



Leave Policy

Emergency Time off for Dependents

Carer's Leave

Compassionate Leave

Pregnancy Bereavement

Parental Bereavement Leave

Unpaid Leave

Jury Service

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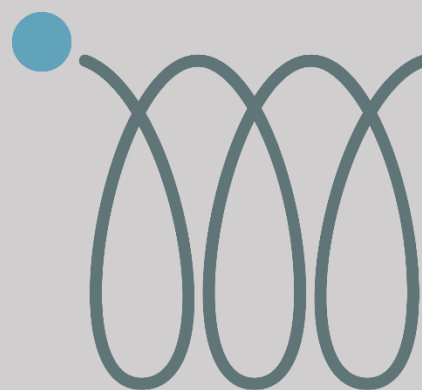
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Version	Revision Date	Revised by	Section Revised
1	04/19	HR Manager	Launched policy incorporating all policies relating to absence from work except for sickness.
2	04/21	HR Manager	Reformatted and section 5 added.
3	04/24	HR Advisor	Added section 4, 6 and 8

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1. Introduction

This document sets out the entitlement and procedures for Emergency Time off for Dependents, Parental Bereavement Leave, Compassionate Leave, Unpaid Leave and Jury Service.

This policy is entirely non-contractual and does not form part of an employee's contract of employment.

Throughout this policy, references to "the Company" mean I.M. Group Limited and/or your employer within the group of companies headed by I.M. Group Limited as appropriate.

2. Purpose

This policy is designed to communicate employees' statutory entitlement to unpaid Emergency Time off for Dependents under the Employment Relations Act 1999 and I.M. Group Limited's Compassionate and Unpaid Leave. It outlines the employee right to paid time off to attend jury service and the process that needs to be followed when an employee is called to jury service.

The policy applies to all staff employed by I.M. Group Limited, whether they work full or part-time. The Company implements the leave and pay rights set out in legislation.

3. Emergency Time off for Dependents

All employees have the right to time off during working hours for dependants which is to be used for **unforeseen** matters and **emergencies** from day one of their employment. Dependents can be defined as someone who relies on you for care or support. A 'Dependant' could be husband, wife or partner, child of any age, parent or someone living with you as part of your family. Ill or elderly neighbours that you provide care for are also defined as 'dependents' for the purpose of this policy. In most cases a day or two will be sufficient to deal with the immediate crisis, but it will depend on the individual circumstances.

An employee must call their line manager (or HR if the line manager is not available) as soon as they know they are unable to attend work and provide brief details of the situation. If the employee is informed of the emergency whilst at work, they must personally inform their manager (or HR) of the situation before they leave company premises. The employee must also provide an update of the situation and their intended duration of absence before the start of the next working day.

3.1 Payment for Emergency Time off for Dependents

Time off for Emergency Dependents leave is unpaid. The employee's line manager must enter the dates of absence onto Cascade under the absence category of 'Emergency Dependents Leave'.

The employee also has the option to make the time back if they prefer to not have time deducted from their salary. Paying back this time is not compulsory and should be agreed between the employee and their line manager within 3 working days from the date of the leave. The line manager must ensure that any Emergency Dependents Leave which has been worked back is clearly noted on Cascade to show it should be paid.

What would be defined as emergencies regarding dependents?

- A dependant is injured or assaulted
- A dependent is ill or gives birth
- You need to deal with a breakdown in care provision, such as a childminder failing to turn up, or to deal with an incident which occurs unexpectedly at school
- Your child's school or nursery is closed
- To put longer term care in place for children or elderly relatives

3.2 Recording Emergency Time off for Dependents

The employee must enter the dates of absence onto Cascade under the absence category of 'Emergency Dependents Leave'.

4. Carer's Leave

Under the Carer's Leave Act 2023, it is a day one right that employees can take up to 1 week of unpaid carer's leave every 12 months to give or arrange care for a dependent who needs long-term care. This leave is intended for planned and foreseen caring commitments, if the situation is urgent employees have the right to take a reasonable amount of time off to deal with an emergency, as outlined in Clause 2 - Emergency Time off for Dependents.

4.1 Long-term Care

A dependent has a long-term care need if they have any of the following:

- a disability as defined under the Equality Act 2010
- an illness or injury that is likely to need care for at least 3 months
- a care need related to old age

4.2 Taking carer's leave

Carer's leave can be taken as:

- half days – this is the minimum amount that can be taken
- full days
- a whole week

An employee is entitled to a period of leave that is equal to their usual working week. For example, if someone works 3 days a week, they can take 3 days of carer's leave.

An employee might need to care for more than one dependant. In these circumstances, they can still only take one week of carer's leave.

Employees must give their employer notice before the start of their leave. The minimum notice they must give will depend on how many days of leave they want to take.

Number of days requested	Minimum notice required
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice
6 days (if an employee works 6 days a week)	12 days' notice

The Company may ask employees to take their carer's leave at a different time if the absence would cause serious disruption to the organisation. A new date will be agreed within 1 month of the date that the leave was originally requested.

5. Compassionate Leave

The Company understands that the death or critical illness (which would result in them being admitted to hospital) of a close family member can be a very difficult experience. The Company provides its employees with five days paid compassionate leave, from day one of their employment, upon the death or critical illness of a:

- Spouse or partner
- Parent
- Grandparent
- Sibling
- Child (see clause 7 for further information)

Additional compassionate leave will be considered at the Company's discretion. There may be circumstances when the employee needs time-off for someone other than an immediate family member. Each request will be considered on an individual basis and may be granted at the Company's discretion. Please get in touch with a member of the HR team in relation to discretionary compassionate leave.

If Compassionate leave is not granted, leave must be recorded as unpaid leave or annual leave.

5.1 Requesting Compassionate Leave

An employee must call their line manager (or HR if your manager is not available) as soon as they know they are unable to attend work and provide brief details of the situation. If informed of the situation whilst at work, the employee must personally inform their manager (or HR) of the situation before they leave company premises. The employee must also provide an update of the situation and their intended duration of absence as soon as practically possible.

The employee must enter the dates of absence onto Cascade under the absence category of 'Compassionate Leave'.

5.2 Payment for Compassionate Leave

A maximum of five days shall be fully paid as long as the family members affected are stated in the list above or further to the discretion of the Company.

6. Pregnancy Bereavement

6.1 Baby loss before 24 weeks pregnant

If you suffer a miscarriage (before the 24th week of your pregnancy) there is no legal entitlement to maternity, paternity, or shared parental leave, or to statutory pay.

However, the company understands this will be a very difficult time for employees and is committed to providing support where possible. The company will provide employees who have suffered a miscarriage with five days paid compassionate leave, this is provided from day one of employment. Additional options for time off may include unpaid leave, use of holidays, or another agreement reached between the employee and the company at that time.

Employees are also able to use sick leave if they are too unwell to work due to a miscarriage. Employees can self-certify for 7 days, after which a fit note is required from the GP. Sick leave due to a miscarriage is protected in the same way as sick leave for pregnancy related illnesses and would not count towards an employee's Bradford factor score.

6.2 Baby loss 24 weeks pregnant and later

If a child is stillborn after 24 weeks of pregnancy, the birth mother is entitled to up to 52 weeks of statutory maternity leave/pay, the birth father, partner or adopter is entitled to 2 weeks of statutory paternity leave/pay.

You are entitled to statutory pay if your baby was stillborn (delivered after the end of the 24th week of pregnancy), or your baby was born alive and did not survive, and:

- You have been employed by the same employer for at least 26 weeks by the end of the 15th week before your expected week of childbirth. If your baby was born prematurely but did not survive or your baby was stillborn before the 15th week before your expected week of childbirth you can still qualify for SMP if you would have continued to have been employed up to the 15th week before the EWC.
- You are still employed in the same job in all or part of the 15th week before your expected week of childbirth. You are still counted as being employed if you work full-time or part-time or if you are absent on annual leave, sick leave or furlough or you are an agency worker, and no work was available that week.
- You receive the legal minimum earnings stated on the Gov.UK website per week in earnings, on average in the eight weeks (if you are paid weekly) or two months (if you are paid monthly) up to the last pay day before the end of the 15th week before your baby is due. If your baby was born prematurely but did not survive or your baby was stillborn before the 15th week before your expected week of childbirth, your employer must use your average earnings for the previous eight weeks.

Employees who are already on maternity leave do not have to take any action. However, if the birth happened before you intended to start maternity leave, or before you gave notice of maternity leave, your maternity leave will start the day after the birth. Employees should notify the HR department as soon as possible in these instances.

Additionally, both parents will be entitled to 2 weeks of parental bereavement leave after they finish their pregnancy bereavement leave.

7. Parental Bereavement Leave

Parental bereavement leave applies to employees who have experienced any of the following on or after 6th April 2020:

- Have experienced the death of a child before the age of 18,
- A child who is stillborn after 24 weeks of pregnancy,
- An abortion after 24 weeks due to the risks associated with the pregnancy.

This applies to the following:

- Biological parent
- Adoptive parent, if the child was living with them

- Person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'Intended parent' – due to become the legal parent through surrogacy
- Partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Statutory Parental Bereavement Leave can be taken in the 56 weeks following the child's death. An employee can choose to take either 1 or 2 weeks' leave, it is not available to be taken as individual days. If an employee takes 2 weeks, this can be taken in one go, or as 2 separate weeks. The leave must end within 56 weeks of the child's death. The date of the child's death is the first day of the 56 weeks.

An employee must tell their line manager or a member of the HR team as soon as reasonably possible. If the employee is taking their leave within 8 weeks of their child dying, an employee can start their leave as soon as they give notice. The notice does not have to be in writing. If the leave will be taken more than 8 weeks after their child died, the employee must give their line manager 1 weeks' notice.

7.2 Payment for Parental Bereavement Leave

Employees are entitled to 2 weeks' Statutory Parental Bereavement Pay as a minimum however additional pay will be considered at the company's discretion.

The requirements for payment are:

- Their child dies under the age of 18 or is stillborn after 24 weeks of pregnancy
- They were employed when their child died
- They'd worked for their employer for at least 26 weeks, on the Saturday before the child's death
- They earn on average at least £120 per week, before tax

However, this will be monitored on a case-by-case basis.

7.2 Employee Support

We understand that this will be an incredible difficult time for any employee, and we want to ensure we give you the support that you need. All staff have access to their own private Mente platform. It's available 24 hours a day, 7 days a week, from any device and browser. Here you will be able to find resources to support you through this difficult time. You can find the platform [here](#) - if you do not know your login you can click 'Forgot Password?' before entering in your work email and requesting a new password. If this does not work, please let a member of the HR Team know. You can also contact Mente directly at support@mente.co.uk.

We also have our Employee Assistance Helpline for you to call 24/7 if you are in need of guidance or advice on 0330 123 0124 (option 3).

You can also contact a member of the HR team in confidence.

8. Unpaid Leave

Where an employee requires time off, perhaps at short notice to attend to a personal/family/unforeseen situation that doesn't qualify for Compassionate Leave or Emergency Time off for Dependents, a line manager may grant unpaid leave.

A line manager is responsible for taking full details of the reason why the employee is requesting unpaid leave before approving leave.

An employee is eligible to take unpaid leave from day one of their employment.

The employee's time off shall be deducted from the current or following month's salary (depending on the date of the unpaid leave)

9. Attending Jury Service

If an employee is called for jury service, you are automatically allowed time off to attend. If the employee's absence to attend jury service will cause damage to the business, we may ask courts for the jury service to be delayed.

Once jury service dates have been agreed by the court, the employee must enter the dates onto Cascade under the absence category of 'Jury Service'

9.1 Payment during jury service

Under Section 29 of the Juries Act 1976 where an employee has been selected for jury duty, the Company has an obligation to release the employee from work.

The employee's daily pay rate is calculated prior to them attending court - this figure is used by HMCS to pay the individuals for the actual days they attend court on jury service. After the jury service has been completed the individual should supply the HR team with a copy of the document showing the value reclaimed from HMCS. A net deduction is then made for this amount from the employee's next monthly pay.