public holidays). The normal working week is 37.5 hours and the part-time employee works 22.5 hours (i.e. 3 full days). Their annual leave is calculated as follows:

- 7.5 hours per day x 33 days holiday = 247.5 hours' paid holiday per year for a full-time employee.
- 247.5 divided by 37.5 multiplied by 22.5 = 148.5 hours = 19.8 days including any bank/public holidays taken as time off.

If an employee is working standard hours on the days which they work, the calculation could be simplified to $3/5 \times 33 = 19.8$ days.

If a bank/public holiday falls on a normal working day for a part time employee they will be required to book the day off using their leave entitlement.

Holiday year

Our holiday year runs from 1st January to 31st December.

We encourage all employees to take their full holiday entitlement each year and to phase their holiday throughout the year to give themselves regular breaks from work and to cause minimal impact on the delivery of the service. It is each employee's responsibility to book their holiday entitlement, and the line manager's responsibility to monitor that all employees have taken their leave.

Requests

In general terms we seek to be as accommodating as possible, however all holiday requests will be considered on a "first come, first served" basis.

Holiday may only be taken at times convenient to us and as previously agreed and arranged by reasonable notice, therefore please ensure that travel arrangements are not made prior to the holiday request being approved.

All requests should be made to the line manager, using Staffology. As much notice as possible should be given to enable line managers to plan for the absence.

Managers will confirm or refuse requests within 5 working days of receipt, explaining, where necessary, the reasons for refusal. Any holiday taken without prior authority shall be treated as unauthorised absence and may be referred to the Disciplinary Procedure and/or result in a deduction from pay.

If a number of employees in one team/service requests the same time off, the manager will discuss the matter with the employees affected, with the aim of balancing the needs of both the team and the employees.

If we decide to close earlier than usual on a normal working day (e.g. Christmas Eve or New Year's Eve), and employees wish to take that day as holiday, they will still be required to book a full day from their leave entitlement.

Compulsory leave

Employees will be required to retain sufficient number of days leave to take during any periods of closure. This is normally, but not necessarily, the period between Christmas and New Year. Full details of any closure will be provided at the beginning of the holiday year. If an employee has insufficient entitlement to cover this period, they will be required to take the time as unpaid leave.

There may be occasions where managers need to instruct employees to take their annual leave on specific dates. This could include situations where the employee has not taken all their annual leave entitlement despite reminders, where access to the workplace is restricted on those days, or where there is no requirement for work to be carried out and there is no other work that the employee could reasonably be asked to do.

The minimum amount of notice we will give an employee in these circumstances is double the amount of leave to be taken (e.g. if one day of leave is to be taken, we will give at least two days' notice). This will not apply to employees who are on maternity, adoption, paternity, ordinary or shared parental leave, or who are on long term sickness absence.

Buying annual leave

Employees can purchase up to **10** days leave (pro rata for part time employees) in addition to their normal leave entitlement if:

- The line manager approves the request, having considered the needs of the service and operational requirements.
- The employee has not carried forward leave from the previous leave year.

Where leave is purchased, a deduction will be made from the employee's salary payment in equal instalments for the rest of the remainder of the leave year, based on their normal day's pay. E.g. If annual leave is purchased (not necessarily taken) in April, the payment will be taken in 9 equal instalments from salary pay April – December.

Annual Leave which is not used cannot be 'sold' back. This includes annual leave which is part of the contractual entitlement.

Purchased annual leave cannot be accrued / rolled over to the following year.

The scheme is only open to those employees who have successfully completed their probation.

Carrying holiday forward

It is our expectation that all leave will be taken by the end of the leave year and employees will not typically be allowed to carry leave entitlement forward from one leave year to the next.

However, in exceptional circumstances this might be allowed (for instance, if an employee is asked to cancel holiday booked towards the end of the holiday year due to service requirements or where a special agreement is reached with the line manager).

Where an agreement is reached, a maximum of **5** days' leave (pro rata for part time employees) may be carried forward and employees should always take a minimum of four weeks' / 20 days paid holiday per year (pro rata for part time employees).

Any other leave remaining at the end of the leave year will normally be lost.

Special rules may apply if an employee is absent from work on maternity, adoption or shared parental leave, or long term sickness absence. In these cases, normally any unused annual leave will automatically be carried over and taken at a time agreed with the line manager.

Sickness and annual leave

If an employee falls sick before or during planned holiday, they can request to defer taking their annual leave provided that:

- they would otherwise be unable to take a minimum of the statutory leave entitlement during the holiday year (four weeks/20 days, pro rata for part time employees) during the holiday year; and
- they follow our absence notification and certification procedures.

Please refer to our Sickness Absence Policy for further information.

Employees may request to take annual leave during sick leave (for example where an entitlement to organisational sick pay has been exhausted). The usual procedure for making such a request should be followed (see Requests section above).

Accruing annual leave during long term absence

Employees will accrue their contractual annual leave during long term sickness absence, as well as maternity, adoption, paternity, ordinary and shared parental leave.

Religious Holidays

If an employee wishes to take leave in order to observe their faith on days other than bank and public holidays, time off can be taken from the holiday entitlement with prior agreement of their manager, as outlined in the Requests section, above. As with any holiday requests, as much notice as possible should be given.

There is no automatic right to time off in these circumstances, but we will try to ensure that religious groups are not disadvantaged when requesting holiday at important or special times.

If a period of unpaid extended leave is required for religious reasons, an employee should discuss this with their line manager, giving as much notice as possible. We will consider all requests but ultimately any decision will depend on the needs of the organisation.

Holiday entitlement on leaving our employment

When an employee leaves us they can be required to take any accrued and untaken holiday entitlement during the notice period. If there is not enough time during the notice period to take all the accrued and untaken holiday, we will pay the outstanding balance in the employee's final salary.

If an employee leaves our organisation during the year and has taken more holiday than they are entitled to, we will deduct an amount equal to the amount of excess holiday from their final salary.

Time off in lieu (TOIL)

TOIL is time taken off, instead of receiving overtime payment, by employees working beyond their contractual hours.

There may be times that employees are required to work additional hours, including evening and/or weekends, depending on the service being required.

Where additional hours have been authorised in advance by the line manager, TOIL may be granted. TOIL is accrued equal to time actually worked, irrespective of whether the additional work was carried out on a weekday, evening, weekend or public/bank holiday.

TOIL does not accrue in the following circumstances:

- When employees choose not to take their lunch or rest breaks (other than in exceptional circumstances and as requested and authorised in advance by the line manager). All employees are encouraged to take their lunch and/or rest breaks during the working day; these should not be stored up and used at the end of the day as TOIL.
- When an employee chooses to start work early, or finish late, without there being an identified need for additional hours to be worked.
- For travel time beyond contractual hours or when outside normal working hours, or staying overnight e.g. when an employee travels for work or attends a residential course. In exceptional circumstances TOIL may be authorised at the discretion of the line manager, e.g. if the travel is during unsociable hours, but this must be discussed in advance with the manager.

TOIL is monitored by the line manager; it is the employee's and the line manager's responsibility to ensure that the employee does not work excessive hours and that the TOIL is appropriately taken.

For full time staff, a maximum of **18** hours TOIL can be held at any time (pro rata for part time employees); this is to ensure that the employee manages their hours worked as well as reduce any problems associated with frequent or extended leave.

TOIL requests should be made to the line manager; all requests will be considered at the discretion of the manager, taking into account operational requirements such as the needs of the organisation and workload of colleagues.

TOIL should be taken within **8 weeks** of the hours being accrued. Any outstanding time not taken within this time will be forfeited, unless otherwise agreed with the line manager.

Employees who leave our employment will be required to take all outstanding TOIL before their final date of employment. Payment will not be made for any accrued and untaken TOIL, other than in exceptional circumstances and as agreed with the line manager or Principal Officer.

Sick Leave

Please see our **Sickness Absence Policy** for specific guidance in these areas.

Time off for Medical Appointments

Please see our **Sickness Absence Policy** for more information.

Maternity / Paternity / Adoption / Shared Parental and Ordinary Parental Leave

Please see our **Family Leave Policy** for specific guidance in these areas.

Emergency leave (time off for dependants)

All employees, irrespective of length of service or hours of work, are entitled to reasonable time off for dependents in unforeseen circumstances to:

- provide assistance or to make provisions for care when a dependant falls ill, gives birth or is injured
- make arrangements following the death of a dependant
- make arrangements if there is an unexpected disruption or termination of care arrangements for a dependant
- deal with an unexpected incident, for example an accident involving a child whilst they are at school.

A dependant is a spouse, civil partner or partner, child, parent or step parent, sibling or step sibling. They may also be someone who lives in the same household as an employee (other than as a tenant, lodger, boarder or employee) or who reasonably

relies on an employee to provide assistance if they are ill, or to arrange care for them if they are ill or injured.

The right to time off is only to deal with the emergency and, where necessary, to put arrangements in place for the longer-term care of a dependent; any time off must be necessary and reasonable in the particular circumstances. What is considered reasonable will depend on individual circumstances however as a general guide it is anticipated that in most cases a few hours may be required, and in exceptional circumstances a day or two may be necessary.

If an employee needs to take time off for dependants they should inform their manager as soon as possible of their unavailability for work, the reason for it and how long they expect to be away from work. There is no statutory right to receive pay while taking time off for dependents, therefore any such time off will be unpaid.

This does not apply to planned hospital or medical appointments, school closure days, child-minder holidays etc, and time off in these circumstances should be managed through the normal annual leave or TOIL procedures, or if the manager agrees, taken as unpaid leave or the lost time made up outside of normal working hours.

Abuse of this provision, and/or failure to inform us as soon as reasonably practicable that time off is required may result in us taking action in accordance with our Disciplinary Procedure.

Compassionate Leave

In addition to unpaid time off for dependents, employees may be able to request compassionate leave. Compassionate leave is a form of absence taken when an employee has to deal with a sensitive or upsetting situation. This could include a bereavement. This leave is usually for rare situations that are unplanned and those that employees did not know about or could not plan for beforehand.

Example situations could include:

- When a close friend or family member is seriously ill or seriously injured.
- An employee has been a victim of a crime and needs time to recover or deal with the situation.
- An employee has witnessed or been involved in a traumatic event.
- Illness or injury of a dependant. This includes mental or physical illnesses, and the injury does not need to be life threatening. It could be that they have an existing health condition that has become worse. (*It does not include routine medical appointments*)
- The death of a close friend or family member.

- The failure, at short notice, of a carer to be able to look after a dependent.
- An incident with the employees child at school. This includes disciplinary issues for the child that requires a parent's urgent attention.

CEQ understands the varied nature of individual employees' personal circumstances and wants to support staff to manage unforeseen issues without the undue pressure of work concerns. Up to 5 days paid compassionate leave per year (rolling 12 months) will be granted to employees who are experiencing a sensitive or upsetting event. This will be pro-rata for part-time staff.

An additional 5 days, paid, will also be given for the death of a parent, spouse / partner, sibling or child. This must be agreed in consultation with their line manager. Further leave can be granted at the line managers discretion and in consultation with the Clerk of Employment Committee or the Principal Officer.

Requests for additional leave, without pay, will also be considered for prolonged situations.

Trade Union Duties

We do not currently recognise a trade union and there are no collective bargaining agreements in place therefore whilst employees are free to join a union of their choice time off for union activities is not permitted during working hours.

Time off to act as a companion or witness at a grievance/disciplinary meetings
Employees asked by a colleague to act as a companion, or who are called to attend as a witness at a grievance or disciplinary meeting, or appeal meeting, will be granted paid leave to attend the meeting.

If the meeting is held outside of the employee's normal working hours, the additional hours will normally be paid, or else time off in lieu will be granted.

Time off in a redundancy situation

Any employee who is given notice of their redundancy, and who has two or more years' continuous service with CEQ at the effective date of termination of employment, has the legal right to be permitted a reasonable amount of paid time off work during the notice period to look for work elsewhere or to make arrangements for training or future employment.

An employee who wishes to exercise this right must give their line manager sufficient notice of the duration of time off required and the reason for it. All requests for time off work must be agreed in advance by the line manager. We will endeavour to

accommodate reasonable requests but we reserve the right to refuse a request where it is considered unreasonable, or where it cannot be accommodated due to the needs of the organisation at that particular time.

Where time off work is permitted, an employee will be paid their normal rate of pay.

Time off for Public Duties

The Employment Rights Act 1996, as amended from time to time, gives the following employees the right to have a "reasonable" amount of time off unpaid work to perform public duties:

- Magistrates (Justice of the Peace).
- Members of a Local Authority i.e. Local Councillors.
- A school governor.
- A member of a Statutory Tribunal.
- A member of an educational body (e.g. managing or governing bodies of local authority educational establishments, grant maintained schools, school councils, self-governing schools, colleges of further education, central institutions).
- A member of a school council or board in Scotland.
- A member of a health authority (e.g. NHS Trusts, Health Boards).
- A member of the prison independent monitoring board (England and Wales) or a member of the prison visiting committee (Scotland).
- A member of the Environmental Agency or the Scottish Environmental Protection Agency.
- A member of Scottish Water or a Water Customer Consultation Panel.

We will consider what is "reasonable" taking into account:

- the time needed to fulfil the duties; and
- the circumstances of the contract and the effect of the absence on your colleagues and the service delivery.

Employees should request time off from their manager, giving sufficient notice to allow the request to be properly considered. Documentary evidence can be requested by the manager before they consider any request for time off.

Part time employees are asked, where possible, to arrange a proportion of public duties during non working time.

Time off will be granted at the discretion of the line manager, in discussion with the Principal Officer, and may be taken as annual leave, unpaid leave, or alternatively the time made up by agreement with the manager.

Managers can, at their discretion, refuse requests for time off that are considered unreasonable and/or excessive. Each case will be considered on its own merits.

Jury service, acting as a witness or court summons

If an employee receives a request to serve on jury service, they should inform their manager as soon as possible and provide a copy of the summons so arrangements can be made to cover their absence. The court questionnaire should be given to the manager for completion. Leave will be granted unless an exemption is secured.

Employees should claim for loss of earnings from the court. We will maintain basic pay during jury service up to 10 days. On completion of jury service the employee should inform their manager in writing of the number of days served (including half days). The amount of money received from the court for loss of earnings will be deducted from the employee's next salary payment. If an employee does not claim for loss of earnings from the court, we may deduct an amount equivalent to the maximum daily amount from the employee's salary. Any subsistence, travel allowance and other expenses should be claimed from the court.

All documentation should be forwarded to the Principal Officer for processing.

Employees are expected to attend work on any days/half days on which they are not actually required to serve. If an employee is not, after all, required to perform jury service, they should tell their manager and attend work as usual.

If an employee is called to appear as a witness in court for a case not connected to their employment they must inform their manager as soon as possible, and give them a copy of the appropriate documentation.

The court will issue the employee with a loss of earnings form, which should be completed and given to the line manager for signing. We will maintain basic pay for up to 10 days by supplementing the court's daily allowance.

If an employee attends court as a witness on behalf of CEQ the time taken will be paid as usual.

Employees are expected to attend work on any days/half days they are not required in court.

Paid time off work will not be authorised for time off to answer civil or criminal charges against an employee; any time off to attend court and/or meet solicitors must be taken as annual leave or unpaid leave.

Voluntary Service

There is no obligation for employers to provide paid time off for employees to attend voluntary services training and/or activities.

However, we recognise and support the important role that organisations such as the our own or others such as Oxfam or the Red Cross play in society. Employees who volunteer for such services may, at our discretion, apply for reasonable unpaid/paid leave to attend training and activities, provided the period of absence does not impact on the prevailing needs of the organisation. As an alternative, employees may use their annual leave entitlement or TOIL, as appropriate.

Unauthorised Absence

Employees are responsible for taking authorised leave from work as approved by their line manager. Once the period of authorisation has ended, a return to normal working arrangements is required.

If an employee fails to return to work after a period of authorised leave, or is absent from work without prior notification, we will attempt to contact them by telephone to establish the reason for the absence. If we are unable to speak to the employee, we will send a letter to their last known address (and/or email address) requesting they contact us immediately to give an explanation for their absence and the date of likely return. If the employee fails to contact us, we reserve the right to stop their pay from the first day of unauthorised absence from work.

Any period of unauthorised absence will be a breach of the employee's terms and conditions of employment, and may result in disciplinary action, which could ultimately end in dismissal.

Special Leave

Exceptionally, situations may arise, quite distinct from those covered elsewhere in this policy, where special leave may be appropriate e.g. short term domestic crises; i.e. something which occurs suddenly, which cannot be predicted or planned and which requires urgent attention, fertility treatment or some other reason. It is for the line manager or Principal Officer to approve such leave, and whether this will be on a paid or unpaid basis. Such a decision can only be made after being acquainted with the reason for the request and considering this in light of the needs of the charity.

Unpaid Leave

Whilst unpaid leave is not encouraged, we understand that there may be times when an employee needs to be away from work for some other reason not covered in this policy. Any such request for unpaid leave should be made to the line manager; such requests will be considered on an entirely discretionary basis.

Data protection

When an employee makes a request to their line manager for leave or time off work, the line manager will process any personal data collected in accordance with our Data Protection Policy. In particular, line managers should record only the personal information required to deal with the employee's requested time off and keep this information only for as long as necessary to deal with the request.

Data collected from the point at which the line manager receives a request is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the employee's request for leave.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our Data Protection Policy immediately. It may

also constitute a disciplinary offence, which will be dealt with under our Disciplinary Procedure.

Implementation, monitoring and review of this procedure

This policy will take effect from 05/11/2024. The Employment Committee (Via the Principal Officer) has overall responsibility for implementing and monitoring this procedure, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

Any queries or comments about this policy should be addressed to the Principal Officer.