

# SPECIAL LEAVE POLICY

March 2018



Quality | Equality | Access | Partnership

## **POLICY INDEX**

	<b>SECTION</b>	<b>PAGE</b>
<b>1.0</b>	<b>INTRODUCTION</b>	<b>2</b>
<b>2.0</b>	<b>STATUTORY PROVISIONS</b>	<b>2</b>
<b>3.0</b>	<b>EQUALITY STATEMENT</b>	<b>2</b>
<b>4.0</b>	<b>SCOPE</b>	<b>2/3</b>
<b>5.0</b>	<b>DEFINITIONS</b>	<b>3</b>
<b>6.0</b>	<b>GENERAL PRINCIPLES</b>	<b>3/4</b>
<b>7.0</b>	<b>CONSIDERATION OF SPECIAL LEAVE APPLICATION</b>	<b>4</b>
<b>8.0</b>	<b>APPLYING FOR SPECIAL LEAVE</b>	<b>4/5</b>
<b>9.0</b>	<b>PARENTAL LEAVE</b>	<b>5/6</b>
<b>10.0</b>	<b>CARE OF DEPENDANTS</b>	<b>6/8</b>
<b>11.0</b>	<b>MEDICAL TREATMENT</b>	<b>8/9</b>
<b>12.0</b>	<b>ANTENATAL APPOINTMENTS</b>	<b>9</b>
<b>13.0</b>	<b>DOMESTIC EMERGENCIES</b>	<b>9/10</b>
<b>14.0</b>	<b>BEREAVEMENT SUPPORT</b>	<b>10</b>
<b>15.0</b>	<b>PUBLIC DUTIES</b>	<b>10/11</b>
<b>16.0</b>	<b>ELECTION DUTIES, CANDIDATES AND AGENTS</b>	<b>11</b>
<b>17.0</b>	<b>JURY &amp; WITNESS SERVICE</b>	<b>11/12</b>
<b>18.0</b>	<b>RESERVISTS</b>	<b>12/13</b>
<b>19.0</b>	<b>VOLUNTARY / COMMUNITY WORK</b>	<b>13/14</b>
<b>20.0</b>	<b>SPORTING EVENTS</b>	<b>14</b>
<b>21.0</b>	<b>RELIGIOUS FESTIVALS AND SPIRITUAL OBSERVANCE</b>	<b>15</b>
<b>22.0</b>	<b>EXAMINATION AND STUDY LEAVE</b>	<b>15</b>
<b>23.0</b>	<b>VISITING RELATIVES OVERSEAS</b>	<b>15/16</b>
<b>24.0</b>	<b>RECORD KEEPING</b>	<b>16</b>
<b>25.0</b>	<b>FAILURE TO FOLLOW PROCEDURE</b>	<b>16</b>
<b>26.0</b>	<b>POLICY REVIEW</b>	<b>16</b>

## **1.0 INTRODUCTION**

- 1.1 The purpose of the Special Leave Policy is to ensure a uniform and equitable approach by providing guidance on the various types of leave available and when they apply. This will promote consistency and support for employees.
- 1.2 The Council recognises that access to special leave arrangements that supports employees in balancing their work responsibilities with their personal commitments is integral to good working practices. The objective of special leave is to help employees balance the demands of domestic and work responsibilities at times of urgent and unforeseen need through the provision of paid and unpaid leave according to circumstances.
- 1.3 Special leave will also be applicable to other situations. The detail of which are set-out in this policy.
- 1.4 Provisions for Maternity, Paternity, Adoption, Parental and Carers leave are outlined in East Ayrshire's policies and relevant conditions of service.
- 1.5 Special leave granted is always on the provision that it is subject to the operational needs of the Council and in particular the Service of the employee requesting leave.
- 1.6 This policy replaces all previously issued guidance/circulars/policies on this subject.

## **2.0 STATUTORY PROVISIONS**

- 2.1 Leave described in this policy is consistent with statutory requirements under relevant legislation and in accordance with ACAS guidance.

## **3.0 EQUALITY STATEMENT**

- 3.1 East Ayrshire Council aims to have in place policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and advances equal opportunities for all. This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics.

## **4.0 SCOPE**

- 4.1 The policy applies to all staff employed by East Ayrshire Council and is available to support employees achieve an appropriate balance between work and home life.

4.2 This policy does not remove any provisions afforded to employees under their contracts of employment, national conditions of service, or under existing legislation.

## **5.0 DEFINITIONS**

5.1 Special leave is a general term to describe time off, either paid or unpaid, which may be granted in addition to annual leave. Special leave may be used in a variety of circumstances including:

- i. to allow employees to take time off for the purpose of dealing with short-term domestic problems or to allow for satisfactory arrangements to be made for coping with longer-term problems, including:
  - a. death of a dependant, partner or close relative;
  - b. breakdown of care for children, elderly relatives or dependants;
  - c. compassionate or domestic reason or crisis;
- ii. to support employees who are active participants in the communities in which they live through voluntary/public duties;
- iii. to allow employees time to attend a family wedding or graduation where taking annual or flexi leave is not an option due to working term-time.

## **6.0 GENERAL PRINCIPLES**

6.1 The general purpose of this policy is to support compliance with relevant employment legislation and to make Heads of Service / Managers and employees aware of what arrangements are available for them to take time off in special circumstances. The policy highlights where there is a statutory duty to consider requests for specific types of leave, and recognise that effective practices to promote work life balance will have benefits for employees and for the Council.

6.2 This policy provides a framework for Heads of Service / Managers to take a fair and equitable approach in the consideration of special leave requests and reasonable time off (paid or unpaid), given each individual's circumstances balanced with the needs of the service. In addition, Heads of Service / Managers will need to consider leave given previously in similar circumstances within their service area to ensure consistency. A request should not be unreasonably refused or postponed without there being a sound business/operational reason and only after the request has been discussed with Human Resources.

6.3 It is recognised that it is not possible to cover all circumstances where special leave may be appropriate. For specific or exceptional circumstances not covered by this policy, advice should be sought from Human Resources.

6.4 It is also recognised that term-time employees do not have the same flexibility with regard to their annual leave and there may be occasions when events take place that are out with their control. The term-time nature of the contract should not be a barrier to adopting a flexible approach when considering a request for special leave.

6.5 The entitlements provided by this policy will be pro-rated for part-time / job-share employees.

## **7.0 CONSIDERATION OF SPECIAL LEAVE APPLICATION**

7.1 Special leave, with or without pay, in addition to specific leave arrangements contained within other Council Policies and Schemes is available to all employees of East Ayrshire Council.

7.2 All requests for special leave will be considered against the operational requirements of the service and all relevant information will be taken into account as part of the approval process.

7.3 Heads of Service / Managers have the discretion to adopt a flexible approach to balancing work and personal commitments. The table below details alternative arrangements that should be considered where paid leave is not appropriate or cannot be granted in specific circumstances.

<p>It is expected that a manager will consider other ways of supporting requests to minimise the need for a deduction in pay if the special leave is on an unpaid basis</p>	<ul style="list-style-type: none"> <li>➤ using/annual/flexi leave</li> <li>➤ working outwith normal hours to accrue or pay back time</li> <li>➤ consideration of home working</li> <li>➤ carrying out work at another time or place</li> <li>➤ removal of core times for employees on flexi scheme</li> <li>➤ non-contact time taken at an alternative time and place</li> </ul>
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7.4 Teaching staff who have accrued compensatory leave in accordance with Part 2 paragraph 6.37 of their conditions of service will be expected to use such leave as an alternative to special leave. Similarly, in situations where there has been accrued leave following, for example, maternity leave this should be used as an alternative to unpaid leave.

## **8.0 APPLYING FOR SPECIAL LEAVE**

8.1 Applications for special leave, with notice where possible, must be submitted initially to your Head of Service / Manager using the special leave request form (Appendix A). Where appointment letters or other similar forms of notification are available these will be requested.

8.2 When approving requests for special leave, consideration should always be given to the operational requirements of the service along with the personal circumstances of the individual making the request.

- 8.3 Heads of Service / Managers should consider flexible methods of supporting employees to balance their personal demands while still meeting their work commitments, and avoiding unnecessary absence. For example, teaching staff could discuss with their line manager displacing non-class contact time, as an alternative to unpaid leave, when requesting time off. Examples of when this would be appropriate include up to 1 day to attend a wedding, graduation or moving home. Such leave will be granted where suitable alternative cover arrangements can be put in place.
- 8.4 Heads of Service / Managers should also consider the context of the request when making decisions. They may consider the number of applications made to date when deciding if the leave is with or without pay. Similarly cover may be a consideration which limits the facility to approve leave with pay.
- 8.5 Pension contributions are not made during periods of unpaid leave of absence. Employees should check the impact of any unpaid leave on pension benefits. Further information can be obtained from your pension provider, i.e. Strathclyde Pension Fund or the Scottish Public Pension Agency websites.

## **9.0 PARENTAL LEAVE**

- 9.1 If you are a parent, guardian or an adoptive parent, you have a statutory right to take unpaid parental leave to care for a child in your care. The conditions for this are as follows:
- i. you have 1 year's continuous service recognised by the Council;
  - ii. you are named on the child's birth certificate or you have or expect to have formal parental responsibilities for a child and can you provide evidence of that if you are asked for it;
  - iii. your child must be under 18
- 9.2 If you meet these conditions, you are entitled to a maximum of 18 weeks' unpaid leave for each child. The leave must be taken in blocks of whole weeks. The shortest amount of leave is one week, which can start on any day of the week i.e. if you start your parental leave on a Wednesday, you'll return to work the following Wednesday. The maximum leave you can take, per child, in any year is 4 weeks.
- 9.3 If your child is entitled to Disability Living Allowance, you can take the leave in days rather than weeks. You can take up to 4 weeks in any year. There is no limit to the number of blocks of unpaid parental leave that you can take.

- 9.4 If you want to take unpaid parental leave, you will need to give your Head of Service / Manager a minimum of 21 days' notice before the day you want your leave to start. If you do not give 21 days' notice, your Head of Service / Manager may not be able to agree that you can take your leave at the time requested, and it is at their discretion whether they allow the leave at that time or whether they postpone it.
- 9.5 Your Head of Service / Manager cannot postpone unpaid parental leave if you are taking it immediately after maternity leave, adoption leave, maternity or adoption support leave, shared parental leave or at the time of an adoption.
- 9.6 If your leave will have too much of an impact on the workplace at the time you have requested, your Head of Service / Manager can postpone it. This can only happen once and only for up to 6 months.
- 9.7 If your leave is postponed, your Head of Service / Manager must do the following within 7 days from the date you gave them notice that you wanted to take your leave:
- i. meet with you to discuss the postponement and confirm when the leave can be taken. This must be no later than 6 months after the original date you wanted the leave to start;
  - ii. confirm in writing:
    - a. the reason for the postponement; and
    - b. the new start and end dates of the equivalent period of unpaid parental leave that you and your manager have agreed.
- 9.8 If you take unpaid parental leave, you generally have the right to return to the same job you were doing before you went on leave. This means on the same contract of employment and on terms no less favourable. "Job" also covers the nature of work you are employed to do and the capacity and place you are employed.
- 9.9 You cannot be dismissed or suffer any other detriment for asking or for taking unpaid parental leave.
- 9.10 Unpaid Parental Leave is separate and in addition to Shared Parental Leave.

## **10.0 CARE OF DEPENDANTS**

- 10.1 If you have dependants, you have a statutory right to take reasonable unpaid leave from work to deal with the following:
- i. some unexpected emergencies affecting the care of a dependant; or
  - ii. to make arrangements for the care of a dependant

- 10.2 The Council has enhanced the statutory entitlement and normally grant up to 1 day paid leave (in any leave year) to employees who need to care for dependants in the following circumstances:
- i. you are providing short-term, emergency assistance to a dependant who is ill or injured and is unable to look after themselves and no healthcare professional or other adult is available to provide that care;
  - ii. you need to make arrangements for the provision of care for a dependant who is ill or injured;
  - iii. the care arrangements you have in place for a dependant are unexpectedly disrupted or brought to an end; or
  - iv. you need time to deal with an unexpected incident involving your child during school hours. e.g. an unexpected school closure or where a child has an accident at school.
- 10.3 If your dependant is in hospital, you will not be entitled to paid leave to care for them because they are in the care of the hospital. In the case of your child being an emergency admission to hospital, where you have been advised by medical staff to remain with your child whilst they are in hospital, leave with pay for up to 5 days' will normally be granted.
- 10.4 If you require to be absent owing to the serious illness of a near relative; spouse; partner; parent; child or in-law, then you will be entitled to up to 3 days' paid leave in any 12 months.
- 10.5 If you want to apply for paid leave for emergency care of a dependant, you must call your Head of Service / Manager as early as possible on the first day of absence and explain the reason for your absence, the relationship that you have with the dependant and how long you expect to be absent from work. If the absence lasts longer than one day, you must call your manager again on the second day and say how long you expect to be off and agree how often you will be in touch with work while the absence continues. Only the first day will be granted as paid leave except in the circumstances referred to in paragraphs 10.3 and 10.4
- 10.6 If you would like to accompany a relative to a medical examination, treatment or surgery you should use annual or flexi leave wherever possible. Alternatively, you can request unpaid leave. Term-time staff can request unpaid leave of absence or alternatively agree with their Manager how best to make up the time. Reference should be made to paragraphs 6.4 and 7.3
- 10.7 Unless specifically defined in this policy all special leave relating to the care of dependents is granted at the Head of Service / Manager's discretion.



- 10.8 The Council's Carers' Leave Scheme enhances the support and assistance available to you should you have responsibility for caring for a member of your family or dependant who is ill for an extended period of time.

## **11.0 MEDICAL TREATMENT**

- 11.1 The Council acknowledges that a healthy workforce is synonymous with good morale, good attendance and quality of service and encourages positive action by employees to continuously improve their health. This includes taking responsibility for their own health and wellbeing to prevent ill health through participation in proactive initiatives and campaigns. Reasonable paid time off will be granted for the purpose of preventative medical examinations.
- 11.2 It is expected that, as far as practical, that appointments take place at the beginning or end of the working day. Every effort should be made to attend work before or after an examination or treatment depending on the actual time and nature of the appointment. You are required to keep your Head of Service / Manager aware of the position.
- 11.3 Employees will be entitled to paid time off for the purpose of attending for a hospital appointment, treatment or surgery (excluding elective 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.
- 11.4 If you are undergoing fertility treatment you will be entitled to paid time off for the purpose of attending for appointments or treatment. It is expected that you will attend work before or after your appointment but this will obviously depend on the actual time of the appointment. If you who would like to accompany your partner to an appointment should use annual or flexi leave wherever possible. Alternatively, you can request unpaid leave.
- 11.5 If you require a doctor's, dental, or optical appointment you will be expected to obtain such treatment, where feasible, out with the working day or in the case of teaching staff, pupil contact time. This may be achieved by using a degree of flexibility around normal working arrangements. If you require an urgent doctor's / dentist's appointment, you will be granted paid time off. Your Head of Service or Manager does have the right to ask you to use your annual/flexi leave entitlement where it is felt that you are abusing this facility.
- 11.6 If you require to attend a physiotherapist and it can be evidenced that you have a musculoskeletal condition: which has the potential to deteriorate and result in sickness absence; or has resulted in sickness absence; was the result of an injury at work; is affecting your ability

to carry out the full range of normal duties; or appears to be aggravated by your work duties or postures you will be permitted reasonable paid time off to attend your appointments (up to 6) if it has not been possible to arrange a treatment outwith your normal working hours, or have not been able to access the Physiotherapy provision provided by the Council.

- 11.7 Where appropriate, appointment letter or other similar documentation should be submitted to your Head of Service /Manager at the time of the request.

## **12.0 ANTENATAL APPOINTMENTS**

- 12.1 If you are pregnant you are entitled to reasonable paid time off for the purpose of attending ante-natal clinics and to attend appropriate ante-natal care as advised by your doctor, midwife or health visitor. This may include relaxation classes and parent-craft classes. Except for the first appointment, you should show your Head of Service / Manager, an appointment card or other documents showing that an appointment has been made. The number of antenatal appointments will normally be between 7 and 10. Under certain circumstances, and for certain medical reason, you may require more. It is expected that, depending on the actual time of the appointment, that you will attend work before or after.

- 12.2 Fathers, partners and civil partners of pregnant women are entitled to unpaid time off to attend 2 ante-natal appointments (time off is capped at 6.5 hours for each appointment).

- 12.3 If you are adopting a child you will be able to take paid time off for up to 5 adoption appointments if you are the main adopter and will be entitled to take unpaid time off for up to 2 appointments if you are the secondary adopter.

- 12.4 If you have applied for a Parental Order for a child and become a parent through a surrogacy arrangement you are entitled to unpaid time off to attend 2 antenatal visits.

- 12.5 Where treatment is required over a lengthy period, depending on the circumstances you may be expected to use a combination of annual, flexi or paid time off for this treatment.

## **13.0 DOMESTIC EMERGENCIES**

- 13.1 You may take a reasonable period of time off work to deal with a genuine domestic emergency. Examples of situations which may be considered an 'emergency' are:

- i. Burglary;
- ii. Vehicle theft;
- iii. Vehicle accident;
- iv. Emergency repairs to home arising from or to avoid flooding or fire;
- v. Other similar circumstances

13.2 Should you require to be absent from work to deal with the necessary arrangements arising from a domestic emergency you should use annual or flexi leave wherever possible. If you are a teacher you could, for example, discuss with your line manager displacing non-class contact time. Alternatively, you will be granted unpaid leave.

## **14.0 BEREAVEMENT SUPPORT**

14.1 There is a statutory entitlement to reasonable unpaid leave as a consequence of the death of a dependent.

14.2 If a family member dies: parent; sibling; child; spouse/partner; step and in-law relationships (relative by marriage), you will be granted up to 5 working days paid leave.

14.3 If there are special circumstances additional leave may be granted. Your Head of Service / Manager will consider these on a case-by-case basis, judging each on its own merits after taking advice from Human Resources.

14.4 Reasonable time off will be granted for the attendance at a funeral where the relationship has not been defined in paragraph 14.2. It is expected that you will report for work before or after the funeral or as otherwise agreed with your Head of Service / Manager.

## **15.0 PUBLIC DUTIES**

15.1 The Council acknowledges the positive contribution that employees can make towards the functioning of public bodies and recognises that time off work may be required in order to perform these duties.

15.2 Examples of positions the Council consider to be public duties are:

- a. a justice of the peace;
- b. a member of a local authority other than the East Ayrshire Council;
- c. a member of any statutory tribunal (e.g. Employment Tribunal, Children's Panel etc);
- d. a member of a health board;
- e. a member of an NHS trust;
- f. a member of a school or college council or body of a central institution or college of education;
- g. a member of a parent council, school board.

15.3 Employees who are required to carry out public duties as noted above are entitled to reasonable unpaid leave to cover the time they need to perform those duties, subject to service requirements.

- 15.4 If you sit as a members of an East Ayrshire Children’s Panel, Parent Council or act as a Justice of the Peace your absence from work during normal working hours will be recorded as business absence. Paid leave will be granted to allow attendance for training associated with the appointment.
- 15.5 You will be granted reasonable time off with pay if you are elected as a Councillor with another Local Authority subject to a maximum of 208 hours per annum.
- 15.6 If you have exhausted your allowance of paid leave for public duties, there is an entitlement to reasonable unpaid time off.
- 15.7 If you are thinking about undertaking public duties, you should speak to your Head of Service about this. If you are appointed, you should confirm this to your Head of Service together with an indication of amount of time off you are likely to ask for. You will also need to provide evidence that you have been appointed by providing your appointment letter. All requests for time off should be made with as much advance notice as possible.

## **16.0 ELECTION DUTIES, CANDIDATES AND AGENTS**

- 16.1 You will be granted leave with pay to allow you to undertake duties on behalf of the East Ayrshire Council Returning Officer at: Parliamentary Elections; Referenda; Council Elections; and European Union Elections.
- 16.2 The Chief Executive will determine whether leave with pay will be granted when undertake duties involving overnight counting of votes on behalf of the East Ayrshire Council Returning Officer. Leave with pay for the following day will depend on the anticipated finish time of the count, if that day is deemed a normal work day.
- 16.3 If you are standing as a candidate in a Council election you will be granted 1 days’ leave of absence, without pay, on the day of the election.
- 16.4 If you are standing as a candidate for a Parliamentary election you will be granted up to 4 weeks’ unpaid leave of absence. Similarly, employees of the Council that are undertaking duties of a Parliamentary Election Agent will be granted up to 4 weeks’ unpaid leave.

## **17.0 JURY & WITNESS SERVICE**

- 17.1 If you are called for jury service, you have a statutory right to unpaid leave to cover the time you have been summoned to attend.
- 17.2 If you receive a summons for jury service you must inform your Head of Service / Manager. You will be granted special leave with pay to attend, unless exemption is secured, subject to

the deduction of the Jurors Attendance Allowance to which you are entitled; you must claim this allowance. The Council will continue to pay you but your pay will be offset against the attendance allowance. This makes sure that you do not suffer a loss of earnings and that the Council recovers some of the cost associated with your attendance.

- 17.3 If you have been called as a witness by the Council, then your time away from work will be treated as part of your normal duties.
- 17.4 If you have been called as a witness by anyone other than the Council, whether for the defence or the prosecution, then you will be granted paid leave to attend court.
- 17.5 As a witness in a criminal trial, you may be able to claim back expenses from the Court. Any such payment (excluding travelling & subsistence) should be paid to the Council or will be offset against your salary.
- 17.6 If you are called as a witness in a civil case, you will have to cover the time you need with either annual, flexi or unpaid leave. If you receive any sort of allowance, there will be no offset against your salary, as you will be appearing in court in your own time.
- 17.7 If you are required to attend an Employment Tribunal on behalf of the Council you will be regarded as being at work for this purpose and your absence will be recorded as business.
- 17.8 If you are cited to attend an Employment Tribunal as a witness by a claimant against the Council then you will be required to use flexi or annual leave as an alternative to unpaid leave to attend during normal hours. However, if you are summoned by a Witness Order the Council will continue to pay you but your pay will be offset against the attendance allowance. This makes sure that you do not suffer a loss of earnings and that the Council recovers some of the cost associated with your attendance.

## **18.0 RESERVISTS**

- 18.1 Leave for reservists includes leave for members of the Royal Naval Reserve; the Royal Marines Reserve; the Territorial Army or the Royal Auxiliary Air Force; and for ex-regular service personnel; the Royal Fleet Reserve; the Army Reserve or the Air Force Reserve. Collectively, this group is known as Reservists.
- 18.2 If you are a Reservist, you will be granted special leave to cover the compulsory annual training you are obliged to attend.
- 18.3 Reservists are obliged to attend either:
- i. an annual training camp; or
  - ii. refresher training (if you are a member of the High Readiness Reserves).

- 18.4 If you are required to attend compulsory training events you will be granted paid leave to cover the time that you attend provided this is at least 7 days'. Paid leave will be equal to the period which you actually attend the training camp, but not exceeding a period of 15 days.
- 18.5 As training is paid by the Reserve Forces, the Council will deduct the amount you receive from your salary for those days that you would have worked for the Council had it not been for the training.
- 18.6 If you want time off to attend compulsory training in addition to that referred in paragraph 18.3, you are required to use annual or flexi leave, in the first instance. Alternatively, your Head of Service may authorise unpaid leave, if the needs of the service allow.
- 18.7 If you receive a call-out notice for service, you will normally be granted unpaid leave for the duration of the call-out. This includes call-out notices for service in the High Readiness Reserve.
- 18.8 Reservists may also be asked to volunteer for either:
- i. additional training; and/or
  - ii. additional duties as a Reservist on a full-time or a part-time basis.
- 18.9 Where the duties or training are voluntary, only unpaid leave can be granted and only where the needs of service allow the time off to be approved.

## **19.0 VOLUNTARY / COMMUNITY WORK**

- 19.1 The Council acknowledges the positive contribution that employees can make towards the functioning of public and voluntary bodies and recognises that they may require time off work in order to perform these duties.
- 19.2 Examples of voluntary activities are:
- i. special constable;
  - ii. a member of a consumer council (e.g. public utilities);
  - iii. a member of a community council;
  - iv. a member of a tenants or residents association;
  - v. a member of a body recognised by the Council for the purposes of community consultation.
- 19.3 If you participate in community emergency services, e.g. retained firefighters you 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. You must advise your Head of Service / Manager of your intention to respond to an emergency prior to leaving your place of work.

- 19.4 If you wish to volunteer to work with a community or voluntary organisation based within East Ayrshire, or national voluntary organisation delivering services within East Ayrshire, leave with pay will be granted for 1 day (in any leave year). Vibrant Communities will assist you by identify suitable opportunities to allow you to maximise your contribution by matching your knowledge, skills and experience with that of the community or organisation.
- 19.5 If you are undertaking any other voluntary activities these should normally be carried out in your own time. Where you ask for leave for voluntary duties, the request will be considered against the needs of the Service at the time and any leave agreed will be unpaid.

## **20.0 SPORTING EVENTS**

- 20.1 If you have been selected to represent your country, and compete at national or international level, you will be granted up to 10 days' paid leave per annum to include participation or coaching in competitive sporting events. Where payment is involved, other than travel or subsistence expenses, unpaid leave shall be granted.
- 20.2 Leave to take part in sporting events, not as a representative of your country, may be granted at the discretion of your Head of Service. Any request will be considered against the needs of the service. Your Head of Service will also consider:
- i. the amount of special leave requested;
  - ii. whether the leave is for a single period or for separate blocks of time;
  - iii. how much special leave you have already had for this purpose;
  - iv. how much annual leave you left and your willingness to use annual leave to cover these sort of events; and
  - v. the amount of time off you have had for other purposes.
- 20.3 When you make a request for leave, you must provide written confirmation from the sporting body that you will be participating or officiating at the event.
- 20.4 Your Head of Service can agree to meet the request by allowing a mixture of annual, flexi, paid leave and unpaid leave to cover the time, if the needs of the service allow. The provisions of paragraphs 6.4 and 7.3 will apply if you work term-time.

## **21.0 RELIGIOUS FESTIVALS AND SPIRITUAL OBSERVANCE**

- 21.1 There is no right that guarantees employees time off to attend religious services or festivals. The Council recognises that it operates within a multi-cultural society where many religions and faiths are followed. Whilst the Council understand that there are many ‘special days’ within religious calendars, the Council is unable to give paid time off for these events under special leave.
- 21.2 You should request annual or flexi leave/unpaid leave for the days/dates that they wish to take as leave in order to celebrate festivals or attend ceremonies. If you work term-time you will be allowed unpaid leave.
- 21.3 If your religion requires that you fast for an extended period of time you may wish to discuss options with your Manager in order to ensure that the Council can support you during this period.

## **22.0 EXAMINATION AND STUDY LEAVE**

- 22.1 You will be granted leave with pay for the purpose of sitting examinations approved by your Head of Service / Manager as being appropriate to your role. Such agreement will form part of your discussions with your Manager as part of the annual EAGER/PRD process.
- 22.2 Leave with pay may be granted by your Head of Service subject to operational requirements 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. For any leave necessary beyond that limit, you must take annual, flexi or unpaid leave.
- 22.3 If you are involved with SQA marking you will be granted reasonable time off with pay to attend to your duties. Such leave is considered special leave and you must complete an application for approval before making a commitment to the SQA.

## **23.0 VISITING RELATIVES OVERSEAS**

- 23.1 If you wish to visit relatives overseas you must use annual leave or be granted reasonable unpaid leave at the discretion of your Head of Service. In exceptional circumstances you may be permitted to carry forward the balance of your annual leave to the next leave year provided you have taken the statutory minimum of 28 days (pro-rated for part-time staff). The statutory minimum includes public holidays and is a requirement of the Working Time Regulations.
- 23.2 This facility is not available to term-time employees given the nature of their contract of employment and fixed holiday entitlement. Request for leave of absence during term-time will



not normally be granted. Only where there are exceptional circumstances will your Head of Service, in consultation with the Head of Human Resources authorise unpaid leave.

## **24.0 RECORD KEEPING**

24.1 Managers are responsible for ensuring that all appropriate documents (Special leave request form, payroll notification etc.) have been completed and that accurate record keeping is maintained. All requests for special leave must be recorded and kept confidential in accordance with the Data Protection Act 1998.

## **25.0 FAILURE TO FOLLOW PROCEDURE**

25.1 Failure to follow the correct notification and approval procedure, without good reason, will result in the absence being classified as unauthorised. In such cases disciplinary action will follow in accordance with the appropriate Disciplinary Policy.

## **26.0 POLICY REVIEW**

26.1 This policy will be reviewed after a period of eighteen months. Thereafter, to reflect any change in legislation and in accordance with the Council's Policy Review Schedule.

**Note to Employee:**

**All applications for Special Leave are subject to the exigencies of the service except in situations of an unexpected or emergency nature.**

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. Requests for special leave for circumstances not detailed in the Special Leave Policy should be made to your Head of Service in consultation with Human Resources.

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

From **Day.....Date.....** To **Day.....Date.....**

Total days to be deducted ..... Total hours to be deducted .....

Hours worked per day.....

For the following reason:

.....  
 .....  
 .....

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

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

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

Period of Special Leave as outlined above \*with/without pay has been approved.

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

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

\*Delete as appropriate

Applications for Special Leave **without pay** should be sent to Human Resources, The Opera House, 8 John Finnie Street, Kilmarnock. KA1 1DD.

Date received by HR:	
Checked by:	

This document is also available, on request, in braille, large print or recorded on to tape, and can be translated into Chinese, Punjabi, Urdu, Gaelic and Polish.

Ma tha sibh airson fiosrachadh fhaighinn ann an cànan sam bith eile, cuiribh brath thugainnaig an t-seòladh a leanas.

اگر آپ یہ معلومات کسی اور زبان میں جاننے کی ضرورت ہے تو براہ کرم ہم سے رابطہ کریں۔

閣下如需要這份資料的其他語言版本，請透過以下的地址與我們聯絡。

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ  
ਚਾਹੀਦੀ ਹੈ ਤਾਂ ਕਿਰਪਾ ਕਰ ਹੇਠ ਦਿੱਤੇ ਗਏ ਪਤੇ ਤੇ  
ਸੰਪਰਕ ਕਰੋ ।

Dokument dost pny jest równie w alfabecie Braille'a, w wersji z powi kszonym drukiem lub w formie nagrania d wi kowego na kasecie. Na yczenie oferujemy tak e tłumaczenie dokumentu na wybrany j zyk.



East Ayrshire  
council