



SHREWSBURY TOWN COUNCIL

Leave Policy

AIMS OF THE POLICY

This policy document is aimed at providing a comprehensive summary of all the circumstances under which leave can be taken.

The policy is applicable to all employees of Shrewsbury Town Council, regardless of their grade or hours.

Whilst the policy is designed to cover most cases of leave requests it is impossible to cover every eventuality. In those circumstances negotiation and agreement are required by the employee and the authorising manager.

STANDARD ANNUAL LEAVE

All employees are entitled to annual leave as stipulated on their contract.

For the purpose of calculating leave (Annual/Public/Extra Statutory holidays) entitlements may where necessary be expressed in hours over the leave year.

In general Shrewsbury Town Council operates an annual leave year commencing on 1 April; however, the Town Council may change the start date of annual leave providing it has been agreed with employees.

An electronic recording system is in place for each member of staff. Staff should endeavour to give at least a week's notice of their intention to request leave wherever possible. Leave requests are authorised by the line manager, who will take into account other members of staff who may have already booked leave. All reasonable requests will be considered but requesting leave does not mean that there is a guarantee it will be approved.

New employees will be entitled to annual leave proportionate to their length of service during the current leave year; their annual leave entitlement will include any previous continuous service with any other authority.

Employees leaving the Town Council should ensure they use their entitlement before leaving. In certain circumstances the Town Clerk may agree to pay unused leave (see Local Agreement pay on termination of employment).

Annual leave not taken by the end of the leave year cannot be transferred to the following annual leave year except in exceptional circumstances and agreed by the Town Clerk.

Calculating 5 days' Annual Leave after 5 years' Service

The following will be used to determine an employee's entitlement where they have gained 5 years' service within a calendar leave year:

Anniversary Date of 5 years' service	Extra days' leave awarded
Falling within first quarter of leave year, ie April – June	4
Falling within second quarter of leave year, ie July – September	3
Falling within third quarter of leave year, ie	2

October – December	
Falling within fourth quarter of leave year, ie January – March	1

PUBLIC HOLIDAY ENTITLEMENT

All staff, except Casual workers, are entitled to the standard Public Holidays in addition to their annual leave entitlement.

Public Holiday Entitlement for Part-Time or Job Share Staff

Employees working fewer than 37 hours are entitled to public holidays on a pro rata basis. It will be the responsibility of each line manager to ensure that all part-time staff receive the correct level of entitlement and that an accurate record is kept. If you require any further information on the calculation or management of entitlement please contact the HR team.

Examples of Calculating Entitlement

To calculate entitlement, divide the individual's contracted working hours per week by 5. For example, if an employee works 18.5 hours per week: $18.5\text{hrs} \div 5 = 3\text{ hours } 42\text{ minutes}$. Therefore the employee is entitled to 3 hours and 42 minutes for each Bank Holiday.

The following examples are worked on the basis that Monday is a Public Holiday and based on the employee working 18.5 hours per week.

Working Pattern Example 1

Monday	Tuesday	Wednesday	Total
7hrs 24m	7hrs 24m	3hrs 42m	18.5 hours per week

Here the employee has a credit of 3 hours 42 minutes less the normal hours worked on a Monday (7.4 hours), which produces a deficit of 3 hours 42 minutes. Therefore the line manager and employee would have to agree when the time could be recovered or be deducted from the annual leave entitlement.

Working Pattern Example 2

Wednesday	Thursday	Friday	Total
3hrs 42m	7hrs 24m	7hrs 24m	18.5 hours per week

Here the employee has a credit of 3 hours 42 minutes less normal hours worked on a Monday (0 hours) which produces a net addition of 3 hours 42 minutes. Therefore the line manager and employee would have to agree when the extra time could be allowed or added to the flexi-time sheet. Arrangements should be made **where possible** that this time is taken ideally in the week the Bank Holiday falls.

CHRISTMAS LEAVE

The Council operates a Christmas closure between Christmas and New Year and an agreement has been reached with the Unions as to how these days will be taken. For example, for a 3-day closure, staff are required to use 1.5 days (pro rata) of annual leave, part flexi-leave or make alternate arrangements with their line manager to cover this period. The Council will make up the remainder of the 1.5 days pro rata. Staff are advised annually on the days the closure will operate and the number of days affected.

For employees who do not, due to having different religious beliefs, celebrate Christmas, the Town Clerk will consider alternative arrangements that could be put in place for these bank holidays to enable employees to celebrate their own religious festival.

SPECIAL LEAVE

It is impossible to specify a complete list of circumstances that an employee may encounter which may necessitate time off from work either with pay or without pay. However the Council will endeavour to take a sympathetic view to any reasonable requests for time off. Unpaid special leave may be granted on prior application to your line manager.

Having granted a period of paid or unpaid leave, the contract of employment between both parties remains in existence and therefore a commitment to maintain confidence and trust, and act in good faith during the period of leave.

Employees on periods of extended leave will be required to maintain regular contact with their manager and, if appropriate, inform them of any changes in circumstances which may affect their intention to return to work.

Staff suspected of abusing the provisions of these procedures or fraudulently applying for leave will be subject to disciplinary investigation as detailed in the Disciplinary Procedure. It is the line manager's responsibility to consider applications for special leave and use the following information as guidelines. Records must be kept of leave taken and managers must ensure the Payroll Section are informed of any period of unpaid leave.

Employees contributing to the Local Government Pension Scheme should be aware that a period of unpaid leave could result in a break in pensionable service. Employees should contact Payroll before or as soon as practical after the leave has been taken for advice.

PREGNANCY RELATED

Ante Natal Care

See separate Family Friendly policies.

Maternity Leave

See separate Family Friendly policies.

Maternity Support Leave

See separate Family Friendly policies.

Paternity Leave

See separate Family Friendly policies.

Adoption Leave

See separate Family Friendly policies

BEREAVEMENT (previously known as Compassionate Leave)

The Council recognises that it is not always possible to give advance notice, for example, in the case of a bereavement in the family, or for emergency carer's leave; however, employees must contact their line manager as soon as possible to advise them of any unexpected leave requirements and seek permission to take time off.

Bereavement of Immediate Family Members

When an employee suffers the loss of an immediate family member (partner, parent, grandparent, child, sibling and parents-in-law) the employee will be entitled up to three paid days leave. Leave may be taken at/or around the time of bereavement at the employee's request. In the case where it is not an immediate family member, but the employee is solely/partly responsible for the funeral arrangements etc, then they may be entitled to up to 3 days bereavement leave.

If the employee has the same relationship with the deceased as described above, for example having been brought up by the person, then the same provision of leave will apply.

There may be circumstances where an employee requires more than the three days leave when an immediate family member has died. In this event the employee should make his/her line manager aware of the situation in order that they may seek further guidance from the HR team in order to ensure leave requests are dealt with sensitively and consistently.

Parental Bereavement Leave

Employees are entitled to up to two weeks of paid parental bereavement leave following the death of a child under the age of 18, or stillbirth (after 24 weeks of pregnancy) and, the employee or their partner:

- is the child's parent or foster parent
- has had the child placed with them for adoption (whether by a UK adoption agency or from overseas);
- is their intended parent under a surrogacy arrangement
- is the natural parent of a child who has since been adopted by someone else, and there is a court order allowing them or their partner to have contact with the child
- looks after the child in their own home, other than as a paid carer, and have done so for at least four weeks (a parent "in fact")

Parental bereavement leave can be taken in blocks of one week, two consecutive weeks, or two separate weeks. It can be taken at any time during the first 56 weeks after the child's death.

If an employee is taking another type of parental leave (for example, maternity or paternity leave) when the child dies or stillbirth happens, any parental bereavement leave must start after the other period of leave has ended but does not have to be taken immediately after. This applies even if the leave is for another child.

If the parental bereavement leave is interrupted by the start of another type of parental leave, the remaining parental bereavement leave may be taken after the other leave has ended, provided this is within 56 weeks of the date of death or stillbirth.

Parental bereavement leave can be taken between blocks of shared parental leave booked before the child died. This still applies if the shared parental leave is for another child.

Bereavement of Relatives/Friends

When an employee suffers the loss of a relative (not immediate family) or close friend, the employee will be entitled to one day's paid leave in order to attend the funeral.

Line managers should endeavour to facilitate any requests for leave in these circumstances. However, if the line manager has any query regarding leave arrangements these should be discussed with the HR team before any action is taken.

There may be circumstances where an employee requires more than one day's leave when a relative or friend has died. In this event the employee should make his/her line manager aware of the situation in order that they may seek further guidance from the HR team.

Bereavement of Work Colleague

Employees may be granted paid time off to attend the funeral of a work colleague, former work colleague, elected member or former elected member. However this is subject to the exigencies of the service.

DISCRETIONARY LEAVE (Also known as urgent domestic/carer's leave)

The Town Council may grant up to three days unpaid leave in any twelve month period to enable employees who are carers to respond to urgent and unplanned domestic responsibilities. Emergency domestic leave is short-term paid leave to deal with unexpected and unplanned emergencies and to make any necessary arrangements on a longer-term basis. The emergency must involve a dependant of the employee. Leave may be granted as a minimum half-day period up to a maximum single episode of three days.

Circumstances covered by the Leave

- To make arrangements for the care of a sick or injured dependant or to deal with a disruption in normal care arrangements.
- To deal with an unexpected educational problem arising while the child is in the care of a school.
- To attend a terminally or seriously ill dependant.
- To make arrangements for alternative accommodation etc if you are a victim of domestic violence.
- If you are the person nominated as a travel companion for surgery.
- Accompaniment of a dependant to a GP, dentist, clinic or hospital.
- Attendance at appointments, concerning the welfare and care of dependants (eg child guidance, making arrangements for resettlement of dependants in long-term sheltered accommodation/nursing home/psychiatric care etc).

Definitions

These examples are not exhaustive and managers receiving requests for other than those situations detailed above should consult with their line manager and the HR team before granting leave.

Dependants are defined as spouse, partner, parent, child, brother, sister or people living in the employee's household for whom they have direct caring responsibilities. (This does not include an employee, tenant, lodger.) The circumstances in which entitlement to time off arises will be where the employee is the primary carer (ie no other family member is able to care for the dependant at that particular time) or is the only person who can help in an emergency.

Notification

The employee is required to discuss with their line manager as soon as possible that they need time off and the likely duration. Where possible, employees should have contacted their line manager before 10.00 am on the day that they are due to work. Employees must complete the special leave form as soon as they return to work detailing the reason for urgent domestic leave. The special leave form must be completed in advance of domestic leave to accompany a dependant to a GP, dentist, clinic or hospital appointment. Line managers may ask employees for evidence regarding requests for domestic leave for appointments.

Other Circumstances

Line managers may consider requests for extended time off with or without pay where you are attending a terminally or very seriously ill dependant or you are the victim of domestic violence and are in the process of seeking alternative accommodation and for legal separation etc. Each request is considered on its individual circumstances and precedent does not bind any decision.

Line managers are asked to consult with the HR team in these circumstances in order to ensure leave requests are dealt with sensitively and consistently.

OTHER GRANTED LEAVE

Public Duties

Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the Town Council.

Elected Members of other Council Authorities

Staff who undertake duties as an Elected Member in another Authority will be allowed to take additional paid leave up to a maximum of 10 days per leave year. This leave must be used to attend official functions or meetings and requests must be accompanied by proof that attendance is required.

All staff paid on or above SCP 44 are Politically Restricted and therefore unable to undertake these duties. There are also staff who because of the nature of their role will be restricted. In both circumstances the restriction will be detailed in the employee's contract.

It is the line manager's responsibility to approve and monitor requests for time off to undertake Civic Duties. However, if the line manager has any query regarding leave arrangements these should be discussed with their service manager and Personnel before any action is taken.

Election Duties

Staff must take a day's paid leave if they wish to undertake election duties for which they receive separate payment from the relevant employing Authority.

It is the line manager's responsibility to approve and monitor requests for time off to undertake Civic Duties. However, if the line manager has any query regarding leave arrangements these should be discussed with the HR team before any action is taken.

Court Attendance

Court Attendance as a Witness/Jury Member

Staff summoned as a witness or jury member will be allowed the necessary time off to attend court unless they are granted exemption from attendance. During the period in which an employee is carrying out jury service, or attending court as a witness, they are expected to attend work if practicable on any days or part days when not required in court.

The employee should inform their line manager at the earliest convenience and pass on the summons document to the HR team for completion.

The employee must claim the loss of earnings element in attending court and the monies received by an employee to compensate for loss of pay must be declared to Payroll, who will arrange for the amount of the allowance to be deducted from their pay.

Court Attendance to Pursue a Personal Claim

Staff members who are attending court as the accused or to pursue a personal claim will be required to take annual or flexi leave. If the employee has no leave available the line manager may consider unpaid leave at the exigencies of the service.

Firefighters/Special Constables

Staff will be granted paid leave as fire fighters for initial training and one day per year thereafter for refresher training. Paid time off for duties will also be considered where the employee is required to attend major emergencies.

Additional paid leave for special constables will be granted for initial training and for attendance at court where it is deemed essential that they attend. Proof of attendance should be provided to their line manager.

Any payment received in respect of these duties will be offset against payment made in respect of additional leave granted. Employees should contact Payroll prior to taking leave under this provision.

Interviews in Other Local Authorities

Staff will be able to take additional paid leave to attend interviews at other Local Authorities. Staff are not entitled to interview leave for non Local Authority posts.

It is the line manager's responsibility to approve and monitor requests for time off to attend Local Authority interviews. However, if the line manager has any query regarding leave arrangements, these should be discussed with the HR team before any action is taken.

MEDICAL APPOINTMENTS

Doctor's appointments and dentist appointments should be arranged outside the employee's normal core working hours. Where this is not possible, the employee can, subject to prior agreement from their line manager, arrange this within their normal working time and be allowed to make the time up at a later date.

If you are a primary carer then the same arrangements will apply if your dependant has a hospital or doctor's appointment.

Paid time off will also be granted for the purpose of cancer screening, attendance at hospital or appointments relating to a permanent disability. If you need time off for any of these you may be required to produce evidence of appointments if requested. The time allowed will be the number of hours which are necessary to fulfil attendance at the appointment, and associated travel.

TRAINING COURSES

Examination and Study Leave

Employees who are required by the Town Council to undertake training course examinations will be allowed paid time off as below:

- Revision leave: half a day's study leave per examination;
- The duration of the examination(s) plus reasonable travelling time.

Employees should inform their line manager of dates and times of examinations in order that cover arrangements can be made.

Time off to re-sit examinations will normally be taken as annual or flexi leave.

Training Courses and Day Release

Employees who are required by the Town Council to participate in training events and/or day release courses will be allowed paid time off. Staff will not be required to work extra hours to compensate for time off to attend training events or courses.

TRADE UNION ACTIVITIES

The Council will allow reasonable time for Trade Union officials to attend training courses, branch and regional meetings and the annual conference at the exigencies of the service. Line managers must allow reasonable time off for accredited representatives to deal with issues raised by their Trade Union colleagues.

LEAVE ARRANGEMENTS ON THE TERMINATION OF EMPLOYMENT

Employees, with the exception of short-term temporary employees on a contract of three months or less, will be required to take all outstanding annual leave at the termination of their employment. The Town Council will consider payment only in exceptional circumstances:

- where employees are unable to take outstanding leave due to long term sickness absence
- if the employer requires an employee to work up to the date of termination due to the exigencies of the service
- redundancy situations.

Approved by Personnel Committee	3 August 2022
Adopted by Council	
Review Date	August 2023

Request for Special Leave

Section 1 - To be completed by the employee

Last Name _____	First Names _____
Section/Service _____	Employee N° _____

Please indicate below the details of your request:

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Date to Commence:
Date to End:

Reason for Request	
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Please forward this form to your manager no later than, unless otherwise stated, 28 days before the leave is intended to be taken

Employee's Signature _____	Date _____
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Section 2 - To be completed by the line manager

<input type="checkbox"/>	I support this application
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<input type="checkbox"/>	I do not support this application. Reason:
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I have attached copy of letter sent to employee	
Line manager's Signature _____	Date _____

The manager should forward this form to Personnel Services as soon as a decision is made to ensure the necessary administration is finalised prior to the intended leave date.