

**Halewood Town Council**

**Time Off Work Policy**

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| **Contents** |  | **Page** |
| 1 | Policy Statement & Scope | 3 |
| 2 | Responsibilities | 3 |
|  | 2.1 Line Manager Responsibilities | 3 |
|  | 2.2 Employee Responsibilities | 4 |
| 3 | Policy | 4 |
|  | 3.1 Maternity Rights/Leave | 4 |
|  | 3.2 Adoption Leave | 4 |
|  | 3.3 Maternity/Adoption Support or Paternity Leave | 4 |
|  | 3.4 Parental Leave | 5 |
|  | 3.5 Annual Leave | 5 |
|  | 3.6 Authorised Absence | 5-6 |
|  | 3.7 Time Off For Public Duties | 7 |
|  | 3.8 Time Off for Trade Union Purposes | 7 |
|  | 3.9 Carry over of annual leave after long term absence | 7-8 |
|  | 3.10 Accrued Hours | 8 |
| 4 | Appeals | 8 |

See List of Appendices below

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **No** | **Page No.** | **Title** | **No** | **Page No.** | **Title** |
| 1 | 9 | Request for authorised absence | 2 | 10 | Request for annual leave. |

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| **SUBJECT: Time Off Work Policy** |
| **APPLICABLE: All Town Council Employees** |
| **APPROVED BY HALEWOOD TOWN COUNCIL :- April 2015** |

**1. Policy statement & scope**

* 1. Halewood Town Council recognises that its employees have commitments outside of their workplace. The Council has introduced many different ways in which employees can use leave to assist in achieving a balance.

This Policy will incorporate:-

Maternity Rights/Leave

Adoption Leave

Maternity/Adoption Support or Paternity Leave

Parental Leave

Annual Leave

Authorised Absence

* Bereavement Leave
* Other Special Domestic Circumstances
* Fertility Treatment
* Leave for Examinations

- Election Duty

- Attendance as a witness

- Unpaid Leave

Unauthorised Absence – Industrial Action – Deductions from Pay

Time off for Public Duties

Time off for Trade Union Purposes

This policy describes a framework for the management of each activity. It is not intended to be prescriptive in specific detail as it recognises the necessity for flexibility in the approach taken in each individual circumstance.

1. **Responsibilities**
   1. **2.1. Line Manager’s Responsibilities**

Line Manager’s should be fully aware of all relevant policy content relating to any time off work and provide employees with regular updates of any changes.

* 1. **2.2. Employee Responsibilities**

Employees must accurately record their attendance on the approved ‘Time Sheet’ and on each occasion when applying for any of these benefits should comply at all times with the content of this policy.

**3. Policy**

**3.1** [**Maternity Rights/Leave**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3256%20-%20Maternity%20Leave/index.htm)

All pregnant employees are eligible to take maternity leave regardless of their length of service or hours of work. Depending on the employee’s circumstances, there may be an entitlement to Statutory Maternity Pay and enhancements.

**3.2** [**Adoption Leave**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3160%20-%20Adoption%20Leave/index.htm)

The Town Council recognises that some of its employees may be involved in an adoption process. The Town Council is aware of the practical difficulties often involved when adoptive parents are introducing a new child or children into the home.

All employees who meet the necessary qualifying criteria can apply for adoption leave. In cases where a couple both work for the Council, only one partner may take adoption leave in respect of the same child, or leave can be shared between the couple.

**3.3** [**Maternity/Adoption Support or Paternity Leave**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M6623%20-%20Maternity%20and%20Adoption%20Support%20Leave/index.htm)

Maternity/Adoption Support or Ordinary Paternity leave can be granted to the child’s biological father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.

It will also apply to employees following adoption who have responsibility to care for a child but who are not identified as the main carer of the child for the purposes of adoption or who is the person nominated by the child’s adopter as their main support at or around the time of adoption.

Additional paternity leave can be granted to the father of the baby and/or the husband or partner (including same-sex partner or civil partner) of a woman who is due to give birth on or after 3 April 2011 – a partner is someone who lives with the mother of the baby in an enduring family relationship but not an immediate relative.

Only one claim for Maternity/Adoption Support or Paternity leave may be made for each child.

**3.4** [**Parental Leave**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3270%20-%20Parental%20Leave/index.htm)

The Town Council recognises that there may be times when employees need to use leave to assist with child care responsibilities. Unpaid parental leave is available to employees for this purpose.

All employees who meet the necessary qualifying criteria can apply for parental leave.

**3.5** [**Annual Leave**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3286%20-%20Annual%20Leave/index.htm)

All employees are entitled to annual leave as part of their terms and conditions of employment. The annual leave year starts on 1st April and runs through to 31st March the following year.

Applications for annual leave must be submitted, using the approved application form, to an employee’s Line Manager for approval before any leave is taken and giving as much notice as possible, notwithstanding that some situations may be of an urgent nature.

Once approved, authorised application forms must be handed to the Town Council’s administrative staff for recording.

With and employees Line Manager’s written permission, a maximum of five days (or equivalent) may be accrued from one leave year to the next.

**3.6** [**Authorised Absence**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3107%20-%20Authorised%20Absence/index.htm)

There are many reasons why an employee may require authorised leave of absence from work, whether paid or unpaid, which include:-

- Bereavement leave,

- Other special domestic circumstances,

- Fertility treatment,

- Leave for examinations,

- Election Duty,

- Attendance as a witness,

- Unpaid Leave for purposes other than mentioned above.

The Town Council has a range of different schemes to accommodate employee’s requests.

As with applications for annual leave, applications for Authorised Absence’ must be submitted, using the approved application form, to the Town Manager for approval before any absence occurs, giving as much notice as possible, notwithstanding that some situations may be of an urgent nature.

**3.6.1 Authorised Absence for Medical Appointments**

Employees attending **urgent** doctor or dentist appointments; hospital out-patient appointments and for medical procedures, must adhere to the following principles:

* Appointments will be expected to be made outside of an employee’s normal working hours, wherever possible.
* It is expected that every attempt will be made for the appointment to be arranged with the minimum disruption to an employee’s normal working pattern, with reasonable notice being given of the appointment, i.e. at the beginning or end of the employee’s working day or shift;
* Depending upon the timing of an appointment, at the discretion of the employee’s Line Manager, the employee may be required to attend work either before or after their appointment.
* Employees should provide evidence of confirmation of the appointment when requested by their Line Manager;
* Where an employee attends a hospital appointment, evidence of the appointment must be provided to the employee’s line manager in advance. This will enable the manager and employee to discuss how much time will be approved.
* If an employee is unable to return to work following their appointment / procedure due to ill health, their absence will be recorded as sickness absence.

All routine appointments must be booked in the employees’ own time, with the exception of maternity related appointments and those relating to a disability.

3**.6.2 Unauthorised absence – Industrial Action – Deductions from**

**Pay**

There are occasions when employees are absent from work without authorisation, for example Industrial Action. In the event of employees taking industrial action, deduction from pay is on the basis of one fifth of a week’s pay for each day of action taken.

Those employees who choose to strike will not make a pension contribution for the day(s) strike. This means that this will marginally reduce the amount of pension to be credited to their pension account (compared to the amount of pension that would have been credited had they not been absent).

Local Government Pension Scheme members wishing to buy back lost pension due to a trade dispute/strike are required to cover the full cost by paying Additional Pension Contributions (APCs).  This means that they will pay both the employee and employer’s contributions.

**3.7** [**Time off for Public Duties**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3110%20-%20Public%20Duties/index.htm)

The Town Council encourages employees to get involved in public duties and allows employees to have reasonable paid time off during working hours. Any employee wishing to make an application should, where possible, forewarn their line manager of possible duties as soon as is reasonable so that appropriate arrangements can be made to the service to accommodate likely absences. Employees should maintain a record of the hours spent on public duties.

**3.8** [**Time off for Trade Union Purposes**](http://dcr.knowsley.gov.uk/HR/hrpol/Shared%20Documents/Time%20Off%20Work%20Policy/Protos%20Process%20Models/M3099%20-%20TU%20Purposes/index.htm)

Trade Union representatives (defined as Member Stewards, Health & Safety and Learning Representatives) have a statutory right to reasonable paid time off from work to carry out Union duties and to undertake Trade Union training.

In respect of existing time off with pay arrangements, nothing in this policy will serve to alter or amend existing local agreements, where these remain in force.

Union representatives and members also have a statutory right to request reasonable unpaid time off to take part in Trade Union activities.

**3.9 Annual Leave Carry over following Long Term Absence**

An employee will not lose any statutory annual leave if they have been prevented from using their annual leave because of sickness absence. If the employee is absent from work at the point that their annual leave year commences, any statutory leave untaken i.e. 20 days (pro rata), because of their sickness absence, can be carried over.

If an employee returns from a period of sickness absence prior to the end of their annual leave year, and is able to take their statutory annual leave on their return, before their annual leave year expires, they should do so. If they choose not to do so the statutory annual leave cannot be carried over and will be lost. If, however, there is insufficient time to enable them to take their statutory leave or on return to work, work commitments prevent them from taking the statutory annual leave, this leave can then be carried over into the new annual leave year.

Employees can also take their statutory annual leave during sickness absence. Arrangements would still need to be confirmed with their line manager.

Employees should be encouraged to use the carried over statutory annual leave prior to returning to work following sickness absence.

In line with national conditions, where an employee is receiving sick pay under the scheme, sick pay should continue if a public or extra statutory holiday falls during such sickness absence.  However, no substitute public or extra statutory holiday should be given.

The Town Council reserves the right to consider individual cases on their own merits.

**3.10. Accrued Hours**

Employees must accurately record their attendance on the approved ‘Time Sheet’ which must be authorised by the employees’ Line Manager. Circumstances may arise when, in recording actual hours worked, an employee may accrue hours over and above those ‘contracted’.

Unless approved by their Line Manager, employees will not be permitted to accrue more than the equivalent of 3 days attendance in any one monthly accounting period. Applications to take ‘time off in lieu’ of accrued hours must be made in accordance with pars 3.5 above.

**4. Appeals**

There is no specific appeals mechanism relating to this policy. Individuals who may have issues regarding the application of each of the time off work options should consider trying to resolve such matters through the appropriate Town Council procedure, for example the Grievance Procedure.