



Gwynedd

## Special leave policy

### 1. Purpose and scope

- 1.1. The purpose of this policy is to provide a consistent and effective framework for agreeing requests for special leave.
- 1.2. The term "special leave" refers to leave which is requested by an employee in addition to their annual leave entitlement. Some such leave is regulated by statute whilst some is non-statutory and is granted at management discretion taking into account the particular circumstances.
- 1.3. This policy applies to all paid staff and is non-contractual.

### 2. Time off in lieu (TOIL)

- 2.1. This must relate to specific requirements of the employer – for example you are required to attend a training event which involves catching a train at 6am and returning after 9pm. Instead of the usual 9-5 you will have done a double shift and will be entitled to a day off.
- 2.2. In consultation with your immediate supervisor, you may be permitted to take time off in lieu of those hours worked in excess of your normal working hours. Both the additional hours worked and the time off must be agreed in advance with your line manager.

### 3. Time off for dependants

- 3.1. Employees are entitled to exercise their statutory right to take reasonable unpaid time off to deal with emergencies which are related to their dependants. "Dependant" means your spouse, partner, child or parent, a person who lives in the same household as the employee (but does not include tenants, lodgers and boarders) or any other person who reasonably relies on the employee for care.
- 3.2. The amount of time off the employee can take is only a reasonable amount of time to deal with an actual emergency. This will normally mean only a few hours, or a day or two at most. This leave must not be taken to provide ongoing support for dependants.
- 3.3. This leave is not available for events or circumstances that were known about in advance – annual leave should be booked instead.

### 4. Time off for public duties

- 4.1. Employees have a statutory right to take a reasonable amount of time off work in order to perform certain public duties. If an employee wishes to take time off to perform these duties, they must obtain prior written agreement from the Chief Executive. Public duties include sitting as a magistrate or on a tribunal.
- 4.2. The statutory right to time off for public duties is unpaid.

## **5. Jury service**

- 5.1. If an employee is required to take time off work for jury service, they will be expected to claim juror's expenses.
- 5.2. If an employee is on jury service but is not required to attend court on any particular day, they must attend work as normal. Failure to do so will be treated as unauthorised absence.

## **6. Time off for domestic emergencies**

- 6.1. The bureau recognises that employees will from time to time experience domestic emergencies at home, such as a flood, fire or burglary. In such circumstances the bureau will allow employees to take a reasonable amount of paid time off work to deal with the immediate emergency.
- 6.2. In the event of an emergency arising, the employee should notify their manager as soon as it is reasonably practicable explaining the nature of the emergency and how much time off work they think they will need.
- 6.3. It is the bureau's policy to pay employees their normal rate of basic pay when they are absent from work as a direct result of a genuine domestic emergency. Once the immediate emergency has been taken care of, the employee is expected to return to work or, if further time off is necessary, to arrange to take it as holiday or unpaid leave, subject to the agreement of their line manager.
- 6.4. If an employee takes frequent or regular time off on account of domestic problems, the Chief Executive has the discretion either to require the employee to make up for the time off by working extra time on another occasion, or to grant any further time off as unpaid leave.
- 6.5. This policy applies to genuine domestic emergencies only and does not apply to circumstances that were known about in advance.

## **7. Time off for medical appointments**

- 7.1. Medical appointments should be arranged where possible for days when the employee would not normally be at work i.e. annual leave or a non-working day. Where less than half a day is required the Chief Executive shall have the discretion to agree that the employee will make up for the time off by working extra time on another occasion. The Chief Executive shall also have the discretion to grant unpaid leave. Where a large number of medical appointments are required, discretionary paid special leave may be granted as set out in 9 below.

## **8. Compassionate leave**

- 8.1. If an employee experiences the serious illness or death of a member of their immediate family (parent, partner, child or sibling) they will be granted an amount of paid compassionate leave. It is unlikely that this would exceed five days although consideration will be given to allowing the employee to supplement this with annual leave or unpaid leave.
- 8.2. In considering the amount of leave to grant, the Chief Executive will consider the closeness of the relationship, distance and any travelling time involved and, in the case of a bereavement, whether the employee is responsible for making the funeral arrangements.

- 8.3. Employees will normally be granted one day's paid compassionate leave to attend the funeral of an immediate family member (as listed above, plus other close relatives such as grandparents and in-laws). Attendance at a funeral in any other case will normally be taken out of annual leave or, where annual leave has been exhausted, may be granted as unpaid leave.

## **9. Discretionary special leave**

- 9.1. Special leave in other circumstances can be granted at the discretion of the Chief Executive. This leave may be paid or unpaid. The Chair must agree in writing to any request for paid leave. When considering granting special leave the Chief Executive will balance the employee's personal situation with the needs of the bureau and arrive at a reasonable decision. In making the decision the Chief Executive will take account of the reason for the request, the effect of the employee's absence on bureau operations, the amount of special leave they have previously taken, their general attendance record and the amount of annual leave outstanding.
- 9.2. Any leave granted under such circumstances remains at the discretion of the Chief Executive and allowing such a request will not be regarded as setting a precedent for any subsequent requests for leave.
- 9.3. All employees taking discretionary special leave will be given a letter and asked to sign it confirming their agreement to return no later than a specified date. An employee may return at an earlier date than is specified in the letter by giving the bureau a minimum of one week's notice.
- 9.4. The bureau reserves the right to discipline (including dismiss) anyone who fails to return by the agreed date without an acceptable reason. Illness or injury will be accepted as a reason for late return, but only if it is supported by a doctor's certificate. Every effort should be made to contact the line manager in advance in line with the usual policy.
- 9.5. Anyone who abuses this scheme will be subject to disciplinary action up to and including dismissal.

**This version approved by the CAB Gwynedd Trustee Board 24 January 2017**