

## **Leave policy**

This policy forms part of your contract of employment. The councils are entitled to introduce minor and non-fundamental changes to this policy by notifying you of these changes in writing and will consult all employees on any significant changes.

### **Introduction**

1. This policy covers leave not taken through annual leave or annualised hours. For information on annual leave and bank holidays, please see the annual leave and bank holidays policy and for information on annualised hours please see the annualised hours policy.
2. Other policies referring to types of leave or the use of leave include:
  - maternity, paternity, adoption and surrogacy policy
  - shared parental leave policy
  - guidelines in the event of extreme weather
  - learning and development policy (includes study leave).

### **This policy covers the following:**

- medical, dental or optician appointments
- blood donations
- time off for public duties (such as territorial army commitments)
- working on elections
- jury service and court appearances
- sabbaticals
- compassionate leave
- ordinary parental leave (OPL)
- carers leave
- emergency leave
- purchasing annual leave
- unpaid leave

## **Medical, dental or optician appointments**

3. Doctor's, dental, hospital outpatient, optician or other medical appointments should be arranged outside of your usual working hours where possible. If they are arranged during work time, the time off to attend them should be taken in your own time as annualised hours.
4. If you are not part of the annualised hours scheme and have an appointment in work time you should agree with your manager how to record it. For example, an urgent doctor's appointment unavoidably taken in work time may be taken within working hours. A non-urgent eye test should be taken outside of working hours or if this was not possible you would be expected to make up the time taken.
5. If your absence from work due to a hospital appointment is half a working day or more, the time taken should be recorded as annualised hours on HR Pro.
6. As detailed in the maternity, paternity, adoption and surrogacy policy, all pregnant employees are entitled to paid time off for ante-natal appointments. You should inform your manager of your appointment times as early as possible.
7. In exceptional circumstances, ongoing outpatient medical treatment may be taken within working hours, for example, if you have a condition which could be life-threatening, such as cancer. This would need to be agreed by your manager, head of service and HR business partner.
8. As with other hospital treatment, time off for cosmetic surgery, laser eye treatment or fertility treatment should be taken as annualised hours. If you became ill and need to take time off work due to complications relating to your treatment this will be treated as any other sickness and should be recorded as sick on HR Pro.

## **Blood donations**

9. You can claim annualised hours for any time taken to give blood. Significant travel time to and from the appointment should be taken as annualised hours.
10. If you are involved in blood platelet donation or organ donation you can claim up to one hour per month as annualised hours with agreement from your manager, in addition to any blood donations.

## **Time off for public duties**

11. You are able to take time off for public duties if you are one of the following:

- a magistrate, sometimes known as a justice of the peace
- a local councillor (for a council other than your employer such as a parish council)
- a school governor
- a member of a police authority
- a member of any statutory tribunal (e.g. an employment tribunal)
- a member of the managing or governing body of an educational establishment
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency
- a member of the prison independent monitoring boards
- a territorial army reservist
- a special constable.

12. If you fall into one of the categories above you are entitled to take a reasonable amount of time off to go to meetings or carry out your duties. It is not always straightforward to define 'reasonable' and what is reasonable will depend on:

- what your duties are
- the time you need to carry them out
- the impact on the delivery of your work and on your colleagues
- how much time you have already had for public duties or trade union activities.

13. You should agree the time you are able to take with your manager. If you wish to take significant or ongoing time off, your manager may decide to liaise with your head of service before they confirm arrangements with you.

14. If time off is agreed to fulfil public duties, paid leave of absence will normally be given up to a maximum of ten days per annum for a full time employee, with the amount pro rata if you work part time. If your responsibilities take more time than this, the additional time off will be taken as unpaid. Where an allowance may be claimed for loss of earnings, you should claim this allowance and you will be paid your usual salary minus this amount.

## **Working on elections**

15. If you carry out election duties on the day of an election, for example as a poll clerk, presiding officer or polling station inspector you should book the day as elections in HR Pro and your work will be carried out in council time.

This also applies if you work on the count on the day of an election, for example as a count assistant, count supervisor or deputy returning officer. If you are in our annualised hours scheme, you should record the hours you work on your timesheet up to a maximum of your standard hours for that day i.e. 7 hours and 24 minutes if you work full time. You should not record more than your standard hours as you are already being paid for the day in addition to your usual salary.

16. You may also carry out work on the verification and / or count of an election on a day other than the day of the election itself. For instance, the verification / count day may be the day after the election. How you record this depends on your job role. If you are a member of the elections team, a service manager (a manager reporting directly to a head of service), a head of service, a strategic director or the chief executive, you will take the day as a normal working day, as there is an expectation that the elections team and a significant number of senior employees will attend a count. If you are not in the elections team or at service manager level or above you will need to book the day off as annualised hours or annual leave. These stipulations also apply if you are counting postal votes on a day other than the day of the election. If you carry out work as an electoral registration canvasser you will need to do this in your own time regardless of your role at the council.
17. If you are working on an election not administered by Vale of White Horse or South Oxfordshire district councils you will need to carry out this work in your own time regardless of your role at the council. For example, if you work at an election administered by another district in Oxfordshire or at an election held in a neighbouring county.

## **Jury service and court appearances**

18. If you are required to appear in court as a juror you should advise your manager of this. They will usually grant you leave of absence although they may ask that you request an exemption if your absence would have a highly detrimental impact on the delivery of your work. You should book the time off on HR Pro as jury service.
19. You must claim the allowance for loss of earnings as you are entitled to and submit a copy of this form to Capita. You will then be paid your usual salary minus this amount. If you do not claim the allowance you will be paid your salary minus the allowance you were entitled to claim for.
20. If you are called to court as a witness to a criminal offence, you should provide proof of this to your line manager in order to confirm the time off you will be taking. As with jury service, you should claim for loss of earnings and you will be paid your usual salary minus this figure. If you need to attend court as a defendant or for any other matter you may not be paid for

your time away from work depending upon the circumstances and at the discretion of your head of service in consultation with their HR business partner.

## **Sabbaticals**

21. A sabbatical is a period of unpaid leave which can be requested by any employee with more than two years' continuous service with either Vale of White Horse and / or South Oxfordshire district council by the time they take the leave. The sabbatical could be requested to enable you to study, travel or assist with personal circumstances. Your manager and head of service would need to agree to the request after consultation with their HR business partner. The maximum period is a year although shorter periods of unpaid leave will also be treated as a sabbatical. Your manager and head of service are not obliged to agree to requests and need to make sure that service delivery can be maintained during any agreed time off.
22. If you have a request for a sabbatical agreed, you will not accrue annual leave during your time away from work. You will be able to return to the same job in which you are employed under your present contract of employment on terms and conditions no less favourable than those which would have applied if you had not been absent (unless all employees' terms and conditions have been changed, for example by collective agreement). For example, your service will be viewed as continuous and if you are due to receive an incremental pay increase during your sabbatical the new salary will apply on your return providing you have worked a minimum of six months in the relevant financial year. In some circumstances, it may not be possible for your current job to be held open but you may return to an equivalent role. This would normally only be the case if it was agreed between you and your manager and head of service prior to your sabbatical.
23. If you are a member of the Local Government Pension Scheme you will be required to pay pension contributions for the first 30 days of your sabbatical but will not pay them after this period. This contribution will be deducted from your last salary (or last two salaries) prior to your sabbatical. The council will also pay contributions to your pension for the first 30 days of your absence. After 30 days neither you nor the council will pay further contributions. However, on your return to work, you may choose to make up some or all of the contributions that you missed. If you take up this option, the council will also match your contributions for the time you are making up retrospectively.
24. You should not undertake paid employment relating to your current role during a sabbatical although you may carry out paid seasonal or voluntary work during your time off and claim expenses from the organisation you are working for if applicable.

## Compassionate leave

25. Compassionate leave is discretionary paid leave that may be granted by a manager in consultation with their HR business partner. Up to ten days' compassionate leave may be given in any leave year (pro rata for part-timers). Compassionate leave requests will be considered sympathetically in the case of the death or serious illness of a partner or close relative (such as a parent, child or sibling).
26. Whether compassionate leave is approved would depend on the employee's relationship with the person who is deceased or ill, the amount of time spent on making funeral arrangements or caring for an ill relative, and the time spent travelling to attend a funeral or hospital. It may be that the time off is split between compassionate leave, annual leave, annualised hours and / or unpaid absence.
27. If you face the death or serious illness of a close relative you should inform your manager as soon as is practicable and indicate how long you expect your absence from work to last. You should inform them in advance of your return to work although you would not necessarily be expected to provide regular updates during your absence. The immediate priority will be for you confirm your time off work. How the full period of your absence is recorded will often be agreed once you return to work.

## Ordinary parental leave (OPL)

28. Ordinary parental leave (OPL) may be granted in line with the Maternity and Parental Leave etc. (Amendment) Regulations 2014, which provide all working parents with children under eighteen with a right to take unpaid parental leave of up to 18 weeks per child up to their child's eighteenth birthday. The entitlement to parental leave applies if you have parental responsibility for a child. This includes the father, mother, a guardian or adoptive parents. You need to have at least one year of continuous service with Vale of White Horse or South Oxfordshire district council by the time you take the leave.
29. You must give 21 days' notice of taking parental leave and you should write to your manager:
  - confirming that you qualify for parental leave
  - stating when you would like the leave to start and end
  - confirming whether you have already taken parental leave in respect of the child with a previous employer

- enclosing an original copy of the child's birth certificate / adoption documents.
30. Your manager could ask you to postpone the leave if the operation of the services would be unduly disrupted. If this is the case they will give you written notification of the reasons why the leave will have to be postponed. Leave cannot be denied indefinitely and it will be agreed that you will be able to take the leave within six months of your request.
31. Parental leave must be taken in blocks of one week except if you are the parent of a disabled child in which case you can take leave in multiples of one working day. In all cases a maximum of four weeks' parental leave in a year can be taken per child. Prior to taking parental leave you must ensure that it is booked appropriately on the HR system. A week's leave can begin on any working day.
32. If you are in the pension scheme and take parental leave you will still need to pay your pension contributions. You are guaranteed the right to return to the same job after your parental leave.
33. Shared parental leave (SPL), maternity, adoption and surrogacy leave are covered in separate policies.

## **Carer's Leave**

34. If you care for someone you are entitled to take a reasonable amount of time off work to deal with unexpected or sudden emergencies relating to them and to make any necessary longer term arrangements. This time off is not paid so you may wish to consider using annualised hours or annual leave as an alternative to taking unpaid leave.
35. An emergency could include:
- an unexpected disruption or ending of care arrangements such as a child-minder's illness
  - the person you care for falls ill or has an accident – this could be emotional or physical pain
  - your child has an accident in school hours
  - you need time to make longer term care arrangements if your child has a long term illness
  - you need time off following the death of a dependant and compassionate leave does not apply.
36. A dependant is the partner, child or parent of the employee. It also includes someone who lives in the same household as the employee such as an elderly relative or grandparents. It does not include tenants or boarders or a

live-in housekeeper. You do not need to have a particular length of employment with the councils to take carer's leave.

37. The time off is limited to the amount of time that is reasonable in the circumstances. When a dependant needs to be cared for because of an illness or injury, you may take unpaid time off work to cover the immediate emergency and to make longer term care arrangements. This should not generally need to be more than a day or two. Carer's leave should not be used to take time off work for the duration of the illness or injury.
38. If you need to take carer's leave your manager will be able to authorise this without referral to their head of service. You should tell your manager the reason for your absence as soon as is reasonably practicable and inform them how long you estimate you will be off work for. You are not required to give prior notice in writing. You will need to confirm with your manager whether you are using annual leave, annualised hours or unpaid leave and will need to book this time off using HR Pro.

## **Emergency leave**

39. This is paid leave that can be granted in exceptional circumstances by your manager in consultation with your head of service in the case of an extreme household emergency such as a major flood or house fire. Up to ten days' emergency leave may be given in any leave year.

## **Purchasing additional leave**

40. The councils allow every employee the opportunity to purchase up to one week (five days or a pro-rata working week for part timers) in every holiday year.
41. To purchase leave you need to complete the form available on the intranet and have this authorised by your Head of service before returning to HR to action through payroll.

## **Unpaid leave**

42. You may agree a period of unpaid absence with your manager that doesn't fit into the types of leave outlined above. If this was granted it would normally be because you do not have annual leave or annualised hours available to use. As with any other absence, it should not cause operational problems and will be at the discretion of your manager

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