



# LEAVE SCHEME

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## 1.0 Leave Entitlement

### 1.1 Calculating Leave Entitlement

The amount of annual leave an employee is entitled to in a leave year is calculated on the basis of length of completed continuous local government service and length of completed continuous Broxtowe service and according to grade. The calculation of entitlement is based from the start of employment with the Council.

Although the leave year will commence on the first of the month following the date of appointment a pro rata allowance will be given for the period from commencement to the start of the leave year. This applies to both annual and bank holiday entitlement. If an employee terminates their contract part way through a month the same pro rata entitlement will apply.

### 1.2 Leave Entitlement in Working Days

|                            | Initial leave | After 5 years local government continuous service | After 10 years Broxtowe continuous service |
|----------------------------|---------------|---|--|
| Up to and included grade 7 | 28 days       | 31 days   | 33 days                                    |
| Grade 8 and above          | 31 days       | 34 days   | 36 days                                    |
| Chief Officers and above.  | 33 days       | 35 days   | 37 days                                    |

For the purpose of calculating leave (annual and public holiday) entitlements must be expressed in hours over the leave year, e.g. for part time employees or employees whose working shift patterns vary from one day to the next.

### 1.3 Notice of Annual Leave

Under normal circumstances, where an employee wishes to take more than 2 weeks' annual leave, not less than 2 weeks' notice will be given. Where an employee wishes to take up to 2 weeks' annual leave, not less than one week's notice will be given.

The timing of an employee's annual leave is at the Head of Service's discretion with due regard to the wishes of the employee and service delivery requirements.

### 1.4 Carry Over Leave

Leave not exceeding one working week may be carried forward at the discretion of the appropriate Head of Service (or Senior Officer directly reporting to a Director). The carrying forward of leave in excess of one working week for a particular and

identified purpose may be approved by the Head of Service in consultation with Human Resources.

An employee who leaves the local government service will be allowed one-twelfth of their leave entitlement plus one-twelfth of the annual bank holiday entitlement for each completed month of service in the current year, **and a pro rata allowance as detailed above for a part month.**

## **1.5 Statutory Holidays**

There will be eight statutory days each year. The Council will be closed on the following eight days, so these will be counted as public holidays and a day off for most employees, apart from any essential services:

- New Year's Day
- Good Friday
- Easter Monday
- May Day Monday
- Spring Bank Holiday Monday
- August Bank Holiday Monday
- Christmas Day
- Boxing Day

For employees who normally work Monday to Friday, when Christmas Day and New Year's Day fall in any part of the weekend, a week day in lieu will be granted.

## **2.0 Additional Leave of Absence**

### **2.1 Paid Leave for Special Duties**

Paid leave will be granted to employees who undertake approved public responsibilities or other approved duties during working hours; e.g. jurors, magistrates, elected representatives of local authorities, statutory tribunals or public bodies. Prior notice is required in all circumstances. Loss of earnings payment is to be claimed from the body where appropriate, as an equivalent deduction from salary will be made. Where employees are required to attend Court on behalf of the Council, the appropriate time will be credited. Employees attending personal matters at Court will not be eligible to claim any time back.

There is a statutory limit on the amount of paid leave that the Council may allow you to take to perform your duties as a Councillor for another Local Authority\*. Employees can apply for paid leave of up to 208 hours in a financial year (pro-rata for part-time employees) in accordance with the Local Government and Housing Act (1989), section 10 (1). This restriction does not apply if you are the Chair of the Council.

The activities for which employers are required to permit reasonable time off may include attendance at Council meetings, committees or sub committees and the performance of relevant duties.

An employee who requires time off for public duties should make a request in writing to their Director who will then consider the request in line with the needs of the business. The employee is required to record and inform their line manager in advance of each attendance which will be monitored in conjunction with Human Resources.

Any requests for leave over 208 hours will not be paid and employees would be expected to use flexi (where appropriate), annual leave or unpaid leave.

\*A 'Local Authority' includes a County Council, District Council, Police Authority, Fire and Rescue Authority etc. A full list can be found in section 21 (1) of the Local Government and Housing Act (1989).

## **2.2 Union Representatives on Approved Trade Union Activities**

Recognised trade union representatives will be granted reasonable paid time off for approved training and attendance at official meetings. See Time off for Trade Union duties and Facilities Support Policy for further information.

## **2.3 Interview Leave**

Up to five days paid leave in any one leave year (pro rata for part time employees) will be granted for attending interviews at other local authorities, where prior notice is given to the Head of Service. All requests must be submitted on Form IL and authorised by the Head of Service, with a copy to Human Resources for monitoring purposes.

## **2.4 Revision and Examination Leave**

Where an employee is taking an examination or test leading to a recognised qualification from an authorised course, paid leave will be granted to enable the employee time to prepare. The time granted will be double the actual duration of the examination or test. For example, a three-hour examination will have a six-hour revision leave. Equivalent time will also be granted to employees taking courses which depend on continuous assessment at the discretion of the Human Resources Manager.

Paid examination leave will be granted of up to one day for an examination or test dependent upon the duration of the examination or test. If the examination or test is away from Nottinghamshire, the Head of Service in consultation with the Human Resources Manager has discretion to extend the allocation.

## **2.5 Holiday Purchase Scheme (previously Unpaid Leave)**

Employees wishing to enhance their existing annual leave entitlement may request additional unpaid leave by completing form HPS which is available on the intranet or from their manager.

This scheme entitles employees to request unpaid leave up to a maximum of 15 days (pro rata for part time employees) in any one leave year, subject to service delivery requirements and with approval of the appropriate Head of Service in consultation with the Human Resources Manager. These days can be requested individually or in a block of leave during an employee's leave year. Wherever possible an employee should submit their request prior to the start of their leave year so that full consideration can be given to the impact of the absence and how it could best be managed.

The employee should make the request at least 2 weeks before they wish to take the time (unless urgent leave is required and no other form of leave is available to the individual, i.e.: annual or flexi leave).

If the application is successful, amendments to the employee's monthly salary will be made either in the same month that the leave is taken, the following month the leave is taken or spread over the remaining months left within their leave year.

Employees must ensure that the leave is taken within their leave year and any unpaid leave under this scheme will not be able to be carried forward into the following year.

When considering whether an employee's request can be supported, the Head of Service should liaise if appropriate with the relevant manager and give careful consideration to the following questions:

- What will the impact of the employee's absence from work be on service delivery?
- What will the impact be of the employee's absence on other employees within the team?
- Do any other employees also wish to take unpaid leave and, if so, how can the scheme be applied in a consistent and fair way?
- Have other employees affected by the absence been consulted on the proposed request?
- What are the savings that can be achieved from the period of unpaid leave being taken?
- Will other arrangements have to be put in place which in turn will have resource or cost implications? (e.g.: needing others to undertake additional work/be paid overtime).

- Has sufficient notice been given by the employee so that arrangements can be put in place to cover the absence?
- If the absence is required because of an emergency situation, are there any other policies or schemes available to help and support the employee requesting the unpaid leave?

Where a Head of Service is unable to support a full request or can only support a part request, then they must provide a reason for their decision. There will be no right of appeal where a request has not been supported.

To apply for leave under the Holiday Purchase Scheme, please complete Form HPS which can be found on the intranet under Human Resources A-Z Forms.

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## **2.6 Leave of Absence – Service in Non-Regular Forces**

The Council endorses the principle that volunteer members of the non-regular armed forces who attend summer camp will be granted the three weeks paid leave, additional to their normal annual leave.

Subject to the note below, the Council will grant paid leave to members of the Territorial Army who are required to undertake training additional to attendance at summer camp and who are unable to arrange for such training to be on days when they would normally not be working.

*Note: Under the Reserve Forces Act, 1966 volunteers may be required to undertake training for up to 16 days per annum (usually on Saturdays and Sundays). Territorial Army Units should be in a position to offer alternative dates and the onus is, therefore, on the employee to try to arrange for training to be undertaken in off-duty time. If this is not possible the employee should furnish alternative dates to the Council so that mutually acceptable dates for their absence may be found.*

## **2.7 Maternity Leave**

The occupational maternity scheme will apply to all pregnant employees regardless of the number of hours worked per week. Full details of the Maternity Leave Scheme are available on the Intranet.

## **2.8 Paternity Leave**

Up to two weeks leave (either 1 week or 2 consecutive weeks, but not odd days) will be granted in respect of paternity leave at or around the time of birth. This leave is also available to nominated carers subject to the appropriate proof of need. In addition, some employees are entitled to additional paternity leave and pay. Full details of the Paternity Leave Scheme and Additional Paternity Leave Scheme and Pay are available on the Intranet.

## **2.9 Additional Paternity Leave and Pay**

Some employees may be entitled to a maximum of 26 weeks' additional paternity leave and pay. Please refer to the Additional Paternity Leave and Pay Scheme for further information.

## **2.10 Adoption Leave**

Adoption leave is available to any employee who adopts a child, subject to set criteria, the full details of which are available. Please refer to the Adoption Leave Scheme and Additional Paternity Leave and Pay Scheme on the intranet.

## **2.11 Parental Leave**

Up to thirteen weeks' unpaid leave can be taken by any employee who has responsibility for caring for a child, normally up to the child's fifth birthday. Full details of the Parental Leave Scheme are available on the intranet.

## **2.12 Shared Parental Leave**

Shared Parental Leave enables eligible employees to share responsibility of work and caring for a child during the first year of birth or adoption. Full details of the Shared Parental Scheme are available on the intranet.

## **2.13 Compassionate Leave**

Up to five days paid leave per rolling year will be granted in the event of the death of an employee's spouse, partner, civil partner, parent or child or the death of a dependant relative, which includes the day of the funeral.

In the event of the death of other relatives or close friends of an employee, one day's paid leave may be granted on the day of the funeral, at the discretion of the Head of Service with approval from the HR Manager.

Additional days may be granted by Heads of Service (in conjunction with Human Resources) in exceptional circumstances up to a maximum of ten days per rolling year.

The form (CL1) should be completed and submitted for leave to be granted. Approval will be at the discretion of the Head of Service and a copy will be sent to the HR Manager to be placed on your personal file.

## **2.14 Emergency Time Off for Dependants Scheme**

These guidelines outline when employees are able to take time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements.

The emergency must involve a dependant of the employee. A dependant is the husband, wife, civil partner, child or parent of the employee. It also includes someone who lives in the same household as the employee. For example, a partner or an elderly aunt or grandparent who lives in the same household. It does not include tenants or boarders living in the family home.

In the cases of illness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency; for example, an aunt who lives nearby who the employee looks after outside work, falls ill unexpectedly.

Employees are not entitled to use this scheme to look after a sick child or other dependant or to attend pre-planned medical appointments with them.

The right is intended to cover genuine emergencies, and there is no limit on the number of times an employee can request time off.

If called away from work, time will be credited until the end of the day; if the dependant is ill or care breaks down immediately prior to commencing work, half a day will be credited. The maximum taken in any leave year should not exceed three separate days in total. Any additional days must be taken as annual, unpaid or must be purchased.

Employees do not have to complete a qualifying period in order to be able to take time off in an emergency. They are entitled to this right from day one of starting their job.

The right enables employees to take action which is necessary to deal with an unexpected or sudden problem concerning a dependant and make any necessary longer term arrangements. The emergency would need to occur during the working day or immediately prior to commencing work.

Examples include:

- If a dependant falls ill, or has been injured or assaulted;
- An emergency situation when a dependant is having a baby. (This does not include taking time off after the birth to care for the child);
- To make longer term care arrangements for a dependant who is ill or injured;
- To deal with a death of a dependant;
- To deal with an unexpected disruption or breakdown of care arrangements for a dependant;
- To deal with an unexpected incident involving the employee's child during school hours.

When you are called away from work because your dependant falls ill you will be credited for the remainder of the day:

- When your dependant falls ill immediately prior to you attending work that day you will be credited for the time needed in the morning period to enable you to make alternative care arrangements. Time off in the afternoon (or for the second half of your shift) should be taken as either, annual, unpaid or flexi where you are caring for the dependant.
- When your care arrangements break down immediately prior to you attending work you will be credited for the morning period to enable you to make alternative care arrangements. Time off in the afternoon (or for the second half of your shift) must be taken as either annual, unpaid or flexi where you are caring for the dependant.

In the event that Emergency Time off Leave is not applicable, other types of leave are available. These include annual leave, unpaid leave (which can be paid for by spreading over the employees leave year, flexi leave, parental leave, or TOIL (Time off in Lieu).

Employees must notify their immediate manager or section head by telephone, as soon as practicable, the reason for their absence and how long they expect to be away from work. The relevant form should be completed and signed by both the employee and the relevant Head of Service in consultation with Human Resources, immediately on return to work.

If there is any uncertainty regarding whether or not the time off should be granted, the Head of Service should contact Human Resources prior to any agreement being made.

Applications for compassionate leave will be monitored by the employee's Head of Service and in consultation with Human Resources.

## **2.15 Extenuating Circumstances**

If there are extenuating circumstances for an individual employee, the Head of Service, with approval from the Human Resources Manager, may grant further unpaid time off to employees in respect of family matters.

## **2.16 Employees Suffering Domestic Abuse**

The Council recognises and wishes to support any employees experiencing or suffering from Domestic Abuse. The Council has the discretion to approve up to ten working days paid leave (pro rata for part time employees) to attend related medical, legal, housing etc appointments in relation to their case.

## **2.17 Suspension**

During periods of suspension, an employee must make themselves available to facilitate investigatory meetings, however, should they wish to be unavailable they must book annual leave in the normal way, which is then deducted from their leave card.

## **2.18 Career Break**

Please see the Council's Career Break Policy for further information.

# **3. Annual Leave and Sickness Absence**

## **3.1 Employee absence due to sickness**

Employees will continue to accrue annual leave and bank holiday entitlement during a period of sickness absence.

On their return to work employees will be allowed to take outstanding leave subject to operational requirements.

*If an employee has not been able to take their full leave year's entitlement due to their sickness absence they are entitled to carry over the statutory leave allowance of 28 days minus the days of contractual annual leave they have already taken. This carried over leave balance must be taken in full during the following leave year or it will be lost.*

Employees moving onto half pay during their period of sickness should be encouraged to use their annual leave to bring their pay up to their full entitlement.

Should the employee be terminated on the grounds of ill health capability or ill health retirement then any outstanding leave will be paid in full.

### **3.2 Sickness during period of annual leave**

If an employee falls ill during a period of annual leave they may be entitled to have some or all of their annual leave/bank holiday reinstated if they provide a doctor's note to certify the illness and they have followed the correct procedures for reporting sickness, i.e. making contact with their manager on the first day of absence.

## **4. Long Service Award**

The Council has a locally agreed scheme to recognise long serving employees by making an award after twenty-five years' continuous service with this Council or its former constituents (or transfer under an agency agreement).

Employees receive an inscribed certificate and may choose whether or not this award is formally presented to them by the Council.

### **4.1 25-year award**

The employee can choose:

- two weeks' additional paid leave; or
- a cash payment/or gifts to a value of the current allowance

### **4.2 Additional service beyond 25 years**

Employees may choose an additional award for years beyond twenty-five years' continuous service.

The employee can choose:

- 3 days' additional paid leave in each of the 30th, 35th and every five years of service thereafter;

or

- a cash payment or gifts to the value of the current allowance at retirement.

### 4.3 Retirement

Alternatively, employees with 25 years' service or more may choose to await their retirement and receive a long service award for this total service at that time.

Employees previously receiving a long service award would receive the additional award at their retirement.

### 5.0 Document History

| Date       | Summary of Changes  |
|------------|---|
| 29/06/2023 | 1.2 Updated Leave Entitlement Table                         |
| 29/06/2023 | Added section to clarify time off for elected member duties |
| 28/03/2022 | 2.6 Increased leave from two to three weeks at MoD request  |
|            |   |