

1.0 Introduction

1.1 North Lincolnshire Council recognises that enabling its employees to achieve an effective work life balance benefits employees, the organisation and the community it serves.

1.2 This procedure describes the steps to be taken by which employees may apply for special leave, which covers periods of absence from work, which are not covered by any other policy.

Note 1: Separate guidance on annual, maternity, adoption, paternity, maternity support and parental leave can be found in section B of the council's Human Resources (HR) manual.

1.3 Entitlement to certain types of leave are covered by statutory obligations, whilst other forms of leave are discretionary and may be granted by the appropriate manager. In all circumstances, requests will be considered sympathetically but are subject to individual circumstances and the needs of the service.

1.4 This procedure applies to all employees of the council other than those employed in schools with delegated powers.

1.5 Employees must wherever possible schedule non-work commitments outside of normal working hours. Where this is not possible, but the time can still be selected, commitments should be scheduled as near to the start or finish time of the working day to minimise disruption. There is an expectation that employees will attend work before and after appointments wherever appropriate.

1.6 Where amounts of leave are specified these are based on a standard 37 hour (5 day) week. Part time employees and those working irregular working patterns shall have applied to them the same provisions pro-rata to comparable full time 37 hour (5 day) week employees in the council.

1.7 With the exception of those provisions contained in Appendix 1, jury service, witnesses, election duties and leave for carers at sections 12.0, 13.0 and 14.0, the total time off with pay that can be claimed in any leave year shall not exceed 10 days. *Pro-rata for part-time employees.*

1.8 In very exceptional circumstances the maximum amount of time off with or without pay, can be increased. This will only occur following consultation with the employee's Director and the HR Commercial and Operational Lead.

Note 2: Where appropriate, and in consultation with their line manager, employees may wish to explore elements of agile or flexible working as a supportive measure, as an alternative to requesting Special Leave

2.0 Requests for leave

- 2.1 Requests for leave should in the first instance be made to the immediate manager through the iTrent Employee Portal where available, or by means of completing a special leave application form (Appendix 2). In an emergency situation, this may be completed retrospectively.
- 2.2 Employees requesting time off for unexpected or sudden problems must inform their manager as soon as possible on the first day of their absence, the reason for it, any work commitments that need to be rearranged and how long they expect to be away from work. Employees must also inform their manager if the duration of the absence extends beyond the original estimate.
- 2.3 Where the provisions of this policy are insufficient to cover longer term situations, careful consideration will be given to varying or adapting existing work arrangements to enable such needs to be met. Other working arrangements such as the use of annual leave, flexi-leave, taking work home or making up time off may be considered.
- 2.4 Sympathetic consideration will also be given to requests for unpaid leave. Employees may be granted up to 148 hours (four weeks) of unpaid leave in any leave year, across all policies. *Pro-rata for part-time employees.*
- 2.5 Periods of unpaid leave in excess of 148 hours (four weeks) should be requested in accordance with the council's Flexible Working and Career Breaks policy B.3.6.

Note 3: Pension benefits will not build up during a period of unpaid leave. Members of the Local Government Pension Scheme (LGPS) can elect to cover the period of pension 'lost' by taking out a Shared Cost Additional Pension Contribution (SCAPC) contract. Where a SCAPC contract is taken out to cover the pension 'lost' the cost is shared one third to the employee and two thirds to the employer, provided that employees make an election to buy the 'lost' pension within 30 days of returning to work. Further information is available at www.lgps2014.org.

Employees who are members of the Teachers' Pension Scheme can find detailed information at www.teacherspensions.co.uk.

3.0 Compassionate leave

3.1 A maximum of 37 hours paid leave may be granted in any leave year to cover:

- Time off for dependants (emergencies);
- bereavement; or
- domestic emergencies.

3.2 Since the amount of time off required will vary with the differing circumstances of each case, employees should always discuss their situation with their manager.

Time off for dependants (Emergencies)

3.3 Employees are able to take a reasonable period of paid leave to deal with personal emergencies involving dependants, subject to the constraints at 1.7 and 3.1. This enables employees to deal with unexpected or sudden problems and make any necessary longer term arrangements.

3.4 Examples of the circumstances, which may apply are:

- Illness, involvement in an accident or assault, including where the victim is hurt or distressed and cannot care for themselves;
- to make longer term care arrangements for someone who is ill or injured;
- to deal with an unexpected disruption or breakdown in care arrangements for a dependant (e.g. a child may have chicken pox and would not be allowed in crèche therefore time may be needed to make suitable arrangements/visit a doctor);
- to deal with an incident involving your child during school hours.

This list is not exhaustive and managers will deal fairly and consistently with employees when requests for leave arise.

3.5 For most unexpected or sudden problems, one or two days should be sufficient to deal with the initial crisis. For example, if a child falls ill with chickenpox, the leave provided should be enough to help the employee cope with the situation; to deal with the immediate care of the child, visiting the doctor if necessary and to make longer term care arrangements where possible. If the child remains sick employees should use annual leave, flexi-leave or unpaid leave.

Note 4: A dependant is the husband, wife or partner, child or parent of the employee. This includes step parents and those fostering young people. It also includes someone who lives with the employee as part of their family. In cases of illness, injury or where care arrangements break down, a dependant may be a close relative or someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who

can help in an emergency. It will not normally include tenants or boarders living in the family home.

Bereavement

- 3.6 Employees are able to take a reasonable amount of paid leave to make funeral arrangements for a dependant, attend the funeral and deal with the registration of the death where appropriate, subject to the constraints at 1.7 and 3.1.
- 3.7 The employee may choose to take leave on non-consecutive days to deal with the various stages of bereavement, e.g. if the employee is the executor of the will etc.
- 3.8 Employees may also take paid leave to attend the funeral of a close relative. This will usually be up to a day but managers should take account of the fact that the nature of relationships and the required observances of different religions will vary.

Note 5: A close relative is defined as a parent in-law, sister, brother, (in-laws), grandchild, grandparent, auntie, uncle, niece or nephew of the employee. Half-blood relatives are also included, as are adoptive relationships and relationships which would have existed but for an adoption, i.e. an employee's natural relatives.

Domestic emergencies

- 3.9 In domestic emergencies employees will be expected to cover any time off required through the use of annual leave or flexi-leave prior to applying for special leave.
- 3.10 Employees are able to take a reasonable amount of paid leave with domestic incidents involving their property, which have immediate or unavoidable consequences, subject to the constraints at 1.7, 3.1 and 3.9. Examples of the circumstances that may apply are:
- Burglary;
 - flood;
 - fire.

This list is not exhaustive and managers will deal fairly and consistently with employees when requests for leave arise.

Time off for dependants (Planned events)

- 3.11 All requests for leave for dependants (planned events) will be unpaid. Examples of the circumstances that may apply are:
- To attend ante-natal clinics with your pregnant partner;
 - to attend a hospital appointment or planned operation with a child/partner.
- 3.12 For planned events the amount of time off granted should only be sufficient to cover the appointment and any necessary travelling time. There is an expectation that employees will attend work before and after appointments wherever appropriate.
- 3.13 Reasonably foreseen disruptions to normal child care arrangements, such as school closure as a result of nationally proposed strike action, should be covered by the use of annual leave, flexi-leave or unpaid leave.
- 3.14 Following any period of absence it is good practice for the appropriate manager to discuss with the employee whether any further support or assistance can be provided.

4.0 Medical consultation and treatment

- 4.1 Employees should wherever possible request and/or schedule medical appointments outside of normal working hours.
- 4.2 For all routine medical or dental appointments, where employees have the ability to make an appointment, annual leave and/or flexi-leave should be used.
- 4.3 Employees who are required to attend outpatients appointments (supported by evidence of the appointment) will be granted paid leave for this purpose if the length of absence required is less than 50% of their normal working day. Where a longer absence is required, either this should be recorded as sickness absence or annual leave, flexi-leave or unpaid leave should be requested.
- 4.4 For any outpatient appointments where the time can be selected, they should be scheduled as near to the start or finish time of the working day to minimise disruption. There is an expectation that employees will attend work before and after appointments wherever appropriate.
- 4.5 If an employee is admitted to hospital as a day patient or in-patient, or attends for emergency treatment this should be recorded as sickness absence in accordance with the council's Attendance Management policy D.1.

- 4.6 For time off for elective surgery (not prescribed by a doctor) or consultation associated with such procedures, employees must use annual leave or flexi-leave, but may be granted unpaid leave if the other two options are not available to them.

Fertility treatment

- 4.7 Employees undergoing a cycle of fertility treatment will be granted a maximum of 37 hours paid leave in any leave year.
- 4.8 An employee whose partner is receiving fertility treatment will be granted a maximum of 7.5 hours paid leave in any leave year.

Medical donors

- 4.9 Attendance at blood donor sessions should be scheduled outside of normal working hours wherever possible. Otherwise they should be planned as near to the start or finish time of the working day to minimise disruption and employees should use annual leave or flexi-leave.
- 4.10 For all other medical donations including, bone marrow, tissue and organ, employees will be granted a maximum of 15 hours paid leave in any leave year.
- 4.11 With reference to 4.3, 4.6, 4.7 and 4.10 above, if the employee subsequently remains absent because of sickness, normal reporting arrangements in accordance with the council's Attendance Management procedure must apply and ensuing days will be recorded as sickness absence.

5.0 Jury service

- 5.1 Leave will be granted to employees required to serve as jurors. Employees who serve as jurors must seek compensation for loss of earnings from the court.
- 5.2 Courts issue jurors with a loss of earnings certificate which employees should submit to the council's payroll section to complete. Once employees have received reimbursement for loss of earnings from the court they should present the statement provided to payroll, so a deduction of an equal amount (excluding any travel and subsistence payments) can be made from their next pay period.

6.0 Witnesses

- 6.1 Unpaid leave will be given to employees attending court on subpoena or witness summons. Pay lost in this way may be recovered from the party requiring the attendance or from the court authorities where witnesses are paid out of public funds. This provision does not apply to employees who are plaintiffs, defendants, petitioners or respondents, when annual leave, flexi-leave or unpaid leave should be used.
- 6.2 Employees who are called as a witness as part of their job role, or on behalf of the council will be considered to be at work.

7.0 Election duties

- 7.1 Employees will be granted, subject to service needs, paid leave to undertake election duties within North Lincolnshire.

8.0 Attending job interviews

- 8.1 Employees who are invited to an interview for another post within North Lincolnshire Council only, will be allowed paid leave to attend.
- 8.2 Employees who have been given notice of dismissal by reason of redundancy are entitled during their period of notice to reasonable time off with pay to look for other employment or to arrange for training for future employment.

9.0 Study leave

- 9.1 A maximum of 22.5 hours paid leave may be granted in any leave year to an employee participating in an 'approved course', for the purpose of:
- final revision for examinations;
 - assignments; and
 - dissertations.

Note 6: An 'approved course' is a course of study which is normally work related, for which an employee is being released to attend and/or is receiving financial assistance from the council.

- 9.2 In addition employees are entitled to paid leave for the purpose of sitting approved examinations.
- 9.3 The responsible manager will approve paid leave for final revision for examinations relating to approved courses on the basis of half a day for each examination paper to be taken, subject to sufficient notice being given and the constraints at 1.7 and 9.1. This leave must be taken within the two weeks prior to the examination and will not be granted for subsequent attempts at the same examination.
- 9.4 Employees will be granted paid leave for the purpose of the completion of assignments and dissertations relating to approved courses. Leave will be provided on the basis of half a day for each assignment and two days for dissertations, subject to sufficient notice being given and the constraints at 1.7 and 9.1.

Note 7: The provisions of 9.3 and 9.4 are subject to a maximum of 22.5 hours not being exceeded in any leave year.

- 9.5 Employees approved by their Director to study on a correspondence basis e.g. through the Open University or other college courses may be offered paid leave. This will be granted at the discretion of the Director, up to a maximum of 15 working days for each stage or year of the course, including time off for examinations. This does not apply to second or subsequent attempts at the same examination. The Director may stipulate where the employee will study during such leave. Leave for residential study periods, including Open University/college summer schools, must be included in the maximum of 15 days.

10.0 Foster carers/Connected persons

- 10.1 Employees who are currently or plan to become foster carers/connected persons are entitled to:
- Up to 5 days (37 hours) paid leave during their assessment for approval in becoming a foster carer;
 - an additional 5 days (37 hours) paid leave during the approval process or when they are caring for a foster child, e.g. for meetings, training or unforeseen emergencies relating to their fostering role, e.g. to accommodate an emergency placement;
 - up to 10 days (74 hours) paid leave at the start or end of a planned permanent placement.

Note 8: Connected Person fostering is a legal arrangement where a child who cannot be cared for by their parents, is looked after by a relative, family friend or any other person with a connection to the child in a personal or professional capacity.

Note 9: As appropriate, these provisions will extend to prospective parents in the 'fostering for adoption' system, and intended parents in a surrogacy arrangement that are eligible, and intend to apply for a parental order.

10.2 Employees may take up to a maximum of 20 days (148 hours) paid leave in a leave year. The maximum entitlement will be granted only in circumstances, where an employee has, applied to be a foster carer, received training and had a child permanently placed with them, all within 12 months. (This will only happen in the first year of an employee becoming a foster carer).

10.3 Normally, it is expected that employees may take up to 10 days (74 hours) paid leave in a leave year when a child is placed with them.

10.4 Leave may or may not be planned in advance and will be granted at the discretion of managers, who will take into account the nature of the request and the needs of the service.

10.5 Employees may wish to consider a temporary change to their standard working arrangements and should discuss this with their manager, who will decide if the request for the change meets the needs of the service. Employee requests to permanently change standard working arrangements should be made in accordance with the council's Flexible Working and Career Breaks policy B.3.6.

11.0 Supported lodging providers/Adult carers

11.1 Employees who are currently or plan to become supported lodging providers for North Lincolnshire Council or adult carers within North Lincolnshire will be allowed up to six days paid leave to attend training, planning meetings, reviews and any other relevant meeting as agreed by the responsible placement officer.

12.0 Parent/carers of disabled children/adults

12.1 Paid leave of up to three hours per month (pro-rata) will be granted to employees who are parent/carers of disabled children/adults to attend formal consultation and/or participation events in support of the council's overall function and responsibility to disabled people and their carers.

12.2 Employees may choose to bank the hours provided over a maximum of three months if they wish to attend a whole day event.

13.0 Extraneous duties

13.1 In granting leave for extraneous duties, the needs of the service will be considered first. Detailed guidance can be found in Appendix 1.

14.0 Volunteering leave

14.1 The council will actively encourage employees to become involved in voluntary activities within North Lincolnshire Council or those that directly assist the community, are relevant to the work of this council and are consistent with its priorities.

14.2 A maximum of three days (22.5 hours) paid leave in any leave year will be available subject to the needs of the service and the constraint at paragraph 1.7. Requests for leave will be granted subject to a commitment from the employee to volunteer for an equivalent amount of time using their own annual leave or flexi-leave.

14.3 In addition employees who have confirmed their retirement may request a maximum of one day (7.5 hours) paid leave a month in their last three months of service.

14.4 Volunteering leave will only be provided for activities that take place during the normal working hours of the employee and will be granted on a pro-rata basis for part time employees.

14.5 A maximum of six days (44.5 hours) paid leave will be permitted for voluntary work in the following areas:

- Young witness support scheme;
- special constable.

The provision of six days will not be subject to the conditions at paragraph 16.2 and may be provided for activities performed outside of the North Lincolnshire area.

14.6 Volunteering leave will not normally be granted in addition to time off for the performance of other extraneous duties.

15.0 Religious festivals and holy days

15.1 The nature, duration and requirements will vary depending upon the holy day or religious festival, and can also vary depending on the personal religious beliefs of an individual.

15.2 Employees should discuss their individual circumstances and requirements with their manager as far in advance as possible to enable a discussion about how these might be accommodated. All requests should be considered sympathetically, balancing the employee's requirements with the operational needs of the service. Whilst any time off granted for religious observance will be unpaid, the following options may be considered as alternatives:

- Short-term variation of a working pattern e.g. earlier or later start/finish times;
- use of annual leave;
- use of the flexitime scheme (including short-term accrual of flexitime debit in excess of the usual maximum amount);
- flexibility around the timing of (unpaid) breaks e.g. lunch breaks;
- short-term adjustments to duties or place of work e.g. spreading out particularly mentally or physically demanding tasks during a period of religious fasting;
- working from home;
- temporary provision of a suitable private prayer space.

Special Leave Extraneous Duties

1.0 General terms (to cover 2.0 to 9.0)

- 1.1 Where an employee is contemplating a position with an external organisation unrelated to the council, which would require leave of absence, the employee should discuss the matter with their manager prior to accepting the position.
- 1.2 An employee must not assume that paid leave/unpaid leave will be automatically given. In granting leave for extraneous duties, the needs of the service will be considered and the council reserves the right to insist that an extraneous duty does not take preference.
- 1.3 Where not stated, the amount of working time, which can reasonably be devoted to extraneous duties will depend on the particular circumstances of each case. If approval is given for an employee to undertake extraneous duties, they must submit, monthly in advance, details of commitments, where reasonable.
- 1.4 If any fee or other payment is received, the following will apply:
- Employees may retain any fees, which relate to work, which is done in their own time;
 - in the event of a fee being received for work done wholly within normal working hours the whole fee must be declared and will be deducted from pay;
 - in the event of a fee being received for work done partly within normal working hours deductions will be made proportional to the normal hours of work and the total attendance hours.
- 1.5 All employees are encouraged to make a positive contribution to the community either through public duty or more general volunteering.

2.0 Magistrates

- 2.1 Employees who are, or wish to become, magistrates will be permitted at least 97.5 hours (13 days) paid leave per leave year to meet the minimum sitting requirements, subject to a maximum of 135 hours (18 days) not being exceeded. Magistrates are usually required to sit at half-day sessions.

Special Leave Extraneous Duties

3.0 Political activities

- 3.1 Employees whose posts are designated as politically restricted under the Local Government and Housing Act 1989, may not engage in political activity as a party official, hold public elected office or be nominated to office by a political party. Detailed guidance, including a list of specified posts, can be found in Politically Restricted Posts (PoRPs) A.2h.

4.0 Candidates for election to parliament

- 4.1 Any employee who is a parliamentary candidate may be given paid leave during the period between nomination and the day on which the result is announced, inclusive.

5.0 Election to parliament

- 5.1 Employees who are elected to parliament may be given unpaid leave with appropriate pension protection so long as they remain a member of parliament.
- 5.2 Employees given unpaid leave as members of parliament may be assured of suitable re-employment immediately following their term of office as a member of parliament. Re-employment will not necessarily be in the former job and will apply only providing their service would not have terminated had they remained in active employment in the post during the period unpaid leave.

6.0 Full time agents for parliamentary election

- 6.1 Employees who are appointed, as a full time agent during a parliamentary election may take paid leave during the period between nomination and the day on which the result is announced, inclusive.

7.1 Candidates for election to local authorities

- 7.1 Qualifying employees are entitled to stand for election to any local authority other than North Lincolnshire Council. Employees must give their Director maximum possible notice of their decision to stand for election. Candidates may be granted paid leave for 'election day' and the day on which the results are announced if this is different.

Special Leave Extraneous Duties

7.2 Employees wishing to stand for election to North Lincolnshire Council must have resigned and served their notice before the date of nomination.

8.0 Election to a local authority or appointment to a civic office

8.1 Employees who are elected to membership of another local authority (including town and parish councils) as a councillor, chairperson of councils, mayor (or serve as mayor's consort for North Lincolnshire) and holders of other civic office may be given leave with pay in order to allow them to fulfil their civic duties and obligations.

9.0 Public bodies activities

9.1 Employees may take reasonable paid leave to serve as members of:

- Health authorities/boards;
- governing bodies of educational institutions;
- committees, tribunals and panels or other similar bodies established by a Minister of the Crown or by the council or an association of which the council is a member or by any other local authority;
- non-political organisations whose principal objectives are the improvement of the standard of local government service.

10.0 Non-regular/cadet forces

10.1 A maximum of 74 hours (two weeks) paid leave per year will be given to members of the non-regular forces and cadet force adult volunteers who attend annual training camps.

10.2 The above will require approval in advance, subject to the needs of the service. Proof of attendance is also required.

10.3 If mobilisation of non-regular forces is required, the council will fully support employees to undertake this in line with government requirements. More information can be found at <https://www.gov.uk/employee-reservist>.