

Compassionate (bereavement), caring, disability, and other special leave, (including time-off for public duties)

Forward

The Council recognises that employees may sometimes need to take time off from work to attend to unforeseen or urgent personal and family matters, or to fulfil other commitments.

The arrangements for compassionate (bereavement) leave and time-off for disability related reasons, medical screening, public duties, trade union representatives and volunteering etc, either reflect or are an improvement on the statutory provisions. It is not possible to cover every eventuality and where some discretion is allowed, each case must be considered on its merits including the needs of the service.

The Policy applies to all employees directly employed by the Council and is recommended to schools as best practice.

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1. Introduction

These provisions set out the principles and arrangements to be followed in relation to the granting of paid or unpaid special leave of absence and the circumstances where this may be considered; this includes time-off for the following:

- adoption, caring and maternity related appointments
- compassionate reasons (bereavement, emergency care and domestic abuse)
- exam/study leave
- “public duties” (jury service, public bodies, reservists) and volunteering
- workplace “reasonable” adjustments for disabled employees
- trade union duties and activities

2. General

Employees must apply to their manager for time-off via Oracle Self Service, (or the normal “process” where they do not have access to this), and give as much notice as reasonably possible. Where applications are refused, the manager should notify the employee of this and the reason(s) why as soon as possible.

Employees are expected to arrange medical e.g. dental, GP, hospital check-ups and opticians appointments in their own time, except where detailed below*, or must make up the hours or take these as sickness absence. They are not entitled to any time-off for other domestic appointments e.g. for home deliveries or repairs etc.

Employees who abuse the arrangements or who knowingly make a false, misleading or inaccurate claim for time off will be subject to disciplinary action.

* There are separate arrangements for ante-natal and adoption appointments, cancer screening and reasonable adjustments for disabled employees etc, as detailed under “4. Disability, exams, medical screening, redundancy and trade union representation” below.

3. Compassionate and emergency special leave (Table 1)

Bereavement, emergencies and other personal reasons (pages 6-9)

Managers may approve up to 3 days or 21 hours* absence in any rolling 12-month period for compassionate reasons etc, except where stated. Any requests for absence in excess of this must be approved by the Director / Head of Service, (or their equivalent), who will take into consideration:

- how much time is needed
- any precedents across the Council, with advice from Human Resources
- the effect on service delivery and work colleagues
- the employee’s overall attendance record
- the employee’s outstanding annual leave balance (at the end of the leave year January to March), flexi-time credit or TOIL

* The limit of up to 3 days or 21 hours (or up to 6 days or 42 hours for bereavement) is the maximum for any employee (pro-rata for part-time employees) and is not a separate entitlement for each category in Table 1.

Parental bereavement (page 7)

Employees are entitled to time-off if they experience a miscarriage, still birth or the death or a loss of a child up under the age of 18.

Domestic abuse (page 7-8)

The Director/ Head of Service (or their equivalent) may approve up to 10 days or 70 hours away from work for employees directly affected by domestic abuse to access help and support e.g. make emergency arrangements for finance and housing, take legal advice and/or attend court proceedings, get counselling and other support.

4. Other special leave and statutory time-off (Table 2)

Disabled employees (page 10)

Managers are required to make “reasonable” workplace adjustments for disabled employees, which may include time-off* to attend medical appointments and to assist with rehabilitation and for cancer screening.

Exam / study leave (page 11)

Employees studying for professional qualification courses that are a requirement for the post will be entitled time-off only if this is agreed with the manager and Human Resources at the time of applying and confirmed in writing in the Learning Agreement.

Medical screening (page 11)

Employees are entitled to reasonable* time-off for other medical screening.

Statutory time-off (page 11-12)

Employees issued notice of the termination of their employment due to redundancy are entitled to up to two days paid time-off to look for work

Trade union representatives have a statutory right to reasonable* to time-off for:

- i) trade union duties which is paid; and
- ii) trade union activities which is unpaid, unless where agreed otherwise

* It is not possible to give specific guidance as to what is “reasonable” and each case must be treated on its merits. Managers must take advice from Human Resources where there are any queries or dispute in these cases.

5. Adoption, caring, fostering, maternity related appointments (Table 3)

Employees have a statutory entitlement to time-off for ante-natal care and up to five adoption appointments; time-off may be given for fostering appointments (see page 13-16).

6. Time-off for public duties and volunteering” (Table 4)

Employee Volunteering (page 17)

Employees may be given up to 3 days paid leave a year for volunteering or the minimum requirement for schemes linked to Council/community initiatives e.g. Independent Visitors for Looked After Children*.

* Employees must obtain the Director/ Head of Service (or their equivalent) prior approval before applying for any such schemes.

Jury service (page 17)

Employees will be given paid time-off when summoned for Jury Service.

Other public duties (pages 17-18)

Employees will be allowed reasonable paid time-off for public duties where prior approval has been obtained from the Director/Head of Service (or their equivalent).

Armed Services Reservists and Cadet Force Adult Volunteers (page 18)

Employees will be allowed paid time-off to attend annual training and to participate in the annual Armed Forces Reserves Day and further unpaid time off where agreed with the Director/Head of Service (or their equivalent).

7. Other leave arrangements (Table 5)

A summary of other leave arrangements e.g. career breaks, is provided on page 19.

8. Monitoring

Applications for special leave and time-off will be monitored and reviewed annually to ensure that the arrangements are applied fairly and consistently across the Council.

9. Further information

Internal

Employee leave, including adoption, maternity and parental arrangements.

<https://lbbd.sharepoint.com/sites/IntTp/HR/Pages/Holidayleave.aspx>

<https://lbbd.sharepoint.com/sites/IntTp/HR/Pages/equality.aspx>

External

The following websites offer more information on employment issues.

- i) Employment matters, including work and families
<https://www.gov.uk/time-off-for-dependants>
<http://www.acas.org.uk/index.aspx?articleid=3235>

- ii) Carers
<https://www.carersuk.org/>
- iii) Right to apply for flexible working
<https://www.gov.uk/flexible-working>
- iv) Time off for public duties
<https://www.gov.uk/time-off-work-public-duties>
- v) Time off for trade union duties and activities
<https://www.gov.uk/rights-of-trade-union-reps>

Human Resources will automatically update the arrangements to comply with any changes to legislation and / or ACAS guidance and notify employees of the amendments.

Table 1: Compassionate and emergency special leave

Managers may approve up to 3 days or 21 hours absence* (pro-rata for part-time employees) in any rolling 12-month period except where stated for the following. * This is the maximum for any employee, not a separate entitlement for each category.

Any requests for absence in excess of the above e.g. to deal with the bereavement of more than one close family member during the rolling 12-month period, must be agreed by the Director/Head of Service (or their equivalent) who will take into consideration:

- How much time is needed
- Any precedents within the service
- The effect on service delivery and work colleagues
- The employee's overall attendance record
- The employee's outstanding annual leave balance (at the end of the leave year January to March), flexi-time credit or TOIL

Category			Paid / Unpaid	Terms and Conditions		Comments
General	Oracle Self-Service Heading			Amount	Conditions / Definitions	
	Absence Type	Absence Category				
Bereavement						
Funeral of close family member - Attending	Special Leave Paid	Personal Leave	Paid	1 day (7 hours or if part-time the hours scheduled to be worked on that day)	Limited to child, husband, wife, civil partner, co-habiting partner, parent, brother/sister, or another close family relative (or other dependant where the employee was the principal carer – See definition of “carer” at Appendix 1)	Updated 2020 to include another close family relative
Bereavement leave for close family members (this may be used for grieving and/or arranging the funeral or to attend if being held abroad)	Special Leave Paid	Personal Leave	Paid	Up to 5 days (35 hours, pro-rata for part-time employees)	Additional to time off to attend funeral above. Limited to child, husband, wife, civil partner, co-habiting partner, parent, brother/sister, or another close family relative (or other dependant where the employee was the principal carer – See definition of “carer” at Appendix 1)	Updated 2020 to include another close family relative

Bereavement leave for the death / loss of a child under the age of 18, or a stillbirth from 24 weeks of pregnancy Note: Employees may still qualify for Maternity Leave if their baby: <ul style="list-style-type: none">▪ is born early▪ is stillborn after the start of the 24th week of pregnancy▪ dies after being born	Special Leave Paid	Personal Leave	Paid	2 weeks (70 hours, pro-rata for part-time employees)	Additional to time off to arrange and attend funeral above. For the bereaved parent i.e. mother, father, husband, civil partner or co-habiting partner, who must have been employed continuously by the Council for at least 26 weeks prior to the “relevant week” i.e. the week immediately before the one in which the child dies. Leave must be taken within 56 weeks of the child’s death or still birth (in a block of 1 or 2 weeks or as 2 separate blocks of 1 week)	New 2020 “Parental Bereavement (Leave and Pay) Act” comes into effect from April 2020
			Unpaid	Up to 10 days (70 hours, pro-rata for part-time employees)	Where employee not entitled to statutory parental bereavement leave and pay	
Bereavement leave for a miscarriage before the 24 th week of pregnancy	Special Leave Paid	Personal Leave	Paid	Up to 5 days (35 hours, pro-rata for part-time employees)	For the mother and husband or partner	New 2021
Bereavement leave for other relatives or work colleagues	Special Leave Paid	Personal Leave	Paid*	Up to 1 day (7 hours, pro-rata for part-time employees) as agreed with manager	To attend funeral of other relatives not covered above and/or work colleagues. Managers may use their discretion in any other bereavement situations not covered above.	Updated 2020 To include other bereavement situations
			* Each case will be considered on its merits – managers have the right to treat this as unpaid leave			
Other	Special Leave Unpaid	Personal Leave	Unpaid	Up to 1 day (7 hours pro-rata for part-time employees)	To attend funeral of any others not covered by the above	2014
Domestic abuse						
Time-off for employees experiencing domestic abuse to seek support and advice and for those seeking help to change their abusive	Special Leave Paid	Personal	Paid	Up to 10 days (70 hours, pro-rata for part-time employees)	Time-off, (including time out at the workplace where this may provide a safe haven for the employee), to access help and support etc, which may include having to: <ul style="list-style-type: none">▪ make arrangements for accommodation/re-housing▪ make arrangements for their children’s schooling	New 2019 Introduced with the new “Addressing Domestic Abuse at Work Policy”

behaviour	Special Leave Unpaid	Personal	Unpaid	Any additional time off in excess of 10 days (70 hours, pro-rata for part-time employees)	<ul style="list-style-type: none"> ▪ sort out financial arrangements ▪ contacting Workplace Options (Employee Assistance Programme) ▪ take legal advice and/or attend court proceedings ▪ get counselling ▪ contacting other agencies for support <p>This includes time for employees seeking to change their abusive behaviours to seek help and support.</p>	
Emergencies	Oracle Categories				Employees may also be able to apply for “Parental Leave” see Table 3	
Emergency time-off for dependents	Special Leave Paid	Family Leave	Paid / Unpaid	<p>*Up to 1 day (7*¹ hours) paid and 1 day (7*¹ hours) unpaid as agreed with manager i.e. maximum 2 days or 14 hours*¹ absence</p> <p>* paid time-off will only be allowed on the working day on which the emergency occurs, and any additional time needed i.e. into a second day, taken as unpaid absence</p> <p>*¹ pro-rata for part-time employees)</p>	<p>For unforeseen emergencies involving dependents only i.e. to provide assistance in an emergency e.g. where a dependant falls ill, unexpected incidents involving the employee’s child’ during school hours or to make emergency arrangements for the provision of care or support -</p> <p>*To allow an employee to deal with the immediate problem (and to arrange alternative longer-term care where applicable) <i>where the employee’s presence or attendance is crucial to resolving the problem</i> – paid time-off will only be allowed on the working day on which the emergency occurs, and any additional time needed i.e. into a second day, taken as unpaid absence</p> <p>This does not apply for situations employees know about beforehand e.g. to accompany a child to a hospital appointment, (In those cases “parental leave may apply, see Table 3 on page 14).</p>	Amended 2012 Previously 2 days unpaid absence-
	Special Leave Unpaid	Family Leave		See above		
Other personal reasons	Oracle Categories					

Personal - Director Approved (or their equivalent)	Special Leave Paid	?	Paid	Up to 1 day (7 hours, pro-rata for part-time employees) or the period of the appointment as agreed with manager	<p>This must be approved by the Director/Head of Service or their equivalent.</p> <p>It may include attending court when required as a witness for the Council (or to a crime), or any other exceptional one-off circumstances not covered elsewhere within this Policy and/or where staff do not have access to flexible working as agreed by the manager.</p> <p>Employee must produce appointment card/letter.</p>	Updated 2020 To give managers some discretion to allow time-off in other exceptional circumstances
	Special Leave Unpaid	Unpaid leave	Unpaid	<p>Up to 3 days* (21 hours*, pro- rata for part-time employees)</p> <p>* Up to 10 days (70 hours, pro-rata for part-time employees) additional unpaid leave - see Annual Leave Provisions</p>	<p>This must be approved by the Director/Head of Service or their equivalent.</p> <p>It may include additional time-off to care for a dependant, study, observe non-statutory religious festivals, attend court as a witness, or for elective surgery or counselling etc</p>	Reviewed Flexibility to apply for more to the Director

Table 2: Other special leave and statutory time-off

Category			Paid / Unpaid	Terms and Conditions		Comments
General	Oracle Self-Service Heading			Amount	Conditions / Definitions	
	Absence Type	Absence Category				
Disability	Oracle Categories				See Appendix 1 for information on the definition of disability and what conditions are covered	
Access to Work Assessment	Special Leave Paid	Work	Paid	Period of appointment	To attend Access to Work (ATW) Assessment for reasonable adjustments.	New 2012
Access to Work Training	Special Leave Paid	Work	Paid	As agreed as part of the ATW Assessment	To attend training agreed and funded by ATW for reasonable adjustments.	
Awaiting Reasonable Adjustments	Special Leave Paid	Work	Paid* ¹	* ¹ Reasonable time as agreed with manager	Where employee cannot work as waiting for agreed reasonable adjustments to be put in place – temporary home working may also be an option.	New 2012
Disability – medical screening/tests	Special Leave Paid	Sickness	Paid* ¹	* ¹ Reasonable time as agreed with manager	Employee must produce appointment card/letter Applies to employees with a specific condition recognised a disability (See Appendix 1)	New 2012
			* ¹ Each case will be considered on its merits – travelling and waiting could take up a large part of the day and individuals may respond differently to treatment and/or be unable to return to work that day.			
Other medical treatment / rehabilitation	Special Leave Paid	Sickness	Paid* ¹	* ¹ Reasonable time as agreed with manager	Employee must produce appointment card/letter – to attend for treatment specific to disability e.g. chemotherapy and post operative recovery, or counselling.	Also, flexible hours/working
			* ¹ Each case will be considered on its merits – travelling and waiting could take up a large part of the day and individuals may respond differently to treatment and/or be unable to return to work that day. Managers have the right to treat this as sickness absence e.g. employees will not be allowed to take 2 weeks paid special leave for post operative recovery instead of certificated sickness absence			
Other reasonable adjustments	Special Leave Paid	Work	Unpaid / Paid	* ² Reasonable time as agreed with manager	Employee must produce appointment card/letter – to attend training for reasonable adjustments e.g. guide/hearing dogs	
	Special Leave Unpaid	Work	* ² Each case will be considered on its merits, managers and employees should agree on a combination of annual leave/ flexi-time and paid absence – where agreement cannot be reached, managers have the right to treat this as sickness absence			

			Note: Advice must be obtained from Human Resources where there are any issues as to time off relating to disability that cannot be resolved at departmental level.			
Exam/Study Leave	Oracle Categories					
Qualification - Exam Leave	Special Leave Paid	Study Leave	Paid	Day or ½ day on which exam falls	Where agreed with manager / HR at time of applying for professional qualification courses that are a requirement for the post – this will be confirmed in writing as part of the Learning Agreement. This does apply to apprenticeships.	Updated 2020 To clarify this is only allowed where the qualification is a requirement for the post
Qualification - Study Leave	Special Leave Paid	Study Leave	Paid	Up to 2 days (14 hours,) pro-rata for part-time employees) per course		
Medical screening	Oracle Categories					
Medical Screening	Special Leave Paid	Sickness	Paid	*1 Reasonable time as agreed with manager up to a maximum 3 appointments in any 12-month period	Employee must produce appointment card/letter – to attend screening for serious illnesses (heart or other conditions, organ transplants or strokes) and excludes: i) cancer*, disability, ante-natal screening and other appointments (as separate arrangements apply as detailed in Tables 1-5). * For time-off for cancer screening see “Disability” above / “Screening for cancer” below ii) dental, GP, opticians and routine hospital appointments e.g. check-ups. See Note below iii) accompanying children or adults to hospital or other medical appointments (as separate arrangements apply as detailed in Tables 1-5).	New 2014
				Note: Employees are expected to arrange medical (dental, GP, hospital and opticians appointments) in their own time; where appointments can only be arranged during normal working hours, they must make up the hours or take these as sickness absence. (Since 2008 as part of the arrangements for reducing “core working times”)		
			*1 Each case will be considered on its merits – managers have the right to treat this as sickness absence and may not approve time-off where the employee has flexi-time or annual leave or TOIL outstanding e.g. at the end of the annual leave year.			
Screening for cancer	Special Leave Paid	Sickness	Paid	Period of appointment	Employee must produce appointment card/letter	New 2014
Redundancy – Time-off to look for work, (including job interviews)	Oracle Categories					

Time off to look for work	Special Leave Paid	Work	Paid	Maximum up to 2 days with pay - any extra time-off will be unpaid	Redundancy cases only i.e. to employees issued notice of the termination of employment due to redundancy and who will have 2 years service at the termination date. (Statutory entitlement is to reasonable time off but (paid time) is limited to two-fifths of a weeks pay.)	Statutory entitlement to reasonable time off but only 2/5's of a week as paid
Trade Union duties and activities	Oracle Categories				Recognised trade union representatives only as per The Trade Union Recognition and Facilities Agreement 2019*1	
Time-off for Trade Union duties	Special Leave Paid	Representative Duties	Paid	*2 Reasonable time as agreed with manager	For trade union duties concerned with functions related to or connected with collective bargaining, including: <ul style="list-style-type: none">terms and conditions of employmentphysical conditions in which workers required to workmatters of discipline / termination or suspension of employment or the duties of employmentconsultation related to the handling of collective redundancies and where the TUPE Regulations apply	New 2019 Recognition Agreement 2019 All trade union representatives are required to complete a
Time-off for Trade Union activities	Special Leave Paid	Representative Duties	Unpaid	*2 Reasonable time as agreed with manager	Trade Union activities include: <ul style="list-style-type: none">attending workplace meetings to discuss and vote on negotiations with the employer / meeting full time officersvoting in union electionshaving access to a union learning representativetaking part in branch, area or regional union meetings	monthly record of all time-off spent during their working hours on trade union duties and activities and return this to Human Resources.
			Paid *3	i) ½ day (3.5 hours) every other month for representative to attend stewards meetings *3 ii) up to 3 hours for one AGM each year *3 iii) limited time-off to attend trade union conferences (not travel)*4		
			*1 See “Guidance on time-off for trade union duties and activities, (and the statutory duty to publish details of facility time)” click here *2 Each case will be considered on its merits – managers should be supplied with the reason(s) for the time off and period of absence if requested so they can consider: <ul style="list-style-type: none">the reasonableness of the request<ul style="list-style-type: none">has sufficient notice being giventhe amount of time requestedhow this can be accommodated within the servicewhether they can arrange cover within the service or must bring this in, and if so howany health and safety issues, e.g. if going off the premises. *3 In addition to *2 above, this is also subject to their being agreement on: <ul style="list-style-type: none">maintaining cover as essential for safety or to keep premises open to the publica time that does not impact on services to the Community and which minimises the effect on other services or work colleagues etc *4 Conferences must be agreed in advance with the Head of Workforce Change			

Table 3: Adoption, caring, fostering and maternity related appointments							
Category			Paid / Unpaid	Terms and Conditions		Comments	
General	Oracle Self-Service Heading			Amount	Conditions / Definitions		
	Absence Type	Absence Category					
Adoption							
Adoption Leave	Special Leave Paid	Adoption	Paid/ unpaid	See “Adoption Arrangements” https://lbbd.sharepoint.com/sites/IntTp/HR/Pages/Holidayleave.aspx		New 2014	
	Special Leave Unpaid	Adoption					
Adoptive Paternity Leave	Special Leave Paid	Additional Paternity Adoption	Paid	Up to 2 weeks	£148.68 per week, or 90% of average weekly earnings if this is less than £148.68 per week*. (*from 7 April 2019) See “Paternity Maternity Leave Support Provisions”	No change	
Adoption Appointments	Special Leave Paid	Adoption	Paid	Up to 5 appointments* (up to a maximum 6½ hours per appointment)	Where employee is the primary adopter, to attend appointments set up by the local authority between the matching and placement of the child.* Employee must produce appointment card/letter and evidence that they are the primary adopter.	New 2014 (ahead of anticipated Legislation from 2015)	
	Special Leave Unpaid	Adoption	Unpaid	Up to 2 appointments* (up to a maximum 6½ hours per appointment)	Where employee is the secondary adopter, to attend appointments set up by the local authority between the matching and placement of the child.* Employee must produce appointment card/letter	Updated 2020 To include statutory limit on time-off per appointment	
			* Employees are not allowed time-off for adoption appointments after the child’s placement. See “Adoption Arrangements”				

Carers / caring	Oracle Categories					
Carers Assessment (of adults over age 18)	Special Leave Paid	Personal Leave	Paid	Up to 1 day (7 hours, pro-rata for part-time employees) per year	For a local authority assessment of carers needs	New 2012
Care for Adult Dependent	Special Leave Unpaid	Personal Leave	Unpaid	Up to 1 week (35 hours, pro-rata for part-time employees) per year	To take a break from caring. For employees who have caring responsibility for a partner or, relative or another adult living at the same address	New 2012
	Special Leave Unpaid	Personal Leave	Paid	Up to 3 days (21 hours, pro-rata for part-time employees) per year	To care and look after the welfare of the adult for whom the employee has caring responsibility. This may include accompanying them to medical or other appointments. * * Employee must produce appointment card/letter	New 2014 Updated 2020 from unpaid to paid time-off
Caring – Serious, terminal or life-threatening illness	Special Leave Paid	Family Leave	Paid*1	Up to 1 week (35 hours, pro-rata for part-time employees) per year	Compassionate time off where the employee is the principal carer for a child, partner, close relative or other adult dependant	New 2012 Amended 2014
	Special Leave Unpaid	Family Leave	Unpaid	Any additional time off in excess of 1 week (35 hours, pro-rata for part-time employees) above	Examples of illnesses include cancer, heart or other conditions, organ transplants, strokes, or critical accidents. If required, employee must produce medical evidence stating the seriousness of the illness or accident.	Previously up to 3 days for the serious / sudden illness or death or funeral of a near relative
			*1 Each case will be considered on its merits – managers and employees may agree on a combination of annual leave/ flexi-time and paid absence – where agreement cannot be reached, managers have the right to treat this as sickness absence			
Maternity	Oracle Categories					
Ante-Natal Care – Pregnant Employees	Special Leave Paid	Maternity	Paid	Period of appointment	Employee must produce appointment card/letter – for pregnant employees only not their partners	Statutory
			Note: Employees undergoing IVF treatment are legally regarded as “pregnant” when in vitro fertilised eggs are transferred/implanted and from then, entitled to paid time off for ante-natal care.			

Ante-Natal Care - Accompanying	Special Leave Unpaid	Maternity	Unpaid	Up to 2 appointments	<p>To accompany an expectant mother to her ante-natal appointment. The employee must be either:</p> <ul style="list-style-type: none"> i) the baby's father ii) the expectant mother's spouse, her civil partner, or partner (of either sex) in an enduring relationship iii) intended parents of a child in a surrogacy arrangement if they expect to be entitled to and intend to apply for a parental order in respect of that child <p>Employee must confirm in writing the date and time of the appointment; that they qualify for the unpaid time off through their relationship with the mother or child; and the time-off is for the purpose of attending an ante-natal appointment with the expectant mother on the advice of a registered medical practitioner, nurse or mid-wife.</p>	Statutory right from October 2014
Maternity Leave *			Paid / Unpaid	See "Maternity Leave and Pay" Policy https://lbbd.sharepoint.com/sites/IntTp/HR/Pages/Holidayleave.aspx		No change
Maternity Support Leave *	Special Leave Paid	Ordinary Paternity Birth	Paid	See "Paternity/Maternity Leave Support Provisions" for full details		
				1 week	£151.97 per week, or 90% of average weekly earnings if this is less than £151.97 per week*. (* from 4 April 2021)	
Paternity Leave *	Special Leave Paid	Ordinary Paternity Birth	Paid*	See "Paternity/Maternity Leave Support Provisions" for full details https://lbbd.sharepoint.com/sites/IntTp/HR/Pages/Holidayleave.aspx		No change
				Up to 2 weeks	1 week full pay as Maternity Support Leave and 1 week at £151.97 per week, or 90% of average weekly earnings if this is less than £151.97 per week*. (* from 7 April 2021)	
				* Note: Employees may still qualify for Maternity and Paternity Leave if their baby: <ul style="list-style-type: none"> ▪ is born early ▪ is stillborn after the start of the 24th week of pregnancy ▪ dies after being born 		
Premature births	Special Leave Paid	Family Leave	Paid	1 week for each week the baby stays in hospital before the original due date	For the mother to recover from the trauma of a premature birth. To be taken at end of the statutory maternity leave period.	New 2020

	Special Leave Paid	Family Leave	Paid	Up to 10 days (70 hours, pro-rata for part-time employees)	Additional to Paternity Leave above Compassionate time off where the employee is the spouse, civil partner, or partner (of either sex) of a mother who gives birth prematurely, (born before 37 weeks gestation). May be taken whilst the baby is in hospital or after they leave.	New 2020
Parental	Oracle Categories					
Parental Leave	Unpaid Leave	Family Leave	Unpaid	18 weeks per parent per child or adopted child up to the child's 18th birthday. Normally taken in blocks of a week or multiples of a week*. * limited to a maximum of 4 weeks per year.	To care and look after the welfare of the child which may include accompanying child during stay in hospital. Employee must have more than 1 years' service and be named on the child's birth or adoption certificate and have parental responsibility. Does not apply to foster parent unless (unless they have secured parental responsibility through the courts). The parent taking leave must give 21 days' notice. A 'week' equals the length of time an employee normally works over 7 days, e.g. If they work 3 days a week, one 'week' of parental leave equals 3 days. If they work irregular weeks the number of days in a 'week' is the total number days they work a year divided by 52.	Updated in accordance with 2015 changes to statutory provisions "Parental Leave" Policy is under review
Fostering						
For employees who are fostering for Barking and Dagenham only	Special Leave Paid	Adoption	Paid	Up to 1 day (7 hours, pro-rata for part-time employees) per year	During the employee's assessment for approval to becoming a foster parent.	New 2020
	Special Leave Paid	Adoption	Paid	Up to 5 days (35 hours pro-rata for part-time employees) per year	When the employee is caring for a foster child (e.g. to attend meetings* in relation to their fostering role), or at the start of a planned permanent placement. * Employee must produce appointment card/letter	
	Special Leave Unpaid	Adoption	Unpaid	Any additional time off above in excess of the above		

Table 4: Time off for public duties and volunteering – Employees must obtain Director/Head of service (or their equivalent) approval before applying for these schemes

Except where detailed, employees will be allowed up to 10 days or 70 hours absence (pro-rata for part-time employees) in any rolling 12-month period for the following. This is in total and not a separate entitlement for each category.

Category			Paid / Unpaid	Terms and Conditions		Comments
General	Oracle Self-Service Heading			Amount	Conditions / Definitions	
	Absence Type	Absence Category				
Employee Volunteering						
Volunteering	Special Leave Paid	Paid Leave	Paid* ¹	Up to 3 days per year	Must be linked to learning and development needs and/or the Council corporate objectives	No change
“Borough Beat”	Special Leave Paid	Paid Leave	Paid* ¹	Minimum requirement of the Scheme*	*Up to 4 weeks training and 1 day per fortnight	No change
Mentoring NEET’s	Special Leave Paid	Paid Leave	Paid* ¹	Minimum requirement of the Scheme		No change
Independent Visitors for Looked After Children	Special Leave Paid	Paid Leave	Paid* ¹	Minimum requirement of the Scheme	*Up to 6 days per year	New 2020
Other Council approved schemes	Special Leave Paid	Paid Leave	Paid* ¹	Minimum requirement of the Scheme*	Details will be made available when publishing details of the scheme	2019
			* ¹ Director/Head of Service (or their equivalent) approval must be obtained before applying for these schemes			
Jury Service	Oracle Categories					
Jury Service	Special Leave Paid	Jury Duty	Paid	Leave as necessary	Employees must notify their manager as soon as possible. They will continue to be paid their salary as normal on the basis they repay any allowances for loss of earnings that can be claimed from Court	No change
Public Duties	Oracle Categories					
Magistrates	Special Leave Paid	Representative Duties	Paid* ¹	Up to 10 days (or 20 x ½ days) per year	As agreed with the Director/Head of Service (or their equivalent)	Revised

	Special Leave Unpaid	Representative Duties	Unpaid	Any additional time off in excess of 10 days (or 20 x ½ days) above		2012
Member of a public body	Special Leave Paid	Representative Duties	Paid*1	Up to 10 days per year	As agreed with the Director/Head of Service (or their equivalent)	Revised 2012
	Special Leave Unpaid	Representative Duties	Unpaid	Any additional time off in excess of 10 days above	(This includes Member of a local authority, statutory tribunal, police authority, board of prison visitors or a prison visiting committee, relevant education body).	
School Governor	Special Leave Paid	Representative Duties	Paid*1	Up to 10 days per year	To attend meetings or corporate training arranged by the Head of Governor Services during normal working hours	No change
	Special Leave Unpaid	Representative Duties	Unpaid	Any additional time off in excess of 10 days above		
			*1 Director/Head of Service (or their equivalent) approval must be obtained before applying for any of these schemes and employees must register these interests under the Code of Conduct. Any additional time-off (in excess of the 10 days) must be taken as unpaid leave.			
Service in non-regular forces	Oracle Categories					
Reserved Services and Cadet Force Adult Volunteers	Special Leave Paid	Reserve Forces	Paid*1	Up to 2 weeks leave per year	To attend annual training/camp courses	No change
	Special Leave Unpaid	Reserve Forces	Unpaid	Any additional time off in excess of 2 weeks above		
	Special Leave Paid	Reserve Forces	Paid	Up to 1 day (7 hours)	To participate in the annual (Armed Forces) Reserves Day	New 2020
Reserved Services – Head of Service Approved	Special Leave Unpaid	Reserve Forces	Unpaid*1	Leave as required for active duty	This must be approved by the Director	New 2012
			* 1 Director/Head of Service (or their equivalent) approval must be obtained before applying for any of these schemes and employees must register these interests under the Code of Conduct			

Table 5: Other leave arrangements						
Category			Paid / Unpaid	Terms and Conditions		Comments
General	Oracle Self-Service Heading			Amount	Conditions / Definitions	
	Absence Type	Absence Category				
Career breaks / sabbaticals	Unpaid Leave	Career Break	Unpaid*	* See "Career Break Arrangements" for full details		
				Minimum 3 months up to a maximum 18 months*	<p>This must be approved by the Director (or their equivalent)</p> <p>Where agreed subject to the operational needs of the service, a career break may be considered to:</p> <ul style="list-style-type: none">• care for children or other dependents;• undertake further education or unpaid career development training;• take an extended holiday;• fulfil other outside commitments e.g. volunteering or community work;• when appointed on approved national training programme e.g. "Step Up to Social Work" <p>Employees must have completed 2 years continuous service with the Authority at the time of applying.</p>	<p>New 2014</p> <p>Updated 2020 To include sabbaticals and "social worker "Step Up to Social Work" programme</p>

Appendix 1.

Definition of Carer (September 2015)

The Care Act 2014, Part 1. 10 (3) defines a “carer” as an adult who provides or who intends to provide care for another adult (an “adult” needing care); but

“(9) An adult is not to be regarded as a carer if the adult provides or intends to provide care—

- (a) under or by virtue of a contract, or
- (b) as voluntary work.

(10) But in a case where the local authority considers that the relationship between the adult needing care and the adult providing or intending to provide care is such that it would be appropriate for the latter to be regarded as a carer, that adult is to be regarded as such (and subsection (9) is therefore to be ignored in that case).”

Definition of Disability

The Equality Act 2010 defines a disabled person as a person with ‘a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities’. A disability can arise from a wide range of impairments which can be:

- sensory impairments, such as those affecting sight or hearing;
- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
- progressive, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE);
- organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- learning difficulties;
- mental health conditions and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar
- affective disorders, obsessive compulsive disorders, as well as personality disorders and some self-harming
- behaviour;
- produced by injury to the body or brain.

Some conditions are automatically covered by the Act i.e. a person with cancer, HIV Infection or multiple sclerosis (MS) is a disabled person and protected from the point of diagnosis. A person who is certified by a consultant as blind, severely sight impaired, sight impaired or partially sight impaired is also deemed to have a disability.

For further information, see the “Equality & Diversity in Employment” page on the HR Intranet site at:

<https://lbbd.sharepoint.com/sites/IntTp/HR/Pages/equality.aspx>

London Borough of Barking and Dagenham

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