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For the future you want

Leave of Absence

Policy & Procedure

(Please note that this procedure applies to all employees who started with Edinburgh College on or after merger. If you started prior to this date, 1 October 2012, a legacy procedure may apply. Please ask HR for clarification)



Human Resources &
Organisation Development

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1. INTRODUCTION

- 1.1 The College encourages employees to maintain a healthy work-life balance and offers various types of leave of absence to support employees with managing work and other aspects of their personal lives.
- 1.2 This policy and procedure details the various types of leave of absence employees can access, the purpose the leave is intended for, the criteria to be met (if applicable) and the procedure employees should follow if they wish to apply.

2. SCOPE

- 2.1 This policy and procedure applies to all employees.
- 2.2 The following requests are not covered by this policy and procedure as they are covered by separate policies, which are indicated in brackets:
 - Flexible Working Requests (Flexible Working Policy and Procedure)
 - Time off for Trade Union Duties (Recognition Procedure Agreement)
 - Absence due to adverse weather conditions (Adverse Weather & Disruption to Work Policy & Procedure)
 - Pregnancy related leave e.g. time off for fertility treatment, antenatal appointments, maternity leave, adoption leave, shared parental leave, paternity leave, parental leave and bereavement leave (Family-Friendly Policy & Procedure)

3. KEY PRINCIPLES

- 3.1 The College aims to be a fair, understanding and supportive employer with regards to requests for leave of absence.
- 3.2 Managers will look to balance the needs of the employee with the business needs of the College when considering applications for leave of absence, while supporting requests wherever practicable.
- 3.3 It is understood that in emergency and/or urgent circumstances it may not be possible for employees to plan their leave of absence, and in these circumstances, we ask employees to make their manager aware of the situation as soon as possible so that alternative arrangements can be made to cover work etc. These requests should be dealt with sensitively and discussions on the type of leave being used to cover any time off should ideally take place before leave commences but can also take place after any emergency situation has been dealt with.
- 3.4 The College expects that in non-emergency situations where leave of absence can be planned, that employees give as much notice as possible to the College and take/manage the leave in such a way that disruption to College business is minimised as much as possible.
- 3.5 Discretionary additional paid/unpaid leave entitlements may be provided to allow the College flexibility to offer leave entitlement proportionate to the need of the individual and/or circumstances.

- 3.6 The College is committed to creating a diverse and inclusive workplace. As such we recognise that further consideration may be needed for requests from employees who are requesting leave for reasons related to a 'Protected Characteristic' as defined under the Equality Act 2010, specifically: Age; Disability; Gender Re-assignment; Race; Religion or Belief; Sex; Sexual Orientation; Marriage and Civil Partnership; Pregnancy and Maternity.
- 3.7 Absence that is unauthorised by this policy and procedure, or other relevant policies, may result in disciplinary action against the employee.

4. RESPONSIBILITIES

- 4.1 The Head of Human Resources and Organisational Development is responsible for the operation, monitoring, application and review of this policy and procedure.
- 4.2 The College's Senior Management team (SMT) is responsible for approving any changes to this policy and procedure.
- 4.3 Managers are responsible for the consistent application of this policy and procedure.
- 4.4 All employees are responsible for ensuring that they are aware of their responsibilities/obligations under this policy and procedure.

5. LEAVE OF ABSENCE CATEGORIES

- 5.1 The College has various types of leave of absence, summarised here:
- Paid leave (additional to annual leave – within limits set and eligibility criteria):
 - Study Leave;
 - Compassionate Leave;
 - Emergency Medical Appointments;
 - Emergency Leave for Care of a Dependent;
 - Gender Reassignment;
 - Territorial Army duties;
 - Jury Duty/Court Attendance;
 - Children's Panel Attendance;
 - and under the [Family Friendly Policy & Procedure](#):
 - Leave for Fertility Treatment;
 - Antenatal appointments;
 - Paternity Leave;
 - Maternity/adoption leave and shared parental leave – both paid and unpaid;
 - Bereavement Leave
 - Unpaid leave:
 - Long Term Illness of a Dependant;
 - Unpaid Leave Request;
 - Parental Leave (under Family Friendly Policy & Procedure);
 - Maternity/adoption leave and shared parental leave – both paid and unpaid (under Family Friendly Policy & Procedure).

6. HOW TO APPLY FOR A LEAVE OF ABSENCE

- 6.1 To apply for a leave of absence employees should discuss their request with their manager in the first instance, then record the type of leave agreed (if applicable) using iTrent self-service.
- 6.2 An employee's manager must advise whether or not their employee's request has been approved and authorise it in self-service. Their decision will be based on the principles laid out in this policy and procedure. The manager shall consult with their HR representative where appropriate.
- 6.3 Where practicable, as much notice as possible of the absence should be given. Where this is not possible, employees should contact their manager as soon as possible, informing the College of the reason and duration of their absence.

7. STUDY AND EXAM LEAVE

- 7.1 Up to one day's paid leave per exam may be granted and one day's paid study leave per exam for approved courses of study. Up to one day paid leave will be granted for first resit. No further leave will be granted for subsequent resits or revision.

8 COMPASSIONATE LEAVE

- 8.1 This is typically used in the case of attendance at funerals or bereavement. In deciding how many days leave to allow managers should be guided by:
 - the relationship the employee had with the deceased;
 - attendance and proximity of the funeral;
 - the responsibility the employee has for funeral arrangements and any executor duties;
 - the key principles detailed in section 3 of this policy and procedure.
- 8.2 At the manager's discretion Annual Leave/Flexi-time/TOIL or unpaid leave may also be granted in addition.

9 MEDICAL/DENTAL/HOSPITAL APPOINTMENTS

- 9.1 Wherever possible employees should schedule appointments outwith working hours/core time.
- 9.2 Where an employee has a disability that requires regular and ongoing hospital appointments the College will accommodate this as a reasonable adjustment.
- 9.3 Paid time off will normally be granted for emergency appointments.
- 9.4 Paid leave for hospital appointments will be granted and extended to one day where the employee is a day patient (the employee's manager may request confirmation of hospital appointment). Included in this provision is reasonable paid time off for the purpose of preventative medical examinations.

10 EMERGENCY LEAVE FOR CARE OF A DEPENDANT

- 10.1 Up to five days paid leave and reasonable unpaid time may be granted in any 12 month period to care for a dependant who is ill or injured or where there has been a breakdown of normal care arrangements, unexpected crises and difficult circumstances. The College should be satisfied that the employee carries the burden of care.
- 10.2 A dependant is defined as a spouse, child, parent or someone who lives in one's household but is not an employee, tenant, lodger or boarder. The definition may be extended to include anyone who reasonably relies on the employee to make regular arrangements for them.

11 GENDER REASSIGNMENT

- 11.1 The Equality Act 2010 makes it unlawful to discriminate against or treat someone unfairly because of gender reassignment. It covers someone who proposes to go through, is going through or has gone through a process, or part of a process, to change his or her gender from man to woman or woman to man. A person may choose to reassign their gender and live permanently as the opposite sex without any medical supervision (i.e. hormonal or surgical therapy).
- 11.2 For medical appointments related to gender reassignment, including initial consultation, up to five days additional paid leave may be granted, in a 12 month period.
- 11.3 The College has the right to request medical evidence before granting this leave.
- 11.4 If further time off is required, or in order to allow an employee to take time off during the transitioning process, any further absence(s) should be recorded against 'gender reassignment' on iTrent, and the employee will receive their sick pay entitlement as for other sickness absences. However, this absence(s) should not be included for sickness absence management purposes e.g. for unacceptable absence levels etc.

12 LONG TERM ILLNESS OF A DEPENDANT

- 12.1 Unpaid leave may be given for up to 6 months in addition to the provisions in Section 10. Arrangements for reduced or rearranged working hours on a temporary basis may also be considered.
- 12.2 The College has the right to request medical evidence before granting this leave.

13 OTHER DOMESTIC EMERGENCIES

- 13.1 Up to one day's paid leave may be granted for a domestic emergency such as flood, fire or burglary. Under exceptional circumstances additional days paid leave can be considered.
- 13.2 This category does not apply to planned events such as domestic repairs, refurbishment, building or trades work, installation of appliances, home deliveries etc.
- 13.3 Requests for further paid time off will be at the discretion of the manager. Annual Leave/Flexi-time/TOIL or unpaid leave may be authorised for this purpose.

14 ATTENDANCE AT NATIONAL OR INTERNATIONAL EVENTS

- 14.1 Employees selected by a national body or organisation for participation as a national team member, performer or an official in an international event should be granted a reasonable amount of paid and/or unpaid leave for this purpose. Training/preparation time will normally be unpaid.
- 14.2 Employees will be granted unpaid leave when participating as a team member or as an official at an international event not involving national teams.
- 14.3 The College may request evidence of attendance / selection.
- 14.4 Procedures for time off for trade union activities, including training, are detailed independent to this document in the Recognition Procedures Agreement, available on the College intranet.

15 TERRITORIAL ARMY/RESERVE AND CADET FORCES TRAINING

- 15.1 Employees shall be granted up to five days paid leave for voluntary military service in any 12 month period.
- 15.2 An additional five days unpaid leave will be granted for additional commitments such as annual camp. Paid leave will be subject to the deduction of any service pay and allowances received for the period.

16 CANDIDATE AT LOCAL/NATIONAL ELECTIONS

- 16.1 Reasonable paid and unpaid leave, at the discretion of College management, will be given to employees who are standing as a candidate for Parliamentary or Local Government Election.

17 COUNCIL MEMBER OR OTHER PUBLIC REPRESENTATON

- 17.1 Up to five days paid leave may be granted in any 12 month period at the discretion of College management.
- 17.2 Any additional leave required will be made up of Annual Leave/Flex-time/TOIL or unpaid leave.

18 JURY DUTY/COURT ATTENDANCE

- 18.1 On receipt of a Citation to attend court, either as a Witness or for Jury Duty, an employee must immediately inform their manager.
- 18.2 The Citation should then be forwarded to Human Resources for recording.
- 18.3 Employees will receive normal full pay during their period of Jury Duty, unless the term is unusually extensive (e.g. longer than 2 weeks), in which case the College reserves the right to move the employee onto zero pay and request the employee to complete the Loss of Earnings citation and claim for lost earnings from the Courts.

- 18.4 When an employee is advised either by the Court officials or via the helpline that they are no longer required to attend, they are expected to return to work immediately or as soon as practicable after that time.

19 CHILDREN'S PANEL

- 19.1 Up to five days paid leave may be granted in any 12 month period.
- 19.2 Any additional leave required should be taken from Annual Leave/Flexi time/TOIL or unpaid leave.

20 RELIGIOUS OBSERVANCE

- 20.1 Subject to reasonable notice being given of holiday dates requested, requests for rearranged working hours will be considered. Where this is not possible, employees will be able to use their Annual Leave/Flexi-time/TOIL entitlement or unpaid leave to observe special religious holidays.

21 UNPAID LEAVE REQUESTS

- 21.1 Employees can request a period of unpaid leave up to a maximum of one month's duration. This leave will only be granted in exceptional circumstances. Longer periods of unpaid leave may be granted for the long-term care of dependants as outlined in section 11 above (Long term illness of a Dependant).
- 21.2 Employees should submit a written request for unpaid leave to their manager who, following discussion and agreement will forward the request to the HR representative for their team/department. The request will then be considered by the line manager in consultation with HR who will look to approve requests where reasonable and practicable after College operations and team functions have been considered.
- 21.3 Written requests should contain the length of leave required and the full reasons for the request. It should also include, where possible, a proposal of how work may be covered in the absence of the employee who is applying.
- 21.4 Any unpaid leave will not affect continuous service with the College. It is advised that employees make enquiries regarding the effects of such leave with the appropriate pension provider as unpaid leave will not be subject to either employee or employer contributions.

22 ASSURANCE

- 22.1 This policy and procedure will be reviewed following any relevant changes to employment law or alternatively every three years as a minimum.

APPENDIX ONE: SUMMARY OF TYPES OF LEAVE OF ABSENCE AVAILABLE

| TYPE OF LEAVE | CRITERIA / DETAIL | ALLOWANCE |
|--|--|---|
| Study Leave | Approved Course | 1 day study for exam, 1 day for exam and 1 day for resit (all paid) |
| Compassionate Leave | Funerals and bereavement | Number of days paid leave is manager's decision |
| Medical/Dental/Hospital Appointments | Hospital appointment card/letter may be requested | Paid time off to attend hospital appointments (1 day's paid leave for day patient treatment); Ongoing & regular hospital appointments related to a disability will be accommodated on a paid basis as a reasonable adjustment |
| Gender Reassignment | Employee looking to change their gender and live permanently as the opposite sex | Up to 3 days additional paid leave in a 12 month period, to cover appointments Further absence(s) to be recorded as 'gender reassignment' as per normal process for sickness absence. However, absences should not be included for absence management purposes |
| Emergency leave for care of a dependant | Dependant – spouse, child, parent or other who reasonably relies on the employee to make regular arrangements for them | Up to 5 days paid leave in 12 month period, to provide care when breakdown in normal care arrangements/unexpected crisis |
| Long term illness of a dependant | Medical evidence may be requested | Unpaid leave up to 6 months |
| Other domestic emergency | Domestic emergency e.g. fire, flood, burglary | At discretion of manager, up to 1 days paid leave. Although in exceptional circumstances further paid leave can be considered. |
| Attendance at National or International Event | Evidence of attendance may be requested | Reasonably paid / unpaid time |
| Territorial Army / Reserve and Cadet forces training | Subject to deduction of any service pay received | Up to 5 days paid leave in 12 month period; 5 days unpaid in 12 month period for additional duties e.g. annual camp |
| Council Member or other Public representation | Evidence may be requested | Up to 5 days paid leave in 12 month period |

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| Jury Duty / Court Attendance | Submit Jury Duty citation to HR for recording purposes | Paid time as appropriate, unless extensive period required. |
| Attendance at Children's Panel | Evidence may be requested | Up to 5 days paid leave in 12 month period |
| Religious Observance | For religious observance/festivals not covered by holidays | With reasonable notice requests for rearranged working hours will be considered; If not possible to be taken from Annual Leave / Flexi / TOIL |
| Unpaid Leave Requests | In exceptional circumstances, written request required | Up to 1 month |
| Leave for fertility treatment | 26 weeks service with the College. | Up to 2 days paid leave in 12 month period |
| Antenatal appointments | Documentation confirming ante-natal appointments | Pregnant employees – paid time off during working hours to receive antenatal care; Fathers and partners – unpaid time off to attend 2x antenatal appointments (capped at 6.5 hours for each app.) |
| Paternity Leave | You need to have been employed by the College for at least 26 weeks and inform us on or by 15 th week before due date | 2 consecutive weeks, at full pay |
| Parental Leave | One year's continuous service | 18 weeks unpaid leave up to the child's 18 th birthday (maximum of four weeks per year) |