



# Managing Absence: Policy and Procedure

- Absence relating to Sickness.
- Absence relating to Annual Leave Entitlement.
- Absence related to Time Off In Lieu (TOIL).
- Absence for Compassionate Leave.
- Absence for Public Duties.

Version 1.8: June 2025

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#### Policy History, Development, and Version Control

Date	Comments
Absence Policy - Version 1.0 - 22nd March 2011 to version 1.4 - January 2018	Final original version completed by Karen Stagg, DCC HR Solutions, Devon. Reviews and updates applied by Richard Vain, HR Advisor (HR ONE). Further reviews by Emma Gill and Karen Stagg, HR Advisors (HR ONE).
Version 1.5 (Absence Policy) - 14 <sup>th</sup> November 2023 to version 1.6 - 13 <sup>th</sup> December 2023	Reviewed by DCO Clark & CO Mander (D&S IFCA)
Compassionate Leave Policy – 06/06/2007 to 01/11/2019	Original (separate) policy developed, with subsequent reviews and amendments by HR Direct (Devon County Council).
Version 1.7 (1 <sup>st</sup> September 2024)	Review and merging of separate policy by N. Townsend and internal review of content by D&S IFCA officers, prior to presentation to Authority Members.
Version 1.8 ( June 2025)	Review following presentation of V1.7 to Full Authority meeting in September 2024 and seeking HR advice. Document with suggested amendments presented to Authority Members on 19 <sup>th</sup> June 2025.

## 1. Policy and Scope

This policy applies to all employees of Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA). This policy, and others merged into it, were originally prepared by external service providers, including HR One and HR Direct (Devon County Council). This policy has been further developed by D&S IFCA officers.

D&S IFCA values the contribution of its staff in the delivery and maintenance of quality services. Whilst recognising that employees may be prevented from attending work due to a range of circumstances, D&S IFCA has a duty to maintain service delivery and minimise disruption. D&S IFCA is therefore, committed to managing attendance and absence, for a range of circumstances.

This policy sets out how D&S IFCA will:

1. Manage absence relating to sickness and ill health.
2. Manage absence for annual leave entitlement.
3. Manage absence related to time off in lieu.
4. Manage absence for compassionate leave.
5. Manage absence for a range of public duties.

### What is not included:

This policy does not extend to leave or absence relating to maternity set out in additional policy including:

- Maternity, Adoption and Paternity Policy
- Shared Parental Leave Policy

## 2. Principles

- a) All employees will be committed to this policy and are responsible for ensuring that it is effective.
- b) D&S IFCA is committed to equality in its policy. The conditions in different sections of this policy this will not disadvantage any employee on the grounds of age, race or ethnicity, disability, gender and marital status, gender identity or sexual orientation.
- c) Good attendance is valued, and all opportunities should be taken to acknowledge and recognise such attendance.
- d) Matters raised relating to an employee's attendance do not imply any distrust of staff or concerns regarding their conduct.
- e) All cases will be dealt with sensitively and supportively.
- f) If applicable, at all formal stages the employee will have the right to be accompanied by a trade union representative or appropriate work colleague not acting in a legal capacity.
- g) Where it is evident that the provisions set out in this policy are being abused, appropriate action will be taken, which could include disciplinary action.
- h) Confidentiality will be maintained where this is appropriate.
- i) The employee must take all reasonable steps to attend any required meetings relating to their absence and adhere to the policy and procedure.
- j) The time limits referred to in the procedure sections should normally be adhered to but may be varied by mutual agreement.
- k) Records will be kept of the actions and outcomes of the relevant procedures and retained confidentially in accordance with the General Data Protection Regulations.

## 3. Absence for Sickness

### 3.1 Sick Pay Entitlement

- a) D&S IFCA pays contractual sick pay to eligible employees. Entitlement to sickness allowance when absent owing to illness is:-
  - During first year of service - one month's full pay and (after four months' service) two months' half pay
  - During second year of service - two months' full pay and two months' half pay
  - During third year of service - four months' full pay and four months' half pay
  - During fourth and fifth years of service - five months' full pay and five months' half pay
  - After five years' service - six months' full pay and six months' half pay.
- b) Further guidance on eligibility and payment is available from the Chief Officer or the Finance and Administration Manager and is set out within an employee's individual statement of particulars.

### 3.2 Authority to Act

- a) The following will have the authority to hold Case Review Hearings in relation to the procedure set out in Section 3.3.9:
  - The Chief Officer in the case of all employees at or below senior management level;
  - The Chair or Vice Chair of D&S IFCA in the case of action against the Chief Officer.
- b) The following will deal with issues at the appeal stage:
  - In the case of decisions made by the Chief Officer, appeals will be heard by the Chair or Vice Chair of D&S IFCA;
  - In the case of decisions made by the Chair or Vice Chair of D&S IFCA, appeals will be heard by a panel of Authority Members who have not had any previous involvement in the situation.

## 3.3 Procedure

### 3.3.1 Notifying Absence

- a) The employee must notify the Finance and Administration Manager (F&AM) by telephone as soon as possible and by 10am on the first working day of absence
- b) If the F&AM is not contactable, the employee should report their absence to the Chief Officer, and if the Chief Officer is not contactable, their Line Manager.
- c) Exceptionally, if the employee is unable to telephone in person, they must arrange for someone else to telephone on their behalf. The employee must then make direct contact by phone as soon as possible thereafter.
- d) The employee must provide the F&AM with details of their illness or injury, their anticipated length of absence and any work commitments that may need rearranging.
- e) If an employee has a planned operation that will lead to a period of absence, they should notify the F&AM as soon as the date is known and provide notice of the anticipated period of absence.
- f) The F&AM will record the absence and notify the employee's line manager and all employees of the employee's absence.
- g) If the employee believes that their absence may have been caused by something that happened at work, they should inform the Health and Safety Duty Holder of this and arrange for an Accident Report Form to be completed.
- h) The F&AM should ensure that a Sickness Report on iTrent is completed, and arrangements are made for the payment of sick pay during the period of absence.

### **3.3.2 Certification**

- a) The employee must complete a Sickness Report on iTrent, in consultation with the F&AM. If the absence is for less than seven days including weekends, the Sickness Report can be completed upon the return to work. However, if the absence continues for longer, the Sickness Report should be completed remotely on-line by the employee or completed by the F&AM and confirmed by the employee at the earliest opportunity.
- b) If the employee continues to be absent for more than seven consecutive days (regardless of whether or not these are working days), they must consult a Doctor and obtain a Fit Note (also known as a Sick Note), which must be forwarded immediately to the F&AM.
- c) Where there is continuing sickness absence the employee must submit, to the F&AM, concurrent medical certificates to cover the whole period of absence.
- d) The F&AM must ensure that certificates are recorded on the Sickness Report on iTrent, placed on the employee's personnel file, arrangements are made for the accurate payment of sick pay and for the recording of the absence.
- e) Exceptionally, if the Chief Officer is concerned at the frequency of an employee's absence, or their account of their reasons for absence, the employee may be required to submit Doctor's Fit Notes, rather than self-certificates, from their first day of absence. In such cases D&S IFCA will meet the cost of any fee charged.

### **3.3.3 Statement of Fitness to Work or 'Fit Note'**

- a) Where the doctor gives the employee, a Fit Note, suggesting ways of helping the employee back to work the Chief Officer, in consultation with the line manager, will give consideration to this. This may include agreeing a phased return to work, altered hours, amended duties or workplace adaptations. In every case the needs of the employee will need to be balanced with the needs of D&S IFCA.
- b) The doctor will indicate on the Fit Note whether they need to see the employee again before they return to work. If this is not the case, then an employee does not need to be fully fit to return to work and there is no requirement to be signed back to work by a doctor. If the employee feels able to return to work before the end of the statement period, then, with agreement from D&S IFCA, there is no requirement to wait until the end of the statement period for them to do so.
- c) Where D&S IFCA makes the adjustments suggested by the Fit Note for the employee's return to work and no agreement can be reached with the employee to return to work, the advice of an occupational health specialist will be sought. If it is the view of an occupational health specialist that appropriate adjustments have been made and still the employee refuses to return to work, a case review hearing will be held.
- d) If the D&S IFCA is unable to make the adjustments recommended by the Fit Note, having considered them carefully, the employee must be advised, and the advice of an occupational health specialist must be sought. The employee is unable to return to work in these circumstances.
- e) An employee who falls sick during the course of annual leave shall be regarded as being on sick leave from the date of a doctor's Fit Note.

### **3.3.4 Maintaining Contact**

- a) The employee and Chief Officer should maintain regular contact during sickness absence. This may initially be via telephone but later (and certainly before any medical referral or further action is taken) the Chief Officer should arrange to meet with the employee at a mutually convenient time/location.
- b) The Chief Officer will update the F&AM on the employee sickness absence status.
- c) If the employee is unable to maintain contact, they must nominate a third Party to undertake this function.

### 3.3.5 Monitoring Sickness Absence Levels

- a) The F&AM will maintain records of sickness absence.
- b) The Chief Officer will monitor sickness absence levels and take further action as necessary when trigger points (section 3.3.7 and 3.3.14 – Bradford Factor Score) are reached and/or where there are concerns about an employee's absence levels.
- c) Employees have the right to view their sickness absence record held by D&S IFCA .

### 3.3.6 Return to Work

- a) Upon return to work following any sickness absence in excess of five days, the Chief Officer should arrange to meet privately with the employee, ideally during the first day back or at least within three days of the return to work.
- b) The purpose of the meeting will be to welcome the employee back to work, ensure that there is an accurate record of the absence and appropriate certification, update the employee on work issues and discuss any further action and/or support that might be appropriate.
- c) A record of the meeting should be made on the **Return-to-Work Form** (available on D&S IFCA's shared server) and placed on the personnel file, with a copy to the employee.

### 3.3.7 Dealing with Frequent Short-Term Absence

- a) Where an individual's absence level meets one of the following trigger points, the Chief Officer will review the absence levels with the employee:
  - Three or more instances of sickness absence in any three-month period
  - Six or more instances of sickness absences in any twelve-month period
  - Eight or more days sickness absence within any twelve-month period
  - Any other recurring recognisable patterns, such as frequent absenteeism on a Friday or Monday.

The Bradford Absence Score may be applied to the number of sickness absence days an employee takes. This is an absence orientated KPI which calculates potential disruption factors relating to individual absences (see Section 3.3.14)

- b) A first review meeting will be held with the employee to discuss the absence record, explore the reasons for absence, identify areas for support, review/update the risk assessment, set targets for improvement and clarify what further action may be taken if improvement targets are not met.
- c) The following outcomes may be agreed:
  - The employee may be required to submit a Fit Note from their Doctor for every instance of absence.
  - Medical advice may be sought.
  - Other support mechanisms may be identified and implemented.
  - Reasonable adjustments such as changes to the workload, work practices or work pattern or the possibility of redeployment may be identified.
  - The employee will be advised if their absence continues to be unsustainable this could result in a Case Review Hearing to review their continuing employment, and one outcome may be their dismissal from service.
  - A second review meeting will be arranged to review progress in 6 – 12 weeks' time.
- d) The Chief Officer will write to the employee within five working days of the meeting, confirming the points discussed and actions agreed. A copy of this letter should be placed on the personnel file.

- e) If there is an insufficient improvement in the employee's sickness absence record, a second review meeting will be held by the Chief Officer. This review meeting will reaffirm the issues discussed at previous reviews, identify support provided to the employee and what further support may be appropriate, set targets for improvement and warn of the consequences of no improvement. The employee will again be advised that if their absence continues to be unsustainable this may result in a Case Review Hearing to review their continuing employment, and one outcome may be their dismissal from service.
- f) The Chief Officer will write to the employee within five working days of the further review meeting, confirming the points discussed and actions agreed. A copy of this letter should be placed on the personnel file.
- g) If the level of absence has reduced, the employee will be advised that if they exceed any of the trigger points again within the following 12 months from the last day of absence, the process will recommence at the Second Review Meeting stage.
- h) If there is insufficient improvement following the second review meeting, the Chief Officer will consider referring the matter to a Case Review Hearing.

### **3.3.8 Dealing with Long -Term Absence (for sickness)**

- a) Absences over 28 days' duration for sickness or health reasons are considered long-term sickness.
- b) The Chief Officer should arrange to meet with the employee on a regular basis, at a mutually agreed time in order to keep up to date with progress, identify areas for support and determine whether any other actions should be taken. A trade union or appropriate work colleague may accompany the employee.
- c) Where it is evident that an absence is to continue for more than one-month, medical advice may be sought. This is a guide only and depending on the circumstances medical referral may be earlier or later than the one-month period. The purpose of gaining medical advice will be to provide an indication of the likely duration of the employee's absence and whether any steps can be taken to help the employee to return to work.
- d) Depending upon the medical advice received, one or more of the following actions may be taken:
  - Review periods may be set, with further medical advice obtained if required;
  - Reasonable adjustments such as changes to the workload, work practices or work pattern may be identified and implemented, either as part of phasing the employee back to work or on a more permanent basis;
  - Other support mechanisms may be identified and implemented;
  - Redeployment may be pursued;
  - The employee will be advised that if their absence continues to be unsustainable this may result in a Case Review Hearing to review their continuing employment, and one outcome may be their dismissal from service on the grounds of capability due to ill health.
- e) Any actions being contemplated will be discussed with the employee and their representative, if applicable, before any final decisions are made.



### 3.3.9 Case Review Hearings

- a) Advice will be sought from Devon County Council's HR department if a case review hearing is being considered.
- b) Where there are continuing concerns regarding short-term absences and previous review meetings have been held, or where a long-term period of absence is continuing and options to enable the employee to remain in employment have been unsuccessful, the employee may be asked to attend a Case Review Hearing.
- c) The purpose of the Case Review Hearing will be to consider whether there are any further actions that D&S IFCA can take to assist the employee in continuing their employment or whether employment should be terminated due to the employee's incapability to undertake their duties effectively because of ill health.
- d) The employee will be given at least five working days written notice of the intention to hold a Case Review Hearing.
- e) The employee and/or their representative will be given the opportunity to state their case.
- f) Others involved in the employee's case, such as the line manager, will also be asked to provide information on what actions have been taken.
- g) Once the evidence has been heard the Chair, Vice-Chair or Authority Panel will need to determine whether:
  - employment should be terminated on the grounds of capability.
  - the employee should be given a further period of time to improve and if this is the case, the employee should be formally warned that failure to improve within the timescale could lead to a further Case Review Hearing being held and decisions being made about continuing employment.
  - the employee's attendance and health has improved to a sufficient level to cease operation of the Sickness Absence Management Procedure. If this is the case, the employee should be informed that should attendance and/or health deteriorate again the Chair, Vice-Chair or Authority Panel reserves the right to reinstate the procedure at the current stage.
- h) When reaching a decision about whether or not to terminate employment, the Chair, Vice-Chair or Authority Panel will consider issues such as:
  - the need for the work to be undertaken.
  - the impact of the employee's absence and ill health on other employees and service delivery
  - the employee's absence record
  - whether the employee has been warned that failure to improve attendance could lead to decisions being made about continuing employment
  - financial and cost implications
  - representations made by the employee and/or their representative.
  - reasonable adjustments to enable the employee to remain in or return to employment.
  - the medical advice received.

This list (above) is not exhaustive, and the weight attached to each will depend upon the circumstances of the case, whilst balancing the needs of the employee and of D&S IFCA.

- i) The employee will be informed of the decision and this decision will be confirmed in writing within five working days. Where a decision to dismiss has been made, the letter will also inform the employee of notice of termination of employment.
- j) Where decisions are made regarding termination of employment, the employee will have the right of appeal against the decision.

### **3.3.10 Right of Appeal**

- a) Where decisions are made to terminate employment on the grounds of ill health the employee has the right of appeal.
- b) In order to exercise this right, the employee must write to the Chair, Vice-Chair or Authority Panel within five working days of receipt of the written notice of termination of employment. In their letter, the employee must state their grounds of appeal.
- c) The appeal should be held with unreasonable delay. A minimum of 5 days' notice will be given to allow for preparation.
- d) A trade union or other representative may accompany the employee at the appeal hearing.
- e) During the appeal hearing, both D&S IFCA and the employee will have the opportunity to state their case and provide any documentary evidence.
- f) The appeal panel will communicate their decision in writing, within five working days of holding the appeal.
- g) The decision of the appeal panel is final within D&S IFCA's internal procedures.

### **3.3.11 Ill Health which does not lead to absence from work**

There may be occasions where an employee is suffering from ill health, but this does not lead to the employee being absent from work. If the employee believes that their ill health is impacting upon their ability to undertake their job, they should raise this with the Chief Officer. Reasonable adjustments such as changes to the workload, work practices or work pattern may be identified and implemented, either as part of phasing the employee back to work or on a more permanent basis. Other support mechanisms may be identified and implemented.

There may also be occasions where the line manager or Chief Officer is concerned about the employee's health impacting upon the workplace. In this scenario, the Chief Officer should:

- a) discuss the matter confidentially with the employee; and
- b) review the workplace risk assessment; and
- c) discuss whether any additional support can be provided to the employee to support them at work.

Depending on the circumstances, it may also be helpful to seek medical advice.

### **3.3.12 Medical Referral**

- a) In certain circumstances D&S IFCA may decide to seek medical advice before making a decision about whether any further action should be taken.
- b) A medical report may be sought from either the employee's GP or an independent medical advisor.
- c) The decision to seek medical advice will be discussed with the employee prior to any referral.
- d) The employee will be made aware of their rights under the Access to Medical Reports Act 1988.

### **3.3.13 Special Circumstances**

- a) Where an employee, due to special circumstances, such as an ongoing period of sickness, continues to be unable to attend a case review hearing, D&S IFCA may, at its discretion, propose adjusting the standard managing absence procedure.
- b) The ill health of an employee will not usually be a ground for abandoning any ongoing managing absence procedures. Therefore, in circumstances where absence is ongoing, it appears that the employee is likely to remain off sick for an extended period and the employee indicates that they are not fit to participate in the process, D&S IFCA may require the employee to have an Occupational Health assessment. Depending on the outcome of this assessment D&S IFCA will consider whether

to take the measures set out below with a view to completing the process and ensuring effective participation of the employee in the process:

- using a neutral venue to hold the case review hearing in order to reduce any stress the employee may be experiencing as a result of the managing absence process.
  - adjusting timescales to ensure it meets the needs of the employee to participate, such as creating more breaks during the hearing or allowing more time prior to the meeting for the employee to consider and respond to the documents.
  - where it appears that an employee's ability to explain their case may be affected the organisation will consider any requests by the employee to be represented at the case review hearing by an appropriate work colleague or trade union official to fully explain their case
  - where an employee may struggle verbally to present their case, consideration will be given to the use of written submissions from the employee.
- c) D&S IFCA believes that, in the vast majority of cases, it should be possible by using any or all of the measures outlined above to conduct a fair process in which the employee fully participates. However, there may be exceptional circumstances when the employee will not be able to attend a case review hearing, whatever measures are taken. In such circumstances, D&S IFCA reserves the right to proceed with a case review hearing in the employee's absence. Where this is the case, the employee and their representative will be informed of the time and location and will remain free to attend. The representative will be free to attend, even if the employee is not present.

### 3.3.14 Bradford Factor Score

~~Many employers will look at average sick days taken in the UK for relevance. Other companies will use the~~ 'Bradford Factor Score'. ~~This is~~ an absence-oriented 'key performance indicator' (KPI) which calculates potential disruption factors relating to individual absences.

The Bradford formula is  $S^2 \times D = B$ .

- S stands for 'spells' which are absences over a set period.
- D is the total number of days of absence over the same period.
- B is the resulting Bradford factor.

For example, an employee recently became ill and was sick for 10 days straight. A different employee is relatively healthy but became ill in the same period, on four separate occasions, for 10 days. Their Bradford scores are calculated as:

$$1 (2) \times 10 = 20 \qquad 4 (2) \times 10 = 80$$

Between the two, the second employee has theoretically caused more disruption to the business because of their absence. An acceptable Bradford score is below two hundred; anything more warrants concern. For example, here is a breakdown of the scores and potential means of management:

- Under 50: A standard score for the average employee.
- Over 50: The initial step for basic monitoring.
- Over 100: Potentially the start of a habit that should be highlighted.
- Over 200: Further action may be required.
- Between 200 to 500: An issue has been flagged and must be addressed.
- Over 500: Potential grounds for disciplinary action, like warnings before a dismissal.

D&S IFCA recognises that no two Bradford scores are the same and that every situation is different. The scores are not an indicator for denying sick pay or leave rights. The Bradford Factor Score should be used to understand contributing factors to their absence and how ~~you~~the employee can address issues.

The Chief Officer will also take into account whether short-term absences are caused by symptoms or treatment relating to long-term illnesses. In these circumstances, the Chief Officer will consider disapplying the Bradford Score assessment.

## 4. Absence – Annual Leave Entitlement

### 4.1 Annual Leave - Overview

D&S IFCA's employees' contractual entitlement to annual leave differs to those set out in Devon County Council's Corporate Leave Policy (Version 11<sup>th</sup> May 2023), however no provisions set out in this section of the Managing Absence Policy have been constructed as providing rights less favourable than the statutory rights provided by employment legislation. The levels of annual leave entitlement, the rules, restrictions and process relating to annual leave entitlement is communicated to D&S IFCA employees in policy and within their own Statement of Particulars which can be updated as and when required.

### 4.2 Annual Leave – General Information

- a) The Annual Leave year runs from 1<sup>st</sup> April to 31<sup>st</sup> March for all D&S IFCA's employees. All employees must be encouraged to take their full entitlement.
- b) Annual leave and time off are managed on a fair and equitable basis.
- c) Any request for annual leave or time off should be given with a sufficient amount of notice.
- d) All requests should be made in accordance with D&S IFCA's procedure, including the use of I-Trent.

No reasonable request for annual leave will be refused unless the needs of the service require a certain staffing level to be maintained. Typically, Annual Leave is not expected to exceed 10 working days. Any requested for extended leave beyond 10 working days should be discussed and agreed with the Chief Officer.

### 4.3 Annual Leave Entitlement

D&S IFCA Annual Leave Entitlement (effective from implementation of this Policy)		
Basic	After each five years of continuous service at D&S IFCA	Maximum
<b>25 days</b> (excluding bank holidays)	<b>One</b> additional day awarded	<b>30 days</b> (excluding bank holidays)

#### Part Time Adjustments and Calculations:

For employees working part-time, D&S IFCA uses a part time leave calculator. The part-time leave calculator is available on D&S IFCA's shared files. The employees that work part-time will be informed prior to the start of each leave year what their annual leave entitlement expressed in hours that includes bank holiday entitlement.

## **4.4 Public and Bank Holiday Entitlement**

D&S IFCA's employees shall, irrespective of their length of service, be entitled to a holiday with a normal day's pay for each of the Public and Bank holidays that occur. When Christmas day or Boxing day occurs at the weekend, a substitute Public Holiday is allocated. The number of Public holidays that fall within 1<sup>st</sup> April and 31<sup>st</sup> March will vary and will depend on when Easter falls (this could mean that Easter occurs twice in one year; in April and then again in March). At the beginning of the leave year, iTrent will automatically deduct any Public and Bank Holidays that fall on your working days, in accordance with the working pattern held in iTrent.

## **4.5 Sickness and Annual Leave/Bank Holidays**

Where an employee falls ill during a period of scheduled annual leave, they will be required to get a Fit Note from the Doctor and regarded as being on Sick Leave from the date of the doctor's Fit Note. The employee must, in the first instant, telephone the F&AM and report the sickness as per the sickness notification procedures detailed in the relevant section of this policy. If the F&AM is not contactable the employee must contact the Chief Officer, and failing that, their Line Manager. Employees who are absent due to sickness on a Bank Holiday will not receive a day in lieu of that holiday.

## **4.5 Requesting Annual Leave during a Period of Sickness Absence**

Employees absent from work due to a sickness absence may request to take their annual leave and this should be recorded in iTrent in the normal way. The employee should continue to provide medical certificates for the duration of their annual leave if not already covered, and the employees' sickness absence record on iTrent should remain open despite the employee taking annual leave. The F&AM should contact Payroll to notify them of the exact dates (full or half days only) the employee is taking annual leave so that their pay can be adjusted accordingly for those dates. This is particularly important if the employee is on half or nil pay at the time that the annual leave is being taken to ensure that the employee is paid at the correct rate. Payroll will also adjust the sick pay entitlement for the relevant period to take into account the duration of the employee's annual leave. Please also note that any payment the employee receives in respect of annual leave during sickness will be the difference between their normal day's pay (not hourly rate as salary is divided equally over 12 months) and the sick pay being paid on the actual dates of annual leave. This means they will receive normal salary / full pay for the dates of annual leave.

## **4.6 Carrying Over Annual Leave**

A full-time employee may carry forward up to five days from one leave year to the next. Part time employees may carry forward up to the number of hours worked in a normal week.

Agreement must be reached as to when that leave can be taken but it must be taken before 31<sup>st</sup> August in the next leave year.

## **4.7 Other Considerations for Annual Leave**

### **Sickness Preventing the taking of Annual Leave**

If an employee is prevented from taking annual leave due to long term sickness absence, then they may carry forward up to 25 days basic annual leave into the next leave year. This will be pro-rata for part time

employees. In these circumstances, annual leave carried over should be taken within the leave year into which it has been carried. However, where this is not possible, leave carried over must be taken within a period of 15 months from the start of the leave year into which the carry-over is taken.

In order to calculate any entitlement to carry over, the number of bank holidays and annual leave taken within the leave year prior to going off sick must be offset against the basic annual leave entitlement. Where you have a contractual leave entitlement of more than the basic allowance you may carry forward up to five days as above.

### **Annual Leave when Employment Ends**

Payment for outstanding Annual Leave will only be made in exceptional circumstances where an employee leaves D&S IFCA and has been unable to take the full annual leave entitlement, e.g. ill health retirement. The Chief Officer will determine if the payment is appropriate. The F&AM will need to authorise any outstanding leave on the leavers form on iTrent.

### **Unpaid Leave**

Due to limited staff resources, requests for unpaid leave are unlikely to be approved. Employees must discuss a request for unpaid leave with the Chief Officer. The Chief Officer will assess potential impacts to D&S IFCA's operational requirements before deciding to grant or refuse the request. The Chief Officer would be required to discuss their own request for unpaid leave with the Chair of the Authority.

### **Leave of Absence – Additional Leave with Pay**

The Chief Officer may grant additional paid leave up to five days in exceptional circumstances, providing that the annual leave entitlement (and TOIL) that has accrued during paid employment in that leave year has already been exhausted. The additional paid leave will be recorded by the F&AM and I-Trent. The additional paid leave will be removed from the following year's entitlement.

### **Other Scenarios**

There are other scenarios relating to Annual Leave.

- Leave relating to maternity and paternity is covered in separate policy.
- Paid time off will be granted for employees to attend Government approved medial screening programmes Cancer Screening.

For scenarios not covered by this D&S IFCA Policy, such as Adoption Leave and Employees under Notice of Redundancy, the Chief Officer will gain advice from outsourced service providers such as Devon County Council HR support.

## **5. Absence – Time Off in Lieu**

### **5.1 TOIL Overview**

TOIL is to be used to manage Officers' hours and should be arranged with your Line Manager. A maximum of three days per month may be taken with a possible three days only being moved forward to the following month. If this is not possible due to exceptional circumstances, then arrangements to take forward more TOIL should be discussed with the Chief Officer.

## 6. Absence for Compassionate Leave

### 6.1 Entitlement

The Chief Officer may grant leave **with full pay** as follows:

Relative	Death	Sickness
Partner	Up to and including 5 days leave	Up to and including 5 days leave (half to be counted against annual leave)
Brother/Sister	Up to and including 5 days leave	Up to and including 5 days leave (half to be counted against annual leave)
Father/Mother	Up to and including 5 days leave	Up to and including 5 days leave (half to be counted against annual leave)
Son/Daughter	Up to and including 5 days leave	Up to and including 5 days leave (half to be counted against annual leave)
Partner's Father/Mother	Up to and including 5 days leave	Up to and including 5 days leave (half to be counted against annual leave)
Partner's Son/Daughter	Up to and including 5 days leave	Up to and including 5 days leave (half to be counted against annual leave)

#### Other Detail

- A partner does not have to be of the opposite sex and will include a civil partner.
- In the case of sickness of a relative listed above, leave will only be granted where the relative lives with the employee or lives alone.
- Leave may also be granted as above in respect of persons who are not related as above but occupy a similar position in the family.
- Up to 5 days' additional leave may be granted in any of the above circumstances.
- Annual leave related to sickness may be elected to be taken without pay.
- The Authority may review cases of financial hardship.
- In the case of the death or illness of a child, the emergency time off for dependents provisions may also apply. This should be discussed with the Chief Officer, if applicable.

**In addition to the minimum periods for bereavement or serious illness for close relatives named in the table above, the Chief Officer will consider whether it is appropriate for the employee to return to work and may use their discretion to extend the employee's compassionate leave for a further five working days without the need for the employee to be referred to a medical professional.**

### 6.2 Recording Compassionate Leave

- Compassionate leave should be recorded on the absence section of iTrent.
- Annual leave during sickness absence should be recorded as normal.



## 6.3 Return to Work after Compassionate Leave

- a) Upon return to work following compassionate leave the Chief Officer should arrange to meet privately with the employee, ideally during the first day back or at least within three days of the return to work.
- b) The purpose of the meeting will be to determine if the employee is ready to return to work. If the Chief Officer has concerns about the mental wellbeing of the employee, the employee may be required to get a Doctor's Fit Note.
- c) Once the employee has returned to work, the Chief Officer will update the employee on work issues and discuss any further action and/or support that might be appropriate.
- d) The F&AM will ensure that there is an accurate record of the compassionate leave absence.
- e) A record of the meeting should be made on the **Return-to-Work Form** (available on D&S IFCA's shared server) and placed on the personnel file, with a copy to the employee.

## 7. Absence for Public Duties/Other Absence

### 7.1 Public Duties – Jury Service

Leave of absence with pay will be granted to employees who have been requested to serve on a jury. Any additional costs e.g. travel and subsistence, for attending court should be claimed by the employee from the Court.

### 7.2 Public Duties – Magistrates

Leave of absence with pay will be granted to employees appointed as magistrates to make the minimum attendances required by such appointment.

### 7.3 Public Duties – Non-Regular Forces

Volunteer members of the non-regular forces who attend annual training shall be granted leave, additional to their normal annual leave, with pay for up to two weeks.

### 7.4 Public Duties – Special Constables

Employees who are Special Constables will be granted leave of absence of up to 10 days per year (pro rata for part time staff) with pay to perform their duties and any required training. This additional leave should be agreed with the Chief Officer in advance and in line with business needs.

### 7.5 Public Duties – Emergency Services

Employees must declare if they undertake voluntary work for the emergency services, such as the Coastguard or RNLI. Time off with pay is provided for rescue work (a call out) that is undertaken within periods of normal working hours (06:00hrs to 20:00hrs) for D&S IFCA.

**End.**