

Special Leave and Time Off Policy

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Introduction

1. This policy sets out the City of London Corporation's arrangements for time off for reasons other than sickness, maternity, adoption, paternity, shared parental leave, parental leave or annual leave, which are covered in separate policies. The City of London Corporation also provides time off for trade union duties/activities in accordance with ACAS code of practice.

2. Employees must ensure that they have sought appropriate permission before taking any time off from work under this policy, usually from their Chief Officer and/or line manager in accordance with departmental procedures, and must submit their request as far in advance as circumstances permit and in accordance with any requirements specified within this policy.
3. All entitlements within this policy ***stipulated in days*** shall apply pro rata for part time employees.

Scope

4. The Special Leave and Time Off Policy applies to all City of London Corporation employees, except for Teachers in the three City of London Schools and Police Officers for whom separate procedures apply.
5. This policy does not form part of any employee's contract of employment and it may be amended at any time.
6. This policy does not apply to agency workers, consultants or other workers providing services to the City Corporation.

Public Duties

7. The Employment Rights Act 1996 gives all employees a right to a reasonable amount of time off to carry out a wide range of public duties. Whilst there is no legal right to be paid for the time off, the City of London Corporation policy is to grant reasonable time off with full pay. Individuals who hold any of the following positions may be eligible:
 - a magistrate (also known as a justice of the peace)
 - a local councillor
 - a school governor
 - a member of any statutory tribunal (eg an employment tribunal)
 - a member of the managing or governing body of an educational establishment
 - a member of a health authority
 - a member of a school council or board in Scotland
 - a member of the General Teaching Councils for England and Wales
 - a member of the Environment Agency or the Scottish Environment Protection agency
 - a member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
 - a member of Scottish Water or a Water Customer Consultation Panel
 - a trade union member (for trade union duties)

8. If an employee holds, or is planning to hold, any of the above positions, they should declare this to their Chief Officer, in writing, seeking consent in principle to their participation (also see the Code of Conduct - Employee Handbook).
9. The entitlement to time off for such duties is not automatic and should be discussed with the Chief Officer and / or manager, as appropriate and in accordance with departmental procedures. Employees should provide details of the anticipated number of days each year needed to carry out public duties, together with any other relevant information such as dates and times of appointments.

Leave should be requested as early as possible and not less than three working days before the event, to allow for alternative work arrangements to be made. Leave must not be taken unless the Chief Officer or a Senior Officer of grade I or above; Chief Superintendent (in the City of London Police); or Deputy Head (in schools) has approved the request.

10. Whilst individual Chief Officers have the discretion to decide on the number of days off to be granted for public duties in each particular case, the City of London Corporation considers that a maximum of 12 days on full pay in any year is reasonable and will be subject to the following:
 - how much time off is required in general to perform the particular public duty and how much time off is required on the particular occasion in question;
 - how much time off the employee has already been permitted for public duties or for trade union duties/activities;
 - the operational requirements of the department and the effect of the individual's absence on this.

Time off for public duties in excess of 12 days will need to be taken as annual/unpaid leave or time off in lieu and is at the discretion of the Chief Officer, subject to the guidelines above.

Jury Service

11. If an employee receives a summons to serve on a jury they must inform their Chief Officer and line manager at the earliest opportunity and provide a copy of the relevant documentation. Although, in some circumstances, it may be possible to rearrange the dates of attendance, the Juries Act 1974 places an obligation on employers to release employees who serve as jurors.
12. Employees serving as jurors will be granted leave with full contractual pay for the period in question and, therefore, must not claim "loss of earnings allowance" from the Court unless they would normally be paid bonus and/or certain premium payments on top of their contractual pay. In these circumstance the employee may

claim for loss of earnings for the difference between the payment made by the City of London Corporation (i.e. full contractual pay) and the remuneration they would otherwise have expected to receive for the period in question (N:B. casual overtime does not qualify for payment). Subsistence and travel allowances, which are payable by the Court, may be claimed, where applicable, by all employees on jury service.

13. Should employees be released from any sessions by lunchtime they would be expected to return to work for the remainder of the day.

Attendance as a witness

14. Employees summoned by a Court to attend as a witness in criminal or civil proceedings must inform their manager as soon as possible and provide a copy of the relevant documentation. Paid time off will be granted in line with the provision of paragraph 9 above. Attendance at Court for any other reason (i.e. when the employee has not been summoned, e.g. for personal domestic reasons or to act as a character witness) should normally be covered by taking annual leave. Unpaid leave may be granted in these circumstances, subject to the approval of the Chief Officer.

Service in non-regular forces (reserve forces)

15. If an employee is, or plans to become a member of the reserve forces, they should declare this to their Chief Officer, in writing, seeking consent in principle to participate in this activity (Also refer to the Code of Conduct - Employee Handbook). From 1 April 2004 the conditions of service for Reservists changed, employees who are newly recruited to the Volunteer Reserve Forces must notify their Chief Officer of their new status and existing Reservists must give permission for their unit to contact their Chief Officer about their membership.
16. Members of the reserve forces are required to commit to a minimum of 27 days training each year (Reserve Forces Act 1996). They may also volunteer for additional duties. Whilst there is no statutory obligation on employers to release reservists for either training or voluntary service, the City of London Corporation will normally grant employees up to 10 days paid leave in addition to their normal annual leave entitlement where they are required to attend annual training camp in their capacity as a reservist. Employees must advise their Chief Officer and line manager of any such request at the earliest opportunity.

Reservists called up for service

17. Under the 1996 Act, Reserve Forces may be mobilised on a voluntary and/or compulsory basis. In instances of voluntary mobilisation employees in the reserve

forces are required to seek the City of London Corporation's consent before they can be released from their employment (see [paragraph 19](#) below).

18. Where call-up is compulsory, the City of London Corporation is obliged to release employees who are in the reserve forces, however, both the employee and the organisation have the right to apply for an exemption or deferral of the obligation, under certain conditions. Exemption/deferral can be sought from the adjudication officer at the Ministry of Defence (MoD) on the following grounds:
 - if the employee needs to care for someone with a severe physical or mental disability;
 - if the employee has sole parental responsibility for a child;
 - if the employee is engaged in education or training which is intended to prepare or qualify them for a vocation or a job and which would be seriously disrupted by absence on service;
 - if the employee has entered into a contract of employment but have not yet started work and the employer refuses to postpone the commencement date
 - if the employee is making the request on compassionate grounds.
19. Exemption or deferral is more likely to be granted when call-out is for peacekeeping or humanitarian purposes rather than in the event of war.
20. Employees should notify their Chief Officer in writing that they have been called-up, irrespective of whether it is compulsorily or voluntary mobilisation. The MoD anticipates that employees should be able to provide two weeks' notice of call-up. Within a letter to the Chief Officer, the employee should enclose their letter of notification received with their mobilisation papers from the MoD.
21. During the period of mobilisation individual's contracts of employment will continue to subsist and their continuous service with the City of London Corporation will not be broken. Their contractual rights will continue to apply, including the accrual of annual leave. Pay for active service is a matter for the MoD and individual's will receive military pay plus a 'reservist's standard award' to cover shortfall in civilian earnings up to certain maximum figure. The City of London Corporation will, however, top up any shortfall in the reservist's standard award to meet the individual's normal City of London Corporation salary.
22. Call-up may impact on your pension. Please see the Pensions Impact Information or contact the Pensions section.
23. Employees are required to inform the City of London Corporation, by writing to their Chief Officer within three weeks of the completion of their military service, of their intention to return to work. Whilst the City of London Corporation will endeavour to ensure that the employee returns to their current job, where, in exceptional

circumstances, this is not possible, every effort will be made to offer the employee a suitable alternative job.

Volunteering for community development

24. In line with its policy of contributing to the regeneration of deprived areas in London, The City of London Corporation wishes to encourage its employees to offer their time and professional skills to local schools and community organisations through its Employee Volunteering Programme.
25. The City of London Corporation is pleased to offer all employees up to 2 working days (14 hours) per year in which to volunteer for approved activities, subject to the needs of the organisation. It is hoped this time-off allowance will be viewed as a starting point, and that, in many cases, volunteers will wish to develop their relationships further and continue volunteering in their own time.
26. Approved volunteering activities are those that:
- take place either in one of the City of London Corporation's neighbouring boroughs, or in the nearest area of deprivation to the person's normal place of work
 - benefit local residents (this might be directly, e.g. by helping a child with reading, or indirectly, e.g. by giving professional advice to a community group to enable it to serve its clients more effectively.)

These criteria apply whether employees find their volunteering opportunity independently or through the Community Affairs team.

27. Employees who wish to become volunteers, or who are already volunteering, should contact the Community Affairs team on extension 3608 or 1490, and request a registration form. Where employees would like to use the time-off allowance, this opportunity should be discussed in the first instance with their line manager before returning the signed form to the Community Affairs team (this should be done in advance of undertaking the volunteering opportunity).

Study / examination leave and work related training

28. Employees who are sponsored by the City of London Corporation to undertake a course leading to examination based qualifications may be granted the following time off, subject to the approval of their Chief Officer:
- One day's revision leave for each examination to be sat;
 - The time necessary for attendance at each examination.

29. Employees undertaking other City of London Corporation sponsored training activities may be granted the following time off, again subject to the approval of the Chief Officer:
- Project work for an NVQ;
 - Open learning courses only - up to 2 days per academic year for writing assignments if the course extends for more than one year.
30. Employees must ensure that dates approved for study leave are also agreed by their line manager and that the departmental HR section is also informed.
31. Time off will also be granted for the following, approved, work related learning and development activities:
- Professional courses
 - External short courses
 - Work based learning
 - Mentoring
 - Coaching
 - E-learning
 - Time to travel to residential events as required
 - Distance/open learning
 - CPD events

Compassionate / emergency dependants leave

32. Chief Officers may grant up to a maximum of 5 days total paid compassionate / emergency dependants leave in any one leave year, in the circumstances detailed below:
- The death and the funeral of a member of the employee's immediate family (i.e. husband, wife, partner, parent, child, brother or sister, father/mother in law, father/mother of partner).
 - In deciding the number of days to be granted in these circumstances the Chief Officer will take into account the closeness of the relationship, whether the employee is responsible for making funeral arrangements and/or attending to the deceased's affairs and the distance to be travelled to attend the funeral.
 - The serious illness of a member of the employee's immediate family (as described above). Again the Chief Officer will take into account the closeness of the relationship in coming to his/her decision.
 - An emergency situation involving a child or adult dependant. A dependant is defined as husband, wife, partner, child (under 18), parent or person who lives with the employee as part of their family. In cases of sudden illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance (i.e. where the

employee is the primary carer or the only person who can help in an emergency). As a general guide, an emergency should be regarded as something which occurs suddenly and unexpectedly and cannot be planned for or predicted and requires prompt attention, for example:

- Needing to return home to care for a child or other dependant as a result of sudden illness, accident or incident;
- An accident or illness suffered by the dependant which requires emergency medical treatment;
- An unexpected sudden disruption or breakdown of normal caring arrangements (e.g. due to the illness of the carer).

In coming to a decision, the Chief Officer will need to consider the age of the dependant, the nature of the illness or emergency and whether the employee is the sole carer.

33. Additional unpaid compassionate/emergency dependants leave may be granted subject to individual circumstances, service requirements and the Chief Officer's agreement.
34. In exceptional circumstances only, additional paid compassionate/emergency dependants leave may be granted. For compassionate leave of between 6 and 10 days per year the Chief Officer must consult with the Director of HR. For leave in excess of 10 days the matter must be dealt with by the Director of HR in consultation with the Chairman and Deputy Chairman of the Establishment Committee.
35. Chief Officers may grant paid compassionate/emergency dependants leave to employees in circumstances not covered above in exceptional circumstances only, with each case being considered on its own merits. Please note that compassionate/emergency dependants leave is not granted for marriage, birth of a child (see Paternity Leave Policy), moving house or other planned events.
36. Employees wishing to apply for compassionate/emergency dependants leave should refer to their line manager in the first instance or follow their department's procedure if/where one exists.

Time off to accompany to ante-natal appointments

37. Employees who have a qualifying relationship with the pregnant woman or the expected child are eligible to unpaid time off to attend up to two ante-natal appointments capped at six and a half hours per appointment. A qualifying relationship would be:
 - the husband or civil partner of the pregnant woman;
 - the partner, including same sex partners, who live with the woman;
 - the father of the expected child;

- a parent of the expected child by virtue of section 42 or 43 of the Human Fertilisation and Embryology Act 2008 (HFEA) (same sex partner treated as parent in case of assisted reproduction)
 - a potential applicant for a parental order under section 54 of HFEA in respect of the expected child (surrogacy cases).
38. Employees wishing to take time off to accompany to ante-natal appointments should provide a signed declaration confirming they have a qualifying relationship with the pregnant woman or expected child and details about the appointment to their line manager in the first instance or follow their department's procedure if/where one exists.

Other special leave

39. There may be other particular exceptional circumstances not already covered in this policy in which paid special leave may be granted at the discretion of the Chief Officer. Employees should refer any such requests initially to their line manager.

Unpaid leave

40. Chief Officers may approve requests for unpaid leave. This could include circumstances such as international representative honour or time off to look after a sick dependant (see also Parental Leave Scheme). Each case would need to be considered on its own merits and it is expected that employees would only request unpaid leave where they have limited outstanding annual leave due to them.
41. Unpaid leave may impact on your pension. Please see the Pensions Impact Information or contact the Pensions section.

Cultural needs and religious observance

42. The City of London Corporation seeks to be an equal opportunities employer and, wherever practicable, will try to accommodate cultural and religious needs in conjunction with operational requirements. Should employees need to take time off for cultural/religious reasons the City of London Corporation would expect them to set aside annual leave for this purpose. Where an employee has particular cultural/religious needs which cannot be accommodated through the usual leave arrangements they should raise these with their line manager in the first instance, who will liaise with departmental HR.

Misuse of special leave and time off arrangements

43. Any misuse of the provisions of this policy will be dealt with under the Disciplinary Procedure.

Links / Other resources

- [Sickness Absence Policy](#)
- [Maternity Leave Policy](#)
- [Adoption Leave Policy](#)
- [Paternity Leave Policy](#)
- [Parental Leave Policy](#)
- [Annual Leave Policy](#)
- [Shared Parental Leave](#)