

## UK - LEAVE OF ABSENCE POLICY

<b>Document number:</b>	<b>HRM-PLD-100026</b>
<b>Applicability:</b>	United Kingdom
<b>Document owner:</b>	Johannes Vorster – Vice President P&O Professional Services East
<b>Document checker:</b>	Laura Low – P&O Manager, Compliance and People Services
<b>Document author:</b>	Rachel McGachie, P&O Coordinator - Compliance
<b>Revision:</b>	2
<b>Revision date:</b>	18-Jul-2022
<b>This document supports</b>	HRM-POL-100016 Human Rights

**Responsibility for this document:**

The functional responsibility for the development, review and maintenance of this document rests with the P&O Vice President – Professional Services – EAST Region

## Contents

<b>1</b>	<b>Purpose and Scope</b> .....	<b>3</b>
<b>2</b>	<b>Roles and Responsibilities</b> .....	<b>3</b>
<b>2.1</b>	<b>Employees</b> .....	<b>3</b>
<b>2.2</b>	<b>Managers</b> .....	<b>3</b>
<b>2.3</b>	<b>People &amp; Organisation (P&amp;O)</b> .....	<b>3</b>
<b>3</b>	<b>Leave of Absence Policy</b> .....	<b>3</b>
<b>3.1</b>	<b>Compassionate Leave</b> .....	<b>3</b>
3.1.1	Time Off for Dependants/Immediate Family Members.....	4
3.1.2	Bereavement/Parental Bereavement Leave.....	4
3.1.3	Other Leave .....	4
<b>3.2</b>	<b>Medical/Dental Appointments</b> .....	<b>4</b>
<b>3.3</b>	<b>Jury/Witness Service</b> .....	<b>5</b>
<b>3.4</b>	<b>Civic Duties</b> .....	<b>5</b>
<b>3.5</b>	<b>Official Functions or other Designated Purposes</b> .....	<b>5</b>
<b>3.6</b>	<b>Requests for Leave</b> .....	<b>6</b>
<b>3.7</b>	<b>Employee Wellbeing</b> .....	<b>6</b>
<b>3.8</b>	<b>Terms and Conditions During Leave of Absence</b> .....	<b>6</b>
3.8.1	Pension.....	6
3.8.2	Flexible Benefits .....	6
<b>3.9</b>	<b>Contact During Leave</b> .....	<b>7</b>
<b>3.10</b>	<b>Timewriting</b> .....	<b>7</b>
<b>4</b>	<b>Definitions</b> .....	<b>7</b>
<b>5</b>	<b>References</b> .....	<b>8</b>
<b>6</b>	<b>Revision History</b> .....	<b>8</b>

## **1 Purpose and Scope**

The Company recognises that there may be times when an employee's personal and domestic commitments will influence their ability to carry out their work responsibilities. This Policy outlines the approach that will be taken to grant reasonable time off for compassionate and other situations.

This Policy applies to all UK employees. This Policy will be superseded by the content of any collective bargaining agreements, site agreements or individual contracts of employment, in the event of there being any difference(s) in arrangements. This Policy does not form part of an employee's terms and conditions of employment and is not contractual. The Company reserves the right to amend this Policy from time to time.

The payment aspect of section 3.1 applies to all employees engaged on Individual Contributor or Manager/Leader terms and conditions of employment. No other contract styles are eligible.

## **2 Roles and Responsibilities**

The following roles and responsibilities apply within the context of this Policy.

### **2.1 Employees**

Employees are responsible for ensuring they act in compliance with this Policy.

### **2.2 Managers**

Managers are responsible for ensuring the application and adherence to this Policy.

### **2.3 People & Organisation (P&O)**

P&O will provide support and guidance for the application of this Policy.

## **3 Leave of Absence Policy**

### **3.1 Compassionate Leave**

The Company will sympathetically consider requests for leave to deal with emergency situations involving the injury or serious illness of an immediate family member or dependant. In these circumstances the Company offers up to a maximum of five days paid compassionate leave to deal with each emergency at manager's discretion.

An employee should contact their manager no later than when they are due to start work on the first day on which they wish to take leave or, if that is not feasible, as soon as possible. Someone may do this on the employee's behalf if necessary.

If an employee is unable to return to work following an authorised period of compassionate leave the employee is to contact their manager. Managers may grant additional unpaid leave at their discretion if necessary. Alternatively, it may be appropriate for an employee to take a period of annual leave or consider a short-term career break if eligible, subject to manager approval.

### **3.1.1 Time Off for Dependants/Immediate Family Members**

The Company recognises there may be situations where an employee may request leave to deal with non-emergency situations involving a dependant, such as, closure of a nursery or less serious illness of a dependant. In these circumstances the Company offers up to a maximum of five days unpaid compassionate leave to deal with each event at manager's discretion.

Time off for dependants would not cover a situation that an employee knows about in advance, for example taking a child to a hospital appointment.

### **3.1.2 Bereavement/Parental Bereavement Leave**

The Company offers up to a maximum of five days paid leave per bereavement to employees who experience bereavement in their immediate family or someone of similarly close connections. An employee should contact their manager as soon as practically possible to make them aware.

Parents, including adoptive parents, foster carers, guardians and kinship carers are entitled to two weeks paid parental bereavement leave following the loss of a child under the age of 18, or a stillbirth after 24 weeks of pregnancy. Leave can be taken in one block or in two separate blocks of one week and must be taken within 56 weeks following bereavement.

If an employee needs to take parental bereavement leave within the first 56 days of their bereavement, they can take the leave straight away without having to provide any notice. An employee should contact their manager as soon as practically possible to make them aware. To take parental bereavement leave more than 56 days after their bereavement, an employee should give their manager at least one week's notice.

An employee should contact their manager if they are unable to return to work following a period of bereavement or parental bereavement leave. Managers may grant additional unpaid leave at their discretion if necessary. Alternatively, it may be appropriate for an employee to take a period of annual leave or consider a short-term career break if eligible, subject to manager approval.

### **3.1.3 Other Leave**

If an employee requires time off work to deal with an unexcepted domestic emergency and cannot work from home remotely (e.g. a boiler breaking down) , any leave granted will usually be unpaid. In exceptional circumstances, the Company may refuse a request for other leave and in such circumstances will give the employee a written explanation of the reason(s) for such refusal.

## **3.2 Medical/Dental Appointments**

Managers are to encourage employees to make every effort to arrange medical and dental appointments or treatment outside normal working hours or as close as possible to the start/end of the working day to minimise the amount of time absent from work. If this is not practicable, reasonable periods of paid leave may be granted to attend appointments. Employees are required, wherever possible, to make up any time lost, to take annual leave to cover the appointment or to use time off in lieu (TOIL) in line with the UK Flexible Working (Hours) Policy if eligible. If an employee does not make up any time lost, the time off for attendance at the appointment may at the Company's discretion be unpaid.

For appointments relating to elective or cosmetic treatment that is not deemed medically essential, has not been referred by a Doctor and is attended during working hours, time must be made up, taken as annual leave or unpaid leave on approval from the manager. Eligible employees may use TOIL in line with the UK Flexible Working (Hours) Policy.

### **3.3 Jury/Witness Service**

The Company will grant a paid leave of absence to employees who are called for Jury Service or summoned to appear as a witness at Court or a Tribunal Hearing. Employees are to advise their manager of such requests as soon as reasonably practicable. If the employee's services are not required for any part or whole court day, they will be expected to return to work for the remainder of the working day.

### **3.4 Civic Duties**

The Company is committed to supporting employees who wish to undertake civic duties or hold civic appointments and will provide reasonable time off for the purpose of performing these duties. This is applicable where an employee is a:

- Justice of the Peace
- Member of a Local Authority
- Member of any Statutory Tribunal
- Member of, in England and Wales, a Regional/Area Health Trust or, in Scotland, a Health Board
- Member of, in England and Wales, the managing or governing body of an education establishment maintained by a Local Education Authority or, in Scotland, a school or college council or the governing body of a central institution or college of education
- Member of a Children's Panel in Scotland.

The Company offers up to a maximum of five days paid leave during any calendar year to perform civic duties, subject to prior manager approval.

Employees are to advise their manager of their involvement in civic duties and request absence to carry out these duties in advance of the time off or as soon as is reasonably practicable. Each request for time off will be considered on its merits taking account of all the circumstances, including how much time is reasonably required for the activity, how much time an employee has already taken, and how the absence will affect the business.

### **3.5 Official Functions or other Designated Purposes**

Employees have the statutory entitlement to be permitted a reasonable amount of paid time off work to enable them to carry out official functions or for other designated purposes. Examples include, but are not limited to, trade union duties, pension trustees or safety representatives. Employees are to discuss leave requirements with their manager prior to confirming commitments.

### **3.6 Requests for Leave**

Employees are to make all requests for leave under this Policy to their manager in advance of the leave being taken where possible. Leave requests are to be supported by relevant documentation as appropriate.

Leave of absence granted will be at the Company's discretion and may be subject to business and operational requirements. If the request procedure is not followed, leave may be treated as unauthorised and payroll deductions may be made. Any alleged abuse of the provisions detailed within this Policy will be subject to investigation, and where appropriate, disciplinary sanctions may be applied.

### **3.7 Employee Wellbeing**

The Company believes the wellbeing of its employees is important and is committed to providing support. All employees have access to an Employee Assistance Programme and further information can be requested by contacting P&O. Further tools and advice can be found on the Health Protection Intranet site.

### **3.8 Terms and Conditions During Leave of Absence**

While an employee is on a period of paid leave of absence, all terms and conditions of their contract of employment will continue and their continuity of employment is not affected.

While an employee is on a period of unpaid leave of absence, all the terms and conditions of their contract of employment, except normal pay, will continue and their continuity of employment is not affected.

During leave, the employee continues to be bound by the terms and conditions of their employment.

#### **3.8.1 Pension**

During paid leave of absence, the Company will continue to pay contributions into the employee's pension scheme. The amount to contribute will differ depending on the employee's pension arrangements.

In the case of non-salary sacrifice pension arrangements, the employer contribution will be based on what the employee earnings would have been had they not been on leave. The employee contribution will be the relevant percentage of earnings whilst on paid leave.

In the case of salary sacrifice pension arrangements, the employee contribution will be the relevant percentage of earnings whilst on paid leave and the employers' contribution will be based on what the employee earnings would have been had they not been on leave. The employer will also make up for the shortfall in employee contributions to ensure the sum paid into the pension remains unchanged.

Employee and employer contributions will cease during unpaid leave of absence.

#### **3.8.2 Flexible Benefits**

Any deductions for flex benefits continue during a period of leave provided there are funds to deduct from. Where there are no funds to deduct from, deductions will re-commence at the next possible pay run and continue until the balance due is fully paid.

### 3.9 Contact During Leave

The Company reserves the right to make reasonable contact with the employee from time to time during a period of leave taken in accordance with this Policy.

### 3.10 Timewriting

Employees will record instances of leave of absence covered by this Policy in the Company's timewriting system.

## 4 Definitions

The following terms are used within this document.

Term	Definition
Dependant	The employee's spouse, civil partner, child or parent, and any person who lives at the same house as the employee (other than as a lodger, tenant, boarder or employee) or who would reasonably rely on the employee for assistance or arrangements for care in the event of illness or injury.
Kinship Carers	Kinship Carers have caring responsibility for a child; however, local authorities have the legal responsibility for the child. Kinship carers are normally relatives or friends of the family.
Guardians	Guardians have caring and legal responsibility for a child on a full-time basis and are normally relatives or friends of the family.
Immediate Family Members	An employee's immediate family is normally defined as, but is not limited to; <ul style="list-style-type: none"> <li>• Partner</li> <li>• Children/Step Children</li> <li>• Parents/Guardians</li> <li>• Grandparents</li> <li>• Grandchildren</li> <li>• Brothers/Sisters</li> <li>• Parents-in-Law</li> <li>• Or any other Dependant</li> </ul>
Partner	Spouse, civil partner or someone with whom the employee lives in an enduring family relationship but who is not the employees' parent, grandparent, sister, brother, aunt or uncle.
The Company	References to the "Company" in this Policy are references to the employee's current employer.
The Policy	References to the "Policy" are references to the UK Paid Leave of Absence Policy.

## 5 References

Document title	Document no.
UK Disciplinary Policy	HRM-PLD-100019
UK Flexible Working (Hours) Policy	HRM-PLD-100024
UK Career Break Policy	HRM-PLD-100038

## 6 Revision History

Rev no.	Rev date	Summary of changes
0	13-May-2019	Issued for UK Harmonisation and to supersede UK Leave of Absence Policy HRM-PLS-1039, UK Compassionate, Other Leaves of Absence Procedure HRM-PRO-100068 and UK Unpaid Leave Procedure HRM-PRO-100067
1	06-Mar-2020	3.1 updated with treatment of LTA and company car 3.1.1 updated for non-emergency time off for dependants 3.1.3 updated following introduction of statutory parental bereavement leave Definitions updated
2	18 July 2022	Terminology and style updated to be consistent with other policy documents. Reference to leave in relation to Adverse Weather, Study Leave and Reservist – Full Time Service have been removed as they are supported by separate policies.