

# Great Aycliffe Town Council



## SPECIAL LEAVE POLICY (INCLUDING BEREAVEMENT AND EMERGENCY LEAVE)

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## **SPECIAL LEAVE POLICY** **(including Bereavement and Emergency Leave)**

This policy is intended for all employees regardless of employment status. Good attendance is a vital factor in the effective operation of our business. High levels of attendance will help to maintain good quality services and an excellent professional reputation. Poor levels of attendance have a major impact on colleagues and may cause damage to our professional reputation.

The Council recognises the requirement for fairness and consistency when considering requests for special leave. All applications for special leave will be examined on an individual basis, having due regard to the Council's other applicable policies.

In authorising special leave, managers should be compassionate when considering the request and consider:-

- All the circumstances surrounding the request;
- The need to ensure that services are minimally disrupted; and
- Consistency of application of this policy throughout the Council.

**In most instances approval should be sought and agreed, in advance, by the Town Clerk.**

Medical, dental and optician appointments will be agreed by the Manager and a hospital/dental/optician appointment card or letter from the hospital/dentist or optician should be produced and checked by the Manager prior to the authorisation of leave.

If clarification is required on any area of the policy the Council's HR consultant will be contacted.

In addition to normal annual leave entitlements, and other leave entitlements dealt with under other specific policies, requests for special, bereavement or emergency leave are set out below.

For the purpose of this policy close relatives are defined as follows:

- Employee's spouse,
- civil partner,
- child or parent,
- Any person who lives at the same house as the employee (other than as a lodger, tenant or boarder),
- or who would reasonably rely on the employee for assistance or arrangements for care in the event of illness or injury. This may also include step children.

Management discretion applies according to each circumstances rather than trying to list every possible combination

### **Magistrates and Other Public Duties**

- 1 Paid leave of absence will be granted by the Town Clerk subject to the needs of the service.

## **Jury Service**

- 2 The appropriate National Agreements will apply to employees called to serve as jurors. An employee receiving a summons to serve on a jury must report the fact to his/her Manager/Town Clerk, who shall grant leave of absence, unless exemption is secured.
- 3 The employee shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors' Allowances Regulations currently in force. He/she shall then have deducted from full net pay an amount equal to the allowance received. The Town Clerk must also indicate on this form if the employee is required to return to work if not required for jury service for full or part days.
- 4 Employees' attention is drawn to the fact that under the Local Government Pension Scheme Regulations, contributions based on full pay will be payable for the first 30 days' absence. If the absence continues after a period of 30 days, the employee will be deemed to have given notice that he/she elects to continue paying contributions based on full pay.
- 5 The employee will receive from the Court details of the Jurors' Allowances payable and a Jurors' Loss of Earnings Certificate on which to claim loss of earnings. The employee will submit the form to his/her manager who will certify that a deduction from earnings will be made for each day the employee performs jury service. The amount of the deduction will be the appropriate jurors' allowance or actual earnings, whichever is the lower amount. An amount equal to the allowance received will then be deducted from full net pay by Payroll.

## **Trade Union Conferences**

- 6 Paid leave shall be granted to a Trade Union Steward attending the annual conference of recognised Trade Union, subject to the smooth running of the service.

## **Interview Leave**

- 7 Paid leave shall be granted to employees attending interviews for positions within the local government service only.

## **Council Duties**

- 8 Employees who are elected as Councillors for other local authorities will be granted time off to attend to their Council duties. This will be restricted to paid leave of a maximum of 208 hours per year and will be pro-rata for part-time employees. The time off may be paid or unpaid, or a mixture of both, this being determined by the Town Clerk taking into account the operational needs of the service.

## **Household Removal**

- 9 New employees moving into the area may take up to two days paid leave for household removal only where the relocation provisions apply.

- 10 Additional leave is not granted for the purpose of household removal. Employees would be expected to take a part of their annual leave entitlement for this purpose

### **Non Regular Forces**

- 11 Employees having a commitment to attend annual training exercises in the Armed Forces shall on request be granted two weeks' paid leave for this purpose.

### **Blood Donors**

- 12 Paid leave of absence will be granted on up to two occasions per year subject to each appointment not exceeding three hours and having been agreed in advance with the Town Clerk.
- 13 Where a donor has a rare blood type and is called more frequently, the Town Clerk will consider the extent and timing of paid leave on an individual basis.

### **Medical Appointments**

#### **Routine and non-urgent appointments**

- 14 All routine and non-urgent appointments should be made outside of normal working hours. Where the employee has no choice in the timing of appointments either because of external factors or the urgency of the appointment, time off during working time will be allowed, subject to notifying Manager/Town Clerk. **Every effort should be made to ensure appointments are made outside of normal working hours.**
- 15 Where the employee is able to come back to work but wishes to take time off before or after an appointment to extend the time away from work to a half or full day, the employee will be expected to take the excess time as annual leave. Or, if available, the employee may take time off in lieu for hours previously worked.
- 16 Any pregnant employee has the right to paid time off for ante-natal care and must produce evidence of appointments if requested.

#### **Dental and urgent medical appointments**

- 17 Any urgent medical or dental appointments will be classed as sick leave and reasonable time off will be granted.
- 18 Where the employee is able to come back to work but wishes to take time off before or after the appointment to extend the time away from work to a half or full day, the employee will be expected to take the excess time as annual leave. Or, if available, the employee may take time off in lieu for hours previously worked.
- 19 All routine and non-urgent appointments should be made outside of normal working hours.

**Cancer Screening**

- 20 The attention of all employees is drawn to the National Conditions of Service which provide that necessary paid time off shall be granted for the purposes of screening.

**Ongoing Treatment**

- 21 Where an employee is receiving ongoing treatment for a medical condition but is able to attend work, the employee may still require time off during working hours to receive such treatment. The employee should discuss the situation with their Manager and the Town Clerk. Reasonable time off and/or special arrangements will be considered for the purposes of the employee receiving treatment.
- 22 Special arrangements could include paid time off; unpaid time off; changing starting or finishing times; adjusting lunch periods; or any other arrangements which may be deemed suitable during the period of treatment.
- 23 Where the treatment is necessary for health reasons and the employee has no choice in the timing of appointments he/she will be permitted paid time off from work. No employee will be paid for more than a standard day.
- 24 Supporting medical evidence will be required by the Council when agreeing time off facilities with the employee.

**Compassionate leave**

- 25 Compassionate leave may be granted in circumstances such as the serious illness of a close relative.
- 26 Employees must seek authorisation from the Town Clerk to take compassionate leave.
- 27 The Council recognises that in circumstances requiring compassionate leave, employees may need longer periods away from work than may be covered in this policy. If this can be accommodated, it will be on the basis of unpaid leave.
- 28 Flexible working may also be considered in circumstances where regular period(s) of time away from work is needed. Each case will be considered on an individual basis.

**Bereavement Leave**

- 29 The Town Council recognises that bereavement is an emotional matter and will treat all applications for bereavement leave with sensitivity.
- 30 That where considered appropriate, the bereaved employee be offered the provision of counselling support.

- 31 It is expected that managers will take all circumstances into account when granting paid leave for bereavement, such as the closeness of the relationship, both physical and emotional, and whether the employee is responsible for making the funeral arrangements.
- 32 Bereavement leave for part time/job share employees will be authorised as the equivalent of working days.
- 33 If necessary employees can take annual and/or, if eligible, flexi leave. This would be in addition to bereavement leave and subject to approval from his/her manager and the immediate needs of the service.
- 34 The following guidelines should apply bearing in mind the conditions detailed above:-  
Close Relationships
- 1 day to attend the funeral
  - 2 compassionate days, and
  - additional leave of up to 2 days to conduct business in connection with the funeral if undertaking this responsibility, i.e. up to a maximum of 5 days per occasion.
- 35 However, the amount of leave granted will depend on the individual circumstances of each case, such as the closeness of the relationship.
- 36 The above allowances are inclusive of any travel time necessary to attend the funeral.
- 37 The following guidelines for grandparents or grandchildren (including those of a spouse or partner) are:-
- 1 day to attend the funeral,
  - 1 compassionate day
  - leave of up to 2 days to conduct business in connection with the funeral if undertaking this responsibility, i.e. up to a maximum of 4 days per occasion.
- 38 Any other relatives of the employee or their Spouse or Partner will be granted 1 days paid leave to attend the funeral.
- 39 Paid leave to attend the funeral of a close friend or colleague will be up to a maximum of one half day per occasion.
- 40 In exceptional circumstances, and in consultation with the Chairman and Vice-Chairman of the Personnel Sub-Committee, the Town Clerk may be authorised to allow longer periods.

### **Extreme weather or other emergency conditions**

- 41 Should extreme weather conditions or other emergencies affect the function of the Council and the Council has to close for a short period, the following provisions will apply:

- Closure for a period of time resulting in staff either being sent home from work or instructed not to attend work, staff will receive their normal average earnings / day's pay.
- Should staff be unable to attend work due to severe weather conditions (eg unable to use their own transport and public transport services have ceased to operate, etc.) or other factors such as flight delays in returning from holiday, the emergency leave should be taken as holiday, or lieu time, if available.

### **Emergency Leave (Time off for Dependants)**

- 42 Emergency leave is in place to cover unexpected or unplanned events such as:-
- If a dependant falls ill, or has been injured or assaulted
  - To make longer term care arrangements for a dependant who is ill or injured
  - To deal with the death of a dependant
  - To deal with an unexpected disruption or breakdown of care arrangements for a dependant
  - When a dependant goes into labour
  - To deal with an unexpected incident involving an employee's child during school hours.
- 43 There is no requirement to pay for time off for dependants. However, the emergency leave can be taken as holiday, or lieu time, if available. If you are unable to take holiday or if available, time off in lieu for hours previously worked lieu, all leave will be **unpaid**.
- 44 Employees must inform their line manager as soon as possible before their usual start time or as soon as the problem has occurred. Employees must say why they need the time off and how long they think it will take to resolve the problem.
- 45 Employees will be allowed reasonable time off work to deal with an emergency. The time off will vary depending on circumstances of the emergency. In many instances only a few hours will suffice to resolve any immediate problems. For most other cases, one day will be sufficient to deal with the problem.
- 46 All staff absences will be recorded, monitored and managed. Should any occasions of lateness become a concern, management may use disciplinary action to address these concerns.
- 47 Emergency leave would not apply to:
- The long term care arrangements such as child care or nursing a sick child or relative
  - A broken central heating boiler at home
  - Problems with the family pet
  - Accompanying a friend to hospital
  - An event that is known in advance (ie taking a child to hospital for an appointment)

This list is not exhaustive; it is only intended for guidance.

**Maternity Support Leave**

- 48 Maternity Support leave of ten days is available to any employee who has been nominated to care for a child or provide support to the child's mother at or around the time of the birth. Such leave must be taken within one month of the birth but this period can be widened in special circumstances at the discretion of the Town Clerk.
- 49 The employee does not have to be the partner of the mother but can be a relative i.e. parent, grandparent, sister, brother, aunt, uncle; or a friend. However, they must be the primary person providing support to the mother and child.
- 50 Should more than one employee be nominated to provide support, the ten days must be divided between them.
- 51 A form must be completed for all applications for Maternity Support Leave, for consideration by the Town Clerk. Forms are available from the Finance Office.

**Other leave provisions available to employees**

- 52 The Town Council have a range of other policies which may be more suitable to allow employees time off from work. The Time Off for Dependants (Emergency Leave) Policy is only for emergency situation.
- Maternity/Adoption/Surrogacy Leave
  - Paternity Leave
  - Parental Leave
  - Shared Parental Leave

**Other requests**

- 53 Requests for leave other than those covered by National Agreements or as described above shall be determined by the Town Clerk.
- 54 Where special leave with pay is granted, payment will be based on normal average earnings over the previous 13 weeks.

**Abuse of the policy**

- 55 Any abuse of this policy will be considered as a disciplinary matter and will be dealt with under the Town Council's Capability and Disciplinary Procedure.

**Complaints**

- 56 If an employee has a complaint regarding the application of this policy can be raised using the Council's Comments and Complaints Procedure.