

This document updates and temporarily replaces the Holiday and Sickness Policy contained in the company's Employee Handbook until further notice.

HOLIDAY AND SICKNESS

1. Holiday Entitlement & Conditions

The annual holiday entitlement is as detailed on employees' individual Statements of Main Terms of Employment and runs from 1st January to 31st December.

Where part of the Employees working pattern the following bank/public holidays are additional entitlements to the above and are payable at the basic hourly rate, with payment being provisional on the employee attending work on the day preceding and day following the bank holidays, other than in the case of non-working or certified sick leave:

- *New Year's Day*
- *Good Friday*
- *Easter Monday*
- *May Day*
- *Spring Bank Holiday Monday*
- *Late Summer Bank Holiday Monday*
- *Christmas Day*
- *Boxing Day*

Note - The 2nd January will also be recognised as a bank/public holiday in Scotland in addition to the above days.

Employees will accrue annual holidays on the basis of 1/52nd of the annual entitlement for each complete working week of service in the holiday year.

When employees leave, payment will normally be made for all unused accrued holiday entitlement on the basis of 1/52nd of the annual entitlement for each complete week worked. If employees have taken more annual holiday entitlement than they have accrued during the holiday year, the balance will be deducted from any outstanding pay.

All annual holiday must have prior approval and authorisation from an immediate Manager using a Holiday Request Form.

Where too many employees require the same holiday period, which if granted would impair the efficiency of the operation, management will grant holidays on the basis of first request, first granted.

A maximum of 2 weeks' holiday leave may be taken at any one time other than in exceptional circumstances and where previously authorised by the line manager.

As much notice as is possible of intent to take holiday leave must be provided. The Company will respond to an employee's request for holidays as soon as possible.

Unused accrued holiday entitlement cannot be carried forward into the next holiday year and any holiday leave outstanding at the end of the holiday year, will be forfeited and no payment in lieu of this will be made.

Where employees fall sick prior to or during pre-booked annual holidays there is no entitlement to take those holidays on another occasion unless written permission has been obtained and evidence of the sickness absence is presented to the Company.

2. Statutory Time Off

Public Duties

Under current employment legislation, employees who hold certain public positions are entitled to "reasonable" unpaid time off during normal working hours to perform the duties associated with the position. Such positions include Magistrates, Local Councillors, Statutory Tribunal Members, etc.

Jury Service

Employees are entitled to time off work to fulfil their obligations with regard to Jury Service. In the event of an employee being summoned to attend for Jury Service, they must notify management immediately on receipt of the Jury Summons, giving details of dates required to attend the Court.

Employees retained on Jury Service for a prolonged period have an obligation to notify management and must keep in regular contact with their immediate superior throughout. Employees must return to normal working immediately following their release from Jury duties.

Employees are reminded to ensure that expenses claims are submitted to the Court in accordance with the available allowances.

Although employees are not entitled to payment for this time off, the Company will consider requests to make up any difference between any compensation and basic earnings where a shortfall occurs, provided that the maximum amount of compensation has been claimed from the Court.

Bereavement Leave

In the event of the death or funeral of an employee's immediate relative or partner, reasonable compassionate leave will be granted and at the discretion of the Company, payment for some or all of such time off may be paid to support our employees.

3. Time Off For Family Emergencies

What is Emergency Leave?

All employees have the right to take a reasonable unpaid period of time off work to deal with certain unexpected and sudden emergencies involving people who depend

on them. The time off is only for an "emergency" and is granted to the employee so as they may make longer term care arrangements if required and is not intended to enable employees to complete prolonged care themselves.

Definition of "Dependant"

Only leave taken to care for a dependant will qualify. A dependant is the spouse, partner, child or parent of the employee, or other relative living with the employee, or someone who reasonably relies on the employee. It does not include someone who lives in the household as an employee (for example a housekeeper) or as a tenant, lodger or boarder.

Eligibility

There is no length of service or minimum contractual hour's requirement for emergency leave.

An emergency is defined as when someone who depends on the employee:

- Is ill, or has been injured or assaulted
- Is having a baby
- Needs the employee to make longer term arrangements because they are ill or injured
- Needs the employee to deal with an unexpected disruption or breakdown in care, such as a child minder or nurse falling ill or failing to turn up
- Goes into labour
- Dies, and the employee needs "reasonable" time off to make funeral arrangements and attend the funeral
- Having to deal with an unexpected incident involving the employee's child during school hours is also covered.

However, leave to handle domestic emergencies such as the washing machine breaking down or a pet requiring a visit to the veterinary surgeon do not qualify.

Pay and Benefits During Emergency Leave

Employees will not be paid for the time taken off to deal with emergencies.

How Much Leave May be Taken?

The right to reasonable time off is intended to cover genuine emergencies involving dependants. The amount of time which is 'reasonable' will depend on the nature of the emergency. However, the leave is granted to allow an employee to put in place appropriate alternative care arrangements, not to care for the dependant for a prolonged or repeated period. An employee taking two weeks off to care for a sick child is an example of what would not be appropriate.

If a longer period of leave is required and the need is to care for a child under 5 (or 18 if the child is disabled) then an employee may be able to use their right to take parental leave if eligible. [See the policy on parental leave for further details].

Giving Notice to Take Leave

The employee must notify their manager as soon as possible of the reason for their absence or a need to leave the workplace if they are already at work. The employee will also need to inform and gain the agreement of their manager, as to the likely duration of their absence from work.

Terms of the Contract While on Leave

Employees will continue to benefit from all the terms and conditions of their contract of employment, with the exception of pay, during the period of emergency leave.

4. Statutory Sick Pay

Employees may be entitled to receive pay when they are absent from work due to sickness and when the employee's average earnings exceed the National Insurance Lower Earnings Limit. This is known as Statutory Sick Pay (SSP) and is paid out and administered by employers on behalf of the Government.

There are many requirements and conditions attached to payment of SSP both for the employee and employer. If employees are to receive their entitlement, the following rules and procedures together with those set out in the procedure for absence notification must be adhered to.

NOTIFICATION

An employee can self-certificate their sick absence for the first 7 days of absence from work by completing Form SC2. From the 8th day of absence, the employee is required to provide a Doctor's or Hospital Certificate. Alternative arrangements exist for individuals impacted by the Coronavirus Emergency. If you believe that you have contracted Coronavirus or you have been in close contact with somebody who has contracted the virus, we recommend that you contact NHS 111 line to obtain further advice at the earliest opportunity, not least to enable the Department of Health keep accurate statistical records of the spread of the infection. You will need to notify us if you will not be able to work because you have been advised to self-isolate and send on any certificate that is provided to you. If as a result of a Coronavirus outbreak your workplace has been closed and you have been advised to self-isolate, please provide us with written evidence from a suitable manager to confirm that this is the case.

It is important to remember that no payment of SSP can be made for any intervals of sickness absence not covered by at least one of the above certificates.

WHEN SSP IS PAYABLE

SSP is normally only paid for a day or days an employee is contractually due to work. For example, if an employee works Monday to Friday and not at weekends, SSP will normally apply to those 5 days.

For Coronavirus (COVID-19) sickness and/or self-isolation periods SSP will be paid from day 1 of your illness or self-isolation period. For any other periods of incapacitation SSP cannot be paid for the first 3 days of sick leave; therefore, payment starts on the 4th day. Payment continues for as long as the employee is absent up to a maximum of 28 weeks in any one period of sickness. However, if an employee is absent due to sickness within 8 weeks of a previous period of sickness and providing both periods of absence are for 4 consecutive working days or more, SSP will be paid from the start of the second period of absence.

WHEN SSP IS NOT PAYABLE

SSP is not payable in certain circumstances, the principal ones being:

- once employment has terminated; and
- where Statutory Maternity Pay is being paid.

IMPORTANT

Where any employee has been absent due to sickness and is found not to have been genuinely ill, this conduct will be viewed as a deliberate attempt to falsely claim payment of either SSP or additional pay and will be subject to action under the disciplinary and dismissal procedure.

5. Payment During Sickness Absence

Where an employee is absent due to sickness, the Company may authorise at its total discretion, an additional benefit over and above any entitlement to Statutory Sick Pay (SSP).

In determining whether to authorise any payments in excess of SSP, absence records occurring during the twelve months immediately preceding the first day of a further period of absence, will be taken into account although exceptions may be made for maternity or disability related absence.

Other Conditions

All payments made include SSP and to qualify for and benefit from SSP payments, employees are required to adhere to the Company's full absence reporting procedures.

Where external sickness or industrial injury benefits are paid to an employee, such benefits must be advised to the Company and will be retrospectively deducted from the above payments.

At any time during employment, the Company reserves the right to require an employee to undertake a medical examination by a GP and/or Specialist appointed by the Company.

Employees who are absent due to sickness during the course of disciplinary proceedings or during investigations into alleged breaches of rules, procedures or contractual obligations will not be eligible for discretionary sickness benefit from the Company.

If an employee is absent from work due to injury or illness caused by a third party, any payments made by the Company as sickness benefit will be classed as a loan. This will be repayable to the Company by the employee if compensation for loss of earnings is recovered from the third party.

Eligibility for sickness benefit will not prevent the Company from terminating an individual's employment prior to the expiry of any discretionary payments or SSP.

6. Access to Medical Reports

In certain circumstances it may be necessary for the Company to obtain a Medical Report from an employee's Doctor/Specialist in order to establish:

- reason for and likely duration of absence;
- when the employee will be able to return to work, and whether the problem will recur;
- what, if any, treatment is being prescribed; and
- whether the employee can carry out all the duties of the job.

This will enable the Company to plan workloads. It is in the interests of both the employee and the Company to establish, with the benefit of expert medical opinion, the employee's ability to complete their full range of duties without risk to their welfare and safety.

Should it be necessary for the Company to seek a medical opinion from your GP, employees may have certain rights where the Access to Medical Reports Act 1988 applies.

Where the Company wish to obtain a medical report, employees will be asked for their written consent. Should an employee withhold such consent, the Company will take a decision regarding continuing employment without the benefit of medical opinion; which may place in jeopardy the employee's future employment.