

# Leave Policy



# Leave Policy

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# Leave Policy

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# Leave Policy

## 1. Purpose and Scope

- 1.1 The Park Authority (we) recognise the importance of supporting staff in a way which promotes and sustains positive, productive and safe working environments.
- 1.2 Directly relevant to this is the provision of leave, which meets the requirements of current employment legislation, and in most cases, exceeds those requirements. We expect you and your managers to ensure that full use is made of leave entitlements to support your positive work-life balance.
- 1.3 This policy applies to all Park Authority employees and seeks to
  - Ensure you and your managers understand responsibilities in relation to using and managing leave to achieve a positive work-life balance
  - Provide general guidance on entitlements on all types of leave and the process for applying
- 1.4 References to “you” refers to all Park Authority employees.

## 2. Principles

- 2.1 You must make every effort to use your full annual leave entitlement during the leave year for which it is given. Managers will ensure that work plans for the year are developed taking this into account.
- 2.2 Managers will regularly review outstanding annual leave entitlements for their team in an effort to ensure that leave entitlement is used in full each year.
- 2.3 We will fully consider all requests for any type of leave and we will reach decisions on a fair, equitable, objective and justifiable basis within the context of the business needs.
- 2.4 You should give as much notice as possible when requesting any type of leave.
- 2.5 We will respond to requests for leave as soon as practicable possible.

## 3. Annual Leave

- 3.1 Annual leave plays an important part of your benefit package and wellbeing, we expect that you will take your annual leave on a regular basis and use your full leave entitlement each year.  
Both you and your manager are expected to manage your leave to ensure you take your entitlement each year.

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- 3.2 The annual leave year runs from 1st January to 31st December.
- 3.3 You must apply for annual leave through My Park Life –Your manager will then be prompted through Outlook to authorise your request. When a request cannot be granted your manager will discuss this with you and will record the reason in the notes box provided on the system.
- 3.4 Annual leave entitlements (incorporating 5 floating public holidays) are based on completed years of continuous service at the commencement of the leave year as follows:-

Less than 1 years' service by 1 <sup>st</sup> January	- 30 days
1 years' service by 1 <sup>st</sup> January	- 31 days
2 years' service by 1 <sup>st</sup> January	- 32 days
3 years' service by 1 <sup>st</sup> January	- 33 days
4 years' service by 1 <sup>st</sup> January	- 34 days
5 years' service by 1 <sup>st</sup> January	- 35 days

- 3.5 For continuous service of less than 1 year or broken service the entitlement will be apportioned as follows:

Completed Months of Continuous Service	ANNUAL LEAVE ENTITLEMENT					
	30 days	31 days	32 days	33 days	34 days	35 days
1	2.5	2.5	2.5	2.5	2.5	3
2	5	5	5	5	6	6
3	7.5	7.5	8.5	8.5	9.5	9.5
4	10	10	11	11	12	13
5	12.5	12.5	13.5	13.5	14.5	15.5
6	15	15	16	16	17	18
7	17.5	18.5	19.5	19.5	20.5	21.5
8	20	21	22	22	23	24
9	22.5	23.5	24.5	24.5	25.5	26.5
10	25	26	27	28	29	30
11	27.5	28.5	29.5	30.5	31.5	32.5

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- 3.6 Normally annual leave may not be carried over from one annual leave year to the next, with the exception of those on maternity leave or long term sickness absence. Please refer to the relevant policy for more information on these.
- 3.7 In exceptional circumstances your manager may authorise you to carry over a maximum of 5 days annual leave, pro rata, from one leave year to the next. However consideration should be given to an individual's wellbeing when doing so and plans for taking the carryover should be put in place at the time of authorisation which should happen no later than the 31<sup>st</sup> March of the new leave year. Any leave not taken by 31<sup>st</sup> March will be forfeited.
- 3.8 In exceptional circumstances you may agree with your manager to anticipate annual leave from the coming year's allowance. This can be for many reasons such as a wedding or family event, but will be reviewed on case by case basis.

## 4. Public Holidays

- 4.1 In addition to your annual leave entitlement (incorporating 5 floating public holidays), we have seven fixed public holidays these are listed below.
- The first two working days of the New Year
  - Good Friday
  - Easter Monday
  - St Andrew's Day (or nearest Friday)
  - Christmas Day (or next working day)
  - Boxing day (or next working day)

\*Next working day is classed as Monday to Friday

- 4.2 If you work part time your public holiday entitlement is calculated on a pro-rata basis, based on actual hours you work. This will be automatically deducted by My Park Life and the balance added or subtracted from the annual leave balance.
- 4.3 If you work full time these will automatically be credited and there is no need for you to apply for them through My Park Life.

## 5. Wellbeing/Me Days

- 5.1 You are able to use up to 3 days a year from your annual leave, flexitime or TOIL at short notice. If you simply feel you can't get out of bed, need to recover from over indulgence or if you need a 'me' day, designed so that you can take a day

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without feeling guilty. This will be managed by your line manager, however you are expected to act responsibly when requesting this leave and to take into consideration the impact on your teams and any meetings/deadlines scheduled.

## 6. Moving House Day

If you are moving closer to your place of work you will be entitled to a moving house special paid leave day.

## 7. Caring/Immediate Family Leave

You are able to take up to two special paid leave half days per year if you have caring/immediate family responsibilities. This is designed to allow you to attend important appointments to support your caring responsibilities.

## 8. Bereavement Leave

- 8.1 In dealing with bereavements, we will be sympathetic to the situation faced by you.
- 8.2 You will normally be granted paid compassionate leave from date of death until the funeral or cremation up to a maximum of 5 days where a member of your immediate family dies. Immediate family is defined as spouse, partner, parent or legal guardian, sister, brother, son, daughter, grandparents, grandchildren.
- 8.3 These provisions are not meant to limit our discretion as each request for such leave will need to be reviewed on the circumstances for the cases.
- 8.4 In other cases, the time off necessary to attend a funeral service will be granted, however you are expected to use your own time to cover the absence. This can be through annual leave, flexi or toil and not special leave.
- 8.5 If you are experiencing difficulty in coming to terms with bereavement, confidential support is available through the Employee Counselling Service.

## 9. Medical and Dental Appointments

- 9.1 You should arrange medical and dental appointments out of working hours where possible or so as to give minimal disruption to the working day, i.e. making the appointment for early morning, lunch time or after the working day.
- 9.2 Where the above principles are followed and documentation provided confirming the appointment, time taken during working hours for medical or dental appointments

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will be paid; the dates and times should be recorded on My Park Life by your manager.

- 9.3 Where a whole day's absence is required to attend a medical or dental appointment this will be recorded as sick absence.
- 9.4 Appointments relating to surgery or dentistry for cosmetic purposes should be arranged outside working hours or taken as flexi/TOIL/annual leave.

## 10. Adoption Leave

- 10.1 If you adopt a child through an approved agency you are entitled to up to 52 weeks adoption leave, provided you have at least 26 weeks' continuous service calculated as at the week in which notification of matching is given by the adoption agency.
- 10.2 The 52 weeks adoption leave entitlement is broken down as 26 weeks ordinary adoption leave and 26 weeks additional adoption leave. You have the right to return during either the period of ordinary or additional adoption leave subject to providing at least 28 days' notice of your intention to your line manager.
- 10.3 Adoption leave can start on the day the child is placed for adoption or up to 14 days earlier. To make administration as easy as possible, you should discuss the timing of your adoption leave with your line manager as soon as possible.
- 10.4 To be entitled to take adoption leave and receive statutory additional pay, you are required to provide written notification of your intention to take adoption leave by completing an adoption leave application form which can be found on Park Central. This should be no later than seven days after the date on which notification of the match with the child was provided by the adoption agency.
- 10.5 You have the right to resume working in the same job if returning to work from ordinary adoption leave. If you return to work after a period of additional adoption leave, you are entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.
- 10.6 Failure to return to work by the end of adoption leave will be treated as an unauthorised absence unless you are sick and produce a statement of fitness for work before the end of the adoption leave period.
- 10.7 If you decide during adoption leave that you do not wish to return to work, you should give written notice of resignation to your line manager as soon as possible and in accordance with the terms of your contract of employment.

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- 10.8 If you propose to return to work by giving proper notification, your spouse, civil partner or partner may be eligible to take additional paternity leave (and additional statutory paternity pay) once you have returned to work. The earliest that additional paternity leave may commence is 20 weeks after the adopted child's placement and it must end no later than 12 months after the date of placement. The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks.
- 10.9 Further details should be obtained from your spouse's or partner's employer. They will be required to submit a written and signed declaration form to their employer, which may also make additional enquiries of us to verify their entitlement to additional paternity leave and pay.
- 10.10 You must also submit, a written and signed declaration form from the mother or primary adopter stating:
- their name, address and national insurance number
  - the date that they intend to return to work;
  - that they have given notice to their employer of returning to work
  - that they are entitled to statutory maternity pay, maternity allowance or statutory adoption pay
  - the start date of their maternity or adoption pay period
  - confirmation that they satisfy the relationship eligibility conditions
  - that they consent to the organisation processing the information contained in the paternity leave application form; and
  - that they are to their knowledge the sole applicant for additional statutory paternity pay and, in the case of a birth child, also that the employee is to their knowledge the only person exercising the entitlement to additional paternity leave in respect of the child
  - Provide the name and address and business address of the primary adopters employer and a copy of the child's birth certificate or in the case of an adopted child evidence of the name and address of the adoptive agency, this information must be submitted within 28 days of the request being submitted

## 11. Parental Leave

- 11.1 If you have completed one year's service with the Park Authority you are entitled to 18 weeks unpaid parental leave.
- 11.2 The leave can start when a child is born or adopted. You can take this leave up until the child's fifth birthday or in the case of adoption until the fifth year of placement. If



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the child has disabilities, you can take 18 weeks up until the child's eighteenth birthday.

- 11.3 If you wish to take parental leave, you must complete the parental leave application form which can be found on Park Central giving at least 21 days notice.
- 11.4 Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off. You cannot take more than 4 weeks during the year. A week is based on your working pattern.

## 12. Paternity leave

- 12.1 If your wife, civil partner or partner gives birth to a child, and you are the biological father of the child, you are entitled to three weeks' paternity leave provided that you have 26 weeks' continuous service by the end of the 15th week before the week in which the child is expected.
- 12.2 Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave. For more details please see the Adoption Leave section of this policy. In respect of an adopted child, the employee must have 26 weeks' continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.
- 12.3 To qualify for paternity leave, you must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother.
- 12.4 Paternity leave must be taken in a single block of one or three weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of the birth but within eight weeks of the expected date of childbirth. paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.
- 12.5 If you wish to request paternity leave in respect of a birth child, you must complete the paternity leave application form which can be found on Park Central providing at least 15 weeks' notice.
- 12.6 In the case of an adopted child, you must complete the paternity leave application form which can be found on Park Central no later than 7 days after the date on which notification of the match with the child was given by the adoption agency.

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- 12.7 If you subsequently wish to change the timing of the paternity leave, you must give 28 days' written notice of the new dates.

## 13. Dependant Leave

13.1 You have the right to time off during working hours for dependants, this time off is intended to deal with unforeseen matters and emergencies. The Park Authority will grant 1 day Special paid leave to deal with any emergencies that fall into the category below. If more than 1 day is required employees are expected to use their annual leave, flexi leave or TOIL.

13.2 Time off both paid and unpaid is granted to deal with emergencies involving a dependant. A dependant is defined as someone who depends on you for care. A dependant could be a spouse, partner, child, parent, or someone who depends on you for care, for example an elderly neighbour.

13.3 The leave can be taken for example:

- to deal with a breakdown in childcare
- to put longer term care in place for children or elderly relatives
- if a dependant falls ill or is taken into hospital
- to deal with an incident that involves their child and occurs unexpectedly while the child is at school/other educational establishment

If you need time off for dependants you should contact your manager at the earliest opportunity. Absences should be recorded on My Park Life using the appropriate special paid leave code. If you become aware of an emergency situation while at work, you should immediately speak to your line manager about leaving work early. If for any reason your manager is unavailable speak to another manager, a member of the executive or HR. You should explain the reason for the absence; and how long you expect to be absent from work.

13.5 You are expected to keep in touch with your manager and must inform them as soon as possible of any change in the anticipated date of your return to work.

13.6 In the case of the hospitalisation of a child and where you have been advised by medical staff to remain with your child whilst they are in hospital, leave with pay for up to 5 days may be granted. In the case of a critically ill or seriously injured immediate family member or partner, an employee may be granted leave with pay for up to 5 days to allow them to be present at the hospital; this will be looked at on a case by case basis.

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## 14. Fertility Treatment

14.1 If you are undergoing fertility treatment you are eligible for a maximum of one week's paid time off per treatment cycle (Pro rata for part-time employees)

14.2 If your partner is undergoing fertility treatment you are eligible for a maximum of two days per treatment cycle, where attendance at a treatment centre is required.

## 15. Domestic Emergencies

If you are absent from work to deal with necessary arrangements arising from domestic emergencies such as burst pipes, burglary, fire or storm damage leave with pay up to a maximum of 1 day may be granted.

## 16. Jury Service

16.1 If you receive a summons to undertake jury duty, you should notify your line manager at the earliest available opportunity and you will be granted leave with pay to attend unless exemption is secured, subject to the deduction of the allowances under the Jurors' Allowances Regulations which you must claim.

16.2 You should present your booklet on applying for expenses to Payroll who will complete the relevant sections and return it to you with further guidance on payment.

## 17. Witness Service

If you are cited to attend as a witness, leave of absence will be granted as follows:

- If you are called as a witness on Park Authority business, leave with pay will be granted, on the understanding that witness fees received (excluding travelling and subsistence expenses) are notified to Payroll to allow the equivalent deduction from pay.
- If you are called as a witness other than on Park Authority business, leave without pay will be granted. You can then claim an allowance from the person citing you in respect of loss of remuneration.

## 18. Public Duties

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Leave with pay of up to 10 days per year will be granted for work as Justice of the Peace or as a member of a Children's Panels.

## **19. Election Duties**

Leave with pay will be granted to allow you to undertake official duties such as Presiding Officer, Polling Clerk or Enumerator at elections/ referenda.

## **20. Community Emergency Services**

If you participate in community emergency services, e.g. lifeboat crew, (with the exception of retained fire-fighters) you will be granted leave of absence with pay to attend emergencies which occur during working hours up to a maximum of five days per annum. Paid time will not be provided for training purposes.

## **21. Reserve Forces**

If you are a member of the reserve forces and attend an annual training camp for a period of one week or more you will be granted up to 10 days leave with pay. You must provide documentation which confirms the training period and payments are subject to the deduction of service pay and allowances received in respect of the period of leave.

## **22. Employer Supported Policing**

The Employer Supported Policing Programme (ESP) allows you to volunteer to become an Employer Supported Special Constable within the Scottish Police Service. The Park Authority will support and provide you with paid leave to attend initial police training and any additional compulsory training. Paid leave will also be granted up to a maximum of 2 days per month to carry out the role of Special Constable through the ESP scheme. This should be applied for through My Park Life and discussed with your manager in advance.

## **23. Religious/Belief Observations**

If you wish to take time off work for religious or belief observations you should submit an annual leave request, in line with normal procedures, to your line manager and note that your leave is required to observe religious/belief significance. Requests in this regard will be treated sympathetically and accommodated where possible.

## **24. Unpaid Leave**

In exceptional circumstances you can apply for unpaid leave through your line manager, further advice can be sought from the HR team.

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## **25. Related Policies**

Maternity Procedure  
Shared Parental Leave policy

## **26. Equality and Diversity Impact Assessment**

An equality and diversity impact assessment was carried out and no discriminatory effects were identified for any particular group within the workforce. This will be monitored on an ongoing basis.

## **27. Best Value**

Following review of this policy I am content that it fulfils the best value guidance provided, this policy ensures best value, the particular areas covered are, vision and leadership, and use of resources, while also contributing to the health and wellbeing of all employees.

## **28. Monitoring and Review**

This policy will be reviewed to ensure it is fit for purpose and is up to date with any legislative changes or within three years, whichever is the earliest.

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## Document Control Sheet

## Appendix A

<b>Prepared By</b>	Claire Ferguson
<b>Date Effective From</b>	30 <sup>th</sup> October 2017
<b>Review Frequency</b>	Regularly
<b>Contact</b>	Claire Ferguson, HR Adviser

### Revision History:

<b>Version:</b>	<b>Date:</b>	<b>Summary of Changes:</b>	<b>Name:</b>
V0_2	October 2017	Incorporate additions following 2017 pay negotiations	Claire Ferguson
V0_3	February 2018	Updated to remove additional parental leave as this is now known as Shared parental leave in line with legislation.	Claire Ferguson

**Approvals:** This document requires the following signed approvals.

<b>Name/Title</b>	<b>Date</b>	<b>Version</b>
Executive Team	May 2017	V0_2

**Distribution:** This document has been distributed to

<b>Name:</b>	<b>Title/Division:</b>	<b>Date of Issue:</b>	<b>Version:</b>
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