

AGENDA

Employment Panel

Thursday, 04 February 2021 AT 10:00

This meeting will be a virtual meeting and therefore will not take place in a physical location.

Virtual Meeting - Link to View

This meeting will be a virtual meeting using Microsoft Teams and therefore will not take place at a physical location following guidelines set out in Section 78 of the Coronavirus Act 2020.

Register of Attendance and Declarations of Interest

A roll call of persons in attendance will be taken and Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Appointment of Chair

To appoint a Chair of the Employment Panel for the Municipal Year 2020/21.

Appointment of Vice Chair

To appoint a Vice Chair of the Employment Panel for the Municipal year 2020/21

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

PART A

To be considered when the Public and Press are present

A.1 PAY POLICY STATEMENT 2021/22

5 - 16

The Deputy Chief Executive to submit a report on the annual review of the Chief Officers Pay Policy Statement 2021/22.
(Copy Report CS.09/21 herewith)

A.2 SPECIAL LEAVE POLICY

17 -
38

The Deputy Chief Executive to submit a report on the review of the Special Leave policy which has been undertaken to streamline the approval process and to incorporate recent changes in legislation.
(Copy Report CS.11/21 herewith)

PART B

To be considered when the Public and Press are excluded from the meeting

- NIL -

Members of the Employment Panel:

Conservative: Ellis, Mallinson J, Mitchelson, Mrs Bowman (sub), Higgs (sub), Mrs Mallinson (sub)

Labour: Glover, Dr Tickner, Mrs Atkinson (sub), Mrs Glendinning (sub)

Independent: Tinnion, Bomford (sub)

Enquiries, requests for reports, background papers etc to:

Rachel Plant, Democratic Services Officer - rachel.plant@carlisle.gov.uk

Report to Employment Panel

Agenda
Item:

A.1

Meeting Date: 4th February 2021
Portfolio: Finance, Governance and Resources
Key Decision: No
Within Policy and Budget Framework YES
Public / Private Public

Title: PAY POLICY STATEMENT 2021/22
Report of: Deputy Chief Executive
Report Number: CS 09/21

Purpose / Summary:

The Localism Act 2011 requires Authorities to produce and publish a pay policy statement for Chief Officers and to review the policy on an annual basis. The Council's Pay Policy for 2021/22 is attached to this report for Members approval. It should be noted that any negotiations for a 2021/22 pay award have yet to take place, the reasons for this are outlined in the report main body (2.3). It is unlikely that any award will be advised before 1st April 2020. The Policy attached is therefore still reflective of the 2020 pay award.

Recommendations:

The Employment Panel approves the 2021/22 Policy Statement on Chief Officers' Pay, for recommendation to Council on 2nd March 2021.

Tracking

Employment Panel:	4th February 2021
Overview and Scrutiny:	Not applicable
Council:	2nd March 2021

1. BACKGROUND

1.1 The Localism Act 2011 (Sections 38 to 43) introduced a requirement on all English and Welsh authorities to produce and review a pay policy statement for Chief Executives and Chief Officers on an annual basis.

1.2 The pay policy must set out the council's policies in relation to:

- the remuneration of its Chief Officers
- the remuneration of its lowest-paid employees, and
- the relationship between –
 - the remuneration of its Chief Officers, and
 - the remuneration of its employees who are not Chief Officers.

1.3 The definition of 'lowest paid employees' must be stated along with the reasoning behind adopting that definition. Policies in respect of Chief Officers must also be included relating to:

- the levels and elements of remuneration
- remuneration on recruitment
- increases and additions to remuneration
- the use of performance related pay
- the use of bonuses
- the approach to any payments on their ceasing to hold office under or to be employed by council

1.4 It is approved annually by full Council as recommended by the Employment Panel. Approval must be before the end of the 31 March immediately preceding the financial year to which it relates but may be amended during the year if need be, subject to Council approval.

2. PAY POLICY STATEMENT 2021/22

2.1 The definition of 'Chief Officers' includes the Chief Executive, Deputy Chief Executive and Corporate Directors. The Statement attached to this report, detailing the pay and associated benefits for Chief Officers, has been amended where necessary for 2021/22 which is now subject to the approval of full Council, as recommended by the Employment Panel.

2.2 The salary for all Chief Officers reflects the Chief Officers' Pay Agreement as at 24th August 2020 applicable from 1st April 2020.

2.3 At present any negotiations around 2021/22 Local Government remuneration and Chief Officers' pay settlements have yet to be concluded. The following statement explains the current position.

‘On 25 November 2020, the Government published Spending Review 2020. As part of the response to the economic impacts of the COVID-19 pandemic, the Chancellor announced that public sector pay will be “paused” for 2021/22. There will be an exemption for NHS staff. In addition, workers earning below £24,000 will receive a pay rise of at least £250 (although for some this could still represent a pay cut in real terms). This policy is only directly binding on the Civil Service and parts of the public sector that are covered by the PRBs. Public sector pay policy is reflected in the remits that are issued to the PRBs and Government departments. The Local Government Association, which represents the employer side in the National Joint Council, has said that it is not bound by this pay policy but that pay awards will depend on the funding that local government receives through the financial settlement.’

House of Commons Library, Briefing Paper, Number CBP 8037, 2 December 2020, PRB’s – Pay Review Bodies.

Table 1 (page 11) in the policy attached provides the latest pay details (as at April 2020) and relevant ratios between Chief Executive, Deputy Chief Executive and Corporate Directors and other employees.

- 2.4 The Pay Policy Statement 2021/22 also outlines the current position regarding the Government’s restrictions on exit pay and pension impacts. A future update of our Redundancy and Early Release Scheme Policy will address the impact of these restrictions and be brought to a future Employment Panel.

3. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 3.1 The Employment Panel approves the 2021/22 Policy Statement on Chief Officers’ Pay for recommendation to Council on 2nd March 2020.

The Statement meets the requirements of the Localism Act. Under the Council’s Constitution, the Employment Panel is responsible for recommending to Council matters relating to pay and employment conditions.

4. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 4.1 The Policy Statement on Chief Officers’ Pay exists to provide Members and the general public with a transparent framework in which Chief Officers are paid and rewarded for their work and instill confidence in the public.

Contact Officer: Darren Crossley

Ext: 7004

**Appendices: Appendix – Pay Policy Statement 2021/22 for Chief Officers
attached to report:**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS:

LEGAL – S38 of the Localism Act 2011 requires that we must publish each year a pay policy statement setting out our policies relating to:

- The remuneration of Chief Officers
- The remuneration of our lowest paid officers
- The relationship between the remuneration of the Chief Officers and employees that are not Chief Officers.

The Policy must state our definition of 'lowest paid employees' together with our reasoning and it has to explain:

- CO levels on appointment/progression and increases and additions
- Performance related pay
- Bonuses
- Payment on ceasing to hold office

The Policy must be published in a manner deemed by the Council to be appropriate and this includes publication on the authority's website.

As stated in the report, an amendment to the Scheme may be a change to Chief Officers' terms and conditions of service therefore appropriate consultation procedures should be followed if that is the course of action chosen.

FINANCE – Not applicable

EQUALITY – Not applicable

INFORMATION GOVERNANCE – Not applicable

CARLISLE
CITY COUNCIL



www.carlisle.gov.uk

PAY POLICY STATEMENT 2021/22

FOR CHIEF OFFICERS

CARLISLE CITY COUNCIL

PAY POLICY STATEMENT FOR CHIEF OFFICERS

1 Introduction and Purpose

- 1.1 This pay policy statement sets out Carlisle City Council's approach to Chief Officers' pay in accordance with the requirements of section 38 to 43 of the Localism Act 2011.
- 1.2 The purpose of this statement is to provide transparency with regard to the Council's approach to setting the pay of its employees by identifying:
- the methods by which salaries of all employees are determined
 - the detail and level of remuneration of its most senior employees i.e. 'Chief Officers' as determined by relevant legislation
 - the detail and level of remuneration of the lowest paid employees'
 - the relationship between the remuneration for highest and lowest paid employees
 - the Panel responsible for ensuring that the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to full Council.
- 1.3 Once approved by the full Council, this policy will come into immediate effect for the 2021/22 financial year and will be subject to review again for 2022/23 in accordance with the relevant legislation prevailing at the time. Where amendments are required during the year, these will be subject to approval by full Council.

2 Aims and principles

- 2.1 Carlisle City Council's aim to offer a remuneration package which is fair and equitable, complies with all the relevant legislation, enables it to attract and retain quality staff that will achieve its strategic and operational objectives and is underpinned by the need to achieve value for money having regard to its financial restraints.

3 Definitions

The Council's Senior Employees are those which fall under the definition of 'Chief Officers' as contained within section 43 of the Localism Act 2011. These are the Chief Executive, Deputy Chief Executive and Corporate Directors.

Lowest paid employees are those on grade A (£18,328) per year in April 2020. The Council uses this definition as it is the nearest equivalent to the old 'manual' grades which existed before job evaluation was used to determine pay and before Single Status was implemented. Jobs at this level are relatively straight forward, quick to learn and require limited pre-existing knowledge.

Employment Panel is a politically balanced (reflecting the balance of the different parties that make up the Council) group of Councillors who are responsible for recommending to Council pay and conditions for employees.

Multiplier is the ratio of pay between Chief Officers and other employees (at full time equivalent rates) i.e. the pay for the chief officer divided by that for the lower paid employees.

4 Pay Structure

- 4.1 The Pay Structure and pay related allowances for all employees below Chief Officer level (except apprentices and any employee on a “permitted work” scheme) is detailed in the document *Pay Policy and Arrangements* which was approved by Council initially in November 2009, following extensive consultation with staff, and updated in December 2013 to implement the Foundation Living Wage increase with other regular updates to reflect increases to the foundation living wage and national pay awards. It is a local pay and grading structure which uses some of the nationally negotiated pay spines configured into local pay grades. Nationally negotiated cost of living awards are applied to those spine points that form part of the local pay structure.
- 4.2 From time to time, it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular knowledge, experience, skills, and capacity. The document *Pay Policy and Arrangements* details these.

5 Chief Officer Remuneration

- 5.1 Terms of employment for Chief Officers in Carlisle City Council are derived from a number of sources:
- pay rates determined by Carlisle City Council
 - cost of living awards as negotiated nationally between the Local Government Employers’ Organisation and the recognised trade unions and applied to existing pay grades
 - nationally negotiated terms and conditions of employment for Chief Officers and Chief Executives as appropriate
 - policies determined and approved locally by Carlisle City Council

6 Responsibility for determining pay and allowances

- 6.1 The Employment Panel is responsible for proposing the pay and grading structure to Council.
- 6.2 In the case of Chief Officers’ pay, the Employment Panel may seek advice from a suitably experienced external organisation such as North West Employers’ Organisation (NWEO) to inform their recommendations.

- 6.3 Pay rates (including car allowances) for the Town Clerk and Chief Executive are reviewed each time the job is vacant and may be reviewed between these periods on a decision by the Chair of the Employment Panel following a request from the post holder. A review can result in the pay remaining the same, an increase or a decrease. Market rates for District Councils form the basis of any review. The pay rate is a single pay point, within a three-point salary band, and determined on appointment by the Employment Panel and is based on experience of the successful candidate.
- 6.4 In the case of the other Chief Officer posts, these are reviewed when organisational structural changes take place and uses the Local Authority Senior Staff job evaluation scheme to determine the rank order, and market rates for a District Council to set the pay grade. The pay grades consist of three pay points.
- 6.5 Table 1, paragraph 10, gives current pay rates.

7 Elements of the remuneration package for Chief Officers

- 7.1 This is made up of
- actual pay as determined by the Council
 - car allowance of 9.09% of salary or participation in the Chief Executive or Chief Officer Car Lease Scheme to the same value*
- 7.2 Pay for the Town Clerk and Chief Executive consists of three pay point within a salary band plus car allowance as detailed above. This rate includes returning officer duties for elections relating to Carlisle City Council. Fees for election duties for other elections (County Council, national and European elections) are paid as an additional sum at the rate prescribed by government as and when each election occurs. The pay point may be reviewed on a decision by the Chair of the Employment Panel, following a request from the post holder.
- 7.3 Pay for the Deputy Chief Executive and Corporate Directors consists of three-point scales and, subject to satisfactory performance, the officer progresses through the grade on an annual basis until the top of the grade is reached, in line with national conditions. A car allowance, as detailed above is also paid.
- 7.4 No bonuses, profit related pay or other allowances are paid as part of the regular pay. Honoraria for undertaking additional duties are only paid if the additional duties are significant.
- 7.5 The designation of the Monitoring Officer currently sits with the Corporate Director of Governance and Regulatory Services. The Monitoring Officer is paid on the normal salary for a Chief Officer.
- 7.6 The designation of the Section 151 Officer sits with the Corporate Director of Finance and Resources. The S151 Officer is paid on the normal salary for a Chief Officer.

8 Chief Executive and Chief Officers' Recruitment

- 8.1 Details of the appointment process for Chief Officers and Chief Executive are set out in the Council's constitution. Recruitment is the responsibility of the Employment Panel to recommend the successful candidate to full Council for approval.
- 8.2 In the case of the Chief Executive, the Employment Panel determines the salary and takes into account the knowledge, qualifications, skills and experience of the successful candidate.
- 8.3 In the case of the other Chief Officers, the starting salary is normally the bottom point of their grade unless there are good reasons to pay at a higher point in the scale to secure the best candidate. Such a decision is made by the Employment Panel.
- 8.4 Return of Chief Officers or Chief Executive to local government after redundancy or early release. The same principle applies to all recruitment and any appointment is made on merit, regardless of whether the candidate has been made redundant or given early release in former employment. The provisions of the Redundancy Payments Modification Order (1999) would be applied in that if return to local government occurred within a month of redundancy, the redundancy payment would be forfeited. Cumbria County Council, as the administering body for the pension scheme operated by Carlisle City Council, implements 'abatement' which means that if pension plus earnings in the new job is greater than earnings prior to leaving the pension is reduced accordingly.
- 8.5 Interim Support. Where the Council has the need for interim support to cover work at Chief Officer or Chief Executive level, and there is no-one suitable within the Council, it will make use of agencies to recommend suitable candidates from which to select the most suitable. Selection will be in line with the appointment process for Chief Officers unless support is required too quickly to make this possible, when it will be reported to Council at the earliest opportunity. The services of the successful interim will be engaged by either:
- Secondment of an internal candidate where suitable
 - Direct employment by the Council on a temporary contract
 - On a self-employed basis where the person meets the HMRC definition (IR35) of 'self-employed'
 - On an agency basis where the person is employed by the agency

Pay for temporary interim support will be at the required rate to secure a suitable candidate bearing in mind the temporary nature of the work, value for money, salaries within the Council and budgetary considerations.

At the date of this policy Statement, the Council has no temporary or interim support at Chief Officer level.

9 Other aspects of remuneration

- 9.1 Termination Payments – the Council's policy on termination payments in the event of redundancy or early release in the interests of the service (ERS) apply to all employees, irrespective of level in the organisation. Full details are given in the document *Redundancy and Early Release Schemes Policy, Guidance Notes and Procedures*

In summary, the discretionary redundancy payments are 2.5 times the statutory redundancy payment but based on actual weeks pay, with the option to convert the sum above the statutory redundancy payment to additional pension. Compensatory payments are not normally paid in the cases of early retirement in the interests of efficiency unless there is a strong business case for doing so in a particular situation. Where payments are made, these are equivalent to 1.5 times the statutory redundancy payment that would have applied had the officer been made redundant with the option to convert this to additional pension.

Dismissal of the Chief Executive and Chief Officers (including redundancy and early release) are made by Council on the recommendation of the Employment Panel.

- 9.2 Public Sector Exit Payments – Exit payment cap.

The Government has now passed legislation concerning Public Sector exit pay restrictions (4th November 2020). 'The Restriction of Public Sector Exit Payments Regulations 2020' (4th November 2020), govern all Public Sector exit payments (including Chief Officers) and the recovery of such payments.

The Exit Pay Regulations (which came into force on 4 November 2020) broadly define exit payments and include any payment on account of dismissal by reason of redundancy and any payment to reduce or eliminate an actuarial reduction to a pension on early retirement or in respect to the cost to a pension scheme of such a reduction not being made (i.e. the pension strain).

The Exit Pay Regulations prevent local government employers from making any exit payment to an individual that exceeds £95,000 (including payments to the pension scheme to fund early exit terms) unless that payment is in compliance with the Exit Pay Regulations. Under the Exit Pay Regulations the only circumstances where an exit payment in excess of £95,000 is permissible is where a waiver of the exit payment cap has been approved. A future revision of the Council's Early Release / Voluntary Redundancy policy will address these new restrictions and apply to all employees.

- 9.3 Flexible Retirement. The policy on flexible retirement applies to all employees alike and details are covered in the document *Flexible Retirement Policy Guidance Notes and Procedures*. In summary, flexible retirement (with pension) is agreed if it is supported by a business case. Hours must be reduced by a minimum of 20% and/or move to an alternative post of at least one grade reduction. Earnings plus pension after flexible retirement must not be more than earnings before it.
- 9.4 Pension. Where employees exercise their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due to that employee. The contribution rate is set by Actuaries advising Cumbria County Council Pension fund and reviewed on a triennial basis in order to ensure that the scheme is appropriately funded. The current rate, effective from April 2020 is 19.9%. The employee contribution rates are defined by statute and relate to the salary level of that employee.

Carlisle City Council applies the discretions given to them as an employer under the Local Government Pensions Regulations to all employees on the same basis.

10 Chief Officers' pay and its relation to that of other employees

10.1 All aspects of other employees' pay and related benefits are detailed in the document *Pay Policy and Arrangements*.

10.2 Table one, below, shows details of Chief Officers' current pay and the relationship to other staff's pay. The salary for the Chief Executive, Deputy Chief Executive and the other Chief Officers reflects the Chief Executive/Chief Officers' Pay Agreement 2018/19 – 2019/20. It should be noted that the negotiations for 2020/21 pay award have been deferred with the meeting scheduled for 5th February 2020. It is unlikely that an award will be advised before 1st April 2020.

TABLE 1: Chief Officers' pay and its relationship with others (wef 1st April 2020 for 2020/21)

Position	£ Pay per Year	Car Allowance	£ Total Pay + Car Allowance per year	Ratio to Median Pay (Note 1)	Ratio to Lowest Paid Staff (Note 2)
Town Clerk & Chief Executive	3 Points of Range: - 107,491 - 109,646 - 113,917	9.09% of Salary	117,261 119,612 124,272	5.0:1 5.1:1 5.3:1	6.4:1 6.5:1 6.8:1
Deputy Chief Executive	3 Points of Range: - 82,918 - 87,065 - 91,211	9.09% of Salary	90,455 94,979 99,502	3.8:1 4.0:1 4.2:1	4.9:1 5.2:1 5.4:1
Corporate Directors	3 Points of Range: - 67,159 - 70,674 - 74,192	9.09% of Salary	73,263 77,098 80,936	3.1:1 3.3:1 3.4:1	4.0:1 4.2:1 4.4:1

Note 1 - £23,541 per year for a full-time employee

Note 2 - Grade A staff – £18,328 per year for a full-time employee

The ratio between the Chief Executive pay and other Chief Officers (at the top of the grade) is as follows:

Deputy Chief Executive 1.2:1

Corporate Directors 1.5:1

10.3 Carlisle City Council aims to keep the multipliers for median pay and lowest paid staff approximately the same in future years.

Report to Employment Panel

Agenda
Item:
A.2

Meeting Date: 4th February 2021
Portfolio: Finance, Governance and Resources
Key Decision: No
Policy and Budget Framework: Yes
Public / Private: Public

Title: SPECIAL LEAVE POLICY
Report of: Deputy Chief Executive
Report Number: CS.11/21

Purpose / Summary:

A full review of the Special Leave policy has been undertaken to streamline the approval process and to incorporate recent changes in legislation.

Recommendations:

The Employment Panel review the new Special Leave policy and support its implementation. Attached at Appendix 1.

Tracking

Executive:	Not applicable
Scrutiny:	Not applicable
Council:	Not applicable

1. BACKGROUND

- 1.1** The Council's current Special Leave policy was last reviewed in 2018. The policy required an update following a change in legislation, the details of which are presented below. Alongside updating the legislative changes, the opportunity has been taken to review the policy in its entirety in order to streamline the policy and the process for recording special leave requests.

2. PROPOSALS

The main changes to the revised policy are as follows:

- 2.1 Parental Bereavement Leave and Pay Regulations known as 'Jack's Law' -** From April 2020, employed parents are entitled to two weeks' bereavement leave following the death of a child under the age of 18 or if a baby is stillborn from 24 weeks of pregnancy. Parents will be able to take the leave as either a single block of 2 weeks, or as 2 separate blocks of one week each taken at different times across the first year after their child's death. This means they can match their leave to the times they need it most, which could be in the early days or over the first anniversary.

The Council's current Special Leave policy allows for 5 days bereavement leave which can be extended by up to an additional 5 days compassionate leave in exceptional circumstances. It is proposed that the Council combine Bereavement and Compassionate leave in the new policy to meet the statutory requirement now introduced.

- 2.2 Cadet Forces, Adult Volunteers** - The Council have recently been successful in being awarded the Employer Recognition Scheme Silver Award by the Ministry of Defence and aims to apply for the Gold award this year.

A desirable criterion for this award is to offer paid leave for Cadet Forces Adult Volunteers employed by the Council. The Council currently do not specify paid leave for its Cadet Forces Adult Volunteers; however, all employees are able to take up to 3 days volunteering leave per year. The addition of 2 days paid leave to facilitate Cadet Forces Adult Volunteer training is proposed which would incur an additional cost; however, it is understood that the Council currently only has one employee engaged with Adult Cadet Forces.

2.3 Request for Special Leave – It is further proposed that the procedure for requesting and processing special leave is amended. Currently there is a paper application form in place, but the new policy proposes that employees make special leave requests via iTrent (the current HR and Payroll system). This change will require work to the current iTrent system and the present arrangements will continue until the online process is ready for deployment.

2.4 Removal of ‘Afforded Time Off’ – In the current policy, the Council offers time off up to 2 working days per employee on an annual basis where flexi/TOIL isn’t available. This time off is then repaid on the employees return by them working the time back. The ‘afforded time off’ up to 2 days has been removed from the revised policy draft as it is felt the current special leave options such as ‘stuck not sick days’ cover this need for special leave.

3. RISKS

3.1 The Council is at risk of breaching employment legislation should it not comply with the recent legislative changes (Jack’s Law).

4. CONSULTATION

4.1 The HR Team have consulted with Service Managers, Union Representatives and the Senior Management Team on the new policy. Feedback during the consultation process has been incorporated.

5. CONCLUSION

5.1 If policy changes are agreed, iTrent will be updated to reflect the changes in the special leave categories, e.g. bereavement and compassionate leave combined. Training and guidance will be supplied to all Managers and staff on how to request and authorise special leave.

Contact Officer: Darren Crossley

Ext: 7004

**Appendices
attached to report: Revised Special Leave Policy**

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS:

LEGAL –

PROPERTY SERVICES – Not applicable

FINANCE – Any financial cost of the revised Special Leave policy as outlined will be met from existing budgets

EQUALITY –

INFORMATION GOVERNANCE – Not applicable

Special Leave Policy



The Council is fully committed to compliance with the requirements of the General Data Protection Regulations (GDPR) 2016 and the Data Protection Act (DPA) 2018. The Data Protection Legislation aims to balance the requirements of organisations to collect, store and manage various types of personal data in order to provide their services, with the privacy rights of the individual about whom the data is held. The Data Protection Legislation covers both manual and computerised records in any format, where the record contains details that can identify, directly or indirectly data on a natural person or persons. The Data Protection Legislation sets out principles which must be followed by those who process data; it gives rights to those whose data is being processed. Further information regarding how the Council collects, shares and uses personal information can be found in the Council's Privacy Notices.

Policy on a Page

Policy Aim:

The aim of this policy is to ensure that all employees are aware of the different types of special leave they are entitled to when working for the Council. This guidance will ensure that all employees are treated in a consistent, fair and equal way.

Target Audience:

All Carlisle City Council employees.

Training:

Advice on this policy is available from the HR team.

Key Principles:

This policy applies to all staff. Each section of the policy carries guidelines on:

- the types of leave covered (paid and unpaid) - see next page
- the amount of leave an employee may request
- what a manager must consider when dealing with a request
- descriptions of leave which are not exhaustive but give an indication of the types of leave available under this policy
- how employee requests should be made and recorded (manager and employee)

SPECIAL LEAVE ALLOWANCES

CARERS LEAVE (Policy Section 2)

TIME OFF FOR DEPENDENTS:
reasonable amount of unpaid leave.

FOSTER CARE: 5 days paid leave.

CARER'S TRAINING: 5 days paid leave.

COMPASSIONATE LEAVE **(Policy Section 3)**

Includes bereavement leave.

Up to 2 weeks paid leave
permitted.

STUCK NOT SICK DAYS (Policy Section 4)

Examples include bad weather, car break down,
emergency childcare issue.

Leave should be short term in nature e.g. 1 day and
should be repaid.

ELECTION DUTIES (Policy Section 8)

Paid leave will be given to support
election duties.

MEDICAL APPOINTMENTS **(Policy Section 5)**

HOSPITAL APPOINTMENTS: Up
to 2 hours paid leave.

IVF TREATMENT: Up to 5 days
paid leave.

BLOOD/BONE MARROW
DONORS: Up to 2 hours.

COSMETIC/ELECTIVE SURGERY:
Unpaid leave (contact HR for
guidance).

JURY SERVICE (Policy Section 7)

Usually up to 10 working days
but will depend on the case.

VOLUNTEERING (Policy **Section 10)**

VOLUNTARY/COMMUNITY
ORCHARITY WORK: Up to 3
days paid leave per year.

VOLUNTARY EMERGENCY
SERVICES: paid leave given to
deal with emergencies. Any
payment received externally
for these duties will be
deducted from pay.

PUBLIC DUTIES (Policy Section 6)

ELECTED MEMBERS OF OTHER LOCAL
AUTHORITIES: Maximum of 208 hours paid time

SCHOOL GOVENORS: Up to 2.5 days paid leave

HEALTH & SAFETY ACTIVITIES: reasonable
paid/unpaid leave

TRADE UNION ACTIVITIES: reasonable paid
leave – refer to Facilities Agreement

Reasonable time off will be allowed to attend
meetings or carry out any public duty.

Please refer to policy for further guidance.

JOB INTERVIEWS (Policy **Section 12)**

INTERNAL: Paid time off.

EXTERNAL: Unpaid leave –
must use annual
leave/flexi/TOIL.

Paid time will be permitted for
staff on redeployment/at risk
of redundancy.

UNPAID LEAVE / CAREER **BREAK (Policy Section 11)**

Up to 12 months unpaid
leave. See policy for eligibility
and level of authorisation.

ARMED FORCES RESERVISTS **(Policy Section 9)**

Up to 2 weeks paid leave
permitted for training
purposes.

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Introduction

Carlisle City Council is committed to developing work practices and policies that support work-life balance. In support of this commitment, the Council has developed a range of additional leave options to help employees take time away from work for reasons that do not necessarily fall under existing leave provisions, such as emergencies and public duties.

This policy is not intended to be prescriptive (unless otherwise specified) and therefore each request should be considered on its own merit and decisions to authorise leave will be at the discretion of the appropriate line manager.

The provisions made within this policy apply to all employees.

1. Policy

1.1 Aim

The purpose of this policy and guidance is to produce a comprehensive guide to the different types of special leave that are supported by the Council and how these work in practice.

1.2 Scope

This policy and guidance apply to all Carlisle City Council employees. Special leave allowances are granted on a pro rata basis for part time/part year employees.

Application of this policy will be considered on an individual case by case basis. Managers are encouraged to use their discretion and flexibility and to seek advice from the HR Advisory Team, where necessary.

1.3 Principles

The policy contains guidance on:

- the types of leave covered (paid and unpaid)
- the purpose of each type of leave
- the amount of leave an employee may request
- what a manager must consider when dealing with a request
- descriptions of leave which are not exhaustive but give an indication of the types of leave available under this policy
- how employee requests should be made and recorded (manager and employee)
- the time frame for taking types of leave

1.4 Responsibilities

Employee:

- To be aware of this policy and procedure.
- To be aware of the options of special leave available to them.
- To be aware of the process to request special leave, and if it is an emergency by what time it needs to be recorded.
- To be aware of how to record special leave (e.g. on iTrent self-service and/or flexi system)
- To monitor the amount of special leave they have used and ensure they have not gone over any prescribed set limits.
- To be aware of who to contact for additional information.

Manager:

- To understand the types of processes.
- To be aware of the options available.
- To be aware of who to contact for additional information.
- To provide support and guidance for the employee.
- To monitor the amount of special leave their employees have used and ensure they have not gone over any prescribed set limits.
- To seek advice from HR Advisory Team if any queries on the application of this policy.

HR and Payroll:

- To provide advice and guidance on the consistent application of the policy.
- To monitor and update the policy and procedure.
- To provide advice and guidance on the options of leave available.
- To monitor the amount of special leave taken by employees and to raise any discrepancies with the relevant manager.

1.5 Confidentiality

Any requests for special leave will be treated with discretion and remain as confidential as possible. However, as with annual leave or flexitime, others may need to be made aware to ensure appropriate cover to meet service demands (this will depend on the individual circumstances of each request).

2. Carers Leave

2.1. Time off for Dependants

2.1.1. A reasonable amount of time off work is applicable to employees with responsibilities for looking after dependants, close relatives, children or partners. Time off is usually unpaid however options, such as, annual, flexitime, or time off in lieu (TOIL) can be used to cover episodes of leave. Paid leave may be applicable in certain emergency situations. Please seek further advice from the HR Advisory team.

2.1.2. A dependant is defined as a:

- husband, wife, civil partner or partner;
- parent or child of the employee; or
- someone who lives in the household as part of the family, rather than being a lodger or a tenant.
- any other person who would reasonably rely on the employee for assistance if he/she fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- in relation to the disruption or termination of care for a dependant, any other person who reasonably relies on the employee to make arrangements for the provision of care.

2.1.3. The three main circumstances where special leave (either paid or unpaid) may be granted are for:

- Illness/accident/assault
- Breakdown of normal care arrangements
- Making arrangements for long term care, particularly with elderly relatives.

2.2. Carers Training

- 2.2.1. Carers who are required to undertake training as part of their caring role can be awarded up to five working days paid leave annually to undertake the training required.

2.3. Foster Care Leave

- 2.3.1. Carlisle City Council values the contribution to the community made by Foster Parents and the commitment by employees who provide foster care for children. Foster Care Leave is paid time off to help you if you are applying/training to be a Foster parent and when you are an approved foster parent, in order to meet the needs of a foster child in your care.
- 2.3.2. Foster Care Leave is available for Foster Parents fostering children through the local authority, or other recognised agencies and normally does not apply to the short or long-term care of children who are family members. However, Foster Care Leave may also be available to members of staff where children of very close relatives would otherwise have to be fostered or go into local authority care for a period not normally less than 6 months.
- 2.3.3. Up to five working days paid leave per leave year is granted to Foster Parents to make necessary arrangements to receive a child being fostered, to attend relevant meetings, and/or to undertake training and any emergency circumstances pertinent to their role as a foster parent. These days can be taken as single days, a block or in hours.
- 2.3.4. To be eligible for Foster Care Leave staff must have been continuously employed by the Council for at least 6 months.

3. Compassionate Leave (including bereavement leave)

- 3.1.1. The Council recognises that employees may be faced with difficult personal circumstances involving the serious illness or death of a dependant. The Council understands that, during these situations, employees may need to take time away from work and may require additional support.
- 3.1.2. Individual circumstances, the nature of relationships and the required observances of different religions may vary. Therefore, rather than being prescriptive on the situations under which compassionate leave is available, each case should be assessed individually by the line manager who should take the following into consideration:
- the relationship between the individual and the employee;
 - the nature and extent of any illness;
 - whether the employee is involved in making funeral arrangements;
 - whether there may be a requirement to travel or attend a funeral.
- 3.1.3. Line managers, in consultation with the relevant member of the Senior Management Team, have the discretion to grant **up to** two weeks paid compassionate leave to employees who need to care for a dependant who is seriously ill or following the bereavement of a family member or friend.

- 3.1.4. Line managers must attach the email confirming the number of compassionate leave days approved by the relevant member of the Senior Management Team to the special leave request on the iTrent system.
- 3.1.5. The table below provides a guide to the amount of special leave that should be granted for compassionate leave. The relationships mentioned are not intended to be exhaustive and could include others where a close personal relationship exists. Please note that modern family dynamics should be taken into consideration and each case dealt with on an individual basis.

Relationship	Bereavement leave and funeral
Child (including a baby that is stillborn from 24 weeks of pregnancy)	Two weeks paid leave (can be taken either as one block or in two one-week blocks)
Husband, Wife, Civil Partner, Partner, Parent, or Sibling	Variable depending on the circumstances but normally up to two weeks paid leave
Grandparents, any other close relative or friends	Variable depending on the circumstances but normally up to two days leave.

- 3.1.5. This maximum may be extended in exceptional cases, but only in consultation with the relevant member of the Senior Management Team and HR Advisory Team; and only when other options, such as, annual, flexitime, TOIL, unpaid leave or purchase of additional annual leave have all been explored.

4. Stuck not Sick Day

- 4.1.1. The Stuck not Sick Day aims to address situations where currently an employee might have a genuine reason for not making it into work and phones in sick. We all encounter problems from time to time, often with little or no notice and by introducing Stuck not Sick days the Council hopes to foster a culture of honesty by allowing employees to deal with minor emergencies. For example:
- A child minder doesn't arrive;
 - Poor weather conditions;
 - Public transport problems;
 - A school closes due to severe weather conditions;
 - A child or parent is suddenly admitted into hospital; or
 - The washing machine breaks down and the kitchen is flooded.
- 4.1.2. For these and many other problems, employees need time off from work. This 'Stuck not Sick' category enables an employee to take one day off work to deal with the crisis, **however there is a contractual requirement to 'repay' the one day at a later date.**
- 4.1.3. Stuck not Sick Day's must be recorded on the flexi system. Managers of staff who are not on the flexi system must email Flexi at Flexi@carlisle.gov.uk to inform them of the hours to be deducted and when the employee will work the time back. Please note: Employees based at Boustead's, whether they are on the flexi system or not, must **always** inform Flexi if an employee has a Stuck not Sick Day.

- 4.1.4. It is envisaged that in most cases where a Stuck not Sick Day is required, that the crisis is short term in nature and therefore would only require one day's absence from work in order to deal with the situation. If any additional time of is required, this would most likely fall under another section of the Special Leave policy. Please speak to the HR Advisory team for further guidance.

5. Medical Appointments

5.1. Time off for Medical Appointments

- 5.1.1. Employees should use their own time to attend doctor / dentist / wellbeing appointments, etc. and employees should try to arrange appointments at the beginning and/or end of their working day.

5.2. Hospital Appointments

- 5.2.1. Employees required to attend hospital appointments will be allowed up to two hours paid leave to attend. If additional time is needed the employee will be required to take annual leave, flexitime, TOIL or unpaid leave
- 5.2.2. Where an employee is undertaking minor surgery at their Doctor's Surgery and is unable to stipulate the time of the appointment, they will be allowed **up to** two hours paid leave to attend for the duration of the appointment. Anything over and above the two hours will be taken out of the employee's own time.
- 5.2.3. In cases of critical illness, chronic conditions and disabilities as defined in the Equality Act 2010 employees will be allowed paid time off to attend any medical appointments or follow up procedures. Paid time off will also be granted for the purpose of cancer screening e.g. mammograms and smear tests.

5.3. In Vitro Fertilisation (IVF) Treatment

- 5.3.1. The Council provides up to 5 working days paid leave for an employee, who will act as a parent, for the first round of IVF treatment.

5.4. Blood Donors, Bone Marrow Donors

- 5.4.1. Employees who wish to attend Blood Donor appointments will be allowed **up to** two hours paid leave to attend. Anything over and above the two hours will be taken out of the employee's own time.
- 5.4.2. Employees who wish to attend Bone Marrow appointments and surgery will be allowed reasonable paid time off.

5.5. Cosmetic and Elective Surgery

- 5.5.1. Unless for a medical reason confirmed in a medical report, any absence taken for the purposes of cosmetic surgery should be covered by annual, flexitime or unpaid leave. This time off must be agreed in advance with the line manager. Any unpaid leave, flexi or annual leave granted will be subject to the availability of staff to cover the employee's period of absence.

- 5.5.2. Under the Equality Act 2010, a person who has the protected characteristic of gender reassignment is protected against discrimination. Gender reassignment is defined as someone who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning his or her sex by changing physiological or other attributes of sex. Therefore, time off for these purposes will be treated no less favourably than time off for illness or other medical appointments and the Attendance Management Policy will apply.

6. Public Duties

6.1. Time Off Work for Public Duties

- 6.1.1. An employee is entitled to a reasonable amount of time off if they are:
- a magistrate (also known as a justice of the peace);
 - a local councillor (for a council other than your employer such as a parish council);
 - a school governor;
 - a member of any statutory tribunal (for example 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 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;
 - Trade union member (for trade union duties).
- 6.1.2. Qualifying employees will be allowed reasonable time off to attend meetings or carry out duties. The amount of time off must be agreed before taking any time off. The Council will be allowed to refuse time off if it is unreasonable.
- 6.1.3. Any allowances received in connection with the performance of public duties will result in a deduction from pay equal to the allowance received but limited to a maximum deduction of the equivalent pay earned for the time of the duty. Employees must therefore provide the Payroll team with a statement of all allowances received, excluding travel and subsistence.
- 6.1.4. Detailed below is the Council's consideration and support of specific public duties. If any leave is granted for an employee to undertake more than one of these public duties e.g. a governor and a Local Authority Member, it cannot exceed a total of 28 working days leave in any year. This may be combined paid and unpaid leave. Any additional leave requested must be authorised by a member of the Senior Management Team.

6.2. Employees that are also Elected Members of another Local Authority

- 6.2.1. The Local Government and Housing Act 1989 has made it unlawful for a local authority to give in excess of **208 hours of paid time off**, in any one financial year, to any of its employees to enable them to undertake their duties as an elected member of another local authority. This limit does not, however, apply to the posts of Council Chair of an authority or mayor. A member of the Senior Management Team may still, however,

grant unpaid leave of absence for local authority duties, if they consider this to be reasonable.

6.3. School Governors

- 6.3.1. Most governors' meetings are held after school hours and therefore employees would not require paid time off to attend. If an employee is working with the governors on a lead project that may require them to attend school in work time, paid leave would be granted up to a maximum of 2.5 working days per annum (can be taken as hours). Thereafter unpaid leave or flexi may be granted, if service provision allows.

6.4. Health and Safety Activities

- 6.4.1. Reasonable paid/unpaid leave is to be permitted to Safety Representatives (as identified below) to take such time off with pay, as is necessary to undergo appropriate training. Managers should contact HR Advisory Team for advice on individual cases.
- Safety representatives appointed under the Safety Representatives and Safety Committee Regulations 1977 by a trade union recognised by their employer;
 - Representatives of employee safety elected under the Health and Safety (Consultation with Employees) Regulations 1996, to represent employees not covered by the 1977 Regulations; and
 - Safety representatives elected under the Offshore Installations (Safety Representatives and Safety Committee) Regulations 1989.

6.5. Trade Union Activities

- 6.5.1. Reasonable paid leave is granted to Trade Union Officials and members in accordance with the ACAS Code of Practice. Further details are contained within the Council's Trades Union Facilities Agreement.

7. Jury Service or Attendance at Court as a Witness

- 7.1.1. Employees who attend Court as a witness or those called for jury duty will be granted leave to attend.

- 7.1.2. Before Jury Service/Court begins:

- a) When an employee is called for jury service/court, the employee should inform their line manager of:
- The date and duration they are expected to be away;
 - Outline what arrangements need to be made for cover; and
 - Provide an original copy of the Confirmation of Jury Service/Court letter and Certificate of Loss of Earnings received from the court.
- b) The manager will then need to forward the Certificate of Loss of Earnings to Payrollcarlislecc@carlisle.gov.uk who will complete and stamp the form to show the daily net loss of earnings and the employees' normal working pattern, so that a claim can be made for loss of earnings.

- 7.1.3. After Jury Service/Court ends:

- a) After the employee has completed their jury service/court, they will receive a statement from the court which gives a breakdown of the allowances to be paid by the court for any loss of earnings and any expenses due.
 - b) The employee must give a copy of this statement to Payrollcarlislecc@carlisle.gov.uk to ensure that the correct amount of money i.e. the actual loss of earnings, which has already been paid by the court, is recovered from the employees pay.
- 7.1.4. The employee will not suffer any loss as they will be paid their normal gross pay less the payment received.
- 7.1.5. Jury service usually lasts for up to 10 working days but may last longer depending on the case. If jury service is due to go on longer than expected employees should notify their manager.
- 7.1.6. There will be occasions where an employee is not required by the Court and is discharged. The employee must inform their manager and return to work. Failure to do so will render the employee absent without permission and disciplinary action may be taken.

8. Election Duties

- 8.1.1. Employees will be granted paid time to serve during an election, for example as a Polling Clerk or Presiding Officer and unpaid time for associated training. This applies when the employee is supporting Carlisle City Council, Cumbria County Council, Parliamentary, Police and Crime Commissioner, European and Parish elections, together with any Local or National Referendums.
- 8.1.2. Some employees may also be involved in election duties such as undertaking tasks relating to counting of votes. In these circumstances they will be granted unpaid time for associated training and only be credited with the time they have been undertaking election duties.
- 8.1.3. In relation to the above election duties the employee can retain the fee received.
- 8.1.4. Permission to take time to serve during an election will be given by managers, wherever possible, subject to operational demands. Employees should request permission from their manager and should provide as much notice as possible so that managers can plan for any impact on service delivery.

9. Time off for Armed Forces Reserves/Cadet Forces Adult Volunteers

- 9.1.1. Where an employee wishes to undertake training duties for the Armed Forces Reserves, up to 2 weeks paid leave per leave year will be granted.
- 9.1.2. Where any additional training commitment takes place during scheduled working hours, the Reservist will need to request annual leave or, a mix of flexi time, annual leave, and/or unpaid leave for the duration of the absence from their line manager.
- 9.1.3. Further requests in excess of this may be considered in exceptional circumstances and would need to be authorised by a member of the Senior Management Team.

- 9.1.4. Employees who volunteer as Cadet Forces Adult Volunteers are granted up to 2 days paid leave per leave year. In addition to this paid leave, Cadet Forces Adult Volunteers can request up to 3 additional days leave per leave year in line with Section 10.2 Volunteering/Community or Charity work of this policy.

10. Volunteering

10.1. Voluntary Emergency Service

- 10.1.1. Employees who are members of an approved Voluntary Emergency Service Organisation will be granted special leave, with pay, to attend actual emergencies during working hours. This is subject to the deduction of pay, remuneration and like allowances received from such bodies, and subject to approval from a member of the Senior Management Team who will be satisfied with arrangements for service delivery in the absence of the member of staff during a call-out.
- 10.1.2. Approved bodies are currently British Red Cross Society; St Andrew's Ambulance Association; St John's Ambulance Association; the Voluntary Fire Service and the Retained Fire Service; HM Coastguard; Royal National Lifeboat Institution; and Mountain Rescue Services as recognised by the relevant Police Authority.

10.2. Volunteering/Community or Charity Work

- 10.2.1. Employees are granted up to 3 days paid leave per leave year to undertake volunteering/community support or charity activities.
- 10.2.2. Any uptake of volunteering/ community support or charity work must not constitute a conflict of interest with the Council and should be of no benefit or personal gain to the employee.
- 10.2.3. Prior to any paid time being awarded the Council will take into consideration the type of volunteer/ community support or charity work being undertaken, impact on service provision and affordability. For example, if three employees from one team apply to volunteer it would be reasonable for the Manager to fully consider if all requests can be accommodated.
- 10.2.4. **Please note** that if an employee has been granted special leave to undertake another activity, whatever the nature, then the Council's insurance would not respond to any claim that occurred during this period of leave. Therefore, it is the employee's responsibility to ensure they are insured to undertake the volunteering/charity work.

11. Unpaid Leave / Career Break

11.1. General Principles of Unpaid Leave / Career Break

- 11.1.1. Short periods of unpaid leave can be agreed after discussions with the employee's line manager and recorded accordingly.
- 11.1.2. Extended periods of unpaid leave (over 1 week or more) will need to be discussed with the line manager, but also approved by a member of the Senior Management Team. In addition, if the employee is in a pension, a discussion will need to take place with HR Advisory Team as to how to proceed, as there are possible options with regards to

continuity of pension payments (see Section 11.2 of this policy). However, this must be agreed prior to taking the extended period of unpaid leave.

11.1.3. The maximum period of unpaid leave/career break that can be authorised is up to 12 months.

11.1.4. Employees wishing to undertake a career break of 3 months or longer must meet the following eligibility criteria:

- The employee must have been employed for a minimum of 2 years' service and not be on notice at the time of applying for leave;
- During the period of any career break, the employee will be required to keep in touch with the Council at regular intervals, as agreed with their Manager, prior to starting leave;
- The employee will not be permitted to take up any other paid employment during a career break;
- The granting of a career break and the length of the break will be entirely at the Councils discretion and will depend on the needs of the business at the time in question; and
- All pension contributions and implications for the duration of the career break must be agreed in advance.

11.1.5. Please note that during unpaid leave, annual leave is not accrued, but continuous service is maintained.

11.2. Local Government Pension Scheme

11.2.1. For pension purposes any period of unpaid special leave will be classed as a period of 'authorised unpaid leave of absence'. Therefore, pension contributions by both the employee and Council will not automatically be paid.

11.2.2. Employees can elect to buy these pension contributions back and if the employee chooses to cover the period of absence for pension purposes, this will be by paying an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the period of authorised unpaid leave of absence.

11.2.3. If the employee elects to pay APCs to cover the lost pension, the Council will be liable to pay two thirds of the costs, if the election is made within 30 days of the application being approved.

11.2.4. If the employee elects to cover the period of absence for pension purposes after 30 days of the application being approved, the Council is not obliged to pay employer pension contribution costs and the employee will be liable for the full amount.

11.2.5. The employee will receive a letter confirming the amount that would have to be paid and an Election Form to complete.

12. Time off for Job Interviews

12.1.1. Any reasonable request for leave to attend an interview leading to possible appointments within Carlisle City Council will be allowed with pay and will not count against TOIL, flexitime or annual leave.

- 12.1.2. Any reasonable request for leave to attend an interview outside Carlisle City Council will be granted without pay, but this time off may be taken against annual leave, flexitime or TOIL.
- 12.1.3. If the employee has been placed on the redeployment register, at risk of redundancy or their pay is protected they will be granted paid time off for any job interview.

13. Other Types of Leave

13.1. Religious Holidays

- 13.1.1. The Council is committed to equality of opportunity, promotes an inclusive culture and values diversity. Flexibility will be provided, whenever possible, to enable employees to take annual leave, flexitime, TOIL, unpaid leave or purchase of additional annual leave at a particular time so that they may celebrate and/or comply with their religious or belief related obligations.

13.2. Non-Union Representation at Work

- 13.2.1. Reasonable paid leave is to be granted to those non-union employees providing representation at work in accordance with the ACAS Code of Practice. Chief Officers should contact HR Advisory Team for advice on individual cases.
- 13.2.2. ACAS booklet Non-Union Representation in the Workplace can be found in Reference list.

13.3. Time off for Special Constables

- 13.3.1. As agreed by the Personnel and Training Sub Committee (25/06/1998) employees of the Council who are also Special Constables will receive an additional working week's paid leave to enable them to undertake training with the Special Constabulary.
- 13.3.2. The additional working week will be added on to the normal annual leave year, and days linked to training will be recorded on the Flexitime system.

13.4. Unpaid Leave

- 13.4.1. If the principles of this policy do not apply, employees will be allowed to take annual leave, flexitime, TOIL, or unpaid leave. In the case of unpaid leave, employees are asked to contact the HR Advisory Team for further information on the implications of taking unpaid leave in relation to their pension.

14. Process and Procedure

14.1. Applying for Special Leave

- 14.1.1. Requests for Special Leave are made by the employee via the iTrent system. A copy of the guidance document on how to apply for Special Leave for employee's is available on the intranet.
- 14.1.2. In certain situations, an employee may not have access to make a request for special leave. In this situation, the employee's line manager can record the period of special leave for the employee. A copy of the guidance document on how to apply for Special Leave for Managers is available on the intranet.

14.2. Disputes

- 14.2.1. If the employee feels that the refusal is unwarranted, based on the reasons or mitigating circumstances presented, the matter should be referred to the HR Advisory Team. A review will then be undertaken by HR and the final decision will be conveyed to the employee.

14.3. Misuse of Special Leave

- 14.3.1. Should there be grounds for considering that any period of special leave has been misused, an investigation will be carried out under the Council's Disciplinary Procedure and may result in disciplinary action if founded.

15. Links to other Policies

Family Friendly - Maternity, Paternity, Adoption, Shared Parental and Parental Leave
Flexitime Scheme
TOIL Scheme
General Conditions
Qualification Study Policy
Attendance Management Policy
Flexible Working
Agile Working
Home Working
Annual Leave Purchase Scheme
Trade Union Facilities Agreement

16. References and Further Reading

- ACAS Advisory Booklet – Non-Union Representation in the Workplace : <https://archive.acas.org.uk/media/2308/Advisory-booklet---Non-union-representation-in-the-workplace/pdf/Non-union-representation-in-the-workplace-advisory-booklet.pdf>
- GOV.UK – Paid Parental Bereavement Leave: <https://www.gov.uk/government/news/uk-set-to-introduce-jacks-law-new-legal-right-to-paid-parental-bereavement-leave>
- GOV.UK – Time off for family and dependants: <https://www.gov.uk/time-off-for-dependants>
- GOV.UK – Time off work for public duties: <https://www.gov.uk/time-off-work-public-duties>

17. Policy review Schedule

Policy title	Special Leave
Policy Location	HR
Policy owner (Directorate)	Community Services
Policy lead contact	Antonette Cullen & Sophie Nixon (HR Advisers)
Approving body (SMT)	Employment Panel
Date of approval	
Date of implementation	
Version no. (amendment date)	V3
Review interval	24 months

18. Version Control

Revision date	Issue No.	Summary of Changes
November 2013	V1.0	New document, new format, combination of various statements and entitlements.
January 2018	V2.0	New document, new format, combination of various statements and entitlements.
September 2018	V2.1	With effect from 1 October 2018, the Time Off for Public Duties Order 2018 was extended, and these were added
October 2020	V3.0	Complete policy re-write.