

EMPLOYMENT POLICY

Other Leave

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1. Scope & Purpose

- 1.1. This policy provides details of leave of absences from work that is not deemed as sickness absence. There may be many reasons why employees need time away from work, and we have specific policies such as family friendly leave or flexible working, however this policy covers all the other occasions where leave may be needed.
- 1.2. This Policy applies to all employees across the Lothian Group.

2. Time-off for Medical Appointments

- 2.1. Wherever possible, employees should arrange medical appointments outside their normal working hours. Where it is not possible to arrange an appointment outside normal working hours, the employee should give the maximum prior notification to their manager. A line manager may ask to see confirmation of the appointment.
- 2.2. If an employee is part time, on shifts or has time off on weekdays, they should arrange appointments during non-work time.

2.3. Time off for medical appointments should not be counted as sick leave, irrespective of whether a full day/shift is taken.

3. Compassionate Leave

3.1. Sadly, most employees will experience the death of a person close to them and will need time off to either make arrangements or to attend the funeral.

3.2. While there is no contractual entitlement to compassionate leave, Lothian will endeavour to accommodate all reasonable requests and offer support to its employees when they need it. Lothian must ensure that compassionate leave is granted in a fair and equitable manner across the organisation.

3.3. At the discretion of the Company the number of days that may be taken as paid leave are as follows:

- Where the deceased person was a member of an employee's immediate family (wife, husband, child, mother, father, brother, sister or long-term partner), up to 5 working days with pay will be allowed at the manager's

discretion, in order to make arrangements connected with, and attendance at the funeral.

- Where the deceased person was a close relative but is not a member of the immediate family, up to 3 days leave of absence may be granted with pay.
- For all other cases of bereavement, up to one day's paid leave to attend the funeral would normally be given.

3.4. In the case of bereavement, factors such as the extent of the individual's involvement in making funeral or other arrangements (e.g. executor) and the need to travel beyond the local region should be taken into account. Discretionary consideration may be given to the number of days granted due to exceptional circumstances.

3.5. If any additional time off is required, this must be taken from an employee's annual leave entitlement or lieu days. If this is not possible, then unpaid leave of absence can be requested from the Line Manager. The decision whether or not to grant unpaid leave of absence is at the discretion of the line manager.

3.6. Compassionate leave should not be confused with the statutory right to Emergency Leave – time off for dependants to deal with sudden emergencies which is unpaid.

4. Emergency Leave

4.1. All employees have a statutory entitlement to reasonable unpaid time off work to deal with sudden emergencies involving a dependant and to make any necessary longer-term arrangements. A dependant is defined as a

- spouse or;
- child or;
- parent or;
- a person living in the same household as the member of staff, such as a partner, elderly aunt or grandparent;
- it does not include tenants, lodgers or boarders.

4.2. In certain circumstances a dependant may also be someone who reasonably relies on an employee for

assistance. This could be an elderly relative who lives nearby where the member of staff is the primary carer or the only person who can help in an emergency.

4.3. Employees will be entitled to unpaid time off to deal with the following types of emergencies:

- a dependant falls ill, or is injured or assaulted
- childcare or other care arrangements unexpectedly break down
- longer term care arrangements need to be made for a dependant who is unexpectedly ill or injured
- their child is involved in an unexpected incident during school hours

4.4. Emergency leave does not include longer term care requirements, such as childcare or long-term illness of a sick relative. In these circumstances the employee will be required to use annual leave, unpaid leave or request a flexible working arrangement.

4.5. There is no set amount of time off that can be requested as emergency leave, but the amount of time requested should be reasonable and commensurate with the particular circumstances. It should be sufficient to deal with the immediate problem and to arrange alternative longer-term care if necessary. It is anticipated that one or two days will suffice.

5. Carer's Leave

5.1. All employees have a statutory right to request an unpaid period of carer's leave from day one of employment to give or arrange care for a dependant who has:

- A physical or mental illness or injury that means they're expected to need care for more than 3 months
- A disability as defined in the Equality Act 2010
- Care needs because of their old age

5.2 A dependant does not have to be a family member, just anyone who relies on the employee for care.

- 5.3 Employees are entitled to one week's leave every 12 months equivalent to an employee's normal working week (e.g. an employee who works 3 days per week will be entitled to 3 days Carer's Leave). This is the full allowance even if an employee has more than one dependant.
- 5.4 Carer's Leave can be taken as one full week or as a mix of individual and/or half days throughout the 12-month period. For half a day or one day's leave, employees must give at least 3 days' notice. For more than one day's leave, employees must give notice which is at least twice as long as the requested leave (e.g. for one full week of Carer's Leave, employees must give at least 2 weeks' notice). Notice must be in full days and does not need to be given in writing.
- 5.5 An employee's employment rights are protected throughout the period of Carer's Leave such as annual leave accrual and returning to their substantive role.
- 5.6 Employees do not need to give evidence of their dependant's care needs to take Carer's Leave.

5.7 Lothian cannot deny an employee's request for Carer's Leave, however, employees can be asked to take their leave at a different time if their absence would cause a serious disruption to the business.

5.8 If a request for Carer's Leave is delayed, Lothian must:

- Agree another date within one month of the original requested date for leave
- Put the reason for the delay and the new date in writing to the employee within 7 days of the original request and before the requested start date of the leave

6. Jury Service

6.1. Employees who are called to jury service should notify their manager as soon as possible. Employees will be paid for their standard day minus any allowance paid by the court. It is therefore important that employees claim the appropriate amount from the courts and submit a copy of the jury service form to their manager.

6.2. Where an employee is summoned to appear as a witness in court, the following will apply:

- If the summons is in connection with the employee's work, paid leave of absence will be granted;
- If the summons is for a non-work-related case, unpaid leave or annual leave will be granted.

6.3. Employees are also entitled to a reasonable amount of unpaid time off for other public duties, in the majority of situations, employees may be able to request loss of earnings. Examples include:

- a Magistrate (also known as a Justice of the Peace in Scotland);
- a local councillor;
- a school governor;
- a member of any statutory tribunal (e.g. an employment tribunal);
- a member of the managing or governing body of an educational establishment;
- a member of a health authority;

- a member of a school council or board in Scotland;
- a member of the Environment Agency or the Scottish Environment Protection agency;
- a member of the prison visiting committees (Scotland);
- a member of Scottish Water or a Water Customer Consultation Panel;
- a trade union member (for trade union duties).

7. Sabbaticals

- 7.1. Employees with one or more years' service with Lothian will be eligible to apply for unpaid sabbatical leave.
- 7.2. Sabbatical leave will be granted for a minimum of one month and a maximum of 6 months/one year.
- 7.3. To apply for Sabbatical leave, the employee should complete an 'Sabbatical Request Form'.
- 7.4. Unless exceptional circumstances apply, sabbatical leave will only be granted once during the course of an employee's employment.

- 7.5. Employees may request to use some of their annual leave toward their sabbatical leave which will be paid, but the remainder of the period will be unpaid.
- 7.6. During the sabbatical, the colleague will continue to be an employee of the Lothian Group, but some of the terms and conditions of their employment will be suspended during that period. For example, they will not be required to attend for work and Lothian is not required to find them work during this period.
- 7.7. They will not be entitled to any remuneration for the duration of their unpaid time off.
- 7.8. Their statutory rights in relation to continuity of service will not be affected and their continuity of employment will be preserved.

7.9. **Financial**

Although they will not be entitled to salary or any allowance they may be receiving during their unpaid leave, their salary on returning to work will reflect any increases that have occurred during the absence.

7.10. **Deductions from salary**

During unpaid sabbatical leave, they will need to make alternative arrangements for any deductions which are usually made from their salary, e.g. trade union payments, subscriptions etc.

7.11. Pension

They should contact their pension provider directly to discuss how any unpaid leave may affect your pension, contributions and benefits.

7.12. Annual Leave

As they will not be working during the sabbatical, they will only be entitled to accrue annual leave at the statutory rate.

7.13. Sickness

Whilst on a period of unpaid leave they are not required to attend or be available for work. Accordingly, they will not be entitled to statutory or contractual sick pay, or any sick leave.

7.14. Discipline

Lothian's Disciplinary Policy will continue to apply to employees during a period of unpaid leave. Misconduct during the period of their unpaid leave may lead to disciplinary proceedings being brought against them, which may result in dismissal.

7.15. Keeping in Touch:

It is the employee's responsibility to ensure Lothian is able to keep in touch with them during the period of unpaid leave. If their contact details change at any time during the period of unpaid leave, they must let their line

manager know. This contact should ideally be by telephone or e-mail, but could alternatively be by post, depending on their access to communications technology whilst they are away on sabbatical leave. In the event that their line management changes during the period of unpaid leave, Lothian will send details to their current contact address.

7.16. Working during unpaid leave

It is not normally envisaged that employees will work during a period of unpaid leave, as they remain an employee of Lothian. However, it is recognised there may be certain situations where they may need or wish to undertake temporary or part-time paid employment to supplement their income. In these circumstances they would need to seek and receive written approval from their manager before undertaking any work or agreeing any employment.

7.17. Expiry of Period of Unpaid Leave

If a colleague does not intend to return to work on the agreed return date, they must notify their line manager in writing of their resignation, observing their contractual notice period. In the event that a colleague does not return on the agreed return date without prior notice, the

line manager will follow the AWOL process as outlined in the Attendance at Work Policy.

7.18. Early termination of period of unpaid leave

If an employee wishes to end the period of unpaid leave early for any reason, they should contact their line manager as soon as possible, to discuss whether a return to work can be accommodated. Any such early return is entirely at the company's discretion, and Lothian is under no obligation to allow them to return to work prior to the agreed return date.

8. Linked Policies

- Attendance at Work Policy
- Reservist Policy
- Flexible Work Policy

9. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	6/10/2020	S Murphy	Published
V2.0	20/12/2023	P Butler	Amendment to 2.3, minor wording changes
V3.0	29/03/2024	P Butler	Addition of new section 6 – Carer's Leave
V4.0	April 2026	H Devereux	Removal of Section 4 (moved to Family Friendly policy); Addition of

			Section 7 Sabbaticals; removal of Adverse Weather from Linked Policies.
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This policy does not form part of employees' terms and conditions of employment and may be varied from time to time in accordance with business and legislative requirements.

