

## POLICY 3: SPECIAL LEAVE

Additional leave, with or without pay, may be granted in special circumstances, for a limited period of time for example bereavement or other compassionate grounds or for jury service. Payment for such leave will be made at the discretion of the line manager and in consultation with the HR Department. Employees should always let their line manager know if they need to take special leave so that each individual situation can be considered fairly and consistently.

As a guide the following can apply;

- Death of immediate family member can be up to a maximum of 7 paid days, which includes the funeral day. Maximum amounts are normally given to executors of the estate to allow them time to organise the funeral and/or estate, additional time may be given where appropriate; this must be discussed with the HR Manager.

*Immediate family member includes:*

Spouse/Partner

Father/Mother including in-laws and step parents

Brother/Sister/Step Brother/Sister including in-laws

Son/Daughter/Step Son/Daughter including in-laws Grandparents or Grandchildren

*In exceptional circumstances, other relatives may be considered but this must be discussed with the HR Manager.*

### **Other special leave**

- Serious domestic instances – one day's paid leave will be given in such cases e.g. house fire, flood or burglary
- Sporting events – up to 5 days' paid leave may be granted where an employee is participating in a national or international event as a representative of their country. Additional leave may be taken as annual leave or unpaid leave.
- Jury service – paid leave will be granted to an employee called for Jury Service, unless exemption is secured. An allowance for loss of earnings is payable by the court which the employee must claim. The court will send the employee a loss of earnings certificate and this should be provided to HR who will arrange for the amount of the allowance to be deducted from their pay.
- Acting as witness -
  - (a) In the case of an employee attending as a witness on behalf of the Council, leave with pay will be granted, on the understanding that witness fees received (excluding travel and subsistence expenses) are paid to the Council.
  - (b) In the case of an employee called by the Court as a witness leave with pay will be granted provided the employee applies to the court for loss of earnings which must be paid back to the Council. Employees should inform their managers as soon as they are informed that they are required to attend and should provide their manager with a copy of the notification.
  - (c) In all other cases where the employee is called to attend court as a witness, leave without pay will be granted. Employees can claim from the person citing them, the relevant amount in respect of loss of earnings.

- Reserve Forces – Employees who are a member of the Reserve or Territorial Army should advise their line manager at the earliest opportunity. Up to a maximum of 10 days paid leave will be granted in any one leave year. As the RA/TA pay for training, the Council will make up the difference in any lost pay. Details of training dates should be provided to the line manager.
- Religious Holidays – Any leave required for specific religious holidays may be taken through the usual annual leave or flexitime request.
- Fertility treatment – Up to 5 days' unpaid leave will be granted in any one year for an employee to undergo fertility treatment.
- Medical appointments – reasonable time off will be granted to attend medical/dental appointments. It is expected that employees will arrange their appointments outside of working hours, however, if this is impossible, employees should ensure that their appointments are at the beginning or end of the day to minimise disruption to their work. There is no statutory right for employees to be paid for this leave, however payment may be made at the discretion of their line manager, who may request evidence of the appointment.
- Any other leave – any leave required not specified in this policy must be discussed with the line manager and HR team.
- Career Break - Employees must have 26 weeks' or more continuous service before any request for a career break can be made. A career break may be any period of time of 3 months or more.

The career break scheme will be open to all employees with the requisite service, including part-time employees. Career Breaks will be unpaid. The granting of a career break and the length of the break will be entirely at the organisation's discretion and will depend on the needs of the business at the time in question having regard to any other issue, use of other special leave. Employees are not permitted to carry out paid work during a career break, unless in exceptional circumstances, after having been agreed by a Chief Officer/Deputy Chief Officer.

An employee **will normally be ineligible** if they are currently:

- subject to disciplinary action, investigation or an active warning
- subject to a performance improvement plan;
- subject to an investigation following a complaint or grievance, the resolution of which would be unreasonably delayed due to a career break;
- subject to formal action under the managing attendance procedure;
- subject to a service review, or;
- within 2 years of returning to work following a previous career break

Workers not directly employed by the council are not eligible to apply.

- Stuck not Sick – Employees have access to two emergency days in the leave year where, with a genuine reason, they are able to take a leave of absence without prior agreement, but with the authorisation of their line manager. This leave of absence can be covered by annual leave, flexitime, through leave without pay or where in the interest of the service by repayment of the time within a two month period. This may cover times of emergency such

as adverse weather conditions making it difficult to travel to work, or problems needing an employee's attention with little or no notice.