This policy is a template and should be adapted to suit your organisational values, needs and requirements. You should check this policy is compliant with the law and your organisation’s governing document. No liability rests with SCVO.

Please contact the SCVO HR Service for advice if you have any questions relating to this policy template. If you are not a member of HR for Creatives or an HR service subscriber, we may still be able to help. Email hrservice@scvo.scot and we’ll get back to you within 48 hours.

**Other leave Policy**

Other leave is leave that is in addition to sick leave and annual leave (holidays and public holidays) entitlements.

The first part of this template includes the statutory entitlements to the following paid leave:

Maternity leave

Neo-natal care leave

Parental bereavement leave

Adoption leave

Paternity leave

Shared Parental leave

The statutory pay amounts have been included below.

Please note:

Employees (PAYE) are entitled to other types of leave, including time off for dependents and parental leave (see unpaid leave section below). There is no statutory requirement to pay for this type of leave. Employees also have the right to request time of for training and study (unpaid).

All employees are entitled to time off for jury duty.

There is no legal entitlement to time of to attend a medical appointment, but employers have a ‘duty of care’ and must do all they reasonably can to protect their employees' health, safety and wellbeing at work.

There is no statutory right to take a career break or sabbatical leave.

[delete this box and include the information below in your Leave Policy.]

**Paid leave**

**Maternity leave and pay**

If you become pregnant, you are entitled to 52 weeks’ maternity leave, regardless of your length of service. You are also entitled to reasonable time off on your full pay for antenatal appointments and care.

If you have 26 weeks’ service at the beginning of the 15th week before your baby is due (known as the Expected Week of Childbirth or EWC), you are entitled to maternity leave and pay as follows:

|  |  |
| --- | --- |
| **Length of service** | **Pay entitlement** |
| Less than 26 weeks’ service at 15th week before EWC | None, but Maternity Allowance may be payable |
| 26 weeks or over | 90% of your average weekly earnings for the first 6 weeks of leave. £172.48 per week, or 90% of your average weekly earnings, whichever is lower, for the following 33 weeks. |

If you take the full 52 weeks of leave, the last 13 weeks are unpaid.

You must tell your manager in writing about your pregnancy and the date you plan to start your maternity leave by the 15th week before your baby is due.

Apart from pay, all your other terms and conditions are the same during your maternity leave. For example, you are still entitled to annual leave, and you can carry forward your untaken annual leave into the next leave year. You might want to use this to extend your time off, or to come back to work on a phased basis.

Your employment is continuous and protected while you’re on maternity leave. You have the right to return to the same job, on the same terms and conditions. Where this is not reasonably practicable, you are entitled to return to a suitable and appropriate job on terms that are no less favourable.

**Neo-natal care leave**

From October 2024, parents with a responsibility for babies in neo-natal care will be able to take a maximum entitlement of 12 weeks off work. This is a day one right for eligible employees and is in addition to maternity/paternity leave. If eligible, employees are paid the same rate as maternity pay for this time.

**Miscarriage and stillbirth**

If you lose your baby after 24 weeks of pregnancy, you are entitled to the above leave and pay and to parental bereavement leave and pay. Time off to recover from a miscarriage earlier than 24 weeks into your pregnancy will be regarded as pregnancy-related sick leave and will not affect your absence record or employment.

**Adoption leave and pay**

If you are matched with a baby or child for adoption and have 26 weeks’ service, you are entitled to adoption leave and pay. Adoption leave and pay are available to single people who adopt and to one member of a couple in a joint adoption. How much paid time off you can take is dependent on your length of service with us.

|  |  |
| --- | --- |
| Length of service | Pay entitlement |
| Less than 26 weeks’ service at matching week | None, but Adoption Allowance may be payable |
| 26 weeks’ service and over | 90% of your average weekly earnings for the first 6 weeks. For the following 33 weeks, you get whichever is lower: £172.48 a week, or 90% of your average weekly earnings |

You will need to give us a copy of your matching certificate to confirm your adoption leave and pay.

You have the right to return to the same or similar role on your return from adoption leave, on terms that are no less favourable.

Adoption leave is available where a child is newly placed for adoption. It isn’t available for stepfamily adoptions or adoptions by a child’s existing foster carers.

**Paternity leave**

If your partner has a baby and you have 26 weeks’ continuous service with us at 15 weeks before the baby is due, you are entitled to 10 days' paid paternity leave. You must take the leave within the first year after birth and can be taken all at once, or in one week batches.

You need to fill in the form requesting paternity leave and give it to your line manager at least four weeks before you want to be off.

Despite its name, paternity leave is available to same sex couples, and it also applies to one member of an adopting couple.

**Shared parental leave**

Shared parental leave means couples can share maternity leave and pay. To qualify, you or your partner must be eligible for maternity pay or leave, maternity allowance or adoption pay or leave. And you need to have been employed continuously for at least 26 weeks by the end of the 15th week before the due date, or by the date you are matched with your adopted child.

**Parental bereavement leave**

Parents, including adoptive parents and stepparents who lose a child under the age of 18 or after 24 weeks’ pregnancy are entitled to 2 weeks’ bereavement leave. Parents, including adoptive parents and stepparents that have been continuously employed by us for at least 26 weeks will receive statutory parental bereavement pay.

Visit this webpage for more information about your statutory entitlement to parental bereavement leave <https://www.gov.uk/parental-bereavement-pay-leave>

**Other leave (unpaid)**

Employees are entitled to the following types of time off, but there is no statutory requirement to pay for this time off.

Carer’s leave

Time off for dependents

Parental leave

Other types of unpaid leave included in this template are:

Healthcare appointments

Public or civic duties

You can decide to pay for this type of leave and include how many paid days your team members are entitled to in your other leave policy.

**[delete this box and include the information below in your leave policy.]**

**Carer’s leave**

Employees with caring responsibilities can take up to one unpaid week per year to fulfil their caring responsibilities. You can take this leave flexibly, i.e. it does not have to be taken all at one time. To be eligible, you have to be a carer for a dependant with long term care needs. This could be a parent, spouse, close family member, someone who lives at the same address as you or an older child. Carers have this right from the first day of their employment. In order to take this time, you should provide a minimum notice period of 3 days, or double the amount of time you’ve requested, whichever is longer to you line manager.

**Time off for dependents**

You have the legal right to take time off work to deal with unexpected situations or emergencies involving your dependents. A dependent could be a spouse, partner, child, parent, or someone who relies on the employee for care. This time off is unpaid and is designed to support you to address immediate and unforeseen responsibilities, such as:

* helping a dependant who is ill, injured or assaulted
* taking a dependant to hospital when they go into labour unexpectedly
* a child's school unexpectedly closes
* a dependant dies

**Parental Leave**

You can use parental leave to take unpaid time off work to spend more time with your child or children and strike a better balance between your work and family commitments. Parental leave can be taken up to your child’s 18th birthday. You can take up to 18 weeks’ unpaid leave, up to a maximum of 4 weeks in any one year.

Employees must give 21 days’ notice before their intended start date. If they or their partner are having a baby or adopting, it’s 21 days before the week the baby or child is expected.

Employees must confirm the start and end dates in their notice. Unless your employer requests it, this doesn’t have to be in writing.

**Healthcare appointments**

When you have an appointment with your GP, dentist, optician or other healthcare service, you should firstly attempt to organise this outside of working hours. If this is not possible, you must speak to and agree the time off with your manager in advance.

There's no legal right to time off work for a medical appointment. However, employers have a 'duty of care'. This means they must do all they reasonably can to protect their employees' health, safety and wellbeing at work. Most employers will allow time off if an employee cannot rearrange their appointment. The time off might be unpaid. Medical appointments can include: doctors, hospital, dentist, appointments for mental health – for example counselling

[delete this box and include the information below this only if you want to include this type of leave in your policy]

**Public or civic duties**

You can request time off to take on a role that is considered a public or civic duty, like standing for election to a council, being a children’s panel member or being on the board of a public body. This type of leave is unpaid.

**Compassionate leave**

Employees are not entitled to compassionate leave but good employers offer this type of leave (paid or unpaid). This is in addition to time off for dependents and carer’s leave.

[delete this box and include the information below this only if you want to include this type of leave in your policy]

**Introduction**

We recognise the importance of supporting our employees during times of personal loss and bereavement. Compassionate leave is a special type of paid leave granted to employees who are dealing with the death or serious illness of a close family member or other significant personal circumstances. The purpose is to allow employees time off work, to make necessary arrangements, and grieve without the added stress of work responsibilities.

**Eligibility**

All employees of [Org Name] are eligible for compassionate leave.

**Types of events covered**

Death or serious illness of a close family member

Other exceptional personal circumstances (to be considered on a case-by-case basis).

[you can add other events]

Where an employee experiences the loss of a child under the age of 18, they will be entitled to take two weeks’ parental bereavement leave. Please read our separate policy on Parental Bereavement Leave for more information on this entitlement.

**Duration of Compassionate Leave**

Employees are entitled to up to [number] days of paid compassionate leave. This leave is separate from and in addition to any other leave entitlements.

**Requesting Compassionate Leave**

1. Employees should notify their immediate supervisor as soon as possible, providing details of the situation.

2. Wherever possible, the employee should provide an estimated duration for the leave.

3. In exceptional circumstances, additional leave may be granted upon request and discussion with the [e.g. senior manager / CEO / board member]

**Returning to work**

We understand that the return to work following compassionate leave can be challenging. Employees are encouraged to communicate their needs and work with their manager to ensure a smooth transition back into the workplace. Flexible working arrangements, phased returns and additional support will be considered on a case-by-case basis.