

Leave and Work Life Balance Policy

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Pandemic

In response a pandemic all Council employees are expected to follow the social distancing and public health guidelines published by the Government and by the Council in order that the highest level of Health and Safety working practices are met.

Wherever possible, meetings should be held virtually either by video call or by telephone to avoid face to face contact. It is recognised that this is not possible or practical for every situation and therefore meetings should be held with only essential members present and social distancing and personal hygiene measures such as regular hand washing, use of hand sanitiser and surface cleaning at the front of mind.

Pandemic Risk Assessments must be followed at all times and any issues raised immediately with an appropriate line manager.

1. Introduction

- 1.1 Wyre Council supports the promotion of work-life balance for employees and recognises that, on occasion, they may require additional time off to meet obligations or attend events outside of their working life.

This document sets out the leave schemes that are available to assist employees in achieving this balance. Managers will consider all the circumstances surrounding each request and ensure fairness and consistency in applying the policy.

2. Supporting Policies

- 2.1 This policy should be read in conjunction with the following policies:
- Extended Authorised Absence Policy.
 - Equal Opportunities
 - Flexible working Policy
 - Health & Safety
 - Becoming a Parent – Maternity, Paternity and Adoption
 - Promoting Attendance
 - Time off for Trade Union Duties

3. Annual Leave, Public and Extra Statutory Holidays.

- 3.1 All employees are entitled to annual leave as stipulated in their contract of employment. The full time entitlements are as follows:

Up to the completion of 4 years continuous service = **23 days**

From the 4th complete year to the 5th complete year = **25 days**

After the completion of 5 years continuous service = **28 days**

Part time employees have a pro-rated entitlement.

3.2 Annual holiday entitlement is accrued at one twelfth of the annual entitlement for each full month worked. This will not affect the actual holidays taken (all of which is subject to approval) but it will be used to calculate pay-in-lieu of holiday (or excess holiday) if the employee leaves during the year. Any leave taken in excess of accrued entitlement will be deducted from the final pay.

3.3 The annual leave year will run from the month of the employee's start date with Wyre Council.

3.4 In most situations, staff should use their holiday in their current leave year.

This is important because taking holiday helps people get enough rest and keep healthy, both physically and mentally.

During the pandemic, it may not however be possible for staff to take all their holiday entitlement during the current holiday year.

In response to the COVID-19 pandemic the government has introduced a temporary new law allowing employees and workers to carry over up to 4 weeks' holiday into their next 2 holiday leave years. This law applies for any holiday the employee or worker does not take because of coronavirus, for example if:

- they're self-isolating or too sick to take holiday before the end of their leave year
- they've had to continue working and could not take paid holiday

Managers should still be encouraging staff to take their holiday so they do get the rest and respite they need. Staff should also continue to make requests for holiday throughout their holiday year. For avoidance of doubt if the bullet points above do not apply then staff are expected to take their leave within their leave year.

If bank holidays cannot be taken off due to coronavirus, staff should use the holiday at a later date in their leave year.

If this is not possible, bank holidays can be included in the 4 weeks' holiday that can be carried over. This holiday can be taken at any time over the next 2 holiday leave years.

3.5 Under normal circumstances outside of the COVID-19 pandemic, up to 5 days annual leave (pro rata for part time staff) not taken during the leave year may be carried forward into the next leave year with the approval of the Head of Service.

Any carried over leave should be used within two months. There is no payment in lieu for holidays not taken.

3.6 In addition to your annual leave there is an entitlement to payment for 8 Bank Holidays and 1 extra statutory holiday i.e.

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

The extra statutory holiday is an additional day taken at Christmas and will be fixed each year depending on which days of the week Christmas falls.

Part time employees have a pro-rated entitlement to Bank Holidays and Extra Statutory Holidays.

4. Maternity, Paternity and Adoption Leave

4.1 Maternity Leave

Eligible employees can take up to 52 weeks' maternity leave. The first 26 weeks is known as 'Ordinary Maternity Leave', the last 26 weeks as 'Additional Maternity Leave'.

The earliest leave can be taken is 11 weeks before the expected week of childbirth and mothers must take at least 2 weeks after the birth

Eligibility for paid maternity leave is dependent on your length of service.

4.2 Paternity Leave

Eligible employees can take up to 2 weeks ordinary paternity leave because their partner is having a baby or adopting a child, they may also be eligible for up to 26 weeks' paid Shared Parental Leave, see 4.4 below.

4.3 Maternity Support Leave

Maternity Support Leave of 5 days paid leave will be granted to the child's 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.

4.4 Shared Parental Leave

Mothers are able to end their maternity leave early and share up to 50 weeks' untaken leave and 37 weeks' unclaimed pay with their partner.

4.5 Adoption Leave

Eligible employees can take up to 52 weeks' adoption leave. The first 26 weeks' is known as ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave.

Adoption leave entitlement applies to one adoptive parent the other adoptive parent will be entitled to take paternity leave.

4.6 See Maternity, Paternity & Adoption Policy for further information.

5. Ordinary Parental Leave

5.1 In addition to the entitlements set out in section 4 parents of children under the age of 18 (birth and adoptive) who have a minimum of one year's continuous service are able to request up to 18 weeks leave to look after their child or make arrangements for their child's welfare.

5.2 The right to Ordinary Parental Leave arises in respect of each child.

5.3 Time off for Parental Leave is unpaid.

- 5.4 In most cases, an employee will take leave in blocks of one week or more (for example, in two-week or three-week blocks), up to a maximum of four weeks in a year for each child. However, the Council, at its discretion, may allow parents to take the leave in days or periods shorter than a week.
- 5.5 Wherever reasonably possible, an employee should give the Council at least 21 days' notice, giving the dates when the leave is to start and finish. This notice should be in writing to their line manager in the first instance.
- 5.6 There may be exceptional circumstances where it is considered that an employee's absence would unduly disrupt the business, and, therefore, in these circumstances, the Council may request that the leave be postponed for a period no longer than six months. This would be discussed fully with the employee.

6. Extended Authorised Absence EAA (including Career Breaks)

- 6.1 This is a system whereby the employee has an extended period of time away from paid work, with a guarantee of a return to the same or a similar job at the end of the period.
- 6.2 Employees who have more than 12 months service may apply for a period of EAA of between three months and two years depending on their individual needs. The maximum of two years ensures that Wyre as a council does not find itself at a disadvantage covering roles with limited resources.
- 6.3 All requests for EAA will be subject to operational requirements - (for further details please see the EAA Policy).

7. Compassionate Leave

- 7.1 The Council recognises that when faced with the death of a dependant, partner or family member employees may need to take time away from work and may require additional support.
- 7.2 Individuals will obviously require varying levels of time off work dependant on the relationship, the location of the funeral or if the employee is responsible for the funeral arrangements or the estate of the deceased. The Head of Business Support (or in their absence a member of the HR Team) is therefore allowed the discretion, in liaison with the line manager, to authorise compassionate leave of up to 10 days. Any extension beyond this must be authorised by a member of the Corporate Management Team.
- 7.3 It is recognised that not even the maximum number of days would be sufficient to recover from the loss of someone close to you. The purpose of compassionate leave is therefore not to help you get over the loss but to help deal with the immediate shock and distress and give you the time to deal any arrangements that need to be made.
- 7.4 It may also be appropriate to consider other leave options covered within this policy or flexible working options covered in the Flexible Working Policy either instead of or in addition to compassionate leave. This will be especially applicable if staff need to travel abroad, are suffering from the loss of a close family member or where they are caring for a terminally ill dependant or family member. In such circumstances an extended period of unpaid leave may be considered and with the deduction from salary spread over an agreed number of months.

- 7.5 Support from Occupational Health and the Council's Employee Support Programme will also be available.
- 7.6 Applications for Compassionate Leave should be made using the Compassionate Leave form available on the intranet or from Human Resources.

8. Special Leave

8.1 There may be occasions when employees need to take time away from work for reasons that do not necessarily fall under existing leave provisions. The Council has a number of schemes that allow staff to take time off work: some paid and some unpaid.

8.2 Time Off for Dependants

All employees will be allowed reasonable time off to provide care and attention to dependants, this may include:

- caring for ill dependants
- attending hospital with a dependant
- making longer term care arrangements for the ill or injured;
- breakdown or unexpected disruption in care arrangements;
- incidents at school etc.

Time off for dependents is unpaid.

There may be other occasions when long term leave (3 months or more) is needed particularly when a dependant requires respite care or is terminally ill, in which case it may be more appropriate for the employee to apply for a career break under the Extended Authorised Absence Policy.

8.3 Time Off for Emergencies

The Council will also be sympathetic to a reasonable request for time off to deal with domestic emergencies not involving dependants. This may include fire, flood or theft at home.

Time off for emergencies is unpaid.

As an alternative to taking unpaid leave, employees may consider, in discussion with their manager, using one or more of the following options:

- using annual leave e.g. where time off is half a day or more;
- using flexi time or arranging to work up additional hours e.g. where time off is less than half a day;
- changing working patterns or arrangements on a short-term basis.

It will depend on the individual circumstances as to the most appropriate option for taking leave and it will be at the discretion of line manager as to how leave can be taken in these circumstances, with each case being considered on its own merits.

8.4 Unpaid Leave

Unpaid leave may be approved at the discretion of your Head of Service. Requests made will be considered according to the needs of the service.

Payment for unpaid leave days may be deducted over a period of up to 3 months (this may however be extended in agreement with the Head of Business Support when additional days have been approved).

8.5 Purchase of Additional Annual Leave

Subject to operational requirements employees are able to purchase up to 5 days additional annual leave per annum.

The cost of purchasing annual leave is provided through salary sacrifice, which is an agreement between employees and the Council to vary their salary and benefits package under their contract of employment. This can be paid back over a period of up to 12 months.

For details of the scheme and how to apply see the Purchase of Additional Annual Leave Policy.

8.6 Public Duties

All employees will be allowed reasonable paid time off work to undertake public duties. This will normally be up to a maximum of 10 days within the leave year (pro-rata for part time staff).

The public duties that are covered by the existing legislative provisions are as follows:

- Magistrates;
- members of a local authority (e.g. a councillor);
- members of a police authority;
- members of any statutory tribunal;
- members of a relevant health body;
- members of the managing or governing body of an educational establishment;
- members of the governing body of a further or higher education corporation;
- members of a school council or board in Scotland;
- members of the General Teaching Councils for England and Wales;
- members of the Environment Agency or the Scottish Environment Protection Agency;

Council employees should advise both their line manager and Human Resources before first entering into such commitments and discuss the extent of the commitment and the implications for their work.

Where a 'no loss of earnings' compensation is offered by the relevant public body, the employee is required to inform the Council and the salary will be adjusted accordingly.

Council reserves the right to instruct any member of staff not to undertake duties which it considers harmful to its interests.

8.7 Jury Service

The Council will grant paid leave for employees who are called to attend Court for Jury Service. Any employee who is called for Jury Service should notify their Head of Service

and forward their written notification (Jury Service Summons) to Human Resources as soon as it is received.

The court will provide a form for Wyre Council Payroll to complete in relation to loss of earnings and which should send to human resources. Once the service is completed the court will provide a statement of monies paid in relation to loss of earnings, which again, should be sent to human resources.

You will receive your normal pay during Jury Service and any monies paid to you by the court will be deducted on your return. If you fail to claim for loss of earnings through the Court, the Council reserves the right to deduct from your salary any monies paid at the standard rate for loss of earnings.

8.8

Service as a Witness

If an employee is cited to attend court as a witness, leave of absence will be granted as follows:-

- in the case of an employee called as a witness in a case before a senior court of England or Wales leave with pay will be granted, on the understanding that loss of earnings received by the employee from the Court, will be paid back to the council.
- in all other cases where the employee is called to attend court as a witness, leave without pay will be granted. Employees can claim from the person citing them, the relevant amount in respect of loss of earnings.

8.9 **Members of the Reserve Forces**

Employees who are members of the Volunteer Reserve Forces (Royal Naval Reserve, Royal Marines Reserve, Territorial Army or Royal Auxiliary Air force) will normally be granted two-week's additional paid leave per year.

Recruits to the volunteer reserve forces are required to inform the Council of their status as reservists to ensure that the Council is better informed as to its obligations to employees and to enable to plan adequately for their absence and ultimate return.

Existing reservists are also expected to inform the Council of their next reengagement.

8.10 **Community Emergency Services**

An employee who is a member of a community emergency service, for example retained fire fighters, will be granted paid leave to attend emergencies during working hours.

8.11 **Trade Union Duties** (See Time off for Trade Union Duties policy for further information).

Reasonable time off with pay during working hours will be granted for trade union officials for the purpose of carrying out trade union duties or undertaking training in relation to trade union duties for a trade union recognised by the Council.

Reasonable time off with pay during working hours will be granted for Union Learning Representatives for the purpose of carrying out related duties or undertaking relevant training for a trade union recognised by the Council.

Trade Union Representatives are required to keep a record of all time off taken during office/ working hours as it will need to be collated and published in accordance with the Code of Practice on Data Transparency.

8.12 Election Duty

Staff who assist with election duties for Wyre during their normal working day will be able to claim back time up to their normal working hours for that day. Credit will not be given for duties outside of the normal working day such as the Poll Officer/Presiding Officer training and the count. Nor will time be given for any election duties carried out on a normal day off.

Credit will not be given for staff carrying out election duties for another Council.

8.13 Training Leave

Employees with a minimum of 26 weeks continuous service have the statutory right to make a request in relation to time off for study or training purposes.

Employees may submit a request in relation to any type of study or training, provided that they can reasonably demonstrate that the study or training is likely to lead to an improvement in their effectiveness at work and consequently an improvement in the performance of the business.

The Council is not obliged to grant paid leave but may, at its discretion, agree to pay the employee his/her normal wage/salary during some or all of any time off granted for study or training purposes.

Each request will be dealt with individually, taking into account the nature of the employee's request and any likely effects on the service.

8.14 Volunteering Activities

The Council recognises the valuable work that volunteers provide to the community and how this can also be used to aid employee's personal and professional development.

In supporting employees with volunteering activities the council will allow up to 10 days unpaid leave to enable them to engage in volunteering activities. Arrangements will need to be agreed between employees and line managers and should not conflict with work requirements.

9. Applying for time off work

9.1 Applications for time off (unless otherwise stated) should be made on the "Request for Unpaid Leave Form".

Although it is understood that situations may arise where it is not possible for employees to provide notice of time off, the absence must be reported to the line manager as soon as possible and no later than 10.00 am (or no later than the specified for those who work non-standard hours).

9.2 Failure by the employee to make contact with his/her manager could lead to disciplinary action if the leave is treated as an unauthorised absence.

Requests for time off will be considered against the work commitments and take into account:

- whether the absence would be unduly disruptive to the work of the team or service, and
- whether productivity may be affected in relation to the quantity or quality of work and service delivery.

10 International Travel During Coronavirus Pandemic

- 10.1 Government advice to all British Citizens is currently that you should not travel abroad unless it is essential. The Government are monitoring the international situation very closely and keeping this advice under continuous review so that it reflects our latest assessment of risks to British people.

Under existing travel rules, if you arrive in the UK on or after 8 June 2020, you will not be allowed to leave the place you're staying for the first 14 days you're in the UK.

In England, if you do not self-isolate, you can be fined £1,000. If you do not provide an accurate contact detail declaration – or do not update your contact detail form in the limited circumstances where you need to move to another place to self-isolate – you can be fined up to £3,200.

These rules are for UK residents and all visitors coming into the UK.

- 10.2 As government policy is changing on a regular basis any member of staff wishing to book a trip abroad must seek advice from HR to determine how your leave will be impacted. Consideration will be given to the reason for travel and government policy at that time.

10. Equality Impact Assessment and Monitoring

- 10.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

11 Data Protection

- 11.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection requirements.