



## Special Leave Policy

### Introduction

This policy provides information regarding the entitlements of staff to leave other than annual leave, flexi-leave or time-off-in-lieu.

Some general points to be noted:

- All specific time-off provisions (in days) detailed in this policy will in the first instance be provided on a pro-rata basis for part-time/job share employees but each case will be subject to the discretion of the Staffing and Employment Committee based on individual circumstances and mindful of matters of consistency and fairness.
- "Immediate family" is defined as spouse, partner, children, parents or nominated next of kin. 'Close relatives' are defined as grandparents, sister/brother, parents-in-law and the parents of partner or nominated next of kin.  
"Children" includes step-children, current foster children and adopted children.  
"Parents" includes adoptive parents.  
'Nominated next of kin' - the practice of living together is more common these days. People with this arrangement should notify the manager of their 'nominated next of kin'.

Consideration may be given to other relatives not mentioned above on a case-by-case basis.

- A 'year' refers to a 12 month period between 1 April and 31 March.
- Staffing and Employment Committee will have responsibility for approving all requests but may devolve responsibility to a designated line manager/the Clerk.
- Decisions about requests for leave must be made in accordance with this policy and in the context of the operational requirements of the Council.
- Guidance on Maternity/Birth/Adoption/Parental Leave form separate policies.
- The granting of special leave is not an automatic entitlement.
- Any abuse of the special leave provisions may lead to disciplinary action being taken.

### NOTE:

In applying this policy, consideration should be given at the alternatives to unpaid leave which may be available. For example:

- Flexi-time
- Time in lieu
- Annual leave
- Temporary adjustment to hours
- Home working

### Scope of Policy

The policy applies to all staff who are employed at Horsforth Town Council.

## Special Leave Policy

In addition to annual leave, additional leave with or without pay may be granted in special circumstances at the discretion of the Council.

Additional leave is granted as follows:-

### 1. Bereavement

Up to five days' paid leave may be granted to an officer who suffers the bereavement of an immediate family member. One day's paid leave may be granted to an officer who suffers the bereavement of a close relative. Each case should be treated on its merits.

The following factors will be taken into consideration in deciding how many days' leave can be granted:

- If it is a bereavement in the officer's immediate family or a partner's immediate family;
- If an individual has been brought up by some other person/relative;
- Whether the officer is solely responsible for the funeral arrangements.

### 2. Domestic Leave

All employees are allowed up to five days' leave, per occasion, at the discretion of the Staffing and Employment Committee, in cases where an employee is experiencing domestic difficulty. The definition of domestic difficulty has been left vague to allow latitude; but this provision does not extend to people making appointments, these should be contained within normal working arrangements i.e. leave or flexitime.

Domestic leave is intended to cover those situations which happen unexpectedly and it may be appropriate to take annual leave, flexitime or time-off-in-lieu and have it reinstated.

Examples when domestic leave may be appropriate include: burglary; house damaged due to fire or flooding; domestic violence; accident; personal injury.

Procedure for domestic leave: Employees should first ask their line manager for annual leave, flexitime, time off in lieu or leave of absence without pay (**see paragraph 6**). If employees wish to convert this into Domestic Leave, they should notify the line manager who will arrange for the Staffing and Employment Committee to consider the request.

It will be at the discretion of the Staffing and Employment Committee whether domestic leave is with or without pay.

(See also Religious Leave Paragraph 10)

### 3. Magistrates Duties

An officer who is a Magistrate is entitled to leave with pay in respect of all magisterial duties which they are called upon to perform. The officer is entitled to any attendance allowances/expenses in addition to full pay.

### 4. Witness in Court/Jury Service

An officer who is required to attend court as a witness in a criminal case, on a subpoena in a civil case or for jury service, shall be granted time off with pay. Salary will be reduced up to a maximum of any allowances that the officer may be entitled to claim.

It is the responsibility of the officer to claim any allowances for loss of earnings. When an officer is asked to attend court as a witness in a civil case, but not as a subpoena, the manager is allowed to grant leave of absence.

The officer will provide, upon request, documentary evidence in connection with their attendance.

#### **5. Officers Serving on Outside Bodies**

The manager will have authority to approve all requests from officers to attend meetings of Professional Bodies, Associations, National Committees, etc. subject to a maximum of four paid days' leave per year and that any payments received do not exceed £500 in any one year. Each case would be decided on its merits i.e. the benefits that would be achieved if an individual officer attends a meeting. All requests over four days per year would be referred to the Staffing and Employment Committee for consideration.

#### **6. Leave of Absence Without Pay**

The manager is authorised to grant up to two days' leave of absence without pay. Requests for unpaid leave exceeding two days must be approved by the Staffing and Environment Committee.

Each case should be considered on its individual merit, however, the period of absence should be for family or personal reasons and not for the purpose of work or financial gain.

#### **7. Continuity of Service - Leave of Absence Without Pay**

Continuity of Service will be granted to employees who have been given leave of absence without pay for up to two months. Employees who are granted leave of absence without pay for a period of between two months and one year will have their contracts of employment held in suspension for the duration of the absence.

#### **8. School Governors**

The manager has authority to grant up to four days' leave with pay to employees who are members of School Governing Bodies in order for them to carry out their duties as school governors.

#### **9. Time off for Sick Dependants**

Employees are allowed the period reasonably necessary but not more than five days with pay to look after an immediate family member who is sick.

#### **Notes**

This provision is designed to cope with emergencies which cannot be postponed.

This provision is a privilege and where people are found to be abusing the system then proof (e.g. sick note for the ill person) should be asked for if necessary.

This provision is to apply per occasion and is not dependant on an employee having used all their annual leave.

If the 'problem' continues longer than five working days or there are more than four occurrences per year then the manager should make alternative arrangements i.e. authorised absence without pay or request the Staffing and Employment Committee to consider any alternative.

#### **10. Religious Holidays**

Wherever possible all religious holidays sought by all employees should be dealt with as requests for annual leave. However, in cases where the Council insists that annual leave is taken at a particular time of year, then the Staffing and Employment Committee has discretion to grant up to two days, with pay, per year, under the Domestic Leave provisions (see Paragraph 2).

#### **11. Search and Rescue Activities - Volunteer Warden Service**

Officers who are called upon at short notice to participate in search and rescue missions as part of this service are to be allowed special leave with pay for the day in question.

## **12. Time Off for Prison Visitors**

As a result of the Time Off for Public Duties Order 1990 which came into force on 15th October 1990 employees are to be permitted reasonable time off to undertake their duties as a member of a Board of Visitors to prisons, remand centres and young offender institutions. In accordance with this new Order any such employees should now be permitted reasonable time off to perform their duties as a visitor. In accordance with Council policy relating to those categories of employees who have a statutory right to reasonable time off, all time off granted under this paragraph should be with pay.

## **13. Absence for Dental Treatment**

Where a visit to a dental practitioner forms part of a planned series of inspections and/or dental treatments, the officer is expected to arrange such visits during his/her own time. In the case of officers operating the flexitime system, these visits can be arranged outside core time and the officer will be required to book on and off duty as appropriate.

Where dental treatment is undertaken as a result of an emergency, leave of absence will be granted at the time when the emergency occurs in order for the officer to seek treatment as he or she would in the case of any other form of injury or illness. If such an emergency requires the officer to continue to be absent from work for a period longer than that necessary to gain treatment, the absence will be treated as being due to ill health and the normal certification procedures will be followed.

## **14. Absence for Doctors/Hospital Appointments**

Wherever possible, all doctors/hospital appointments should be made in an officer's own time. Where the officer is unable to ensure that appointments are in their own time then an appointment may be made in normal working hours and time off with pay will be granted.

Where a hospital appointment is made in normal working hours, the officer may be asked to provide their line manager or most appropriate person with the appointment card/letter in order to confirm the details. Whilst it is acknowledged that initial hospital appointments may be unavoidably within work time, where possible, follow up appointments should be arranged in the employee's own time. If this also proves difficult, then effort should be made to arrange appointments at either the beginning or the end of the working day to minimise disruption.

All non-elective hospitalisation should be treated as sickness. Medical certificates should be provided in accordance with the normal sickness procedure.

Where the treatments involves longer periods of hospitalisation or absence, medical certificates should be provided in accordance with the normal sickness procedure.

Where the doctors/hospital appointments relate to an ongoing or long-term health condition that requires regular attendance for treatment or monitoring, reference should be made to the Disability Leave Policy.

## **15. Leave for examinations study etc**

In addition to being granted paid leave to sit an examination, the officer is also entitled to one-half day's paid leave for each half day of the examination.

## **16. Leave of absence – service in non-regular forces**

Officers who are volunteer members of the non-regular forces are entitled to the following leave, in addition to their normal annual leave, i.e.

- where the officer is entitled to only 20 days' annual leave, the officer shall be granted 10 days' leave with pay;
- where the officer is entitled to more than 20 days' annual leave, the officer shall be granted

5 days' leave with pay and 5 days leave without pay;

- officers, who as members of the Territorial Army and Volunteer Reserve are required to undertake training additional to attendance at Summer Camp where the officer cannot arrange for such training to take place on days when he/she would not be working, shall be granted paid leave, subject to his/her furnishing suitable alternative dates to the satisfaction of the Council.

### **17. Time off for medical screening**

Necessary paid time off shall be granted to employees for the purpose of being screened for cancer.

### **18. Maternity Leave/Adoption Leave/Parental Leave**

Please refer to separate policies.

## **Severe weather conditions – attendance at work**

### **1. Scope of these arrangements**

1.1 These arrangements apply to all staff.

1.2 The arrangements will be applied when there are severe weather conditions. If there is any doubt as to whether the conditions are such that these arrangements will apply, the manager should liaise with the Chair or Vice-Chair of the Staffing and Employment Committee. The criterion which will be used is the extent to which there is serious disruption to or cessation of most means of transportation. Where it is decided that the conditions are not severe, staff who do not attend or are late will be paid or credited only for the hours they work. They will be given the opportunity to cover the absence by using flexi-leave, and annual leave or 'making up' the time at the discretion of the manager.

### **2. Procedures**

2.1 Staff who do not attend work will be expected to use annual or flexi-leave to cover the absence. This will include the discretion for the manager to allow staff to bring forward leave from the following year. The manager will also have the discretion to allow staff to "work up" any lost time if the staff do not wish to or are not able to use annual or flexi-leave. For staff with disabilities who may have particular difficulties in attending work under severe weather conditions, the manager will have the discretion to grant paid time off in cases where they consider it appropriate. See also paragraph 2.3 – where staff are excused from attending work.

2.2 Staff who, because of severe weather conditions, arrive late but within a reasonable time-span, and who remain at work until the end of the working day/shift will be:

2.2.1 credited with at least 7 hours 24 minutes if they participate in the flexitime scheme, or

2.2.2 paid for the full day/shift if they do not participate in the flexitime scheme.

2.3 Where staff are excused by management from attending work or released early because of severe weather conditions, they will be credited or paid to the end of that day/shift (up to a maximum of 7 hours 24 minutes for staff in the flexitime scheme).

2.4 If staff are to be absent or late they must make every effort to telephone their line manager to report the circumstances.

2.5 Where staff become ill on the day or days when there are severe weather conditions, the normal sickness reporting and recording procedures will apply. Staff will not be expected to produce a medical certificate if such a certificate would not normally have been required.

- 2.6 Staff on training courses who are unable to attend their normal training venue should, if possible, report to work. If they are unable to attend work or are late the provisions of paragraph 2.1, 2.2, 2.3 and 2.4 above will apply.
- 2.7 For staff on flexitime who use flexi-leave to cover an absence or absences, the rules concerning the permitted number of flexi-leave days to be taken and the amount of debited time which can be carried forward can be relaxed by the manager to allow staff more time to bring their hours back into credit.
- 2.8 Absences caused by the urgent need to care for children, elderly and other close relatives whose schools, day centres or other establishments may have been closed because of severe weather conditions will be considered under Paragraph 2 of this policy - Domestic Leave. Where the line manager is satisfied that, because of such closures caused by severe weather conditions the member of staff had no other choice but to stay at home to care for their child or close relative, special leave can be granted by the line manager. There is an expectation that staff will have made all reasonable attempts to make alternative arrangements and/or share the responsibility of care with their partner if appropriate.

Horsforth Town Council

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