



# SPECIAL LEAVE POLICY (INCLUDING BEREAVEMENT AND EMERGENCY LEAVE)

APRIL 2020

## ABSTRACT

Peterlee Town Council provides this Special Leave Policy for all employees to use as a guide for the process of taking special leave including bereavement and emergency leave.

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CORPORATE SERVICES MANAGER

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# **SPECIAL LEAVE POLICY**

## **(including Bereavement and Emergency Leave)**

### Introduction

This policy is intended for all employees of the Town Council.

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.

Employees have access to annual leave and time off in lieu (TOIL) if they need to take time off work. But there are some life circumstances that the Council recognises as 'special circumstances' and in these cases the Council may award additional 'special leave' over and above an employee's annual leave entitlement or TOIL balance.

These circumstances include:

- Magistrate and other Public Duties
- Jury Service
- Trade Union activity
- Medical appointments
- Compassionate leave
- Bereavement leave
- Extreme weather
- Emergency dependents leave

The Council recognises the requirement for fairness and consistency when considering requests for special leave. All applications for special leave will be considered 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 Chief Officer.**

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.

### 'Close Relative' definition

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

- Employee's spouse or civil partner.
- Employee's child or parent.
- Any person who lives at the same residential address 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 and foster children.

### Magistrates and Other Public Duties

Paid leave of absence for Magistrate or other official Public Duties will be granted by the Town Council subject to the needs of the service. Employees are reminded that all such engagements should be declared in advance, as per the Officers Code of Conduct.

### Jury Service

The appropriate National Agreements (NJC Green Book) 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/Chief Officer, who shall grant leave of absence unless exemption is secured by the Council.

The employee shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors' Allowances Regulations in force at the time. He/she shall then have deducted from full net pay an amount equal to the allowance received. The Chief Officer must also declare whether the employee is required to return to work if not required for jury service for full or part days.

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.

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

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

### Medical Appointments

#### Routine and non-urgent appointments

All routine and non-urgent appointments should be made outside of normal working hours where possible, however if this is not possible and the timing of appointments or the urgency then annual leave or TOIL must be used during working time and will be allowed, subject to notifying Manager/Town Clerk. **Every effort should be made to ensure appointments are made outside of normal working hours.**

Any pregnant employee has the right to paid time off for ante-natal care and must produce evidence of appointments if requested.

#### Hospital appointments

Any hospital appointments due to an underlying health condition will be classed as sick leave and reasonable time off will be granted. An appointment card or letter from the hospital should be produced and checked by the Manager prior to the authorisation of leave.

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 of hours previously worked.

### Cancer Screening

In line with the National Conditions of Service which provide that necessary paid time off shall be granted for the purposes of screening.

### Ongoing Treatment

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.

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.

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 even if treatment exceeds a standard day's length.

Supporting medical evidence will be required by the Council when agreeing time off facilities with the employee.

### Compassionate leave

Compassionate leave may be granted in circumstances such as the serious illness of a close relative. The amount of compassionate leave granted will be considered on a case by case basis but will typically not last more than 5 working days.

The Council recognises that in some circumstances employees may need longer periods away from work than may be covered in this policy. If this can be accommodated, it will usually be on the basis of unpaid leave.

## Bereavement Leave

The Town Council recognises that bereavement is an emotional matter and will treat all applications for bereavement leave with sensitivity. Bereaved employees will be offered the provision of counselling support through the Council's Occupational Health service.

It is expected that managers will take all relevant circumstances into account when granting paid leave for bereavement, such as the closeness of the relationship, both physical and emotional.

Bereavement leave for part time employees will be authorised as the equivalent of working days.

If necessary, employees can take annual leave or toil. This would be in addition to bereavement leave and subject to approval from his/her manager and the immediate needs of the service.

3 days paid leave will be granted for all employees for the loss of a parent, parent in law, spouse, brother or sister or grandchild.

Any other close family relatives of the employee will be granted 1 days paid leave.

As of 6<sup>th</sup> April 2020, there is a change to parental bereavement leave. The entitlement is now:

- All employees have a 'day one' right to 2 weeks unpaid bereavement leave.
- Parents and primary carers must have been employed for a continuous period of at least 26 weeks before the child's death and are eligible for 2 weeks paid parental bereavement leave if they receive pay above the lower earnings limit.
- Statutory parental bereavement leave is £151.20 per week or 90% of earnings if less than this amount.
- The 2 weeks leave can be taken in either 1 block of 2 weeks or 2 blocks of one week each.
- The leave must be taken within 56 weeks of the date of the child's death.
- An employee can cancel a request by giving the appropriate notice but cannot cancel any week of leave that has already begun.

## Extreme weather or other emergency conditions

Should extremely 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 (e.g. 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)

Emergency leave is intended 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.
- 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 of hours previously worked lieu, all emergency leave will be **unpaid**.

- 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.
- 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.
- 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.

### **Emergency leave would not apply to:**

- The long-term care arrangements such as childcare 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 (i.e. taking a child to hospital for an appointment)

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

### [Other leave provisions available to employees](#)

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.

### Other requests

Requests for leave other than those covered by National Agreements or as described above shall be determined by the Town Clerk.

### Abuse of the policy

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

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

<b>Author of Policy;</b>	<b>Corporate Services Manager</b>
<b>Date effective from;</b>	<b>April 2020</b>
<b>Policy review;</b>	<b>April 2022</b>
<b>Version Control;</b>	<b>V1</b>



PETERLEE TOWN COUNCIL  
SPECIAL/UNPAID LEAVE REQUEST FORM

NAME.....

DAYS REQUESTED .....

FROM..... TO.....

SIGNED..... DATE.....

**MANAGER/LINE MANAGER: I HAVE APPROVED THIS LEAVE REQUEST.**

SIGNED..... DATE.....

**A SPECIAL LEAVE REQUEST FORM MUST BE SUBMITTED AND AGREED PRIOR TO ANY PERIOD OF LEAVE BEING TAKEN. THE TOWN CLERK RESERVES THE RIGHT TO REFUSE ANY LEAVE REQUEST.**

**I UNDERSTAND I WILL NOT BE PAID FOR THIS LEAVE REQUEST.**

**THIS FORM WHERE POSSIBLE SHOULD BE SUBMITTED TO ADMIN BEFORE 5<sup>th</sup> OF THE MONTH. ANY REQUESTS AFTER THAT DATE WILL HAVE BEEN PROCESSED BY PAYROLL, THEREFORE THE PAYMENT WILL BE DEDUCTED THE FOLLOWING MONTH.**

SUBMITTED TO ADMIN TEAM BY:	MANAGERS/LINE MANAGER NAME:	DATE:
PROCESSED BY ADMIN TEAM BY:	ADMIN TEAM NAME:	DATE:



**PETERLEE TOWN COUNCIL**

**BEREAVEMENT**

Name .....

Works No .....

**Relationship of Deceased** .....

**Leave of absence required from** ..... **to** .....

**Employee signature** .....

**Manager signature** .....

**2 weeks**      **children under the age of 18 or still born babies**

**3 Days**      **Allowed for Parents, Parents in Law, Spouse, Brother, Sister,**

**1 Day**      **Allowed for other close family relations**

**Once completed please send this form to admin to be processed.**