



Employment Terms and Conditions

Being Paid and Payslips

Employees' rate of pay will be detailed in their contracts of employment; these are annually reviewed and re-issued. They will also receive an individual, detailed written pay statement from AGOSC, either when they are paid or shortly before.

When a new employee starts work they will be informed, during their formal induction, of:

- The day or date when they'll be paid - for example, each Friday, or the last working day of the month.
- How they will be paid.

Annual Leave

AGOSC staff are entitled to the equivalent of 5.6 weeks' paid annual leave (28 days for someone working 5 days a week).

- You get paid your normal pay for your holiday.
- Part-time workers are entitled to the same level of holiday pro-rata (so 5.6 times your usual working week, e.g. 22.4 days for someone working four days a week).
- Annual leave is managed by the Administration Officer and you will receive a breakdown of your annual entitlement each September, if any amendments are made and then on request.
- Bank holidays are not included in this entitlement. When a bank holiday falls during term-time, staff are paid their normal pay for that day.
- You start building up holiday as soon as you start work and when you leave your job, you get paid for any accumulated holiday you have not taken.
- While AGOSC does not seek to control when you take your holiday, there are restrictions about how many staff can take annual leave at any given time and requests will be considered on a first come, first served basis.
- You continue to be entitled to your holiday leave throughout your ordinary and additional maternity leave and paternity and adoption leave.
- If you want to take holiday you must give your employer advance notice that you want to take holiday. This notice should be at least four times as long as the amount of holiday you want to take. For example, you should give four weeks' notice for one week's holiday.
- AGOSC can refuse permission for your holiday as long as they give you notice which is at least as long as the holiday requested. So to refuse a request for a week's leave, they would have to tell you a week in advance.
- When AGOSC is closed between Christmas and New Year staff are required to take holiday.

Absence due to illness

- Communication: If you are absent from work you need to speak to your manager by 7am for Breakfast Club or Holiday Playscheme and by 9am for After-School Club. You should let the Play Centre Manager know about your illness and when you are likely to return to work.
- Self-Certification: If you have been off work sick for seven days or less AGOSC can ask you to confirm that you've been ill. You do this by filling in an AGOSC 'Absence Form' yourself when you return to work. This is called self-certification.
- Statement of Fitness to Work: If you have been off work sick for more than seven days you will need to get a Statement of Fitness to Work (fit note) from your GP or the doctor that treated you in hospital. The fit note allows your doctor to provide you with more information



on how your condition affects your ability to work. It may suggest ways in which you can return to work, for example, changes to your working hours or different duties for a temporary time. This will help AGOSC to understand how they might be able to help you return to work sooner. You and the Play Centre Manager will be able to talk about how this will benefit your return to work.

- **Sickness Records:** AGOSC keeps records on the number of days you take off for sickness. We will check for patterns in the days of the week taken off and the number of sick days taken.
- **Return to Work:** The Play Centre Manager will have a return to work chat with you when you come back to work. This chat will be informal and brief. These chats are meant to:
 - *Welcome you back.*
 - *Check you are well enough to be at work.*
 - *Update you on any news while you were off.*
 - *Identify the cause of the absence.*
 - *Discuss any help AGOSC can provide to ease your return to work.*
 - *Decide whether the sickness is work related and whether there's anything we can do to help.*
- **Long-Term Sickness:** If you are suffering from long-term sickness AGOSC will:
 - *Keep in regular contact.*
 - *Be clear about arrangements for sick pay.*
 - *Conduct return to work interviews.*

We may also want to talk to you about different types of work and working arrangements. We will also have to consider how long your job can be kept open for you.

- **Returning to work from long-term sickness:** You may feel anxious about returning to work after a long absence. AGOSC will put in place a getting back to work programme. This might involve:
 - *Shortening hours or offering flexible hours.*
 - *Catching up on any new developments within the organisation.*
 - *Training on new equipment or new processes/procedures.*
 - *A friendly chat about what's been going on at work.*
- **Losing your job while on long-term sickness:** Employers can dismiss someone on long-term illness as a last resort only. Before making a decision we will consider:
 - *If working part-time or flexible hours would help your return to work.*
 - *If there will be a full recovery or if a return to the same work is not possible.*
 - *If you could return if some assistance was given.*
 - *If alternative, lighter or less stressful work is available, with re-training if necessary.*

If you feel you have been unfairly dismissed due to long-term sickness you can have your case heard with an Employment Tribunal

Statutory Sick Pay

If you're an employee and unable to work because you're ill you may be able to get Statutory Sick Pay. It is paid by your employer and can be paid for up to 28 weeks.

- **Who can get Statutory Sick Pay:** If you're working for an employer under a contract of service (even if you've only just started and you have done some work), you're entitled to Statutory Sick Pay (SSP) if the following apply:
 - *You're sick for at least four days in a row (including weekends and bank holidays and days that you do not normally work).*



- *You have average weekly earnings of at least £97 a week.*

Your average weekly earnings are worked out by using your earnings in the eight weeks before your sickness began. Please read 'SSP – how it's worked out and what days you'll be paid for' for more information about this.

- How to get Statutory Sick Pay: To get SSP you must:
 - *Tell AGOSC that you are sick.*
 - *If asked by AGOSC, provide some form of medical evidence, from the eighth day of your illness.*

Please read 'SSP - telling your employer you are sick and providing evidence' for more information.

- How much do you get? The standard weekly rate for SSP is £81.60 a week. AGOSC will work out a daily rate of SSP if necessary by dividing the weekly rate by the number of days you'd normally work in that week. For working out SSP a week runs from Sunday to Saturday.
- How it's paid: SSP is usually paid on your normal payday in the same way as your normal earnings. SSP is subject to tax and National Insurance contributions. However if you only receive SSP your earnings may not be high enough to pay tax unless you get other payments on top of your SSP.
- What happens if SSP is not payable or it comes to an end: If you cannot get SSP or SSP has ended AGOSC must fill in form SSP1 and give this to you. On the form, AGOSC must say why SSP has not been paid or why it is ending and the last date of payment. Form SSP1 is used to support a claim for Employment and Support Allowance (ESA). It is important that AGOSC give this form to you as soon as possible. Without the information on the form a decision on your entitlement to ESA cannot be made which may delay payment. There are two versions of the form, one you can print and then complete using a pen, or one you can complete online and then print.
- Statement of fitness for work: The fit note replaces the sick note. It is the new form that your doctor will give you when your health affects your ability to work. Find out how the fit note can help you and AGOSC manage your return to work after illness or injury.
- Disagreements with AGOSC about returning to work: If you do not agree with AGOSC on when and how you will return to work, you should explain to them why you disagree. There may be issues which AGOSC was not aware of when they made their decision. If you are a member of a trade union you may want to ask your union representative to help you with this conversation. Alternatively, you might want to seek support from a local advice centre, for example a Citizens Advice Bureau.
- Company sick pay: Your employment contract may set out what sick pay you are entitled to. This will vary from job to job. Company sick pay cannot offer you less than you are entitled to through Statutory Sick Pay.
- Types of sick pay: If you take time off from work due to illness, you might be entitled to sick pay. There are two types of sick pay:
 - *Company sick pay (also called contractual or occupational sick pay).*
 - *Statutory Sick Pay.*
- When they have successfully completed their three month probation period, AGOSC staff are entitled to the equivalent of two weeks contractual sick pay.
- If you aren't entitled to anything (e.g. because you are still within your probation period), your employer should still pay you Statutory Sick Pay (SSP) if you are eligible.



- Employer's discretion: AGOSC can choose to make an exception and pay you sick pay even if you don't qualify under the company rules. This would be decided by the Management Committee. Also, some sick pay schemes say that payments are 'at the employer's discretion', which means your employer can refuse payment if they think the absence is unjustified. However, in doing so they must ensure that their decision is free from discrimination (that is, they are not favouring one category of employee over another when they are required not to).
- Discrimination in the workplace: If your AGOSC has chosen to pay discretionary sick pay in the past this does not automatically mean they have to in the future. However, it is sometimes possible for a discretionary arrangement to become a part of your contract through 'custom and practice'.
- Work related sickness: The amount of sick pay you get isn't usually affected by the cause of your sickness. If you believe AGOSC is responsible for your incapacity (injury) you may have a legal right to make a personal injury claim. This applies to both a physical or psychological injuries (e.g., stress). You should speak to a lawyer or trade union representative if you are considering this.
- Time off to care for a sick dependant: You might be able to take time off to care for a sick dependant. However, AGOSC does not have to pay you for this time. This would be classed as Compassionate Leave and it will be at the manager's discretion.

Maternity Leave

Working when pregnant: If you are pregnant at work AGOSC will protect your health and safety and you will have the right to paid time off for antenatal care. You are also protected against unfair treatment.

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- The basics of working while pregnant: Pregnant employees have four key rights:
 - *paid time off for antenatal care*
 - *maternity leave*
 - *maternity pay benefits*
 - *protection against unfair treatment or dismissal*
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- Employers also have certain obligations to ensure the health and safety of pregnant employees.
 - Telling your employer that you are pregnant: You must tell AGOSC that you are pregnant at least 15 weeks before the beginning of the week when your baby is due. If this isn't possible, for example because you didn't realise you were pregnant, you must tell us as soon as possible. You should also tell us when you want to start your Statutory Maternity Leave and Pay. However, it is a good idea to tell AGOSC earlier, because it will let us plan around your maternity leave and carry out our legal obligations to you. This is particularly important if there are any health and safety issues. You cannot take paid time off for antenatal appointments until you have told us you are pregnant.



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- Time off for antenatal care: All pregnant employees, however long they have been in their jobs, are entitled to reasonable time off work for antenatal care. Any time off will be paid at your normal rate of pay. It is unlawful for AGOSC to refuse to give you reasonable time off for antenatal care or to pay you at your normal rate of pay. We can ask for evidence of antenatal appointments from the second appointment onwards. If asked you should show us a medical certificate showing you're pregnant and an appointment card or some other written evidence of your appointment. Antenatal care may include relaxation or parent craft classes as well as medical examinations, if these are recommended by your doctor. If you can, try to avoid taking time off work when you can reasonably arrange classes or examinations outside working hours.
 - Fathers-to-be and time off for antenatal appointments: Fathers do not have a legal right to time off to accompany their partners to antenatal appointments as the right to paid time off only applies to pregnant employees. However, AGOSC recognises how important a time this is and will be flexible and compassionate.
 - Having a child through IVF (in vitro fertilisation): It is unlawful sex discrimination for employers to treat a woman less favourably because she is undergoing IVF treatment or intends to become pregnant. You will be entitled to paid time off for antenatal care only after the fertilised embryo has been implanted.
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- Health and safety for pregnant employees: Some workplace hazards can affect pregnancy at a very early stage or even before conception, so AGOSC will think of the health of women of child bearing age, not just wait until an employee is pregnant. AGOSC, as part of our normal risk assessment, will consider if any work is likely to present a particular risk to women of child bearing age. You should tell us that you are pregnant as early as possible so that we can identify if any further actions are needed.
 - Risk assessment: When you tell AGOSC that you are pregnant we will review our risk assessment for your specific work and identify any changes that are necessary to protect you and your unborn baby's health. AGOSC will involve you in the process and continue to review the assessment as your pregnancy progresses to see if any adjustments are necessary. These risks might be caused by:
 - *lifting or carrying heavy loads*
 - *standing or sitting for long periods*
 - *exposure to toxic substances*
 - *long working hours*AGOSC will then either remove the risk or remove you from being exposed to it (for example, by offering you suitable alternative work). If neither of these is possible, we will suspend you from work on full pay.
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- Pregnancy-related illness: If you are off work for a pregnancy-related illness during the four weeks before your baby is due, your maternity leave and Statutory Maternity Pay (from your employer) or Maternity Allowance (from Jobcentre Plus) will start automatically, no matter what you had agreed with your employer.
 - Compulsory maternity leave: Even if you have decided not to take Statutory Maternity Leave, you must take two weeks off after your baby is born, or four weeks if you work in a factory. This is called compulsory maternity leave.
 - Discrimination and pregnancy: It is unlawful sex discrimination for employers to treat women less favourably because of their pregnancy or because they take maternity leave.



AGOSC will not change your employment terms and conditions while you are pregnant without your agreement.

- What to do if you have a problem while working when pregnant: If you have a problem receiving your rights while working when pregnant, talk to your employer - it may be a misunderstanding. If this doesn't work, you should refer to the AGOSC grievance procedure.

Statutory Maternity Pay

To help you to take time off work both before and after your baby is born, you may be able to get Statutory Maternity Pay (SMP). This is a weekly payment from your employer.

- Who is eligible for SMP? To qualify for SMP you must have been:
 - *employed by the same employer continuously for at least 26 weeks into the 15th week before the week your baby is due (the qualifying week)*
 - *earning on average an amount which at least equals the lower earnings limit which applies on the Saturday at the end of your qualifying week*

The lower earnings limit is the amount you have to earn before you are treated as paying National Insurance contributions. This is £102 a week if the end of your qualifying week is in the 2011-12 tax year.

If you have a visa that allows you to live and work in the United Kingdom you may be able to get SMP. If your visa includes the condition that you have "no recourse to public funds" you may still get SMP provided you satisfy the qualifying conditions. The qualifying conditions for SMP depend on your recent employment and earnings history. Because of this SMP does not constitute public funds.

- Statutory Maternity Pay - eligibility: AGOSC will give you form SMP1 if you do not qualify for SMP. If you can't get SMP from any of your employers (if you have more than one) you may be able to get Maternity Allowance (MA) instead.
- How to claim SMP: To make a claim for SMP, you must:
 - *tell AGOSC when you want your SMP to start*
 - *provide medical evidence of the date your baby is due*
- How much SMP do you get: If you qualify for SMP, it is paid:
 - *for the first six weeks at 90 per cent of your average gross weekly earnings with no upper limit*
 - *for the remaining 33 weeks at the lower of either the standard rate of £128.73, or 90 per cent of your average gross weekly earnings*
- When is SMP paid: Your employer will usually pay you in the same way and at the same time as your normal wages. It can be paid for up to 39 weeks.
- Circumstances that may affect your SMP: If you are already getting SMP there are circumstances that may affect your payments. The following examples provide more information.
 - *If you return to work while receiving SMP: You can work up to ten days during your Maternity Pay Period (MPP) for the employer paying your SMP without losing your entitlement. These are called Keeping in Touch (KIT) days. Once you have worked for ten days and you do further work for that employer, you will lose SMP for each week in your MPP in which you do that work. Please note, if you work your tenth KIT day and do a further day's work in the same week, you will lose SMP for that week. This is because you will have exceeded the ten day maximum in that week. In the MPP, a*



week means any period of seven days. For example, if your SMP started on a Thursday, a week will run from Thursday to Wednesday.

- *If you go into hospital or care home: SMP is not affected if you go into hospital or care home.*
 - *If you are sent to prison or arrested: SMP will end, but you will be able to claim Maternity Allowance (MA).*
 - If you are sick at the end of your SMP: You may claim Statutory Sick Pay (SSP) from your employer, the normal rules for eligibility will apply. If you're not entitled to SSP, you may be able to claim Employment and Support Allowance. Your employer will give you form SSP1 to explain why you are not entitled to SSP.
 - SMP if you are claiming benefits or tax credits: If you or your partner or civil partner are claiming benefits or tax credits, you may be able to get a Sure Start Maternity Grant. If you receive SMP, you may claim Income Support to top up your income.
 - You can find more information about Maternity Benefits in leaflet NI 17A 'A Guide to Maternity Benefits' on the Department for Work and Pensions (DWP) website.
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- If you disagree with the decision on your SMP: If you think AGOSC's decision not to pay you SMP is wrong, or that you're not getting the right amount, ask us for the reason. If you still disagree, you can contact the HM Revenue and Customs employees enquiry line on 0845 302 1479 for advice. Please read 'Statutory payments - if you think your employer's decision is wrong' for more information.

Statutory Maternity Leave

If you are entitled to take Statutory Maternity Leave, there are steps you need to follow to tell AGOSC you want to take it.

- Leave: As an employee you have the right to 26 weeks of Ordinary Maternity Leave and 26 weeks of Additional Maternity Leave making one year in total. The combined 52 weeks is known as Statutory Maternity Leave.
 - To qualify for Statutory Maternity Leave you must be an employee. If you are an employee and you give AGOSC the correct notice, you can take Statutory Maternity Leave no matter:
 - *how long you have been with your employer*
 - *how many hours you work*
 - *how much you are paid*
 - Surrogate parents: If you and your husband, wife or partner are having a child through surrogacy you will not normally be eligible for Statutory Maternity or Adoption Leave. However you will be eligible for unpaid parental leave once you have got a parental order.
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- Not qualifying for Statutory Maternity Leave: If you don't qualify for Statutory Maternity Leave speak to AGOSC. You may be allowed you to take unpaid leave. Alternatively, you could consider taking paid holiday, unpaid leave or parental leave. You may still be entitled to Statutory Maternity Pay.
 - Telling AGOSC you intend to take Statutory Maternity Leave: You must tell AGOSC you want to take Statutory Maternity Leave at least 15 weeks before the beginning of the week your baby is due. If this is not possible (for example because you didn't realise you were pregnant), tell us as soon as possible. You need to say:



- *you are pregnant*
- *when the baby is due*
- *when you want to start your maternity leave (you can change the date later, if you give at least 28 days' notice)*

AGOSC will ask for notice in writing, we will also ask for a copy of form MAT B1, the maternity certificate, which says when the baby's due. Your doctor or midwife will give you a copy of the MAT B1 form after you have been pregnant for 21 weeks. They cannot give this to you any earlier.

After informing AGOSC that you want to take Statutory Maternity Leave, we will write to you within 28 days. We will confirm your Statutory Maternity Leave and give you the date your Statutory Maternity Leave will end.

- Starting your Statutory Maternity Leave: You can start your Statutory Maternity Leave any time from 11 weeks before the beginning of the week when your baby's due.
 - If you lose your baby: You can still take your Statutory Maternity Leave if your child is stillborn after 24 weeks of pregnancy or born alive at any point of the pregnancy.
 - Additional Paternity Leave: The father of your child or your partner could have the right to up to 26 weeks of Additional Paternity Leave. This is in addition to the two weeks' Statutory Paternity Leave they could be entitled to. Additional Paternity Leave can be taken 20 weeks after the child is born. It must finish before the child's first birthday.
 - What to do if you have problems taking Statutory Maternity Leave: If you have a problem taking your Statutory Maternity Leave, talk to AGOSC first of all - it may be a simple misunderstanding. If this doesn't work, you should refer to the AGOSC grievance procedure.
 - Entitlements: Your employment terms, for example your pension contributions and holiday entitlement, are protected while you are on Statutory Maternity Leave. If you are made redundant while on Statutory Maternity Leave you also have extra rights.
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- What happens to your employment terms and conditions: While you are on Statutory Maternity Leave your employment terms and conditions are protected. You keep your normal employment rights and benefits (excluding wages) throughout all of your Statutory Maternity Leave.
 - Holiday entitlement: You build up all your entitlements to paid holiday through all of your Statutory Maternity Leave. This is even if your contract says you are entitled to more than the statutory minimum. You can add holiday to the beginning or end of your Statutory Maternity Leave. As holiday entitlement cannot usually be carried over, it is often best to take this at the beginning of your Statutory Maternity Leave.
 - Redundancy or dismissal during maternity leave: It is automatically unfair and automatic sex discrimination for you to be selected for redundancy or dismiss you for a reason connected with:
 - *maternity leave*
 - *birth or pregnancy*
 - *paternity leave*
 - *parental leave*
 - *time off for dependants*



You can be made redundant while you are on maternity leave if it can be fairly justified. For example, AGOSC might close the section of the organization that you normally work in and make all employees in that section redundant. Then you can be made redundant as well. However, if cuts are made across the company, you cannot be made redundant because you are on or are about to take maternity leave. If you are made redundant whilst on Statutory Maternity Leave then you have special rights. You have the right to be offered any suitable alternative job in the company. This is even if there are other employees that might be more suitable for the job. If you are offered a new job, you are still entitled to the four-week trial period, which should start when you return from Statutory Maternity Leave. If you are made redundant or dismissed during your Statutory Maternity Leave AGOSC will give you a written statement explaining the reasons for our decision. You will receive your normal notice period or pay in lieu of notice and redundancy pay, if you are entitled to receive them.

- Keeping in touch: During your leave it is often helpful to keep in touch with your employer. AGOSC is entitled to make reasonable contact with you during Statutory Maternity Leave. This might be to update you on any significant changes in the workplace, including any opportunities for promotion or job vacancies. You cannot work during compulsory maternity leave which is the two weeks immediately after your child is born. Although particularly useful for things such as training or team events, keeping in touch days may be used for any form of work. They should make it easier for you to return to work after your leave. You will need to agree with AGOSC what work is to be done on keeping in touch days and how much pay you will receive.
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- What happens if you become pregnant again: If you become pregnant again during Statutory Maternity Leave, you have the right to take further Statutory Maternity Leave for your next child.
 - What to do if you have problems: If you have a problem, talk to AGOSC first of all - it may be a simple misunderstanding. If this doesn't work, you may need to refer to AGOSC's grievance procedure.
 - Returning to work: You have employment rights and responsibilities when you return to work after Statutory Maternity Leave.
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- Returning to work after Statutory Maternity Leave: When returning to work after Ordinary Maternity Leave (the first 26 weeks of your Statutory Maternity Leave), you have a right to the same job and the same terms and conditions as if you hadn't been away. This also applies when you come back after Additional Maternity Leave (the last 26 weeks of your Statutory Maternity Leave). However, if AGOSC shows it is not reasonably practical to return to your original job (e.g. because the job no longer exists) you do not have the same right. In that case, you will be offered alternative work with terms and conditions as if you hadn't been away.
 - Giving notice of your return to work: AGOSC will assume that you will take all 52 weeks of your Statutory Maternity Leave. If you take the full 52 weeks, you don't need to give notice that you are coming back. However, it can be a good idea to do so. If you wish to return earlier, for example, when your Statutory Maternity Pay ends, you must give at least eight weeks' notice. If you don't, AGOSC may insist that you don't return until the eight weeks have passed. You must tell AGOSC that you:
 - *are returning to work early*



- *want to change the date of your return*

If you decide not to return to work at all, you must give your employer notice in the normal way.

- **Illness at the end of your Statutory Maternity Leave:** If you can't return to work at the end of your Statutory Maternity Leave because of illness tell AGOSC in the normal way.
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- **Additional Paternity Leave:** The father of your child could have the right to up to 26 weeks' Additional Paternity Leave. This is in addition to the two weeks' Ordinary Paternity Leave they could be entitled to. Additional Paternity Leave can be taken from 20 weeks after the child is born. It must finish before the child's first birthday. You must have returned to work before the father can take Additional Paternity Leave. If the father decides to take Additional Paternity Leave you will be asked for a signed declaration stating:
 - *your name, address (including postcode) and National Insurance number*
 - *you are entitled to either Statutory Maternity Pay or Maternity Allowance (or Statutory Maternity or Adoption Leave if they are applying for unpaid Additional Paternity Leave only)*
 - *you have given notice of your intention to return to work and the date you intend to return to work*
 - *the start date of your Statutory Maternity Pay or Maternity Allowance period (if they are applying for Additional Statutory Paternity Pay)*
 - *they are the only person taking Additional Paternity Leave or pay in respect of the child*
 - *you consent to the employer processing the information given in the declaration*
 - *they are the father of the child or your spouse, partner or civil partner (including same-sex relationships)*
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- **Flexible working:** Parents of children aged 16 and under, or of disabled children aged 18 and under, are entitled to request a flexible working pattern. This can help you balance caring for your child and work. AGOSC will consider your request and reply to you in writing.
 - **Breastfeeding:** You should let AGOSC know in writing if you are planning to breastfeed when you return to work. Ideally you should do this before you return so that we have time to plan. AGOSC will carry out a risk assessment to identify risks to you as a breastfeeding mother or to your baby. If there are risks we will do all that is reasonable to remove the risks or make alternative arrangements for you. We will also provide suitable rest facilities. Although there is no legal requirement, AGOSC will aim to provide a private, healthy and safe environment for nursing mothers to express and store milk.
 - **Taking parental leave after Statutory Maternity Leave:** If you need more time off to look after your child you may be able to take parental leave. You can take up to four weeks' parental leave at the end of your Statutory Maternity Leave without affecting your right to return. If you take more than four weeks you will be able to return to the same job unless this is not reasonably practical. In this case you must be offered alternative work that is suitable to you and with terms and conditions as if you hadn't been absent. Parental leave doesn't have to follow straight after Statutory Maternity Leave. You can take parental leave at a later time after you have returned to work.
 - **What to do if you have problems returning to work:** If you have a problem when you return to work after Statutory Maternity Leave, talk to AGOSC first of all – it may be a



simple misunderstanding. If this doesn't work, you may need to refer to the AGOSC grievance procedure.

Compassionate Leave

Taking time off for a dependant

In many cases you have the right to take time off work to deal with an emergency involving someone who depends on you (sometimes called compassionate leave). You won't be penalised by AGOSC for taking the time off, providing your reasons for taking it are genuine.

- Your right to time off for dependants: If you are an employee you have the right to unpaid time off work to deal with emergencies involving a 'dependant' – this could be your husband, wife, partner, child, parent, or anyone living in your household as a member of the family. A dependant may also be anyone who reasonably relies on you for help in an emergency, for example an elderly neighbour living alone who falls and breaks a leg and you are the closest on hand.
- What counts as an emergency: An emergency could be any unexpected or sudden problem involving someone who depends on your help or care. The right to time off for dependants could apply to a wide range of different circumstances but below are examples of some of the more common situations where you could be entitled to take time off:
 - *If a dependant falls ill: In this situation the illness or injury doesn't necessarily have to be serious or life-threatening, and may be mental or physical. The illness or injury could be a result of a deterioration of an existing condition. For example, a dependant may be suffering from a nervous breakdown and may not need full-time care, but there could be occasions when their condition deteriorates and you need to take unexpected time off work. You could also take time off work to make longer term care arrangements for the dependant.*
 - *If a dependant has been injured or assaulted: The right to take time would also be available if a dependant is a victim of a mugging or similar incident, but has not been physically hurt but you need to take time off work to comfort or help the victim. You could also take time off work to make longer term care arrangements for the dependant.*
 - *When a dependant is having a baby: This does not include taking time off after the birth to care for the child as you could be entitled to paternity or parental leave for this purpose.*
 - *To deal with an unexpected disruption or breakdown of care arrangements for a dependant: For example, if a childminder or nurse fails to turn up as arranged, or the nursery or nursing home has to close unexpectedly.*
 - *To deal with an unexpected incident involving your child during school hours: For example, if your child has been involved in a fight, is distressed, has been injured on a school trip or is being suspended from school.*
 - *To deal with the death of a dependant: When a dependant dies, you can take time off to make funeral arrangements, as well as to attend a funeral. If the funeral is overseas then you will need to agree a reasonable length of absence with AGOSC.*
- Letting AGOSC know about taking time off: You can take time off regardless of your length of service. If you do need time off you should let AGOSC know as soon as you can, although you don't have to do it in writing or provide evidence. If you return to work before you have had the chance to contact AGOSC, you must still tell us why you were absent.



- How much time you are allowed to take off: You are allowed 'reasonable' time off to deal with the emergency and make any arrangements that are needed. There's no set amount of time allowed to deal with an unexpected event involving a dependant – it will vary depending on what the event is but for most cases one or two days should be sufficient to deal with the problem. For example, if your child falls ill you can take enough time off to deal with their initial needs, such as taking them to the doctor and arranging for their care. However, you will need to make other arrangements if you want to stay off work longer to care for them yourself.
 - If both parents wish to take time off for a dependant you should try to adopt a common-sense approach with AGOSC. Both parents may need to take time off work if your child has had a serious accident; however it is unlikely to be necessary if the childminder fails to turn up.
 - There's no limit to the number of times you can take time off for dependants, provided it's for real emergencies. If AGOSC feels that you are taking more time off than we can cope with, we will warn you of this.
 - If you need to be off for longer than you thought to deal with something, contact AGOSC as soon as you can to let them know why and how long you might need. Try to give them these details in writing as soon as you can. AGOSC will provide you with a form that we will need you to fill in.
 - Being paid for your time off: AGOSC doesn't have to pay you for time off for dependants but we may choose to do so, this will be at the manager's or the Management Committee's discretion.
 - Keeping disruption to a minimum: Try to cause as little disruption to AGOSC as possible. For example, if your mother's day carer has unexpectedly quit, try to get other family members to look after her instead of you while you look for a replacement.
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When the right doesn't apply

- Problems not involving a dependant: You don't have the right to time off for every problem. A burst boiler at home or problems with your dog don't count as neither involves a dependant.
 - Time off to care for people who don't count as a dependant (accompanying a friend to hospital for example) aren't covered. Your employer can still choose to allow you time off if they wish or you might take some of your paid holiday. If it happens regularly, it may be more useful to consider using a flexible working arrangement.
 - When you know about the problem in advance: The right only covers emergencies and so doesn't apply if you know about the event in advance. For example, if you want time off to take your child into hospital in a week's time the right doesn't apply, although you may be able to take it as parental leave instead.
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- If you need time off to cope with a situation that doesn't fall under the 'time off for dependants' right, you may still be granted time off. This will be at the discretion of the manager.
 - What to do if you have problems: It's unfair to refuse you reasonable time off to deal with an unexpected event involving a dependant. It's also unfair to dismiss or penalise you, e.g. not giving you promotion or training. If you are dismissed, made redundant or penalised because of the right, or if you are refused reasonable time off, you can complain to an Employment Tribunal.



Unpaid Leave

A request to take unpaid leave may be granted at the manager's discretion.

Jury Duty

Trial by jury is a key part of our legal system and our democratic way of life. Jury service is an important responsibility for all citizens.

- Does AGOSC have to give you time off for jury service: If you are called up for jury service AGOSC allows you time off for this. To not do so could cause us to be in contempt of court. If you are an employee you have the right not to be treated unfairly (for example, not being considered for promotion) because of your call-up.
- Payment: AGOSC does not pay you whilst you are on jury service. But you can claim for travel and food expenses and for loss of earnings from the court. You need to get AGOSC to fill out a Certificate of Loss of Earnings to claim for loss of earnings. There are limits on the amount that you can claim.
- You can read more about allowances for jury service on the Her Majesty's Courts Service website.
- Deferring or not attending jury service: You can ask for your jury service to be deferred. You can only do this once and for no more than 12 months from the original date. If you want to be excluded from jury service altogether you need to write to the Jury Central Summoning Bureau setting out your reasons why. However, unless you have already served as a juror within the previous two years, your call-up is likely to be deferred.
- How long does jury service last: Jury service usually lasts for 10 days, but some trials take longer. Jurors are usually warned in advance if a trial is expected to last a long time.
- Unfair dismissal: If you are sacked because you have been called up for or done jury service you can claim unfair dismissal. However, if AGOSC told you your absence would have a serious effect on the organisation and you didn't ask for your call-up to be deferred or to be excused, the dismissal is likely to be fair.
- What to do next: If you have been called up for jury service you should:
 - *let AGOSC know how long you'll need off and what arrangements need to be made for cover in your absence*
 - *hand over a copy of the Confirmation of Jury Service letter you receive from the court to AGOSC*

Expenses

You are entitled to be reimbursed for expenses that you incur on behalf of AGOSC. All reimbursements require a receipt to be provided to the Administration Officer. If you incur expenses without prior consent of the Play Centre Manager, then reimbursement will be at their discretion.

Overtime

Overtime generally means any work over the basic working hours included in your contract. Regulations say that most workers can't be made to work more than an average of 48 hours a week, but they can agree to work longer. This agreement must be in writing and signed by you.



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- Overtime pay: There's no legal right to pay for working extra hours, and there are no minimum statutory levels of overtime pay, although your average pay rate must not fall below the National Minimum Wage. AGOSC pays any overtime at your usual rate of pay.
 - Time off instead of pay for working overtime: Instead of paying for overtime, sometimes AGOSC offers 'time off in lieu' (TOIL). This is agreed between you and your manager, and any time you take off will normally be at a time that suits AGOSC.
 - Overtime and payment for time off: Overtime isn't usually taken into account when working out holiday pay or paid maternity, paternity or adoption leave. However, it is taken into account when the overtime is guaranteed and you have to work the overtime as part of your contract of employment.
 - Can you be forced to work overtime, or stopped from doing so: You only have to work overtime if your contract says so. Even if it does you can't usually be forced to work more than an average of 48 hours per week. If you are told to work more than this and you don't want to, you should take it up with AGOSC.
 - Working time limits (the 48-hour week): Unless your contract guarantees you overtime AGOSC can stop you working it. But you won't be discriminated against, or bullied, by letting others work overtime but stopping you from doing so.
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- Overtime for part-time workers: It is a legal requirement that part-time workers must not be treated less favourably than full-time staff.
 - Changes to patterns of work: AGOSC may need to change your conditions or patterns of work because of business or economic factors. However, your contract of employment can only be changed if both you and AGOSC agree to this. It would be a breach of contract to change your working conditions without your agreement.
 - Finding out more about how your overtime is managed: Firstly, check your contract of employment for details of how overtime is worked out and what the rates of pay should be.
 - What to do next: If anything isn't clear, you should take up the problem with AGOSC. You might find it helpful to ask an employee representative, such as a trade union official, to help you. You should also look at the papers you were given when you started work, such as your Staff Induction Pack or the Policies and Procedures.

Travel and travel expenses

If a member of AGOSC staff is required to use their personal vehicle for a work journey (e.g. attending compulsory training) then they are eligible to receive reimbursement for fuel. This is paid at a rate of £0.45 per mile. This does not apply to travel between AGOSC and home. After the journey is complete the employee must complete a Travel Expense claim form. Following authorization from the Play Centre Manager, the Administrator will calculate the mileage and arrange for reimbursement to the employee.

Use of petty cash

Staff may use petty cash for small purchases (e.g. ingredients for cookery) but this must always be with the authorisation of the Play Centre Manager. A receipt is required for all expenditure.

Pension

AGOSC does not currently offer an employer's pension scheme to its staff. This will be reviewed in the future to meet forthcoming legal requirements.

Staff benefits



A 50% reduction in fees will be applied when staff are working in the club, if financially feasible. This applies only to Breakfast Club, After School Club, and Holiday Playscheme session fees. It does not apply to registration or occasional user fees.

Right to request flexible hours

Flexible working opportunities can benefit everyone — employers, employees and their families. AGOSC recognises that it makes good business sense to provide flexible working opportunities for their staff. However, the safety of the children must always come first and AGOSC has to adhere to its required adult:child ratios at all times.

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- What is it: 'Flexible working' is a phrase that describes any working pattern adapted to suit your needs. Common types of flexible working are:
 - *Flexi time: choosing when to work (there's usually a core period during which you have to work).*
 - *Annualised hours: your hours are worked out over a year (often set shifts with you deciding when to work the other hours).*
 - *Compressed hours: working your agreed hours over fewer days.*
 - *Staggered hours: different starting, break and finishing times for employees in the same workplace.*
 - *Job sharing: sharing a job designed for one person with someone else.*
 - *Home working: working from home.*
 - *Part time: working less than the normal hours, perhaps by working fewer days per week.*
 - Remember, this list is not exhaustive and there may be other forms of flexible working that are better suited to you and your employer.
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- Who can ask for it: Anyone can ask their employer for flexible work arrangements, but the law provides some employees with the statutory right to request a flexible working pattern. You must:
 - *Be an employee, but not an agency worker.*
 - *Have worked for AGOSC for 26 weeks' continuously before applying.*
 - *Not have made another application to work flexibly under the right during the past 12 months.*
 - You will then have the statutory right to ask if you:
 - *Have or expect to have parental responsibility of a child aged under 18.*
 - *Have or expect to have parental responsibility of a disabled child under 18 who receives Disability Living Allowance (DLA).*
 - *Are the parent/guardian/special guardian/foster parent/private foster carer or as the holder of a residence order or the spouse, partner or civil partner of one of these and are applying to care for the child.*
 - *Are a carer who cares, or expects to be caring, for an adult who is a spouse, partner, civil partner or relative; or who although not related to you, lives at the same address as you.*
 - Under the law AGOSC must seriously consider an application you make, and only reject it if there are good business reasons for doing so. You have the right to ask for flexible working — not the right to have it. AGOSC can reasonably decline your application where there is a legitimate business ground.



- Employees who do not have the legal right to request flexible working are, of course, free to ask AGOSC if they can work flexibly. AGOSC are willing to consider such requests.
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- How to apply: If you have the statutory right to apply, then there is a process you must follow.
 - The process of making a request and your employer considering it can take up to 14 weeks. So if you are thinking about changing your work pattern, speak to AGOSC as early as possible.
 - You should also be aware that if AGOSC agrees to your request, then it may result in a permanent change to your contract of employment. If you request a flexible working pattern that will result in you working fewer hours, your pay will reduce too.
 - If you do not have the right to request flexible working then the statutory process will still be helpful to you and you should consider speaking to AGOSC as early as possible.

Time to train

Employees have the right to request time to undertake study or training (also known as 'time to train'). If you qualify for the right and want to make a request, you should follow these steps.

- The right to request 'time to train': If you are an employee you have the statutory (legal) right to request time for study or training.
 - You do not have to use the right for every training request. AGOSC has a system for making training requests and you should ordinarily use that.
 - To make a statutory request for 'time to train' you must:
 - *Be an employee.*
 - *Have worked for your employer continuously for at least 26 weeks before you apply.*
 - You will not be able to make a request for 'time to train' if you are:
 - *An agency worker.*
 - *Compulsory school age.*
 - *A young person who already has a statutory right to paid time off to undertake study or training.*
 - *16-18 years old and already expected to take part in education or training.*
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- Types of training you can request: You only have the right to request time for certain types of training. Before you consider making a request, you should make sure you have the right to request the training you want to complete.
 - Making your request: If you decide to make a 'time to train' request, there are several things you should think about (e.g. Would it affect your core working hours?). You must make sure that you include all of the necessary information in your application.
 - Discussing your request: Once you have made your request, AGOSC will consider it. We will do this within ten working days and arrange a meeting with you if we need to discuss your request.



- AGOSC's decision about your request: AGOSC has a duty to consider your request. We will only turn it down when we have a good business reason. Once we have made their decision we will follow the correct process for telling you what it is.
- Appealing a decision: If you are not happy with AGOSC's decision, there is an appeal process you can follow. If you are still not happy after that, there are further steps you can take. However, it is always best to try to resolve problems with your employer informally.

Rest breaks

Employees have the right to take breaks; AGOSC staff are paid for lunch breaks during Holiday Playscheme only (see your contract of employment for details).

- Types of breaks: You will normally have a variety of different breaks from work. These can be broken down into three types:
 - *'rest breaks' — lunch breaks, tea breaks and other short breaks during the day.*
 - *'daily rest' — the break between finishing one day's work and starting the next (for most people this is overnight between week days).*
 - *'weekly rest' — whole days when you don't come into work (for many people this will be the weekend).*
- How much break time do you get: The amount of break time you get is agreed with AGOSC. It is written down in your contract of employment.
- AGOSC will give you at least the rest breaks required by the Working Time Regulations. We will also ensure that your health and safety is not put at risk.

Rest breaks - a break during your working day

- As an adult worker (over 18), you will normally have the right to a 30 minute rest break if you are working a normal 9.5 hour holiday playscheme shift.
- Additional breaks may be given at the discretion of the Play Centre Manager. There is no statutory right to 'smoking breaks'.
- The requirements are:
 - *The break must be in one block.*
 - *It cannot be taken off one end of the working day — it must be somewhere in the middle.*
 - *You are allowed to spend it away from the place on your employer's premises where you work.*
 - *Your employer can say when the break must be taken, as long as it meets these conditions.*
- Daily rest — a break between working days: If you are an adult worker you have the right to a break of at least 11 hours between working days. This means as an adult worker, if you finish work at 8.00 pm on Monday you should not start work until 7.00 am on Tuesday.
- Weekly rest — the 'weekend': If you are an adult worker you have the right to either:



- *An uninterrupted 24 hours clear of work each week.*
 - *An uninterrupted 48 hours clear each fortnight.*
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- Do you have to take your breaks: It is recommended that you take your rest breaks. They are there to protect your health and safety and you are entitled to them.

Alcohol/Other Substances

When working directly with children practitioners must not be under the influence of alcohol or any other substance which may affect their ability to care for children. Practitioners taking medication which they believe may affect their ability to care for children should seek medical advice and only work directly with children if confirmation that the medication is unlikely to impair their ability to look after children.