



## SPECIAL LEAVE

### 1.0 INTRODUCTION

South Lakeland District Council understands that at various stages during an individual's working life they may have domestic, community and other public commitments that affect their ability to commit to their work responsibilities. The Council acknowledges these potential pressures and endeavours to provide assistance and support in the form of special leave.

This policy will give clear guidance in defining, managing and applying for special leave.

### 2.0 SCOPE

All employees of the Council regardless of their length of service are entitled to special leave as detailed in this policy.

### 3.0 TYPES OF SPECIAL LEAVE

Advice and guidance on entitlement to Special Leave may be sought from the employee's manager or from a member of the Human Resources Group.

A Summary of Special Leave Entitlement can be found at Appendix A.

#### 3.1 Compassionate Leave

##### 3.1.1 Bereavement Leave

For employees who need time off as a result of death of an immediate close relative (defined as, a spouse, partner (including same sex partnerships), parent, son, daughter, brother, sister, grand-parent, grandchild or next of kin) employees can request up to one working week of paid leave. A further working week of unpaid leave may be granted if required/requested by the member of staff.

Up to one days leave without pay may be granted for the attendance at the funeral of a direct relative not defined as above.

Should employees wish to attend the funerals of individuals who are not relatives they should make use of the flexi-time (where applicable) or use their annual leave.

##### 3.1.2 Medical Screening

Necessary paid time off will be granted for the purpose of cancer screening.

##### 3.1.3 Critical Illness

A maximum of one working weeks' paid leave may be granted to employees who need time off as a result of the serious illness (i.e. an illness which incapacitates that person) of a close relative (normally defined as for bereavement as above).

#### **3.1.4 Child in Hospital**

A maximum of one working weeks' paid leave in any 12 month period may be granted to employees who need time off when their child is admitted to hospital on either a planned or unplanned basis. A child is defined as a person who is under the age of 18.

Should additional time off be required an employee may submit a request under exceptional circumstances, section 3.7.

### **3.2 Time Off for Domestic Reasons**

#### **3.2.1 Dependants leave**

All employees are entitled to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies that involve a dependant and to make any necessary longer term care arrangements.

The amount of time off which can be taken under this leave will depend on individual circumstances. Generally, the leave should be sufficient to help the employee cope with the immediate problem. This leave is unpaid.

If the needs of the dependant are such that additional time off is required it may be appropriate to consider use of annual leave, flexi-time or applying for leave under more appropriate policies such as Parental Leave or even Career Break.

#### **3.2.2 Leave for Urgent Domestic Distress**

Employees can request leave in order to deal with urgent domestic distress such as burglary, fire, flooding or the break up of marital or other close relationship. One days' unpaid leave will be granted.

### **3.3 Leave to Carry Out Public Duties**

Employees are entitled to a **reasonable amount** of time off taking into account all the circumstances and in particular:

- how much time off is required for the performance of the duties of the office or as a member of the body, and how much time off is required for the performance of the particular duty;
- how much time the employee already takes off further to any trade union duties and activities; and
- the circumstances of the Council's business and the effect of the employee's absence at that time.

An employee who holds several public offices will be expected to organise them so that the time taken off is reasonable.

Where employees wish to take annual, flexi or unpaid leave for other public duties, this will be accommodated wherever possible.

Allowances for loss of earnings must be claimed if applicable.

#### **3.3.1 Justice of the Peace**

An employee who is a justice of the peace has the right to take time off to perform any duties of their office (s50 ERA 1996).

**The Council grants paid time off for this public duty.**

### **3.3.2 Membership of a Public Body**

An employee who is a member of any of the bodies identified in Appendix B has the right to time off to attend a meeting of the body or any of its committees or sub committees, and to perform duties as approved by the body for the purpose of discharging the functions of the body or any of its committees or sub-committees (s50 (1), (2) ERA 1996).

**The Council grants reasonable paid time off for these public duties, to a maximum of one working week per year.**

### **3.3.3 Jury Service**

An employee called for jury service must inform and seek authorisation for leave from their manager.

Employees must seek compensation for loss of earnings when attending for jury service. Courts issue jurors with a Loss of Earnings Certificate which employees are expected to ask Payments to complete. Once employees have received reimbursement for loss of earnings from the Court they should take the statement provided by the Court to payroll so a deduction of equal amount (excluding any travel and subsistence payments) can be made from their next pay period.

### **3.3.4 Training with the Non-Regular Forces**

The Council acknowledges the transferable skills that are gained by employees signed up for the non-regular forces and grants a maximum of 2 working weeks paid leave per year for employees to attend training in the Territorial Army, reserve or cadet forces.

### **3.3.5 Recognised Professional Bodies**

Employees are granted reasonable paid time off to attend meetings of recognised professional bodies associated with their area of work.

## **3.4 Leave to Attend Interviews**

Employees under formal notice of redundancy, will be granted paid time off to attend interviews in accordance with the Council's Redundancy Policy.

## **3.5 Leave to Represent Your Country in a Sporting Event**

Paid time off will be granted to employees who are participating in or representing their country in a major sporting event. The amount of time off which can be taken under this leave will depend on individual circumstances. Generally, the leave should be sufficient to assist the employee to participate in the event.

## **3.6 Further Unpaid Leave**

The Council recognises that occasionally staff may wish to take further leave on an unpaid basis. In these circumstances the Council will endeavour to meet reasonable requests for unpaid leave. Normally, unpaid leave will not exceed two working weeks and will only be approved subject to service demands and the availability of cover.

Unpaid leave will normally only be granted when annual leave entitlement has been exhausted or is fully committed.

### **3.7 Exceptional Circumstances Leave**

For additional time off in exceptional circumstances applications for:

- unpaid time off should be referred to the Management Team for determination; and
- paid time off should be referred to the HR Committee for determination

## **4.0 APPLICATION PROCEDURE**

Applications for Special Leave should be submitted as early as possible (using the form at Appendix C), and should wherever possible be accompanied by supporting documentation.

It is recognised that prior notice is not always possible, therefore telephone requests, direct to the manager, will be considered but the Special Leave Application Form will need to be completed on return to work.

Approval for Special Leave will initially be the responsibility of the employee's manager who may seek advice from the HR Group to ensure the policy is applied consistently.

All authorised application forms will be forwarded to the HR Group and placed on an individual's personal file.

## **5.0 APPEALS PROCEDURE**

Managers should ensure that decisions regarding Special Leave are applied as consistently as possible. Any employee who believes that this policy is not being fairly applied may seek redress through the Council's Grievance Procedure.

## **6.0 REVIEW**

The policy will be reviewed on a regular basis in the light of operating experience and/or changes in legislation.

## **APPENDICES TO THIS DOCUMENT**

- Appendix A Summary of Special Leave Entitlement
- Appendix B Summary of Time Off for Public Duties
- Appendix C Special Leave Application Form