



Leave, Toil & Flexible Working Policy

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A charitable company limited by guarantee registered in Scotland No. 165677
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Company Secretary Catherine Hughson
Recognised by the Inland Revenue as a Scottish Charity - No. SCO 17286

Voluntary Action Shetland

LEAVE, TOIL AND FLEXIBLE WORKING POLICY

ANNUAL LEAVE POLICY

Annual Leave for all full time staff is 33 days plus the six statutory Public Holidays.

Staff contracted on a part-time basis will have their annual leave calculated pro rata on their contracted hours of work.

Requests for annual leave must be approved by the Executive Officer.

Project team members may not be permitted to take annual leave at the same time. Approval will be subject to operational requirements and adequate staff cover.

Holidays must be taken before 31st December in a given year. A maximum of five days can be carried forward subject to Management Board approval.

PROCEDURE FOR REQUESTING ANNUAL LEAVE AND TOIL

At the beginning of each leave year or when employment commences you will be issued with a new Annual Leave and TOIL card. This will state your holiday entitlement for the year.

Requests for annual leave and TOIL must be requested through this card.

The Executive Officer will authorise your annual leave card, provided there is adequate staff cover and the appropriate time has been given to consider the request.

Once authorised a note of the dates will be made in the master file which is kept by the Team Leader.

The annual leave card will then be passed back to the employee for safekeeping.

Holidays over a period of 7 days must be notified to the Executive Officer with a minimum of 2 weeks notice, staff should in all cases provide appropriate notice, and failure to do so may result in the annual leave being denied.

Statutory Public Holidays are 25 & 26 Dec, 1 & 2 Jan, Up Helly Aa Wednesday

and Easter Monday.

TIME OFF IN LIEU

Time off in lieu (TOIL) is given to staff who attend meetings over and above their contracted hours. Travel time to meetings on mainland Scotland out with normal working hours may be claimed as TOIL.

Requests for TOIL should be treated in the same way as requests for annual leave. Staff are required to complete the TOIL record form.

An example of a claim for TOIL in respect of travel would be: - if you must leave Shetland on a Sunday to attend a Monday morning meeting in Edinburgh, you would claim from the time you leave home until you arrive at your hotel provided these hours would have been your usual daily working hours.

Minimum TOIL for all meetings is 1 hour. After one hour, the actual length of meeting should be recorded, rounded to the nearest quarter of an hour if required. TOIL should be taken within one month of TOIL occurring wherever possible and must be authorised by the Executive Officer or Team Leader via the TOIL Form.

Corporate events attended on behalf of VAS can also be claimed as TOIL. If there is any doubt whether any event is eligible for TOIL guidance should be sought from Executive Officer or Team Leader.

TOIL will be granted where there is adequate staff cover. The total of TOIL that staff will be allowed to carry over each month is 14 hours. During a calendar month staff will be allowed to use their TOIL either to have 2 whole days leave or 4 half days leave.

TOIL should not be confused with flexible working – TOIL is to be used for attendance at **meetings and corporate events** and Flexible working is a prior arrangement to work contracted hours at times different to normal 9 to 5 working hours.

FLEXIBLE WORKING

Who has the right to request flexible working?

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly provided they have worked for their employer for 26 weeks continuously at the date the application is made. An employee can only make one statutory request in any 12 month period.

This means any employee including, but not restricted to, the parents of children under 17 or 18 in the case of parents of disabled children, or to any employee caring for an adult has the right to request flexible working for any reason.

VAS will consider any request carefully looking at the benefits of the requested changes in working conditions for the employee and VAS and weigh up these against any adverse impact of implementing the changes. VAS is under no statutory obligation to grant a request if it cannot be accommodated due to:

- The burden of any additional costs
- An inability to reorganise work among existing staff
- Inability to recruit additional staff
- VAS considers the change will have a detrimental impact on service delivery

A request must be made in writing to the Executive Officer stating:

- The date of the application, the change to working conditions you are seeking and when you would like the change to come into effect
- What effect you think the change will have on VAS and how, in your opinion, any such effect might be dealt with
- That this is a statutory request and if they have made a previous application for flexible working and the date of that application

Flexible working must be approved by the Executive Officer.

COMPASSIONATE LEAVE

The Executive Officer may agree in special circumstances the discretionary granting of compassionate leave. The granting of such leave is always subject to current work demands.

Staff may apply for Compassionate Leave if they need to be absent from work in circumstances not covered by the provisions for sick leave or annual leave. Compassionate leave is not an entitlement but applications will be sympathetically considered in the light of individual circumstances. Staff must complete a Compassionate Leave Request Form and submit to the Executive Officer for approval.

Illness of a Partner, Relative or Dependant

Compassionate leave of up to five days could be granted to help staff cope with the illness of a partner, close relative or dependant. Compassionate leave should be allowed in order to deal with the initial emergency but not for providing long-term nursing care. If leave is required to attend someone who is seriously

ill either at home or in hospital, supporting medical evidence (if obtainable) should be produced as soon as practicable.

Where longer-term nursing is required, compassionate leave with pay may be extended by up to a further 5 days leave to enable staff to make suitable arrangements.

Partner, Relative or Dependant in Hospital

Although there may be exceptional cases, compassionate leave is not normally intended to cover cases where a partner, relative or dependant is in hospital. Special consideration should however be given to an application where, for example:

- A young child is admitted to hospital, parental presence is called for and assistance is required with other family members.
- In cases involving critical or terminal illness.

Care of a Partner, Relative or Dependant on Discharge from Hospital

Compassionate leave may be granted to allow staff to look after a partner, close relative or dependant to allow after-care immediately following discharge from hospital. This should allow staff to make arrangements for more permanent after-care.

Bereavement

Applications for compassionate leave with pay for bereavement will be dealt with promptly and sympathetically.

Staff may be granted up to 5 days leave (with a minimum of 2 days leave) for the death of:

- A spouse/partner with whom the member of staff lives.
- A father, mother, brother, sister or child.
- A stepfather, stepmother, stepbrother, stepsister or stepchild.
- A father-in-law, mother-in-law, son-in-law or daughter-in-law.

Other factors

- The person concerned acts as the executor of the estate.

- The deceased normally resided with them.
- There is no one else who could reasonably be expected to take charge of the funeral arrangements.

In cases of exceptional hardship, for example, where long distances (out with Shetland) or difficult journeys are involved, up to two additional days may be granted.

SPECIAL LEAVE

The Executive Officer may agree, in special circumstances, the discretionary granting of special leave. The granting of such leave is always subject to the current work demands and the nature of the individual case.

Public Duties: Paid leave of absence will be granted for employees undertaking jury service and paid leave of absence, with the approval of the Executive Officer of Voluntary Action Shetland, will be granted to employees serving on public bodies or undertaking public duties.

Health: Employees will be entitled to take such reasonable time off without loss of pay as is required for the purpose of preventative medical examination.

Funerals: 0.5 to 1 day may be allowed at the discretion of the Executive Officer.