



<u>Policy Title</u>	NCG Non Sickness Absence Policy
<u>Policy Category</u>	Compliant
<u>Owner</u>	Director of People and Development
<u>Group Executive Lead</u>	Chief Executive Officer
<u>Date Written</u>	April 2021
<u>Considered By</u>	N/A
<u>Approved By</u>	Executive Board
<u>Date Approved</u>	May 2021
<u>Equality Impact Assessment</u>	The implementation of this policy is not considered to have a negative impact on protected characteristics and an assessment was carried out on 26 April 2019. This policy is available in alternative formats, if required.
<u>Freedom of Information</u>	This document will be publically available through the Groups Publication Scheme.
<u>Review Date</u>	April 2023
<u>Policy Summary</u>	The purpose of this policy is to provide a framework within which non-sickness absence is managed fairly, consistently and promptly.

<u>Applicability of Policy</u>	<u>Consultation Undertaken</u>	<u>Applicable To</u>
Carlisle College	Yes	Yes
Group Services	Yes	Yes
Kidderminster College	Yes	Yes
Lewisham College	Yes	Yes
Newcastle College	Yes	Yes
Newcastle Sixth Form College	Yes	Yes
Southwark College	Yes	Yes
West Lancashire College	Yes	Yes

<u>Changes to Earlier Versions</u>	
<u>Previous Approval Date</u>	<u>Summarise Changes Made Here</u>
24 th June 2019	Section re notification (3) added
	Bereavement and serious illness (5.1 and 5.3) reference to unpaid and annual leave if more time off is required
	Additional section (5.2) re parental bereavement leave in line with statutory guidance
	Hospital appointments (5.5) includes reference to fertility treatment
	GP appointments (6.3) includes confirmation that any working hours lost may need to be made up
	Adverse weather condition (6.6) includes confirmation that colleagues will be expected to work from home where their role allows
	Religious days (6.8) includes reference to using annual leave



<u>Linked Documents</u>	
<u>Document Title</u>	<u>Relevance</u>
NCG Code of Conduct	Linked Policy
NCG Disciplinary	Linked Policy
NCG Probation Policy	Linked Policy
NCG Sickness Absence Policy	Linked Policy

1. Scope and Purpose of Policy

This policy does not form part of colleague's contract of employment and does not confer any contractual rights. It applies to the above colleges and training providers of NCG and colleagues who are employed either on a permanent or temporary basis regardless of probationary status.

2. Introduction

Situations may arise when a colleague needs time off to deal with issues in their personal life. This time off may be paid, unpaid, using annual leave or time off in lieu.

3. Notification

If a colleague requests time off in line with this policy, they should request this within iTrent self-service for their managers approval.

For emergency situations, colleagues are required to contact their manager as soon as possible, no later than an hour before their normal start time. However, local agreements with managers may be in place, due to the nature of the role. If a colleague works on a fractional basis, special leave will be on a pro-rata basis.

All reasons for non-sickness absence should be recorded in iTrent.

4. Referral to an alternative policy / procedure

If a colleague is failing to attend work regularly as a result of carelessness, negligence or misconduct or where absence entitlements (sickness and non-sickness) are misused then the matter will be managed in line with the NCG Disciplinary policy.

If a colleague is failing to attend work due to sickness absence reasons, then the matter will be managed in line with the NCG Sickness Absence policy.

Where absence is due to leave including maternity, paternity, adoption, shared parental and parental leave the matter will be managed in line with the relevant NCG policy.

5. Paid Leave

5.1. Bereavement of a near relative

In the event of the death of an immediate relative (an immediate relative is defined as spouse, partner, child, parent, sibling, grandparent, grandchild, stepparents and stepchildren) up to 5 days (pro-rata) leave may be authorised. In circumstances of the death of a close relative or friend not listed above, leave of up to one day may be authorised. If additional leave is needed consideration will be given by managers for either annual leave or unpaid leave.

5.2. Parental bereavement leave

Parental bereavement leave (PBL) is time off to deal with the death of a child, if they die under the age of 18 or are stillborn after 24 weeks' pregnancy. Parents will also have a right to time off for dependants.

Colleagues are entitled to 2 weeks' Statutory Parental Bereavement Pay if:

- 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.

PBL must be taken in the 56 weeks following their child's death. This can be taken together, or as 2 separate weeks. Where more than 1 child dies, the colleague is entitled to 2 weeks' PBL for each child.

To qualify for PBL colleagues one of the following must apply;

- They are the biological parent.
- They are the adoptive parent, if the child was living with them.
- They are the person who lived with the child and had responsibility for them, for at least 4 weeks before they died.
- They are the 'intended parent' – due to become the legal parent through surrogacy.
- They are the 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 pay

If a colleague qualifies for PBL pay, eligible colleagues will receive one of the following, whichever is lower:

- The current prescribed rate or 90% of their average weekly earnings, whichever is lower.

The current PBL rate can be found on the www.gov.co.uk website

5.3. Serious illness of a near relative

For serious illness of an urgent nature regarding an immediate relative (an immediate relative is defined as spouse, partner, child, mother, father, brother, sister, grandmother, grandfather, grandchild, stepparents and stepchildren) up to 5 days (pro-rata) leave may be authorised.

If additional leave is needed consideration will be given by managers for either annual leave or unpaid leave.

5.4. Disability Leave

Any colleague who has a disability, using the definition of the Equality Act 2010 have the right to request disability leave. This is to support colleagues where time off work is required for:

- A period where training is required to work with a guide dog or to use new equipment.
- A period of time to complete an assessment relating to adjustment.
- A period where NCG is considering to facilitate reasonable adjustments.

If a colleague is absent due to an illness or injury related reason this should be recorded under the NCG Sickness Absence Policy.

5.5. Hospital Appointments

If a colleague is required to attend a hospital appointment, up to 6 occasions in a 12 month rolling period may be authorised. This includes if a colleague requires fertility treatment. The colleague must provide reasonable notice and a copy of their appointment card/letter for their manager.

5.6. Examinations/Study Leave

Where an agreed learning agreement is in place and the qualification is related to a colleagues role, time off will be provided for the duration of the examination and study leave equal to the period of the examination.

5.7. Auxiliary or Reserve Forces training

If a colleague is required to undergo annual training with the forces, a maximum of 10 days (pro-rata) will be granted in a 12 month rolling period. Any additional training should be taken as annual leave or unpaid leave. The colleague must provide reasonable notice and provide a copy of the request to their manager.

In the event of a reservist being called up to carry out military or other duties, unpaid leave will be allowed. On their return, they will normally be reinstated in the role in which they were last employed, but if this is not possible, for example as a result of a reorganisation, they will be offered a suitable alternative position, on no less favourable terms and conditions of employment.

5.8. Jury Service Leave

If a colleague is required to undertake jury service, paid leave will be granted less any amounts recoverable from the courts in respect of loss of earnings.

Where a colleague is requested to undertake a period of jury service, they should endeavour to attend work for such hours as are practical when they are not required for jury service. Where jury service is for a shorter period than originally anticipated, they are required to return to work. The colleague must provide reasonable notice and provide a copy of the request to their manager.

It is NCG's intention that colleagues should be no worse off during jury service. Colleagues should request a loss of earnings certificate which should be completed by the Payroll Department and will be returned to the colleague for them to hand to the court on their first day of jury service; NCG shall make up any short fall in earnings for this period.

5.9. Voluntary Work

A volunteer activity is defined as an act that is of benefit to a charity or not for profit organisation. This includes fundraising activity or working with government funded organisations such as a school or hospital. It excludes paid activity or working for a profit-making organisation. Colleagues are eligible to volunteer for one working day in a rolling 12-month period. The request should outline the name of the volunteer organisation and its purpose, the nature of the volunteering work to be undertaken and the dates and time required. The colleague must attach a letter from the volunteering organisation confirming the arrangements, providing a minimum of 4 weeks' notice.

6. Unpaid Leave

6.1. Emergency dependent care leave

Colleagues are eligible to reasonable unpaid leave to: -

- Assist a dependant who has fallen ill or been injured.
- Arrange for the care of a dependant who is ill or injured.
- Assist in dealing with the arrangements following a dependant's carers death.
- Provide temporary cover or assistance following the unexpected breakdown of care for a dependant.
- Deal with an unexpected incident involving the colleague child during school hours.

Dependants are defined as child, partner, parent, and sibling or close family member. In the case of illness or disruption of care, a dependent may also be someone who reasonably relies upon the colleague for assistance.

Colleagues are entitled to take a reasonable amount of time off according to the circumstances. They are not entitled to take time off work to care for a dependant beyond what is necessary to deal with the immediate crisis. In most cases a day or less should be sufficient to deal with the emergency.

6.2. Emergency domestic leave

If a colleague has an unexpected domestic emergency, such as dealing with the aftermath of flooding, fire or burglary, they are entitled to take a reasonable amount of time off during working hours to take necessary action. What is reasonable will depend on the particular circumstances of the emergency, in most cases a day or less should be sufficient to deal with the emergency.

6.3. GP or Dentist appointment

Routine medical appointments, such as doctor or dentist appointments, should be arranged outside of colleagues normal working hours. If a colleague is unable to arrange an appointment outside of normal working hours, they will need to arrange it to suit their working day e.g. toward the start/end of the day or during non-teaching time to minimise impact on business needs.

Any unattended working hours will be unpaid; however, consideration may be given by managers for colleagues to make the time up or to change their work pattern on the day of the appointment. Reasonable notice of all appointments should be given to their managers.

6.4. Hospital Leave for dependents

Where a colleague wants to accompany a dependent to a hospital / medical appointment, reasonable time may be authorised depending on business need.

6.5. Attendance at court on a personal matter

If a colleague is required to attend court on a personal basis, while acting as a witness or the accused, reasonable time off will be given, if the latter occurs, please refer to the NCG Criminal Record Check Policy. Colleagues will need to provide evidence of their requested attendance at court.

6.6. Adverse weather conditions

If a colleague is unable to get to their place of work and have reasonably attempted to attend (depending on weather conditions). They must report their absence on every day they are due to attend work. It is reasonable to expect colleagues who normally drive to work, to use public transport or to walk a reasonable distance, where appropriate.

Where a colleague is unable to attend work due to adverse weather, they should agree with their manager which of the following options apply:

- Take annual leave.
- Time in lieu/work the hours back, if possible, and in keeping with the nature of their role.
- Work from home, if their role allows this, and there is sufficient work to allow for this to happen.
- Take unpaid leave.

If the organisation declares a site closure, colleagues will not be expected to attend work on site. Colleagues will be expected to work from home, if their role allows this, and there is sufficient work to allow for this to happen. Colleagues will receive full pay for the period of time the site is closed.

If a colleague is late for work or leaves early, it is at the manager's discretion whether the time will be paid, unpaid or time off in lieu.

If a colleague is away on NCG business and unable to return to work as a result of travel restrictions, they should inform their manager. In this situation, they will not suffer a detriment to their pay or annual leave entitlement as long

as they have explored all alternative arrangements and have notified their manager. Colleagues must explore alternative means of transport to ensure that they return at the earliest opportunity.

If a colleague is away on personal business using annual leave and are unable to return to work as a result of travel restrictions, they should inform their manager.

6.7. Sabbatical, career break or extended period of absence

If a colleague has more than 12 months service, they can request an unpaid break from work for a specified length of time, between 3 months and 12 months. This is not an opportunity to take up paid employment with another organisation, unless it has been agreed that the additional experience gained will enhance knowledge and skills and prove useful to the substantive post on return. The colleague will maintain their continuous service (but this period of time will not count in a redundancy situation) and some benefits may be put on hold for the duration of their leave, for example, accrual of annual leave, occupational sick pay and pension contributions.

6.8. Leave for religious days

A colleague may want time off to observe a religious festival not covered by current statutory holidays, or for prayers. There is no express right to take time off in these circumstances however, unpaid leave or annual leave may be granted in line with business needs.

6.9. Public Duties

Colleagues are entitled to reasonable time off to perform public duties when they hold certain public positions, including:

- Magistrates (also known as a justice of the peace).
- Members of local authorities.
- School, education governors.
- Members of any statutory tribunal .
- Members of a health authority.
- Members of the Environment Agency or the Scottish Environment Protection agency.
- Members of the prison independent monitoring boards (England or Wales) or a members of the prison visiting committees (Scotland).

6.10. Military Service Spouses/Partners

Reasonable unpaid leave for military service spouses and partners may be authorised before, during or after a partner's deployment.

6.11. Emergency veterinary care leave

Reasonable time off to deal with a veterinary emergency appointment may be authorised to deal with the immediate situation and proof of the emergency appointment must be provided to a colleagues manager.

7. Misuse of time off

Where a manager believes a colleague has misused this policy for time off, the NCG Disciplinary policy may be evoked. Where a colleague is in their probation the formal NCG probation procedure may be evoked.

8. Variations to this policy / procedure

This procedure is intended as an overview of how to manage non-sickness absence, however, it may need to be adapted to suit the needs of each situation. On occasions, it may not be appropriate to follow each of the stages in turn or in the timescale suggested. Regardless of the stage at which this procedure is started, support will be offered and implemented to assist the colleague throughout the process.



Appendix A: Colleague Volunteering form

All fields should be completed and submit to the colleague manager. The authorised form must then be sent to payroll@ncgrp.co.uk for processing.

A volunteer activity is defined as an act which is of benefit to a charity or not for profit organisation. This includes fundraising activity or working with government funded organisations such as a school or hospital. It excludes paid activity or working for a profit making organisation.

Name of Volunteer Organisation:

Aims and Objectives of Volunteer Organisation:

Planned Volunteer Activity:

Planned date/time:

Colleague: **Line Manager:**

Signed: **Signed:**

Date: **Date:**