

# **LEAVE OF ABSENCE POLICY**

## **1.0 Introduction**

Employees of the Council enjoy certain statutory rights in terms of being granted leave of absence, paid or unpaid. This Policy is concerned only with leave that is granted by the Council to assist employees deal with difficult circumstances. Employees have certain rights in regard to time off work where a child has died and entitlement can be found in the Parental Bereavement Leave Policy.

1.2 This policy does not confer any automatic entitlement to leave of absence except when an employee needs to take time off work to deal with an emergency, which includes a bereavement.

1.3 It is a general principle of this Policy that no application for leave of absence will be unreasonably refused and each application will be considered on its own merits, although each application must be considered with regard to the requirements of the Council.

1.4 This Policy therefore deals with situations outside of statutory entitlements and any leave granted is at the discretion of the Council.

1.5 Both paid and unpaid leave of absence may be granted by the Council.

## **2.0 Responsibilities**

2.1 It is accepted that in most instances employees, who may wish to apply for leave of absence, may have to be absent from work without being able to give any notice. Employees should endeavour to contact the Council as soon as possible in order to provide some basic information as to their absence.

2.2 The Council accepts that it must be respectful in dealing with employees at a time of great sensitivity and will seek to minimise the need for unnecessary explanations.

2.3 Employees must recognise that, other than where statutory provision exists, leave of absence cannot be taken as a right.

2.4 In many cases leave of absence may have to be authorised retrospectively. It should not be assumed that leave of absence will automatically be given in every instance. Every application will be considered on its own merits.

2.5 The Council will maintain a record of all leave of absence applications in order to show consistency.

2.6 Any abuse of the provisions of Leave of Absence Policy may be treated as a breach of the Council's Disciplinary Policy.

## **3.0 Acute Domestic Distress**

3.1 Employees may occasionally experience some acute domestic distress. (e.g. a serious fire in the employee's home or the need to give support to a near sick relative or partner).

Employees should consider, as first instance, using any annual leave or TOIL before any request is made for Leave of Absence.

3.2 It is impossible to cover all circumstances which may occur under this heading. Each individual case will be considered on its own merits. All applications must be made to the Clerk, who will consider the application having regard to the nature of the situation.

## 4.0 Bereavement Leave

4.1 It is likely that all staff will be faced with having to take time off work due to a family bereavement. The Council accepts that the word “family” has a wide interpretation in today’s society and will seek to agree leave of absence that is appropriate to each particular situation.

The amount of leave quoted below is a guide but actual time granted must be agreed with the Clerk. The amount of leave actually approved will depend upon the circumstances of each application and the following in-exhaustive list of factors will be taken into account:

- Time and place of funeral
- Responsibility for funeral arrangements, etc
- Location of funeral.

4.2 Additional leave of absence may be granted for attendance at inquests if the employee oversees funeral arrangements.

## 5.0 Payment for Leave of Absence

5.1 The Council may agree to grant leave of absence that is unpaid.

5.2 Where agreement is reached that leave of absence should be paid, that will be based on the employee’s normal rate of pay.

5.3 Any paid leave of absence granted for less than a full pay will be based, pro rata, to the employee’s normal rate of pay.

## 6.0 Medical Appointments

6.1 As a general rule, employees should endeavour to secure medical appointments outside of normal working hours. However the Council recognises the practical difficulties that employees may face in obtaining an appointment at a suitable time. Employees may be granted paid leave of absence by the Clerk to attend medical appointments during normal working hours provided.

Where there is a need to attend a course of medical appointments, the need for time off should be discussed with the Clerk.

6.2 For ante-natal appointments, all pregnant employees will be granted paid leave of absence to travel to and attend such appointments.

6.3 The Council will recognise that employees may wish not to divulge information about the nature of medical appointments although employees must acknowledge the Council has a statutory duty of care over its employees and that cannot be properly exercised if medical information is unreasonably withheld, particularly where a course of medical treatment is being undertaken.

## 7.0 Adverse Weather Conditions

7.1 Time will be credited to staff in circumstances where employees have made reasonable attempts to get to work but are unable to do so because of bad weather conditions or where

employees are at work during bad weather conditions, but arrive late or have to leave early due to travelling problems.

## **8.0 Public Duties**

8.1 Before agreeing to be nominated for a public duty (e.g. a magistrate; retained fire-officer; RNLI crew) the member of staff shall first discuss the possible implications with the Clerk and give an indication of the amount of leave per annum that would be required. Each specific period of absence shall be subject to approval of the Clerk and any decision on paid or unpaid leave will be influenced by any allowance that may be claimed relating to that public duty.

9.2 Members of staff who are called to jury service or as a witness in a trial should claim the loss of earnings allowance and notify the Clerk who will arrange for an equivalent that an appropriate salary deduction is made.

## **9.0 Military Reserve**

9.1 Employees who are considering undertaking these activities should discuss the matter with the Clerk in order to gauge any implication such activity may have on the services the Council provides. As a general rule, up to 5 days paid leave per year will be granted and any additional days should be taken from annual leave.