



# Leave Policy

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## Contents

1.	Purpose .....	3
2.	Authorised Leave .....	3
2.1.	Annual Leave .....	3
2.2	Purchase of Annual Leave .....	3
2.3	Flexi Leave .....	4
2.4	Time Off for Jury Service or Attending Court .....	4
2.5	Election Duties .....	4
2.6	Time off for Public Duties .....	4
2.7	Sabbatical .....	5
2.8	Trade Union Activities .....	6
3.	Time off for Parents and Carers .....	6
3.1	Parental Leave .....	6
3.2	Dependants Leave .....	6
3.3	Special Dependants Leave .....	7
3.4	Foster Training Leave .....	7
3.5	Compassionate Leave .....	7
3.6	Parental Bereavement Leave .....	7
3.7	Unpaid Leave .....	8
3.8	Carer's Leave .....	8
4.	Unauthorised Absence .....	9

## 1. Purpose

This policy sets out the Council's provision for dealing with a variety of leave and absence situations. This supports a positive work-life balance for colleagues.

## 2. Authorised Leave

### 2.1. Annual Leave

The annual leave year runs from 1 April to 31 March each year.

Annual leave entitlement is contractual and based on continuous local government service. This is as follows:

Less than 5 years' service:

Up to and including Grade 10 - 25 days (185 hours)

Director Level and above – 30 days (222 hours)

5 years' service and above:

Up to and including Grade 10 – 30 days (222 hours)

Director Level and above – 34 days (251.6 hours)

Annual leave is calculated on a pro rata basis if you work part-time. If you start or leave midway through a year this will also be pro-rated.

You should request annual leave at least 7 days in advance on iTrent employee self-service. Approval is subject to the approval of your line manager, based on operational demands.

All annual leave should be used by the start of a new leave year beginning on 1 April.

Annual leave should not normally be carried over. However, with your line manager's permission, up to the equivalent of one week of leave pro rata can be carried over and used at any point in the new leave year.

In exceptional circumstances such as long-term absence, more than one week of leave pro rata can be carried over. This must be authorised by your Head of Service.

There is no need to notify HR of any annual leave that needs to be carried over. All outstanding leave will be assumed to have been authorised.

When you leave the Council, you are entitled to be paid any outstanding annual leave. This is based on what you have accrued based on your leaving date within the annual leave year.

### 2.2 Purchase of Annual Leave

You may request to purchase up to four weeks pro rata (based on their normal weekly working hours) additional annual leave for one leave year. The Council reserves the right to refuse any of these requests.

You must repay from your final salary, the value of any additional leave taken if you leave the Council prior to repaying the full sum.

Further details about purchase of annual leave can be found in the Leave Policy Toolkit.

### **2.3 Flexi Leave**

You should record working hours on iTrent and agree any out of hours working in advance with your line manager.

You can accrue flexi-leave over time. Full-time colleagues may carry up to 37 hours credit or go into 15 hours debit in any 4-week period. This is pro rata for part time colleagues up to their normal weekly working hours. Colleagues may take up to 2 days flexi leave per 4-week accounting period. This is subject to having the required credit hours and approval from their line manager.

All working patterns should follow the Working Time Regulations, 1998. If you work for at least 6 hours per day you must take a 30-minute break which is unpaid.

You should request flexi leave at least 7 days in advance through iTrent employee self-service from your line manager.

### **2.4 Time Off for Jury Service or Attending Court**

You will be granted time off work if you receive a summons to serve on a jury if you inform your line manager in writing at least two weeks in advance.

Your line manager must notify the People team and payroll and confirm the dates.

Where the court requires you to attend court as a witness, we will grant you time off with pay. You must inform your line manager in writing at least two weeks in advance to be eligible.

### **2.5 Election Duties**

You do not need to take leave to carry out election work. The Council allows a paid leave of absence from your normal duties, although you must get your line manager's approval. We ask all line managers to release colleagues to perform election duties wherever possible.

### **2.6 Time off for Public Duties**

You have the right to a 'reasonable' amount of unpaid time off during working hours for the performance of public duties. These include:

- A magistrate (also known as a justice of the peace)
- A councillor
- A school governor

- A member of a health authority
- An education body

You should agree the amount of time off beforehand with your line manager. Requests should be submitted in writing at least two weeks in advance.

## **2.7 Sabbatical**

The Council recognises the need for colleagues to balance their career and personal life. This may involve taking an extended break from work.

A sabbatical is an unpaid release from duties of between four weeks and up to one year without breaking your employment contract. Only in exceptional circumstances will a sabbatical of longer than one year be granted. You should seek advice from the People team before making any arrangements.

You must have at least one year's service with the Council (excluding continuous service) to request a sabbatical. This request must be completed at least three months before the proposed start date.

Sabbatical leave may be granted more than once during your employment. However, this is only in exceptional circumstances and only where a period of at least five years has passed since you returned to work.

If you wish to undertake any paid employment during your sabbatical, you should seek written approval from the People team in advance.

During a sabbatical you will continue to accrue continuous service. However, this doesn't cover service-related benefits such as sick pay, family leave and redundancy. For these purposes service prior will be aggregated with service after the sabbatical.

You will not receive an increment during a sabbatical of more than six months. On your return to work you must accrue six months service in your role before receiving a further increment.

You will not be entitled to accrue annual leave during a sabbatical. If your sabbatical overlaps two leave years, we expect you to take all outstanding leave beforehand.

You are not entitled to sick pay during a sabbatical.

If you wish to extend or end your sabbatical early, you must apply in writing to your line manager two months beforehand. Your line manager should agree or refuse within 14 business days.

If you wish to resign during a sabbatical, you must provide your normal contractual notice. You may need to return to the Council if this runs beyond the end of your leave period.

Please seek advice from the Pensions Service before commencing a sabbatical.

You will need to notify the Pensions Service within 30 days of returning to work if you wish to pay to recover your lost service. If you don't notify them a break in pensionable service will

apply, and no further contributions can be made. An estimate of cost will be provided, and a payment plan agreed. For more information, please visit the [LGPS website](#).

## **2.8 Trade Union Activities**

We allow accredited officials of recognised trade unions a reasonable amount of paid time off for their official duties. You must receive prior authorisation from your line manager and agree how any time is recorded.

The Council will refer to [ACAS Code of practice for managing time off linked to trade union activities](#).

## **3. Time off for Parents and Carers**

### **3.1 Parental Leave**

Parental leave is used to take time off work to look after a child's welfare. For example, to be with a child in hospital, settle them into school or spend more time with them.

To qualify for parental leave, you must:

- have one year's continuous service
- be the parent of a child under the age of 18
- be named on the birth or adoption certificate
- have legal parental responsibility for the child.

You can request up to a total of 18 weeks unpaid leave for each of your children up to their 18<sup>th</sup> birthday. A week is the 'normal working week', so for part time colleagues this would be pro-rated. You should request the leave in writing at least 21 days in advance.

Leave is taken in blocks of at least one week and can request up to four weeks each year per child until you reach the 18-week limit. This leave can be booked in a maximum of three blocks per year.

However, if your child has a disability, you can take the leave one day at a time. Please speak to the People team to arrange this.

To apply for parental leave, you should complete the parental leave registration form on Insite. This should be accompanied by a copy of the child's birth certificate which will be retained on file.

Your line manager must authorise the application form and forward to the People team and Payroll team. This will ensure this is recorded and deductions are made from your salary.

### **3.2 Dependants Leave**

You have the right to unpaid time off to deal with emergencies or unforeseen matters of a dependant. This could include a spouse, partner, child, parent, or someone who depends on them for care. This would normally only be for a day or two to make more permanent

arrangements. There is no qualifying length of service. This is granted at the discretion of your line manager, subject to operational demands. Reasonable requests will not be refused. You should request this in writing from your line manager.

### **3.3 Special Dependants Leave**

The Council recognises that on occasion you will need time off to deal with planned care for dependants. We offer up to five days unpaid leave per calendar year dependant leave to deal with foreseen events. You should request this in writing from your line manager.

### **3.4 Foster Training Leave**

You are entitled to up to five days paid leave if you would like to train to pursue fostering. This is designed to enable you to attend essential training sessions. You should request this in writing from your line manager.

### **3.5 Compassionate Leave**

In the event of the death or serious illness of a close relative, partner, or dependant your line manager may grant you up to three days paid leave. Individual circumstances will vary, and requests should be dealt with sympathetically. Please seek advice from the People team if you are uncertain. You should notify your line manager as soon as is reasonably practicable and follow up your request in writing.

### **3.6 Parental Bereavement Leave**

Parental bereavement leave is an entitlement for bereaved parents to be absent from work with normal pay for up to two weeks.

Parental bereavement leave is a "day one" employment right. The Council does not need a qualifying period, so you will continue to receive normal pay during this time.

Those eligible are:

- colleagues who are the parents of a deceased child under the age of 18, including adoptive parents.
- individuals with caring responsibility for a child who has died.
- the partner of a bereaved parent.
- parents who suffer a stillbirth 24 weeks or more into their pregnancy.

Bereaved parents can take the leave as a single block of two weeks; or two separate blocks of one week at different times. This leave must be taken in weekly blocks within 56 weeks of the date of the death of the child.

If you have lost more than one child, you have a separate entitlement to bereavement leave for each child who has passed away.

If you are unsure if you are entitled to parental bereavement leave, please contact the People team.

### **3.7 Unpaid Leave**

You may request a period of unpaid leave in writing to your line manager through iTrent employee self-service. Your line manager will approve this subject to operational demands. You will need to notify the Pensions Service in writing within 30 days of returning to work if you wish to pay to recover your lost service.

### **3.8 Carer's Leave**

You may have caring responsibilities for dependants with a long-term care need. In this situation you are entitled to one week's unpaid leave in a rolling 12-month period. This is the same duration as your normal working week. This entitlement is the same even if you are caring for more than one dependant.

Carer's leave is for planned and foreseen caring commitments. If you need to take time off to manage an unexpected problem, you should request Dependant leave.

Carer's leave can be taken in one continuous block, down to small units of half a day at a time.

You should give your line manager and the People team at least seven calendar days' written notice by e-mail when requesting care leave. Your line manager will record the agreed leave dates through manager self-service on iTrent in the same way as other types of unpaid leave.

When giving notice you should declare which type of dependent you are caring for as follows:

- your spouse, civil partner, child or parent;
- any person who lives in the same household as you (other than as a lodger, tenant, boarder or employee); or
- any other person who would reasonably rely on you to provide or arrange care.

Further you should declare which category of long-term need applies as follows:

- an illness or injury (whether physical or mental) that requires, or is likely to need, care for more than three months;
- a condition that amounts to a disability under the Equality Act 2010; or
- care for a reason connected to old age.

This right to carer's leave excludes general childcare, except when they are a dependant with a long-term care need.

If your request cannot be accommodated, your line manager will consult with you to find an alternative leave period. This will be within one month of the original dates requested. They will write to you within seven calendar days to confirm the reason for the postponement and the revised dates.

You may only cancel a period of carer's leave if you notify your line manager in writing before the start date.



All other benefits and entitlements are unaffected. You have the right to return to work on no less favourable terms and conditions than before any period of carer's leave.

If you wish to take a longer period of time off work beyond your entitlement to carer's leave, please contact the People team for further advice.

#### **4. Unauthorised Absence**

If you are absent from work, and do not notify your line manager in a timely fashion and do not have a GP fit note, it will be classed as unpaid and unauthorised. The Council's [Disciplinary Policy](#) may apply in this situation.