**Employment – 4.3 Time Off Work and Flexible Working Policy**

**Table of contents**

Policy Statement – Time off Work..…………………………………………………......................…………….1

Time Off Work Procedures......................................................................................................1

Policy Statement – Flexible Working…………………………………………………………………………………..5

Flexible Working Procedures………………………………………………………………………………………………5

**Policy Statement - Time Off Work**

Little Apples of Bramley recognises there are times when staff need to take time off work. This policy outlines the circumstances in which staff may take time off work, and how much time they are allowed, and whether they will be paid. All time off is unpaid unless specified.

**Procedures**

Time off work covers:

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| 1  2  3  4  5 | Compassionate Leave  Care for a Dependent with Long Term Care Needs  Maternity, Paternity and Adoption Leave  Neonatal Leave  Sickness |
| 6 | Holidays |
| 7 | Trade Union |
| 8 | Jury service |
| 9 | Medical & Dental Appointments |
| 10 | Special Leave |
| 11 | Adverse Weather |

**1. Compassionate Leave**

For Compassionate Leave, staff will be allowed time off work:

1. To cope with the death of an immediate family member or partner.
2. To attend the funeral of a non-immediate family member

The time off the employee needs to take off should be negotiated with the line manager and will reflect each individuals’ circumstances. A maximum of 3 days paid leave may be granted, at the management committees’ discretion. Further unpaid leave maybe agreed.

Employees earning over the earnings limit for SSP purposes are entitled to Statutory Bereavement Pay and leave of 2 weeks if they suffer the death of a child under the age of   
under the age of 18 or a stillbirth after 24 weeks of pregnancy.

**2. Care for a Dependent with Long Term Care Needs**

All employees are entitled to take up to one week (5 working days) of unpaid leave per year to provide or arrange care for a dependent with a long-term care need.

**Eligibility**

This right is available to all employees from day one of employment.

A dependent is defined as a spouse, civil partner, child, parent, or any other individual who reasonably relies on the employee for care.

**A long-term care need refers to:**

An illness or injury (physical or mental) that requires, or is likely to require, care for more than three months.

A disability as defined in the Equality Act 2010, or

Issues related to old age.

**Taking Carer’s Leave**

Employees can take leave in individual days or half-days, up to a total of one working week per 12-month period.

The leave is unpaid.

The employee must give at least three working days’ notice unless impractical, and the request must include the dates and duration of the leave.

The employer may postpone the leave if business operations would be unduly disrupted but will allow it to be taken within one month of the original request.

**3. Maternity, Paternity and Adoption Leave**

Eligible employees are entitled to maternity, paternity, and adoption leave, along with statutory pay during these periods.

**4. Neonatal Leave**

Parents of babies admitted to neonatal care within the first 28 days of life, with a continuous hospital stay of at least seven full days, will be eligible. This applies to parents of babies born on or after 6 April 2025. Eligible parents can take up to 12 weeks of Neonatal Care Leave, in addition to other leave entitlements such as maternity, paternity, or shared parental leave. Statutory Neonatal Care Pay will be available to those who meet certain criteria. Neonatal Care Leave will be a day-one right, meaning it will be available to employees from their first day in a new job.

**5. Sickness**

If staff are too ill or injured to come to work, they must inform the manager as soon as possible. In most cases, a text message is sufficient. For prolonged absences, statutory sick pay will be provided in accordance with current legislation. Upon returning from an extended absence, our return-to-work procedure may be implemented.

**6. Holidays**

Staff are expected to take their holidays outside of term time. If, in exceptional circumstances, time off is needed during term time, it must be approved in advance by the Manager or Business Manager. There is no guarantee the requested time will be granted.

Holiday taken during term time is unpaid as staff receive holiday pay for taking time off during non-term periods.

**7. Trade Union Duties and Activities**

Time off with pay for trade union officials/representatives, for the purpose of trade union duties connected to Little Apples of Bramley. This includes duties such as:

* Representing members at disciplinary and grievance proceedings.
* Training relevant to the duties performed as an official.

**8. Jury Service**

**Procedures**

In the event that you are required to attend jury service, you will usually receive a minimum of 4 weeks’ notice and will need to respond within 7 days, so it is extremely important to advise the manager at the earliest possibility, to ensure your absence can be facilitated.

Jury service normally lasts for 10 working days, but maybe longer for complex cases. You should provide the manager with a copy of the court summons and any other relevant documentation in order that the business can plan for your absence.

**Payment**

Employees within their probation period

Employees within their probation period when requested to attend jury service will not be eligible to receive payment for time off, loss of earnings incurred should be sought directly through HM Courts and Tribunals Service.

You will receive, along with the jury service summons, a Certificate of Loss of Earnings, which will need to be completed and submitted to HM Courts and Tribunals Service (HMCTS) in order to receive reimbursement.

Employees who have completed their probation period

At the discretion of Little Apples of Bramley, it may decide to make full payment of wages as usual or pay a top-up on the allowance provided by the HMCTS.

Payment for time off for jury service will be subject to the duration of the trial and at the discretion of Little Apples of Bramley.

You may not be required for part or the whole of any court day. You should attend work on any days or half days when you are not required to attend court and you should keep the manager informed of your court attendance.

**Deferring Jury Service**

You can ask to defer jury service if you can give the court a specific reason why, and a date of when you will be available. If you are involved in an important piece of work, talk to the manager about the option of deferring your jury service.

Where Little Apples of Bramley considers that an absence on jury service could cause substantial disruption to the services provided, you may be asked to make an application for excusal or deferral, as appropriate. Where this applies, you should not submit an application for excusal or deferral before Little Apples of Bramley has provided you with a letter (and any relevant evidence) to support the application.

**9. Time-off for Medical & Dental Appointments**

Time off will be granted for medical appointments (including hospital) and dentist appointments**.** In normal circumstances staff are expected to attend such appointments in their own time. If it is not possible to arrange an appointment outside working hours, staff may take time off work; however, appointments should be made at the start or end of the normal working day. You may be required to show your appointment card if requested. Staff must record any time spent away from the setting on their weekly timesheet, and these hours will be subtracted from their pay.

**10. Special Leave**

The purpose of this provision is to ensure staff are given time off to deal with urgent situations. This policy is based on the Parental Leave regulations (1999). The Policy also covers time off for other unforeseen domestic emergencies, eg burglary.

An employee may be granted time off during working hours in order to take action which is necessary:

1. To provide assistance on an occasion when a dependent unexpectedly falls ill.
2. To make arrangements for the provision of care of a dependent who is ill or injured.
3. An unexpected domestic event e.g. fire, burglary, burst pipes.
4. The leave is to put in place contingency plans and will not normally exceed one day.

**11. Adverse Weather**

Attending for work/maintaining services during adverse weather and other emergency conditions.

Little Apples of Bramley recognises the need to safely maintain services during adverse weather conditions, whilst properly discharging its duty of care to employees. This policy is based on the clear principle that in accordance with an employee’s contract of employment they are required to attend for duty in order to receive payment.

Only in very exceptional circumstances will we issue a direct instruction to staff regarding the need to close or reduce service provision due to extreme weather conditions. **In these circumstances staff will be paid.**

**Policy Statement - Flexible Working**

This policy sets out Little Apples of Bramley’s approach to flexible working requests in accordance with current UK employment law. It aims to support employees in achieving a balance between their work and personal life, while maintaining the efficient running of the pre-school.

This policy applies to all employees from the first day on the job. Requests from all employees will be considered, irrespective of their role, level, or reason for the request. Employees will be able to make two flexible working requests per year. All requests will be handled fairly, in order of receipt, following the same procedure. Requests will not be prioritised based on employee’s personal circumstances – unless an employee is requesting a reasonable adjustment related to their disability. The employer will keep a record of all meetings / consultations, and these will be shared with the employee. All flexible working requests will be responded to within two months.

The definition of Flexible Working, can include but is not limited to:

1. Part-time hours
2. Compressed hours
3. Remote working
4. Flexitime

**Procedures**

**Making a Request**

Requests should be made in writing to the Manager and must include:

* The date of the application
* The change being requested and the desired start date
* Confirmation if this is the first request within the last 12 months.

Upon receiving the application, the manager will acknowledge the receipt in writing.

**Considering the Request**

Within 28 days of receiving a request, the manager will arrange a meeting with the employee to discuss the application. Employees may be accompanied by a colleague or union representative.

**Decision Making**

The decision will be determined by the pre-school's operational requirements, considering the following factors:

* The role's suitability for flexible working arrangements
* The effect on children's care, staff-to-child ratios, and overall service quality
* Team capacity and effectiveness
* Financial implications
* Health and safety considerations

If the request is approved, the employee will receive written confirmation of the new arrangement and start date within 14 days of the meeting.

If the employer is unable to approve the request at this point, a consultation meeting will be arranged within 14 days of the of the meeting. Employees may be accompanied by a colleague or union representative.

During this consultation, both parties will explore alternative arrangements that could potentially address their needs. Additional time may be necessary to review these options, and if so, a follow-up meeting should be scheduled within 7 days.

If no mutually acceptable alternatives are identified, the request will be denied. A detailed written explanation will be provided, outlining the conclusions from the consultation and/or the valid business reasons for refusal (as specified in "Grounds for Refusal").

**Grounds for Refusal**

In accordance with UK law, a request for flexible working may be refused on one or more of the following business grounds:

* The burden of additional costs
* Detrimental impact on the ability to meet customer demand
* Inability to reorganise work among existing staff
* Inability to recruit additional staff
* Detrimental impact on quality or performance
* Insufficient work during the periods the employee proposes to work
* Planned structural changes

**Appeals**

If a request is refused, the employee has the right to appeal within 14 days of receiving the decision. The appeal should be made in writing and state the reason for the appeal. An appeal meeting will be held within 14 days of receiving the appeal. A final decision will be communicated in writing within 14 days after the meeting.

**Trial Periods**

In some cases, a trial period may be agreed upon to assess whether the new working arrangement is feasible. The trial period duration and review date will be specified in writing.

**Monitoring and Review**

Flexible working arrangements are subject to regular review to ensure they continue to meet the needs of both the employee and the pre-school.

**Confidentiality**

All flexible working requests will be treated with strict confidentiality. Details will only be shared with those who need to know for business or operational reasons.

This policy complies with the current UK legislation and reflects Little Apples of Bramley’s commitment to being a supportive and inclusive employer.

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| **This policy was adopted by Little Apples of Bramley** |
| **On 6th September 2021** |
| **Date to be reviewed** |
| **Signed on behalf of the management committee *J V Whatley*** |
| **Name of signatory J V Whatley** |
| **Role of signatory Manager** |