

PERSONNEL COMMITTEE – 31ST JANUARY 2017

Report of the Head of Strategic Support

Part A

ITEM 7 POLICIES TO SUPPORT CARERS LEAVE

Purpose of the Report

To introduce a revised Career Break Policy and make relevant amendments to the Leave Arrangements Policy relating to Carers Leave.

Recommendation

It is recommended that the Personnel Committee approve the proposals set out within this report, including the amendments to the Leave Arrangements Policy and introduction of the revised Career Break policy.

Reason

To provide managers with clear and current information on Carers Leave which meet legislative requirements and recommended best practice.

Policy Justification and Previous Decisions

The existing Leave Arrangements Policy was agreed by Personnel Committee at their meeting on 5th November 2013.

Implementation Timetable including Future Decisions

The Career Break Policy and revised Leave Arrangements Policy will be uploaded to the intranet following the agreement of Personnel Committee.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Background Papers: None

Officer to contact: Adrian Ward
Head of Strategic Support
Telephone: (01509) 634573
Email: adrian.ward@charnwood.gov.uk

Part B

Background

1. A carer is someone who provides unpaid support to family or friends who could not manage without this help. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental ill health issues or substance misuse related problems.
2. There are various HR policies available within the Council which can help to support employees who are carers in balancing work with their caring roles and responsibilities.
3. The table below highlights the current Council policies that relate to carers leave.

Flexi-time Policy	The Council has a flexi-time policy in place to enable people to have some discretion in their working hours, subject to service needs and management approval.
Statutory Right to Request Flexible Working Guidance	<p>Employees who meet certain criteria have the right to request flexible working which may include shorter working hours, a shorter working week, compressed hours; a system of staggered or annualised hours, job sharing, part-time work or permission to work from home.</p> <p>Any change agreed will ordinarily be a permanent change to terms and conditions.</p>
Leave Arrangements Policy	<p>Planned Leave Where medical appointments and other absences for personal/domestic matters cannot be accommodated outside of an employee's normal working arrangements, an employee may use flexi-time, accrued TOIL, swap working days, make up the hours at another time or use annual leave or unpaid leave.</p> <p>Where it is necessary to take time off to visit the doctor, dentist, hospital etc. employees should endeavour to make appointments outside core time. Any absence during flexitime should not be credited.</p> <p>Unplanned Leave The policy recognises that most employees are likely to experience an event or events when immediate attention is required.</p> <p>In these circumstances employees can request to make up time taken away from work by using any existing TOIL or flexi time, swapping a working day, making up the hours at another time or using annual leave or unpaid leave.</p> <p>The exception to this is in relation to leave required to</p>

	<p>deal with emergency/domestic situations, bereavement and the emergency hospitalisation of a dependant which fall under the 10 days paid leave (pro-rata for part time employees) in any 12 month rolling period.</p> <p>Hospitalisation of a Dependant In the event of an emergency hospitalisation of a dependant where an employee is required to provide care, one day's paid leave may be granted to enable the employee to make alternative arrangements and manage immediate domestic affairs.</p> <p>Emergency/Domestic/Bereavement Leave There are provisions within the Compassionate Leave Policy to deal with emergency/domestic situations and bereavement leave of a dependant. The provisions for each type of leave are set out within the policy, however when combined, they should not exceed a maximum of 10 days paid leave (pro-rata for part time employees) in any 12 month rolling period. The 10 days also includes the hospitalisation of a dependant.</p>
Parental Leave Policy	<p>Parental leave covers the right for employees to take unpaid time off to look after a child or make arrangements for the child's welfare.</p> <p>A total of up to 18 weeks may be granted for each child, born or adopted, up to the child's 18th birthday. Employees can take up to four weeks leave a year per child, taken in blocks of one week provided certain conditions are met in accordance with legislation.</p>

Proposals

4. Leave Arrangements Policy – Planned Appointments

The Leave Arrangements Policy does not refer specifically to caring responsibilities. However, it is suggested that if an employee has a caring responsibility and needs to attend medical appointments to support the person being cared for, appropriate arrangements are made. These can include using; TOIL, making up the hours at another time, swapping a working day with a colleague, taking flexi time, annual or unpaid leave.

5. Leave Arrangements Policy – Breakdown in Care Arrangements

A further suggestion to the Leave Arrangements Policy is to include the following in the unplanned leave section. In circumstances where care arrangements for a dependant break down unexpectedly and require an urgent response, up to one day's paid leave in any one (rolling) year may be granted. This mirrors the approach taken for the hospitalisation of a dependant. The purpose of it is to enable an employee to make alternative arrangements and manage immediate domestic affairs. Any additional time off required should then be taken under the provisions of Planned Leave within the Leave Arrangements policy.

6. Leave Arrangements - Unpaid Leave For Carers Policy

It is recommended that a section is added to leave arrangements to enable an employee to request unpaid leave to undertake a caring responsibility, for a period of up to 1 month. Any amount of unpaid leave in excess of one month can be requested under the proposed Career Break policy.

There is no statutory right to paid time off for dependants, however the Council's provisions within the Leave Arrangements policy should be noted as outlined above.

There is no formal policy within the Council on unpaid leave, with the exception of extended leave without pay as outlined below in Career Breaks.

7. Career Breaks

The Council currently has a policy on extended leave without pay within the Leave Arrangements Policy for those visiting overseas. The maximum period of leave varies according to the destination and the circumstances. The policy states that the Council is not likely to agree to a request in excess of 6 weeks in any one year, subject to the needs of the service.

Additionally, the current policy confirms that the Council will consider individual requests from employees to carry over leave in excess of the minimum 5 days allowed in the annual leave policy from one year to the following leave year, provided it is used solely for the purpose of overseas visits. The employee would normally be expected to accumulate a reasonable amount of leave under this provision before unpaid leave would be granted.

The current policy on extended leave without pay is restricted to those travelling overseas for a period of 6 weeks.

It is proposed that:

- the section on Extended Leave without Pay is deleted from the Leave Arrangements policy;
- a new career break policy is implemented to consider career breaks for a variety of reasons, including caring responsibilities. A career break would allow an employee to take unpaid leave for a period of time to fulfil full time caring responsibilities;
- there are restrictions on who is eligible to apply for a career break in that an employee would need to have completed two years' service with the Council;
- breaks of more than 1 month will need to be approved by a Head of Service;
- the implementation of a career break will be subject to operational considerations and service needs, and;
- the maximum duration of a career break is one year and the employee will retain continuity of service during the period of the career break.

8. Pension Implications for Unpaid Leave

It should be noted that if an employee has a period of unpaid leave they have the option of reinstating lost pension benefits whilst away from work. There would be

a cost to the employee for reinstating lost pension and a cost to the employer. The council would have to pay 2/3rds of the cost of reinstating lost pension benefits.

9. Consultation

The proposals regarding Carers Leave were agreed by SMT on 22nd June 2016. A further report was submitted to SMT on 5th October 2016 for additional discussion with the final proposals agreed at that meeting. The report was submitted to JMTUM on 1st December 2016.

List of Appendices

Appendix A: Leave Arrangements

Appendix B: Career Break Policy



Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy

Contents	
Scope	2
Principles	2
Roles and Responsibilities	2
Employees with more than one contract	3
Annual Leave Entitlement - Full and Part Time Permanent and Fixed Term	
Contract Employees	3
Part Time Employees Annual Leave and Public Holidays	4
Annual Leave Entitlement - Casual Workers	5
Taking of Annual Leave	6
Public Holidays	6
Employees who are rostered to work on a Public Holiday	7
Day off Coinciding with a Public Holiday	7
Pay arrangements for employees who are called into work on a Public Holiday	7
Requesting Leave	7
Annual Leave Calculator (excluding casual workers and employees on annualised hour's contracts (including term time only)	8
Carry Over of Annual Leave	8
Request to bring forward annual leave from the next leave year	8
Untaken Leave - At the End of the Leave Year	9
Untaken Leave - Notice of Termination of Employment	9
Accrual of Annual Leave during a Period of Unpaid Leave	9
Planned Leave	10
Unplanned Leave	11
Bereavement Leave	12
Emergency/Domestic Situations	12
Hospitalisation of a Dependant	13
Severe Weather Conditions	13
Fertility Treatment	14
Religious Observance	14
Blood and Platelet Donors	15
Examination Leave	15
Job Interviews	15
Lectures etc	16
Professional Bodies – Attendance at Meetings	16
Public Service Leave	16
Jury Service and Court Attendance as a Witness	17
Voluntary Service	17
Cadet Corps (Army, Air Force and Sea Cadets)	17
Other Types of Leave	18

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2013 v 1
Date Agreed: 5 November 2013
Agreed At: Personnel Committee

Scope

This policy applies to all employees of Charnwood Borough Council employed under the following conditions of service:

- Joint Negotiating Committee for Local Government Services (JNC);
- National Joint Council for Local Government Services (NJC);
- Joint Negotiating Committee for Local Authority Craft and Associated Employees (Craft).

[Back to Contents](#)

Principles

- The Council is committed to ensuring the health and wellbeing of its employees and, in addition to promoting health and wellbeing initiatives, will ensure that employees use their leave entitlement to take regular breaks from work.
- The arrangements described below apply to employees who are contracted to work on any of the 7 days of the week, including those required to work on a public/extra statutory or concessionary day.
- Paid leave can only be granted subject to service demands.

[Back to Contents](#)

Roles and Responsibilities

Line managers	<ul style="list-style-type: none">• To ensure that all requests for leave are appropriately considered and dealt with fairly and managed accordingly.• To notify payroll when unpaid leave is taken to ensure that the appropriate amount is deducted from the employee's salary.
Employees	<ul style="list-style-type: none">• To make leave requests as soon as possible in advance to their line manager.• Liaising with their line manager about the requirement either to make up time lost or take annual or unpaid leave (i.e. severe weather).• To record leave requested and taken. Employees with access to Trent self service are required to use Trent to submit leave requests for agreement. Employees without access to Trent self service will have a designated annual leave administrator to input annual leave on to the Trent

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2013 v 1
Date Agreed: 5 November 2013
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	self service system.
HR Services	<ul style="list-style-type: none"> To advise and support managers in the application of the Policy and Procedure.
Payroll Services	<ul style="list-style-type: none"> To advise and support managers on any relevant payroll issues.

[Back to Contents](#)

Employees with more than one contract

Where an employee has more than one part-time contract of employment, each contract stands alone and the employee will receive separate annual leave entitlement and public holiday entitlements under each contract.

[Back to Contents](#)

Annual Leave Entitlement - Full and Part Time Permanent and Fixed Term Contract Employees

The annual leave year for all NJC and JNC employees runs from 1st June to 31st May inclusive. Some groups of employees, including Craft and Associated Employees have different leave years outlined within their contracts which either fall from 1st April to 31st March or 1st January to 31st December.

If an employee commences employment part way through a leave year, pro-rata entitlement will be calculated on each day of completed service based on a full years' annual entitlement rounded down to the nearest half hour for part time employees.

For full time employees (those who work 37 hours per week) annual leave is calculated in days.

For part time employees and employees whose contracted hours are more than 37 hours per week annual leave entitlement is calculated in hours.

The number of days' annual leave entitlement is as follows:

Grade	Below 5 years' service	*Above 5 years' service
Grades 1 to PO4 (including Skills Group 1 – 4)	22	27
JNC	27	32
*Employees completing 5 years' service will receive their additional pro rata entitlement in the leave year in which they attain the requisite service.		

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2013 v 1
Date Agreed: 5 November 2013
Agreed At: Personnel Committee

Part-time employees are entitled to annual leave pro rata to hours worked.

Protected Annual Leave

Some employees who worked for Charnwood Borough Council prior to January 2000 have their annual leave entitlement protected at 28 days for NJC employees and 33 days for JNC employees as those employees will have over 5 years service. Part time employees who fall into this category will receive a pro rata entitlement based on the protected entitlement.

Employees on older contracts will continue to receive annual leave and public, extra statutory, and locally agreed days in accordance with their contracts, where entitlements specified are different to the current procedure.

Annualised Hours (including term-time working) only

For employees on annualised hours (including term-time) contracts, their holiday entitlement (public holidays and annual leave), is based on the contractual holiday entitlement for Council full time employees and is accrued throughout the contractual year. Further guidance is available on the intranet by following this link [click here](#).

The pattern of an employee's working and non-working periods will be agreed with the employee and then confirmed in writing by their line manager.

Annual leave for full and part time employees who wish to work annualised hours will be divided into hours, including annual leave and bank holiday entitlement, as detailed in the authority's leave policy. Actual working hours will be deducted on each working day for leave.

An employee may, from time to time, be required to work on any public holiday. If they are required to work on a public holiday, the employee will be reimbursed in accordance with the relevant conditions of service.

[Back to Contents](#)

Part Time Employees Annual Leave and Public Holidays

For part time employees the annual leave and bank holiday entitlements are added together to give a total leave entitlement (in hours) for the year. When employees take annual leave they must deduct from their entitlement the hours they would normally work on the day or days they are absent from work due to annual leave. If a public holiday, extra statutory or locally agreed day falls on a day when they should be at work then they must also deduct from their entitlement the hours they would have worked on that day.

Part time employees who work the same number of hours each day can convert their leave entitlement to days by dividing their number of hours leave entitlement by the number of hours per day that they work.

Employees whose contractual hours of work are at the beginning of the week may find that they have to utilise annual leave to cover time taken for bank holidays. In such cases employees may wish to negotiate with their manager to recover this time by working on a day they would not normally work. Both parties must mutually agree this agreement.

For example an employee who normally works on a Monday, Tuesday and Wednesday may agree to work on a Tuesday, Wednesday and Thursday where the Monday is a Bank Holiday, they would therefore not need to deduct any time from their leave entitlement.

Part time employees who receive their annual leave entitlement in hours may take any odd hours they have left after taking their annual leave in full or half days as they wish. To make any surplus hours left after taking full or half days, part time employees can add hours banked as flexi to the remaining annual leave hours.

[Back to Contents](#)

Annual Leave Entitlement - Casual Workers

Casual workers are entitled to statutory annual leave (28 days a year). Due to the nature of the work it is difficult for casual workers to take their leave so therefore casual workers automatically receive payment for this, by Trent enhancing the hours worked by 12.07%.

Casual workers' payslips identify the payment made for the hours worked and a separate amount showing holiday pay entitlement for those hours.

However, employment law gives casual workers the right to take leave during any period they have agreed to work. It is recognised that this usually isn't practical, but as this is a requirement of the law it is necessary to include this as an option in the contract for services. In reality it is anticipated that casual workers will only request to take leave on very rare occasions. On the rare occasion that a casual worker will request to take their leave, they may decline to work on a particular day or request not to work on a particular day and managers just need to ensure that the casual worker does not receive pay for the hours that they do not work.

During a period of an assignment, in agreement with their Manager, a casual worker will be entitled to take the annual leave accrued during that assignment. When a request is agreed for annual leave to be taken during an assignment, managers must ensure that the following is recorded on the employee's time sheet 'Leave taken – no hours worked'. Similarly when a casual worker is assigned to work during a period when a public holiday or the concessionary day falls and they are not required to work managers must ensure that no hours are recorded on that day(s).

[Back to Contents](#)

Taking of Annual Leave

Annual leave may be taken by mutual agreement between the manager and the employee, other than in those services where employees are required to take holidays at particular times. Annual leave must be taken in periods of not less than half a day.

All requests for annual leave must be approved in advance.

Employees must not present their manager with a 'fait accompli' by booking a holiday and then requesting leave as this may lead to disappointment if the leave cannot be granted.

Other team members may also wish to take leave at the same time or may already have approved leave arrangements. Managers must ensure fairness and be able to maintain adequate staffing cover (and appropriate skills) so it may not always be possible for managers to grant leave requests in line with an employees request.

It is appreciated that it may not always be possible to give advance notice in the case of short term, unexpected events, and managers need to be sensitive to individual circumstances. For further information, go to the Unplanned Leave section in this policy by [Unplanned Leave](#).

[Back to Contents](#)

Public Holidays

In addition to the 8 bank holidays, 2 extra statutory and 2 locally agreed days are granted each year, to be taken as follows:

Christmas and New Year	
Christmas Day	25 December (Public Holiday)
Boxing Day	26 December (Public Holiday)
New Year's Day	1 January (Public Holiday)
One Extra Statutory and Two Locally Agreed Days to allow for closure of office between Christmas and New Year	Variable dates
Easter	
Good Friday	Variable date (Public Holiday)
Easter Monday	Variable date (Public Holiday)
<i>NB Easter Sunday is not a public holiday; it is classed as a normal working day</i>	
Other	

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2013 v 1
Date Agreed: 5 November 2013
Agreed At: Personnel Committee

May Day	First Monday in May (Public Holiday)
Spring Bank Holiday	Last Monday in May (Public Holiday)
Summer Bank Holiday	Last Monday in August and Tuesday (Extra Statutory Day) after August Bank Holiday Monday
TOTAL NUMBER OF PUBLIC, EXTRA STATUTORY AND LOCALLY AGREED DAYS = 12	

The locally agreed days are to enable a week's closedown over the Christmas and New Year period. Employees required to work on these days will be paid at the appropriate rate and granted time off in lieu in full recompense.

The date of the Christmas extra statutory and two locally agreed days may vary each year according to how the Christmas dates fall. The date of the concessionary day is determined each year by the Chief Executive.

[Back to Contents](#)

Employees who are rostered to work on a Public Holiday

Employees required to work on a rota basis will be given an entitlement to annual leave and bank holiday allowance in hours.

If an employee is rostered to work on a public holiday, they will be paid in accordance with the relevant conditions of service.

[Back to Contents](#)

Day off Coinciding with a Public Holiday

Where seven-day working operates, during which the employee will work on a rota a public holiday may coincide with an employee's scheduled day off. In order to compensate for the public holiday the entitlement will have been given to the employee along with the annual leave entitlement.

[Back to Contents](#)

Pay arrangements for employees who are called into work on a Public Holiday

Pay arrangements for employees who are called into work on a public holiday are set out in the Pay Arrangements policy.

[Back to Contents](#)

Requesting Leave

Leave must not be taken without prior approval. Any alterations to leave arrangements must also be approved by the employee's line manager.

Employees who have access to Trent self service should use this for requesting and booking annual leave.

Employees without access to Trent will have a designated annual leave administrator to input leave on to the Trent self service system.

[Back to Contents](#)

Annual Leave Calculator (excluding casual workers and employees on annualised hour's contracts (including term time only))

Annual leave for employees commencing or leaving part way through the leave year should be apportioned.

Leave should not be granted in excess of an employee's entitlement, where it is known that the employee is leaving.

The annual leave calculator is available on the intranet by following this link [click here](#). The annual leave calculator works out annual leave for part time staff for the full year, part time staff for part of the year, part time staff with a change of hours, full time staff for the full year and full time staff for part of the year.

[Back to Contents](#)

Carry Over of Annual Leave

Employees may carry forward up to a maximum of 5 working days* of their contracted weekly working hours from one leave year to the next.

In exceptional circumstances, the Head of Service may at their discretion approve a further 5 working days* paid leave to be carried over. *(Pro-rata for part time employees).

[Back to Contents](#)

Request to bring forward annual leave from the next leave year

A request may be made by an employee to use some of their leave entitlement from the next year's annual leave entitlement as they have insufficient leave remaining in the current leave year to accommodate a commitment they wish to fulfil e.g. extended holiday. Where a request is granted managers should ensure the employee will have an entitlement remaining in the following leave year that allows at least the entitlement to statutory leave.

There is no general entitlement to bring forward annual leave from the next leave year into the current leave year and other options should be explored in the first

instance such as unpaid leave. Following advice from HR, managers and the Head of Service, may approve individual requests in exceptional circumstances.

[Back to Contents](#)

Untaken Leave - At the End of the Leave Year

There is no entitlement to be paid for any annual leave that remains untaken at the end of the leave year. Where such leave cannot be carried forward, as per previous section, an employee will lose the entitlement to that leave.

[Back to Contents](#)

Untaken Leave - Notice of Termination of Employment

Where notice is worked

The line manager will notify the employee of the proportionate amount of leave to which they are entitled up to the date of leaving. This amount will include any leave remaining from the previous leave year if applicable (up to 5 days) and any leave accrued up to the last day of employment, but not taken for the leave year in which the termination of employment takes place.

Employees are required to take any outstanding annual leave before leaving. If it is not possible to take the outstanding leave before leaving for operational reasons, or if the case is deemed one of special hardship by the Strategic Director, payment will be made for the amount of leave remaining.

Where Notice is Not Worked - Ill Health Retirement and Other Terminations of Employment

The line manager must inform HR Services of any annual leave adjustments via the leavers' checklist e-form which is available on the intranet by following this link [click here](#).

The amount of contractual leave accrued but not taken for the leave year in which employment terminates will be calculated and paid in lieu. This will include any annual leave which has been carried forward from a previous leave year.

Leave Taken in Excess of Entitlement

Employees who are leaving the service of the Council and have taken leave in excess of their entitlement will have the appropriate amount deducted from their final salary payment.

[Back to Contents](#)

Accrual of Annual Leave during a Period of Unpaid Leave

In accordance with the Working Time Regulations employees' should accrue 28 days annual leave (pro rata for part time employees) per leave year. Paid public holidays can be included as part of this statutory leave entitlement. The contractual

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2013 v 1
Date Agreed: 5 November 2013
Agreed At: Personnel Committee

leave entitlement given to an employee is in excess of the statutory leave entitlement.

An employee would not ordinarily accrue annual leave during a period of unpaid leave. However, where an employee will be having an extended period of unpaid leave, the manager will need to ensure the employee receives the minimum statutory leave entitlement for that leave year. Managers will need to take into account any leave already taken during the leave year as this will count towards the statutory leave entitlement. Where the employee is unable to take the minimum statutory leave entitlement, managers can arrange payment in lieu.

[Back to Contents](#)

Planned Leave

With the exception of ante-natal and disability related appointments, employees should make every effort to book medical appointments and other absences for personal/domestic matters outside of their normal working arrangements.

There are separate provisions in the [Maternity Leave and Pay Policy and Procedure](#) and [Special Leave for Disability-Related Absence](#) documents.

However, it is recognised that this is not always practicable and employees may need time off from work to accommodate this. It is expected that many of these can be accommodated by utilising the flexibility available under the Flexible Working Time (NJC) and Flexible Working Hours (Flexitime) (JNC) Policy where applicable. If this cannot be possible then the employee should discuss this with their manager at the earliest opportunity so that agreement can be made on the best arrangements to be put in place to ensure service provision is not affected. This could include utilising already accrued TOIL or swapping working days with a colleague.

Should it not be possible to find an alternative arrangement that enables the employee to be absent then the absence may be taken as annual leave. If the employee has insufficient leave remaining or prefers the absence should be treated as unpaid leave.

Leave for Carers

Employees who need to attend a medical appointment of a person they are providing care support for, should request appropriate leave arrangements with their manager. This can include using; TOIL, making up the hours at another time, swapping a working day with a colleague, taking flexi time, annual leave or unpaid leave.

Unpaid Leave for Carers

Employees can request unpaid leave to undertake a caring responsibility for a period of up to one month. Any request for leave in excess of one month should be requested in line with the Career Breaks policy.

Medical Appointments

Where it is necessary to take time off to visit the doctor, dentist, hospital etc. employees should endeavour to make appointments outside core time. Core time is 9:30 – 11:15 (JNC)/11:45(NJC) and 14:15 – 16:00 (15:30 on a Friday). Where this is not possible, employees should credit the hours absent during core time. Any absence during flexitime should not be credited. It may be necessary to record more than one starting and finishing time on such occasions.

The cost of unpaid leave will be calculated as follows:

Hours taken as unpaid leave X hourly rate of pay

Example

A full time employee on Scale 6 - pay point 26 (£22221 per annum)

$\frac{£22221}{52/5} = £85.46p$ for the day's leave

Please Note that the employees' pension contribution will be deducted from the normal monthly salary.

[Back to Contents](#)

Unplanned Leave

Most employees are likely to experience an event or events when their immediate attention is required. In these circumstances managers should, as far as reasonably practicable, enable an employee to make up the time taken away from work, by using any existing TOIL or flexi time that they may have, or by them making up the time taken within a set period of time. Where it is not practicable to accommodate all or part of the time taken in this way, the time lost must be taken as annual or unpaid leave. The exception to this is in relation to leave required to deal with emergency/domestic situations, bereavement and the emergency hospitalisation of a dependant.

Emergency/Domestic Situations, Bereavement Leave, Hospitalisation of a Dependent

A maximum of 10 days paid leave (pro-rata for part-time) may be granted in any 12 month rolling period for the purpose of dealing with emergency/domestic situations, bereavement and the emergency hospitalisation of a dependent. The provisions for each of these specific circumstances are set out below however when combined should not exceed a maximum of 10 days paid leave (pro-rata for part-time) in any 12 month rolling period. Where an employee has already been granted the

maximum number of days available, managers should seek to accommodate requests using the provisions of the Planned Leave Section ([see above](#)).

Bereavement Leave

A maximum of 5 days paid leave may be granted in the event of the death of a family member or close friend. The definition of a family member or close friend ([see below](#)) is not exhaustive as it is recognised that the nature of relationships is complex. Therefore, when determining the number of days to authorise, managers will need to consider the individual circumstances facing the employee including:

- Taking account of the circumstances surrounding the bereavement;
- Being sensitive to cultural and religious observances which may affect the obligations placed upon the employee within the family unit. The Religious Observance section within this policy gives further guidance ([click here](#));
- Taking account of whether the employee has responsibility for making arrangements for the funeral;
- Whether the employee has a practical role to play afterwards (e.g. executor to the estate).

In exceptional and unusual circumstances (e.g. if the child of an employee passes away) it may be appropriate to grant up to a further 5 days paid leave.

Definition of a family member or close friend

For the purpose of Bereavement Leave, a family member or close friend is defined as:

- Own child/step child;
- Partner (including same-sex partner);
- Parents/step parents;
- Siblings/siblings of partner;
- Grandparents;
- Next-of-kin or nominated next-of-kin;
- Other family members living long term in the employee's household (not temporary visitors or lodgers, etc);
- Other dependants where an employee has provided care;
- Where an employee has a close personal relationship which may include having responsibility for making any necessary arrangements.

Sickness following bereavement

Where the employee is not well enough to attend work following the bereavement, or other difficult situation that has occurred, due to the effects of stress, anxiety, and reactive depression etc normal sickness reporting and certification procedures will apply.

Emergency/Domestic Situations

In the event of a serious or sudden illness of a dependant an employee will ordinarily be granted one day's paid leave. It may be appropriate in some circumstances (e.g. a life threatening condition) to allow up to a further five day's leave with pay.

The Council interprets the term emergency to mean an unexpected situation requiring immediate attention, affecting him/herself or a close relative or dependant. The time required to address the emergency will be for a finite period. Once the need for immediate action has been addressed, the emergency will be considered to be over.

Managers should consider each case on its own basis in accordance with the provisions of the Compassionate Leave Policy [click here](#).

Hospitalisation of a Dependant

In the event of the emergency hospitalisation of a dependant where an employee is required to provide care, one day's paid leave may be granted to enable the employee to make alternative arrangements and manage immediate domestic affairs. Ordinarily, any additional time off will be subject to the provisions of the planned leave section as appropriate above ([click here](#)).

Breakdown in Care Arrangements

In circumstances where arrangements for a dependent break down unexpectedly and require an urgent response, up to one day's paid leave in any one (rolling) year may be granted. This mirrors the approach taken for the hospitalisation of a dependant. Ordinarily, any additional time off will be subject to the provisions of the planned leave section as appropriate above ([click here](#)).

[Back to Contents](#)

Severe Weather Conditions

The Council recognises that adverse weather conditions will, from time to time, make travel to and from work difficult. However, employees are expected to make all reasonable efforts to reach their workplace to help fulfil the stated objectives. If it is not possible to reach the workplace, requests for working from home will be considered by the manager.

In circumstances where an employee on a permanent or fixed term contract fails to attend work, or where the employee arrives late and the manager is not satisfied that the arrival time is reasonable, the time lost will be made up by using any existing TOIL that they may have, or by them making up the time taken within a set period of time. Where it is not practicable to accommodate all or part of the time taken in this way, the time lost must be taken as flexi time, annual or unpaid leave. Casual employees who fail to attend work will not be paid for the day(s) in question.

Where employees arrive late and the Manager is satisfied that their arrival time is reasonable the employee will not lose pay and will be credited with their normal contracted hours for that day. The Manager must take account of the following factors when reaching their decision:

- The distance they live from their workplace, and
- The prevailing weather conditions.

Casual employees will be paid for the actual hours of attendance at work.

If weather conditions are particularly severe and employees request to leave work early, the Manager may allow those who are not required to provide essential cover to do so taking account of:

- The distance the employee(s) lives from their workplace; and
- The prevailing weather conditions.

Employees will generally continue working until their normal finishing time.

Permanent and temporary employees granted permission to leave early under managerial discretion will not lose pay and will be credited with their normal contracted hours for that day.

Where the Council is unable to provide employment at the employee's normal workplace, e.g. due to heating breakdown, full closure of an establishment etc, and/or a suitable alternative work location cannot be provided, including working at home, the employee will receive normal pay for any time lost up to a maximum of the employee's normal contracted hours for that day.

[Back to Contents](#)

Fertility Treatment

There is no statutory entitlement to time off for IVF treatment. However, the Council recognises the potential emotional pressure employees may experience during the process. By way of alleviating some of the associated anxiety the Council has agreed that time off to attend appointments and treatment will be subject to the planned leave provisions of this policy [click here](#). Time off due to any side effects of the treatment will be dealt with under the Attendance Management policy. Sickness absence associated with the treatment will not be classed as pregnancy related absence.

[Back to Contents](#)

Religious Observance

The Council recognises the diversity of its workforce. Any requests for time off for the purpose of religious observance including religious festivals should be granted unless there are exceptional circumstances which make it impossible for the employee to be released.

Employees may wish to offer prayers whilst at work in accordance with their religious customs. Where religious observance needs to take place during working hour's line

management approval must be sought in advance and the time must be made up by the employee.

Leave requests may be:

- either accommodated through the provisions of the Flexible Working Hours (NJC) or Flexible Working Time (JNC) Policy or,
- met from the employee's annual leave; or,
- unpaid leave.

Further guidance on Religion and Religious Beliefs is available on the intranet by following this link [click here](#).

[Back to Contents](#)

Blood and Platelet Donors

Paid time off will normally be granted to employees who wish to donate blood or platelets. Employees donating blood are expected to visit the mobile transfusion unit when it is in their work locality. It is recognised that donation of platelets can only be done at a hospital and where it is not possible to arrange the appointment outside of working hours, reasonable time off may be allowed, with the agreement of the manager, to attend the appointment subject to service needs.

[Back to Contents](#)

Examination Leave

For post entry training where financial assistance and paid release has been granted by the council, in accordance with the scheme for financial support assistance policy [click here](#), examination leave will be granted as paid leave (first attempt only). Sufficient notice of examinations must be given. Leave may also be granted for revision on the basis of ½ day per examination (final examinations only). Other revision time should be taken using annual leave or flexitime. When a course of study and/or examinations have been completed a copy of the results achieved should be sent to the Learning and Development Division.

[Back to Contents](#)

Job Interviews

For employees who are eligible for [redeployment](#), the provisions for time off are explained in the Council's [Organisational Change Policy](#).

Managers will grant paid leave to employees attending interviews for posts with other local authorities and public sector organisations only.

No paid leave for interviews at other employers will be allowed. Time of for an employee attending an interview, other than in the above circumstances, will be subject to the planned leave provisions of this policy [click here](#).

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2013 v 1
Date Agreed: 5 November 2013
Agreed At: Personnel Committee

Lectures etc

Employees who are invited to give lectures, presentations and radio talks etc as part of their normal duties may do so within their contractual hours, subject to prior line management approval.

Employees must ensure that any fees received from the organising body are paid directly to the Council.

Employees who participate in such activities outside their normal working hours will not be compensated by the Council for the time spent or any travel or subsistence attached to the event.

[Back to Contents](#)

Professional Bodies – Attendance at Meetings

Office Holders

Employees who serve on a committee or council of a professional body may be granted paid leave to attend such meetings in working hours, where operational needs permit at the discretion of the manager. Managers may approve travel and subsistence expenses where these are not met by the professional body concerned.

General

Where employees are not serving members of committees or councils of professional bodies, but it is considered of some benefit to the Council to attend meetings, managers may approve paid time to attend in addition to travel and subsistence, where appropriate.

[Back to Contents](#)

Public Service Leave

Subject to operational needs up to 15 days' leave with pay per year may be granted to employees who are members or officials of the public bodies listed below or to attend meetings concerned with National or Provincial Council affairs:

- local authority
- statutory tribunal (e.g. employment tribunal)
- police authority
- service authority for the National Criminal Intelligence Service
- service authority for the National Crime Squad
- board of prison visitors or prison visiting committee
- probation boards
- members of court boards
- relevant health authority

- relevant education body (i.e. school/college governors)
- Environment Agency
- Youth Offending Panels
- Justices of the Peace
- School/College Governors.

Where applicable, employees should claim the financial loss allowance directly and this will be deducted from full pay. An employee must provide evidence to their manager and payroll.

[Back to Contents](#)

Jury Service and Court Attendance as a Witness

Paid leave will be granted to employees undertaking jury service or required to attend Court, or a Tribunal, as a witness on behalf of the Crown, Police or Defence, or for either side in a civil case. Employees must claim the attendance allowance for loss of earnings paid by the Court. The amount received for such allowance will be deducted from the employee's pay. The employee must provide confirmation of the amount received to their manager and payroll.

[Back to Contents](#)

Voluntary Service

Employees who provide voluntary services to relevant charities or voluntary sector bodies are supported in their participation as part of our social responsibility for the work of these bodies within communities. Individual requests will be considered taking account of service needs and the nature of the work, the time commitment being sought and the availability of staffing cover. Employees will be required to make up the time taken, take annual or unpaid leave.

[Back to Contents](#)

Cadet Corps (Army, Air Force and Sea Cadets)

Cadet level

Membership of the army, air force or sea cadets is purely voluntary and activities normally take place in the evenings and at weekends, i.e. in the employee's own time.

However, employees may be granted up to 5 days' paid leave from their Council employment to attend an annual training camp.

The maximum age limit for cadets is normally 18. They have an opportunity to participate in activities such as the Duke of Edinburgh Award Scheme or undertake a BTEC qualification and other activities designed to release and enhance their physical, intellectual and social potential. They often gain skills therefore that assist them in their day to day work activities.

Adult Instructors

Once the maximum age limit for cadet level has been reached some may decide to continue as adult instructors.

Adult instructors are also voluntary roles which are undertaken in the employee's own time. They normally participate in activities for a minimum of one or two evenings per week and attend approximately four weekend training events per year.

Adult instructors receive payment for attendance at training courses and the annual training camp for which paid leave from their Council employment will not be granted. Requests from employees, who are adult instructors wishing to attend these activities should be considered as planned leave.

[Back to Contents](#)

Other Types of Leave

For Adoption Leave - Pay Policy and Procedure [click here](#).

For Disability Related Leave and Absence [click here](#)

For the Maternity Leave and Pay Policy and Procedure [click here](#).

Paternity Leave (including Maternity and Adoption Support) Policy and Procedure [click here](#).

For Parental Leave [click here](#).

For Paternity Leave [click here](#).



Leave Arrangements - Career Breaks

Introduction

The Council recognises that with a large and diverse workforce coupled with increasing expectations for individuals in relation to work life balance, it needs to ensure it has the right employment policies and practices in place to meet its objective of recruiting and retaining the best people for the delivery of the best services.

Career breaks can provide an opportunity for employees to take planned time off from their job with a view to returning refreshed, motivated and committed to the Council. In many cases these periods of leave can provide personal development and growth opportunities which may benefit the Council in the longer term.

Definition

Time off without pay for caring responsibilities or personal development, for example, undertaking full-time study or voluntary work or for some other substantial reason that is agreed by the manager.

Benefits

For the Council:

- Keep valued employees;
- Retain employee loyalty, knowledge, skills, experience, expertise and investment in training;
- Re-energise and motivate employees;
- Opportunity to develop other employees (backfilling posts).

For the employee:

- Ability to fulfil care commitments and remain in employment when they might otherwise have felt it necessary to resign e.g. to undertake full time care responsibilities;
- Opportunity to develop skills—e.g. voluntary service, study;
- Gain new skills, e.g. leadership, communication, practical skills, different ways of working, exposure to different cultures and ways of life, develop confidence;
- Avoid career burnout;

For other employees:

- Opportunity to develop (backfilled posts)

Conditions

1. Permanent employees are eligible to apply for a career break after they have completed 2 years' service with the Council unless exceptional circumstances prevail or where the request is for carers leave. All requests for periods of absence of more than 1 month will need to be approved by the relevant Head of Service. The provision cannot be made available to temporary or casual employees due to the nature of their contractual status. Only in exceptional circumstances should requests from employees with care responsibilities not be approved and advice should be sought from HR.
2. The implementation of the career break will be subject to operational considerations and service needs.
3. Individual requests must be made with sufficient notice to enable the manager and the Head of Service to fully consider the implications of the request and, if agreed, to put in place suitable alternative arrangements to cover the work. Normally this will be at least 3 months.
4. The maximum duration of a career break will be 1 year. Normal notice provisions will apply if the individual wishes to return to work earlier than planned.
5. Employees will retain continuity of service during the period of the career break.
6. Annual leave will accrue for the first month of absence only but not for the remainder of the career break.
7. In the event of sickness during the period of unpaid leave, the career break will not be extended and sick pay will not be paid.
8. In the event of a re-organisation taking place during the period of leave and the individual being affected they will be entitled to consultation and the other provisions of the Organisational Change Policy. Every effort will be made to keep them informed of proposed changes and any developments that may affect them subject to the individual providing a suitable means of contact with their manager.
9. In the event of being made redundant, redundancy pay will be calculated on the employee's total period of service with the Council including the period of the career break.
10. Depending on the individual circumstances, employees on unpaid leave will be invited to attend regular 'catch up' meetings and should plan regular contact with their manager.
11. When the individual returns to work, the line manager will ensure that the employee is suitably inducted back into the workplace and brought up to speed with developments and changes that may have occurred during the period of absence.

12. It will be necessary to establish a firm understanding between the employee, the department, the line manager and with Human Resources regarding the precise arrangements for the career break. This type of extended leave constitutes a variation to the employee's contract of employment and a formal written agreement will need to be drawn up outlining the conditions attached to granting the leave.

Local Government Pension Scheme Implications

13. Any period of unpaid approved absence is no longer covered automatically (except for nil sick pay situations, which are dealt with separately). There is no longer a break in membership but a shortfall in pensionable pay which can lead to a shortfall in pension. An employee can replace this pension by filling out an APC form which can be found by [clicking here](#).
14. There are provisions to enable the individual to pay increased contributions when they return to work to make up for the shortfall. They must notify the Pensions Section within 30 days' of returning to work that they wish to exercise this option. Payment of the outstanding contributions will normally be over a period equivalent to the amount of unpaid leave taken. Individuals should take advice from the Pensions Section before making their decision.