

**EAST AYRSHIRE COUNCIL**

**CORPORATE GOVERNANCE COMMITTEE  
23 NOVEMBER 2006**

**LOCAL GOVERNMENT EMPLOYEES, CRAFT EMPLOYEES AND CHIEF OFFICIALS  
REVISED SPECIAL LEAVE POLICY**

**Report by Depute Chief Executive/Executive Director of Corporate Support**

**1. PURPOSE OF REPORT**

- 1.1** The purpose of the report is to ask the Committee to approve proposed changes to the Council's Special Leave Policy and Procedure, subject to consultation with Trade Unions.

**2. BACKGROUND**

- 2.1** The Council's Special Leave Policy was last updated when the Personnel Sub-Committee of the Policy and Resources Committee at its meeting on 28 May 1996 approved the conditions of service relating to Special Leave.
- 2.2** A review of the Special Leave Policy and Procedure has been necessary to ensure that the Council continues to reflect best personnel practice.
- 2.3** The Policy and Procedure applies to Local Government Employees, Craft Operatives and Chief Officers. They do not apply to Teaching Staff who have their own special leave provisions.
- 2.4** Copies of the Scheme are available in the Members' Information Point.
- 2.5** The main changes proposed are summarised below:

**3. PROPOSED CHANGES**

**3.1** Paternity Leave and Parental Leave

The current entitlements to paternity leave and parental leave have been incorporated into the revised Policy.

**3.2** Time Off for Dependents

Leave with pay for one day per annum will normally be granted where an employee is required to be absent from duty to make special arrangements arising from sudden or unexpected emergencies. In addition, employees will also be entitled to unpaid time off to deal with these issues.

In the case of the emergency hospitalisation of a child and an employee has been advised by medical staff to remain with their child whilst they are in hospital, leave with pay for up to 5 days will normally be granted.

Employees who would like to accompany a relative to a medical examination, treatment or surgery should use annual leave or flexible working hours credit wherever possible. Alternatively, employees can request unpaid leave.

### **3.3 Domestic Emergencies**

Employees who require to be absent from duty to deal with the necessary arrangements arising from domestic emergencies such as burst pipes, burglary, fire or storm damage should use annual leave or flexible working hours credit wherever possible. Alternatively, employees will be granted unpaid leave.

### **3.4 Bereavement**

Where the employee is the father, mother, sister, brother, son, daughter, spouse/partner (including step and in-law relationships) of the deceased – a maximum of 5 days leave with pay will be granted.

### **3.5 Medical etc, Treatment**

Employees will be entitled to time off with pay for the purpose of attending for a hospital appointment, treatment or surgery (including cosmetic surgery) from their doctor, practice nurse or consultant whether at a surgery, health centre or hospital. The first day of treatment or surgery (including pre-surgery preparation) will be classed as special leave and the Council's Managing Sickness Absence Policy should be followed if any recovery time is required.

Employees undergoing fertility treatment will be entitled to time off with pay for the purpose of attending for appointments or treatment. It is expected that the employee will attend work before or after their appointment but this will obviously depend on the actual time of the appointment. Employees who would like to accompany their partner to an appointment should use annual leave or flexible working hours credit wherever possible. Alternatively, employees can request unpaid leave.

Employees requiring a doctor's appointment will be expected to obtain such treatment outwith their normal working hours. Where this is not possible time off with pay will be granted. Employees requiring an urgent doctor's appointment will be granted time off with pay. However Line Managers have the right to ask employees to use either flexible working hours credit or annual leave where they feel employees are abusing this.

Employees will also be entitled to time off with pay to attend physiotherapy where it can be evidenced that the employee has a musculoskeletal condition which has the potential to deteriorate and result in sickness absence; has resulted in sickness absence; was the result of an injury at work; is affecting

their ability to carry out their full range of normal duties or appears to be aggravated by their work duties or postures.

Employees who are pregnant will be entitled to reasonable time off with pay for the purpose of attending ante-natal clinics and reasonable time off with pay to attend appropriate ante-natal care as advised by their doctor, midwife or health visitor. It is expected that the employee will attend work before or after their appointment but this will obviously depend on the actual time of the appointment.

In all the above examples, employees should try to ensure as far as practicable that appointments take place at the beginning or end of the working day. In any event, an employee will attend work before or after the examination or treatment but this will obviously depend on the actual time and nature of the appointment. Employees are required to keep their Line Manager aware of the position.

Employees requiring optical, dental or orthopaedic appointments or treatment will be expected to obtain such treatment outwith normal working hours. Employees will be able to use annual leave or flexible working hours credit wherever possible to attend for such treatment. Alternatively, employees can request unpaid leave.

Where employees require an urgent dental appointment time off with pay will be granted. However Line Managers have the right to ask employees to use either their flexible working hours credit or annual leave where they feel employees are abusing this.

Where treatment is necessitated by an accident occurring in the course of employment then leave with pay will be granted after the conclusion of the health and safety investigation.

Where treatment is required over a lengthy period, depending on the circumstances employees may be expected to use a combination of annual leave or flexible working hours credit and paid time off for this treatment.

### **3.6 Religious Festivals**

Employees employed on term time contracts whose fixed annual leave is confined to periods when the school, nursery, family centre etc., are closed for holidays will be allowed unpaid leave to participate in certain principal Religious Festivals which fall within term time.

### **3.7 Examinations and Study Leave**

Leave with pay may be granted by the employee's Executive Director/Head of Service subject to operational convenience for final revision prior to sitting formal examinations as part of the Council's approved training and development programme – limited to one day per annum. Any leave

necessary beyond that limit, the employee must either use annual leave, flexible working hours credit or request unpaid leave.

### **3.8** Public Duties

Employees who sit as members of an East Ayrshire Children's Panel, School Board or act as a Justice of the Peace will be regarded as being at work during any meeting held during working hours. In normal circumstances it is expected that the employee will attend work before or after the meeting but this obviously will depend on the actual time of the meeting. This clause will also apply where employees are undertaking any training associated with the appointment.

### **3.9** Volunteer Reserve Forces

An employee who is a member of the Volunteer Reserve Forces and attends an annual training camp for a period of not less than one week will be granted special leave with pay equal to the period which the employee actually attends the training camp, but not exceeding a period of 15 days. Service pay and allowances received in respect of the period of special leave will be deducted only in respect of those days when the employee was rostered to work with the Council.

### **3.10** Special Constables

Employees who volunteer as a special constable will not be granted paid leave of absence to carry out their duties. Employees will be expected to carry out these duties in their own time.

### **3.11** Community Emergency Services

Employees who participate in community emergency services, e.g. retained firefighters will be granted leave of absence with pay to attend emergencies which occur during working hours and leave without pay to undertake any associated training. Where possible, employees should advise management of their intention to respond to an emergency prior to leaving the workplace.

### **3.12** Record Keeping

Employees requesting special leave must complete the Request for Special Leave Form which should be submitted to their Line Manager giving as much prior notice as possible. It is recognised that on occasions where an employee is absent from duty to make special domestic arrangements arising from unexpected or sudden emergencies, then a telephone call must be made to the Line Manager with the form being completed on the employee's return to work.

All requests for special leave must be recorded and kept confidential in accordance with the Data Protection Act 1998.

**4. COMMUNICATIONS**

4.1 Employees will be made aware of the amendments to the above Scheme via the Council's intranet site and the issue of a relevant PER Circular.

**5. FINANCIAL IMPLICATIONS**

5.1 Nil

**6. POLICY/LEGAL IMPLICATIONS**

6.1 The Council's policy and procedures have been updated to reflect the proposed changes. There are no Community Plan implications.

**7. TRADE UNIONS**

7.1 The proposed changes are subject to Trade Union consultation.

**8. RECOMMENDATIONS**

8.1 The Committee is asked to recommend to Council to approve the proposed changes to the Council's Special Leave Policy and Procedure subject to consultation with Trade Unions.

Elizabeth Morton  
Depute Chief Executive/Executive Director of Corporate Support  
30 October 2006

**LIST OF BACKGROUND PAPERS**

Local Government Employees, Craft Employees And Chief Officials  
Revised Special Leave Policy

Any person wishing further information should contact Martin Rose, Head of Personnel (Telephone 01563 576092).

Appendix 1

Ref: ER WI – 22A Issue 2



EAST AYRSHIRE COUNCIL

APPLICATION FOR SPECIAL LEAVE

TO: .....

Note to Employee:

All applications for Special Leave are subject to the exigencies of the service.

Before applying for Special Leave, you should familiarise yourself with the contents of the Special Leave Policy. Special Leave granted will be recorded as authorised absence on your attendance record card. Requests for special leave for circumstances not detailed in the Special Leave Policy should be made to your Head of Service.

I wish to apply for a period of Special Leave \*with/without pay

from..... to..... inclusive

For the following reason:

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.....
.....

Name ..... Section .....

Employee No ..... Designation .....

Signature ..... Date .....

Period of Special Leave from..... to..... inclusive
\*with/without pay has been \*approved.

Name..... Designation.....

Signature..... Date.....

\*Delete as appropriate

RETAIN FOR: 1 Year

COPIES FOR: