

## Time Off Policy

<b>Version Number</b>	2
<b>Revision Date</b>	30 June 2023
<b>Department</b>	Business Support and Transformation
<b>Author</b>	Head of HR and OD
<b>Reason for Policy Creation/Revision</b>	Legislation and revision of content
<b>Data Protection</b>	This policy complies with our data protection policy and procedure
<b>Equalities</b>	This policy ensures that we have equal protection in place for our employees
<b>Sustainability</b>	N/A
<b>Proof Read By</b>	People Partner
<b>Date Approved</b>	29 September 2023
<b>Approved By</b>	People Committee/SMT
<b>Next Review Due</b>	3 years following approval or legislation changes
<b>Audience – Training and Awareness Approach</b>	Manager awareness will be required
<b>Effective Date</b>	3 October 2023
<b>Internal References – Policies &amp; Procedures (Located on The Hub)</b>	Time Off Procedure Family Friendly Policy and Procedure Flexible Working Policy and Procedure Maximising Attendance Policy and Procedure
<b>External References</b>	ACAS code of Practice External benchmarking CCPS

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### 1. Policy Purpose

- 1.1 There are times during our working lives where we require some time away from our contracted working pattern. For example, we all have annual leave which we take throughout the year. Sometimes however, there are instances where we are required to attend to our own health, public duties or comfort loved ones following a bereavement.
- 1.2 Whether these instances occur unexpectedly or not, it is important to us that you have a policy and procedure to refer to when in need. The purpose of this policy is to address the various types of leave which you may require during your employment at Hanover. It further explains your entitlements as an employee and how you may apply for planned time off from work.

### 2. Policy Scope, Explanations or Requirements

- 2.1 This policy will inform you, our employees, of what Hanover accepts as reasonable time off from work in the varying situations which may occur whilst employed. The following individual policies are contained within this policy:
- Annual Leave
  - Medical Leave
  - Compassionate Leave
  - Public Duties
  - Religious and Cultural Observance
  - Professional Membership
  - Career Break
  - Severe Weather
- 2.2 It also vital to highlight that Hanover lends its support to you during difficult periods in your life and have a number of readily available support measures in place to assist you where required.
- 2.3 This policy applies to all employees while they remain under Hanover's employment and the term 'employee' will cover all workers who are either employed or engaged to undertake work for Hanover.

### 3. Definition

- 3.1 In this context, the term 'time off' refers to a period in which you are not working your usual contracted working pattern because of either a planned or unexpected event. As described in Section 1, an example of a planned event may be annual leave or jury duty, whereas an unplanned example may be a bereavement or urgent medical appointment.
- 3.2 Each individual policy has its own definition however, the purpose and context of each will be described in the below sections.

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3.3 It should be noted that the scenarios outlined in the below sections are not exhaustive and as such, any time off required which is not listed will be managed on a case-by-case basis whilst remaining consistent with the wider business.

### 4. Responsibilities

- 4.1 Despite there being many aspects to this policy, the responsibilities of both employees and managers remain consistent throughout. Employees hold a responsibility to fully engage with this policy, its entitlements and timescales. Employees are also responsible for ensuring they provide their manager with sufficient notice of appointments and upcoming events which may affect their ability to be present at work.
- 4.2 Managers on the other hand, are required to engage with their employees through regular discussion. This enables frequent updates from both parties, which should include the discussion of any time off required. Managers need to adhere to timescales also and be available to discuss personal matters with employees as and when appropriate.

### 5. Annual Leave

- 5.1 Annual leave allows employees to take paid time off from work for the purpose of having regular breaks so that they can rest and re-energise. It is vital in the promotion of positive physical and mental health as often taking a holiday can lead to you feeling more motivated about your work throughout the year.
- 5.2 The annual leave calendar at Hanover runs from 1<sup>st</sup> April to 31<sup>st</sup> March each year and this policy outlines your entitlements as an employee as well as all other related stipulations. Annual leave entitlement includes statutory and public holidays.
- 5.3 *Holiday Entitlements*
- 5.3.1 The number of days annual leave you are entitled to will differ depending on a range of factors including pay grade scale and length of service. The following table is your entitlement based on a full-time equivalent working 5 days per week:

Standard	34 days
Standard +1	35 days
Standard +2	36 days
Standard +3	37 days
Standard +4	38 days
Standard +5	39 days

- 5.3.2 All new employees will receive confirmation of their annual leave entitlement in their new-start paperwork and statement of terms and conditions. If you commence employment part way through the annual leave year, your entitlement will be based on a pro-rata calculation. This also applies to any leavers from Hanover. If it is

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found that you are owed holidays by the time of your final date of employment with us, these days will be paid to you in your final salary. Similarly, if you have taken more holidays than you are entitled to by your final date of employment, these days will be deducted from your final salary payment.

- 5.3.3 For part-time employees or employees who work less than 5 days, your annual leave entitlement is also calculated on a pro-rata basis in accordance with the number of days in which you work. For example, if you work 3 days per week, your annual holiday entitlement will be 3/5 of the full-time equivalent. Temporary or fixed-term employees will be provided with a pro-rata entitlement based on when their contract starts and ends in relation to the annual leave year.
- 5.3.4 The maximum number of days leave, including both annual and flexi, that can be taken at any one time, is 15 days. Any requests for longer periods of time away from the business requires Director or Area/Telecare Manager approval in line with operational needs.
- 5.3.5 Please note that the office and some services close down over Christmas and New Year therefore some annual leave days will be required to cover this if applicable. These dates are released each March.

### 5.4 *Alternative Public Holidays*

- 5.4.1 This section applies to those employed within Telecare, Care, Home Support Services, Sheltered and Very Sheltered Housing.
- 5.4.2 It may be the case where such employees are required to work on public holidays which are recognised by Hanover, particularly over Christmas and New Year. Although Sheltered Housing Managers will never be requested to work on the following dates, we appreciate that other employees listed in the above sectors may be required to due to the nature of their role:
- 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup> December
  - 1<sup>st</sup> and 2<sup>nd</sup> January
- 5.4.3 As a result of the above, the following stipulations apply concerning payment of alternative public holidays:

#### Public holidays falling at Christmas and New Year:

- Where employees are required to work, payment will be double time rates with a day in lieu.
- Where an employee has already added a public holiday to his/ her annual leave there will be no additional entitlement to a day in lieu.
- Where an employee works overtime, including a part-time employee working additional duties, on a public holiday at Christmas/ New Year, payment will be double time.

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- Managers may authorise a triple time payment to replace entitlement to a day in lieu where the employee concerned agrees or requests this.
- This means that the day in lieu will be forfeited and not available to take as leave. Managers must however ensure that employees take the minimum of working time holidays each year.
- Employees choosing to work on these dates, i.e., where there is no required shift to be staffed, will be entitled to normal rates of pay and a day in lieu.
- 'Casual' employees will receive double time payment in full recompense.

### Remaining public holidays:

- Normal time rates plus a day in lieu.
- Where an employee has, with prior management approval, added a public holiday to his/ her annual leave there will be no additional entitlement to a day in lieu.
- An employee may not exceed his/ her posts' public holiday entitlement by working on a public holiday.
- Where an employee works overtime on a public holiday, payment will be time, or any other approved rates and the public holiday taken on another date.
- Managers may authorise a double time payment in full recompense and to replace a day in lieu where the employee agrees or requests this.
- This means that, the day in lieu will be forfeited and not be available to take as leave. Managers must however ensure that employees take the minimum of working time holidays each year.
- No rate of pay for work done, including overtime, will exceed double time.

### 5.5 *Purchase of Additional Annual Leave*

- 5.5.1 At Hanover, we appreciate that some employees may wish to pursue the opportunity of purchasing more annual leave in addition to their yearly entitlement. As a result, we have a scheme currently in place allowing you to purchase up to 10 additional days (pro-rated for part-time employees) in any given leave year.
- 5.5.2 In order to process, you should be aware that the request and approval of purchased additional annual leave constitutes your consent to an applicable salary adjustment. This is due to the cost of the purchased leave being deducted from your monthly salary over the remaining months of the year. It does not however, constitute a reduction in pension contributions or the level of your pensionable salary.
- 5.5.3 In addition to this, purchased annual leave is required to be taken prior to contractual annual leave entitlement and any purchased leave not taken before the end of the annual leave year will be lost.

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- 5.5.4 Any employees leaving Hanover will be reimbursed the appropriate amount of salary deductions for the purchase of additional annual leave upon exit, if the amount is more than the purchased annual leave days taken. Payments will be recovered from the final salary if the value of the salary deduction is less than the value of the leave taken.
- 5.6 *Holiday Carryover*
- 5.6.1 We encourage all employees to utilise their full annual leave entitlement by planning ahead, booking in dates early and spreading them out across the year to ensure you are gaining from a regular rest.
- 5.6.2 If you are unable to use your whole annual leave entitlement between 1<sup>st</sup> April and 31<sup>st</sup> March of the following year, there may be an option to carry over days into the following holiday year in exceptional circumstances, subject to the minimum statutory holiday entitlement being taken. This must be approved and processed by 1 February.
- 5.6.3 Any requests to carry over annual leave will require approval from your department's Head of Service. In such circumstances, you may be entitled to carry over a maximum 5 days annual leave into the following holiday year. The 5 days is applicable to full-time employees only with part-time or flexible working arrangements receiving a pro-rata amount in accordance with their working pattern. This should be avoided as much as possible as Hanover actively encourages leave to be used.
- 5.6.4 No payment will be made in lieu of any leave not taken by the conclusion of the leave year unless in exceptional circumstances. See Section 5.9 for further information.
- 5.7 *Sickness During Annual Leave*
- 5.7.1 If you are unwell during a period of annual leave, this can instead be recorded as sick leave providing you submit a fit note to cover the required period. Further information regarding this and longer-term absences can be found in Section 7 of the Maximising Attendance Procedure.
- 5.8 *Payment in Lieu of Annual Leave*
- 5.8.1 There may be circumstances where Hanover seek to make a payment in lieu of holidays. The example provided in Section 5.8 above refers to sickness whereby you are unable to take your annual leave. In situations where long-term sickness occurs and you are signed off work for an extended period of time, it may not be possible to use all of your accumulated annual leave once you have returned from your absence. In this case, Hanover may process your annual leave as a payment to you to help minimise your entitlement, allowing you to return to work for a sustained period of time.
- 5.8.2 Other occasions where we may process payment in lieu of annual leave will be linked to any decision that results in you leaving Hanover, whether that be through resignation or otherwise. If you have accumulated more holiday entitlement than

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you have been able to take by the time of your final date of employment, we will process a payment to you in your final salary.

### 6. Medical Leave

6.1 The health and wellbeing of our workforce will always remain a priority for us at Hanover. As a consequence, this policy provides you with a breakdown of your entitlements in relation to appointments and elective surgery.

#### 6.2 *GP and Dental Appointments*

6.2.1 We appreciate that it is sometimes difficult to arrange a GP or dental appointment outside of working hours. Where possible, you are encouraged to book such appointments before or after your working day or shift. If not, we ask that you attempt to schedule at either the start or end of the working day. The purpose of this is to minimise any disruption absences may cause your team and service.

6.2.2 There are cases where an appointment during the working day are unavoidable, particularly emergency and short notice appointments. Any time off work will be granted at the discretion of your manager and will be unpaid. Please see Section 3 of the Time Off procedure for further information on how leave for GP and dental appointments may be processed.

#### 6.3 *Hospital Appointments*

6.3.2 There are times where further to a GP appointment, you may be referred to the hospital for a follow-up appointment. There can be many reasons why this might occur but unlike a GP or dental appointment, we understand that you rarely can determine when your hospital appointment will be.

6.3.6 For situations in which you are referred for a hospital appointment during work hours, you are entitled to a reasonable amount of time off to attend these. Such times will be paid up to a maximum of two hours and it is at the discretion of your manager how much time off is deemed reasonable in the circumstances.

#### 6.4 *Elective Surgery*

6.4.1 Elective surgery covers planned non-cosmetic procedures which are vital to a patient's ongoing health and wellbeing. Whilst there is no statutory entitlement for employees to have time off for elective surgery, Hanover are committed to supporting you through this challenging time by giving you an entitlement to time away from work in line with the maximising attendance policy and procedure, regardless of length of service.

6.4.2 Any reasonable time off work will be granted at the discretion of your manager and will be unpaid. The duration of leave can be discussed however, this type of leave should not exceed 2 weeks.



### 7. Compassionate Leave

7.1 Some of the most difficult times in our lives come with the passing of a family member or loved one. We at Hanover want to ensure you feel supported during such times and are given adequate space and time to handle the bereavement.

#### 7.2 *Close Family Members*

7.2.1 In the unfortunate event that you lose a close family member during your employment with Hanover, you are entitled to request compassionate leave for up to 5 days of paid leave, regardless of when your employment commenced with us. A close relative can be interpreted as:

- Spouse/Partner
- Mother/Father; Mother-in-Law/Father-in-Law; Stepmother/Stepfather
- Brother/Sister; Brother-in-Law/Sister-in-Law; Stepbrother/ Stepsister
- Children/Stepchildren
- Grandparents/Grandchildren

7.2.2 In exceptional circumstances, compassionate leave may be extended by periods of annual leave or unpaid leave following approval from your manager. Factors such as the extent of your involvement in making funeral or other arrangements will be considered here.

7.2.3 Employees are also entitled to parental bereavement leave following the tragedy of losing a child under the age of 18 whilst employed at Hanover. This situation would entitle you to 2 weeks' leave from work. The first week of such leave would be paid in full, with the remainder paid at the rate of statutory parental bereavement pay subject to you meeting eligibility requirements.

#### 7.3 *Other and Non-Relatives*

7.3.1 We understand that there may also be occasions where other relatives, friends or likewise pass away and you would like to attend the funeral as a mark of respect. In such instances, you should look to utilise your flexitime (if applicable) or request annual leave in order to attend.

#### 7.4 *Critical Illness*

7.4.1 Compassionate leave is not always only applicable to situations involving a bereavement. At Hanover, we appreciate that close relatives may also be diagnosed as critically ill, placing them at imminent risk of death.

7.4.2 In these circumstances, you are entitled to up to 5 days compassionate leave within any 12-month rolling period to help manage the situation. Any leave, however, is only approved where it affects a close relative, of which a list can be found in Section 7.1.

7.4.3 Moreover, compassionate leave should not be confused with the statutory right to 'time off for dependants'. This type of leave is unpaid and utilised in emergency



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situations only. Further information regarding this can be found within the Family Friendly policy.

### 8. Public Duties

8.1 Whether you are called for jury duty or you have an interest outside of work that requires you to undertake specific public duties, Hanover are committed to supporting you with the time off from work in which you may need.

#### 8.2 *Jury Service*

8.2.1 Any employee registered to vote and aged between 18 and 76 may be called for jury service at any point during their employment at Hanover. It normally lasts around 10 days but may be more or less depending on the individual case.

8.2.2 Throughout a period of jury service, Courts normally pay for loss of earnings, travel costs and a subsistence rate. Where this occurs, they will issue jurors and witnesses with a 'loss of earnings' certificate, which you should send on to your manager upon receipt. If there are occasions where the Court cannot pay your hourly rate of pay, Hanover will pay the difference between what the Court pay you and your normal salary payment, to ensure you are without detriment.

8.2.3 There may also be occasions where you are selected for jury duty but not summoned for the final list of jurors. In this case, you should return to work as soon as possible.

#### 8.3 *Other Public Duties*

8.3.1 Hanover acknowledges employees' interests outside work are beneficial from a personal perspective and also from the perspective of a wider society and, as such, supports employees who undertake public duties.

8.3.2 We permit employees to take reasonable time off in relation to the following:

- Trade union duties or training
- Trade union activities
- Activities related to being Justices of the Peace
- Activities due to membership of the following bodies/authorities:
  - A local authority
  - A statutory tribunal
  - A police authority
  - Youth offender panel
  - A registered housing board.
  - A registered social landlord
  - A board of prison visitors or a prison visiting committee
  - A relevant health body.
  - A relevant education body.
  - A member of a school council or board in Scotland

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- The prison visiting committees.
- The Scottish Water or a Water Customer Consultation Panel

8.3.3 'Reasonable' time off for any of the duties listed above is a statutory right and therefore employees will not be asked to make up the time spent away from work for this purpose. Any approved time off, however, will be processed as unpaid for the duration of such period.

### **9. Armed Forces**

9.1 Hanover recognises that members of the Armed Forces, including regular and volunteer reservists and veterans, commit a great sacrifice and work hard to complete their duties.

9.2 We very much value transferable skills gained by employees who are members of non-regular forces and so we grant a maximum of 2 weeks paid leave per year for employees to attend training in the Territorial Army, other reserve or cadet forces.

9.3 Should you be called into full-time service for a period, otherwise known as mobilised, you will be granted unpaid leave however, you can claim from the Ministry of Defence for any benefits suspended to ensure you are not detrimentally affected.

### **10. Religious and Cultural Observance**

10.1 At Hanover, we aim to create a culture of diversity and inclusion, as illustrated through our values. Whilst there is no automatic right to time off to observe religious holidays, we appreciate that religious and cultural observance is highly important to some of our workforce.

10.2 Hanover are committed to trying to accommodate requests for time off in relation to religious observance where possible. Any period approved will be processed as unpaid. Further information can be found in the accompanying procedure, Section 6.

### **11. Career Break**

11.1 There may be periods in our lives where we contemplate our goals, aspirations and the opportunities which lie ahead of us. Sometimes this can involve doing something different, outside of the workplace, for a prolonged period of time. Examples may include working abroad, backpacking or going to university/college for a year.

11.2 At Hanover, we enable you to apply for an extended period of leave from work to go on a 'career break', providing you meet the following criteria:

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- Have been employed by Hanover for a continuous period, in a full-time or part-time arrangement, for a minimum of 3 years.
- Have not submitted another career break application within the previous 12 months.
- Your career break from work lasts for a minimum of 3 months and a maximum of 12 months.
- Any accrued but unused annual leave entitlement for the current holiday year must be taken prior to the start of a career break.

11.3 All applications will be considered in line with operational requirements and the impact your break may have on your colleagues within the team.

11.4 If your career break application is approved, you should note that the period of leave in which is agreed to is unpaid, however, you will remain an employee of Hanover for the duration. You will also not be eligible for any incremental salary rise that year and will not accrue annual leave whilst away.

11.5 With regards to pension arrangements, all employees taking a career break are required to continue to pay their pension contributions for the first 30 days. Upon returning, you should advise payroll whether you wish to pay back any lost contributions in order to maintain your full pension rights. If you wish to do so, Hanover will also backdate and pay the corresponding employer contributions.

11.6 Any failure to abide by the career break agreement may lead to termination of the career break and/or the disciplinary procedure being invoked, and you are required to return to work on the agreed date. Failure to do so may result in disciplinary action up to and including potential dismissal.

## 12. Professional Membership

12.1 We encourage all employees to partake in training and personal development activities in the workplace and have alternative policies in place in support of this. In addition to this, we have some employees at Hanover who are members of recognised professional bodies in direct relation to their job role.

12.2 At times, employees may be required or may wish to partake in meetings held by the professional body outside of the workplace. As such, you are entitled to reasonable paid time off to attend any meeting, activity or training that is being held.

## 13. Severe Weather

13.1 Employees at Hanover currently adhere to various working arrangements depending on their role, location and working pattern. This enables some employees to work from home whilst others are required to be present in the workplace. In Scotland however, our unpredictable weather can sometimes cause a degree of disruption to your working day. Severe weather is difficult to define but examples can often be

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related to excessive amounts of rain, snow or wind having a significant impact on your ability to travel into work.

- 13.2 If there are adverse weather conditions that prevent you from safely getting into work and you are eligible for homeworking, you should work from home and follow the home working policy, in agreement with your manager. If you are not eligible for working from home, please bear in mind your safety when exploring all available means to attend work. There may be certain circumstances where you can work from an alternative location in line with the Adverse Weather Policy,

### **14. Monitoring & Evaluation**

- 14.1 This procedure constitutes contractual terms and conditions. Hanover reserves the right to amend any provision of this procedure subsequent to appropriate consultation.
- 14.2 We will regularly evaluate this policy and accompanying procedure in line with the volume of flexible working requests and approvals received.

### **15. Review**

- 15.1 We will review this policy every 3 years or earlier as required.