



UNPLANNED LEAVE POLICY

**(includes: Time off for Dependants, Unplanned Absences,
Compassionate Leave,
Time off for Public Duties and Jury Service)**

People and Work is fully committed to being a fair and reasonable employer, helping employees balance work and family life whilst maintaining the effective running of the company. People and Work understands that there may be occasional circumstances where an employee needs to take time off work for personal reasons.

Time off for Dependants

1. Employees' Statutory Rights

- employees have the right to take **reasonable** time off work to deal with unexpected events or sudden emergencies involving dependants and to make longer term arrangements
- employees who use this right cannot be dismissed or treated unfairly for taking the time off, providing their reasons for taking it are genuine
- employees **do not have the right to be paid** for this time off
- employees have the right to take this time off from day one of starting their job
- legislation does not limit the number of times an employee can take time off for dependants, provided it is for real emergencies

2. Who is a dependant?

- a husband, wife, partner, child, parent, or anyone living in the household as a member of the family
- the term does **not** include tenants, lodgers or paid staff e.g. a housekeeper

- in case of emergency, a dependant may also be anyone who reasonably relies on the employee for help e.g. an elderly neighbour living alone who, for instance, may fall and break a leg and the employee is the closest on hand.

3. What counts as an emergency?

Any unexpected or sudden problem involving someone who depends on your help or care, for example:

- a carer does not turn up to look after a dependant
- a child is injured at school or suspended from school
- a dependant needs an urgent doctor's appointment or hospitalisation
- a partner goes into labour

4. A 'reasonable' amount of time off

This will vary according to circumstances e.g. if a relative falls ill or a child encounters a problem at school, a day or two should be adequate to deal with the immediate crisis and make longer term arrangements. (It would not be deemed 'reasonable' to take two weeks off to care for a sick relative). Taking time off to care for a sick child however, could be covered by taking parental leave. (*See the Working Parents Policy for parental leave provisions*).

If an employee has any dispute about what forms a 'reasonable' amount of time off, this should be dealt with in the first instance through the Unit's grievance procedure, a copy of which is included in their Employment Pack.

5. Examples of problems which do not involve a dependant and so are not covered:

- a broken boiler, a burglary or other domestic emergency
- problems with a family pet
- accompanying a friend to hospital (if no-one else is available)

(but see the Unplanned Absences Policy (below) for absences caused by any of the above, or similar, incidents).

6. Employees' Statutory Responsibilities

- an employee should let their employer know they are taking time off as soon as they can - this need not be in writing

- if an employee returns to work before they have had the chance to contact the employer, the employee must still tell the employer why they were absent
- if an employee needs to be off for longer than at first thought, they should contact the employer as soon as they can, to let them know why and how long they might need.

7. Situations involving dependants which are covered by other legislation

- a child's hospital appointment which has been booked in advance (*see the Working Parents Policy for parental leave provisions*)
- caring for a dependant who has had a baby (*see the Working Parents Policy for paternity leave provisions*)
- problems regarding out of school hours care for a child (*see the Working Parents Policy for the right to request flexible working*)

8. People and Work Policy on Time off for Dependants

People and Work will always deal sympathetically with employees who need to take time off for dependants but must balance this against the smooth running of the company. However, the Unit will always seek to support an employee in finding a solution if that employee is having to take a large number of days off.

An employee must notify their Line Manager as soon as possible on the first day of absence, as close to their start time as possible. If the Line Manager does not consider that the absence is reasonable, he/she will request that the employee come in to work and the time lost will be noted on the employee's time sheet and personal file.

If the absence is considered reasonable or unreasonable, the employee could be offered one or more of the following options, as appropriate:

- to make up the time lost through flexible work arrangements
- to take the time as paid annual leave
- to take the time as unpaid leave
- to make a request for paid dependants leave (*request form attached at the end of this document*)
- to request paternal/parental leave (*see the Working Parents Policy*)

An employee who considers that their request has not been properly dealt with should, in the first instance, appeal using the company's grievance procedure, a copy of which is included in their Employment Pack.

Unplanned absences

Unplanned absences (**which do not involve a dependant**) can include:

- personal appointments (e.g. solicitor, bank, specialist) which cannot be made outside working hours
- car breakdowns, bad weather, flight delays
- any of the incidents listed in section 5 above

People and Work's Policy on Unplanned Absences

In the event of any of the above **or any other incidents which cause an unplanned absence from work**, an employee must contact their Line Manager on the first day of absence, as close to their normal start time as possible.

If an employee returns to work before they have had the chance to contact the employer, the employee must still tell the employer why they were absent.

If an employee needs to be off for longer than at first thought, they should contact the employer as soon as they can, to let them know why and how long they might need.

If the Line Manager does not consider that the absence is reasonable, he/she can request that the employee come in to work. Time lost will be noted on the employee's time sheet and personal file.

The company may request evidence to explain repeated unplanned absences, such as copies of appointment cards, police incident numbers or contractor's bills.

Employees who take unplanned leave could be offered one or more of the following options, as appropriate:

- to make up the time lost through flexible work arrangements
- to take the time as paid annual leave
- to take the time as unpaid leave

An employee who considers that their request has not been properly dealt with should, in the first instance, appeal using the grievance procedure, a copy of which is included in their Employment Pack.

N.B. An employee who is absent from work because of **his or her sudden illness** is **not** covered by the unplanned leave policy, but by statutory sick leave regulations (*employees should refer to their Contract of Employment*).

Compassionate Leave

Most situations where an employee might need unpaid time off are covered in the above sections, Time off for Dependants and Unplanned Leave. However, employees may occasionally need time off to visit a friend or family member who is very sick or dying, or attend the funeral of someone who is close, but not a dependant. In these instances, a request for compassionate leave is appropriate.

People and Work's Policy on Compassionate Leave

The company is **not** required by law to grant requests for compassionate leave, or pay employees for compassionate leave taken, but will deal sympathetically with all requests. If leave is granted, the employee could be offered one or more of the following options, as appropriate:

- to make up the time lost through flexible work arrangements
- to take the time as paid annual leave
- to take the time as unpaid leave
- to make a request for paid compassionate leave (*request form attached at the end of this document*)

An employee who considers that their request has not been properly dealt with should, in the first instance, appeal using the grievance procedure, a copy of which is included in their Employment Pack.

Time off for Public Duties

People and Work is required to allow employees **reasonable** time off for public duties. Such roles may include:

- a Justice of the Peace
- a school governor
- a member of a statutory tribunal

(the full list is available from People and Work's office).

People and Work 's Policy on Time off for Public Duties

The employee should notify their Line Manager in advance of any time off required for public duties and the Line Manager will forward the request to the Director. All reasonable requests will be granted.

The company is not required to pay employees for time off to carry out such duties, and paid time off will be entirely at the discretion of the Director.

An employee who considers that their request has not been properly dealt with should, in the first instance, appeal using the grievance procedure, a copy of which is included in their Employment Pack.

Jury Service

Jury service is not covered by the right to time off for public duties, but has separate rules.

Jury service is an important responsibility for all citizens, and if an employee is called for jury service People and Work is normally required to allow **unpaid** time off for this. Employees on jury service can, however, claim from the court for travel, food expenses and loss of earnings. People and Work will supply, at the employee's request, a Certificate of Loss of Earnings to enable them to make a claim to the court, but there is a limit to how much can be claimed.

Employees have the option of asking for jury service to be deferred, but can do this only once and for no more than 12 months from the original date. If employees wish to be excluded from jury service altogether, they should write to the Jury Central Summoning Bureau setting out reasons why.

People and Work's Policy on Time off for Jury Service

Employees who are called for jury service should notify their Line Manager immediately in order to:

- state how long they will need off and what arrangements need to be made to cover their absence and to
- hand to their Line Manager the confirmation of jury service letter they receive from the court

Employees who do serve on a jury cannot be dismissed or treated unfairly for taking the time off, but should nevertheless establish with People and Work whether or not their taking time off for jury service would be detrimental to the running of the company. If the company considers that the employee's absence would be detrimental, the employee will be expected to ask for a deferral of, or exclusion from, jury service.

An employee who considers that their request has not been properly dealt with should, in the first instance, appeal using the grievance procedure, a copy of which is included in their employment pack.

(see Time off for Dependants/Compassionate Leave request form below)



PEOPLE AND WORK

TIME OFF FOR DEPENDANTS/COMPASSIONATE LEAVE REQUEST FORM

N. B. The awarding of **paid** time off for dependants or **paid/unpaid** compassionate leave is entirely at the discretion of the Board of Trustees and the Director.

Employees name:

Dates of absence from work:

start:

return:

Reason for absence from work:

.....
.....
.....
.....
.....

Signed:

Date:

Please hand this form to your Line Manager who will forward it to the Director