

Special Leave Procedure - Local Government employees

Review Date: 20th May 2025

Summary

Aberdeenshire Council offers a number of Special Leave options to cover various circumstances. Some of the options are paid, while others are unpaid.

A summary of each type of Special Leave is provided in this procedure to help in identifying the leave that may be applicable in your situation.

Guidance Notes setting out the details of the entitlement and any conditions attached is provided as indicated. Alternatively, you may wish to consider using <u>Annual Leave</u>, which is described in a separate procedure.

The provisions of this procedure apply to all employees of Aberdeenshire Council except for Teaching Staff.

Employees who are sponsored by Aberdeenshire Council (or their line manager) should ensure the Resourcing Team are advised before paid or unpaid leave is requested. This helps to ensure Aberdeenshire Council comply with reporting and monitoring duties associated with being a sponsor licence holder.

Contents

Procedure Rationale	1
Introduction	1
Recording of Special Leave	2
Services to the Community	2
Annual Leave	2
Sickness	2
Public Holidays	2
Continuous Service	2
Return to Work	3
Pension	3
Right of Appeal	4
Abuse of Procedure	4
Further Information	4
Exceptional Circumstances	4
Authorisation of Requests	5
Unpaid Leave	6
Extended Holidays	6
Political Candidature	6

Service in Non Regular Forces (Mobilisation of Reservists)	8	
Religious Festivals	8	
Other Unpaid Leave (employees with fixed annual leave)	8	
Paid Leave	9	
Bereavement Leave	9	
Travel	9	
General	9	
Compassionate Leave	10	
Elections	10	
Constituency Officer (Election Team)	10	
Study/Exam Leave	10	
Jury Service/WitnessError! Bookmark not	defined.	
Service in Non Regular Forces	12	
Service in Non Regular Forces (Cadet Forces Adult Volunteer)	12	
Emergency Service Volunteers	12	
Investiture	12	
Job Interviews	13	
Internal	13	
External	13	
Medical Appointments	13	
Employees on Flexi time	13	
	14	
Fertility Treatment	15	
Dependants	15	
Planned medical appointments	15	
Sudden/emergency admissions/appointments:	15	
Disability Leave Scheme	15	
Public Duties	15	
Sporting Activities	16	
Trade Union and Health & Safety Duties	17	
Other paid leave	17	
Transfusion Service Visits to Council Premises	17	
In Emergency (donation of blood or bone marrow)	17	
Family friendly initiatives – Time off for dependants	17	

When leave maybe taken	18
Who is a dependant?	18
Length of Leave	18
Procedure	18
Family Illness	19
Parent Council Duties	19
Foster Carers	19
Looked after Children's Reviews	19
Antenatal Appointments (Time off to Accompany)	19
Maternity/Adoption Support Leave	20
Parental Leave	20
Maternity Leave	20
Adoption Leave	20
Additional Paternity Leave	20
Document Revision History	22
Appendix One	24

Procedure Rationale

Aberdeenshire Council acknowledges that employees have commitments outside work that may on occasion disrupt their working week. It is considered to be in the interests of both the Council and employees that the 'work/life balance' of employees is maintained. To address the problems that work/life conflicts can cause, a number of types of Special Leave are offered to help employees balance their work and other commitments.

Introduction

Aberdeenshire Council offers a number of Special Leave options to cover various circumstances. Some of the options are paid, while others are unpaid. A summary of each type of Special Leave is provided below to help in identifying the leave that may be applicable in your situation.

Recording of Special Leave

For information on the recording of paid Special Leave please see <u>guidance note</u> on askHR.

For unpaid special leave please complete the Unpaid leave <u>LVAP2 form</u> and forward to payroll once authorised.

Please note that special leave is paid at basic rate therefore no claim for enhancements through the submission of a timesheet is required for any period of paid special leave.

Services to the Community

Employees considering positions or appointments to offices or services which will require special leave must discuss such proposals with their Head of Service or Director. New employees holding such offices/appointments must also discuss their continuance in the office/service with their Head of Service or Director. The criteria for assessing requests should be based on there being only limited disruptive impact to the Council and Council Services.

Annual Leave

Annual leave will continue to accrue throughout all periods of special leave up to three months in length. In the case of absences lasting longer than three months, annual leave may be reduced to an amount proportional to the service actually given provided this does not fall below the statutory minimum of 28 days per year pro rata).

Annual leave whilst on a career break

If the need for Time Off for Dependents arises within a period of Annual Leave, the employee may substitute, taking the annual leave at another time. As at any other time, they should advise their manager of their wish to do this as soon as is reasonably practicable.

Sickness

No substitute special leave will be given if an employee is sick during a period of special leave. There is no entitlement to sickness allowance during periods of unpaid leave. If an employee is sick on the day they are due to return from special leave, they will be treated as being on sick leave from that date on provision of a fit note.

Public Holidays

Where a general or Public Holiday falls during a period of Special Leave, no substitute day off will be given.

Continuous Service

Periods of special leave count as continuous service 'and will therefore be included when calculating holiday/sickness entitlements etc following the employee's return to

work. Likewise, periods of special leave do not interrupt an employee's incremental salary progression.

Return to Work

An employee who has been absent on a period of special leave is entitled to return to their own post or, if this is not reasonably practicable, to a reasonable alternative in duties, status, terms and conditions.

Pension

If an employee is a Local Government Pension Scheme member, they will not pay contributions or accrue pension benefits during any periods of unpaid Special Leave.

However, they can 'buy back' pension accrual by taking an Additional Pension Contract (APC). The cost of buying back the lost' pension is shared between the employee and the Council provided the employee's PEN11 application form is received by Payroll before the expiry of a period of 30 days beginning with the day on which the employee returns to work. In such cases the Council will meet 2/3rds of the cost.

The PEN11 form together with guidance on completing it, including how to obtain the cost of the APC, is available from the Pension Fund website at: Pension Form or may be requested;

By phone: 01224 264264

By e-mail: pensions@nespf.org.uk

By post: North East Scotland Pension Fund, Corporate Governance, Business Hub 16, 3rd Floor – West, Marischal College, Broad Street, Aberdeen, AB10 1AB.

The form may be sent to Payroll - Via AskHR: AskHR Portal

By post: Payroll Section, Aberdeenshire Council, Woodhill House, Westburn Road, Aberdeen AB16 5GB

Please note that:

- An employee's return to work date is the day after their Special Leave ends (not the day they physically return to work if this is later, for instance due to taking Annual Leave).
- If the employee does not return to work after their Special Leave, they will not be eligible to take an Additional Pension Contract they must be an active member of the LGPS.
- The Pension Fund will determine whether payment can be made as a regular amount over a period of time one or whether it must be made as a one-off lump sum.
- The Pension Fund may require an employee to provide a report their doctor prior to agreeing the APC - this would be at the employee's own expense. The Pension Fund will make arrangements with Payroll for deduction of the cost of the APC from the employee's pay.

Different arrangements apply in respect of members of the Reserve Armed Forces who are mobilised. Service in Non-Regular Forces (mobilisation) Fact Sheet.

For further information contact the North East Scotland Pension Fund as above.

Right of Appeal

An employee who believes that their request for Special Leave has been unreasonably denied should address this through the <u>Grievance procedure</u>.

Abuse of Procedure

Abuse or attempted abuse of the Procedure will be dealt with under Aberdeenshire Council's <u>Disciplinary Procedure</u>.

Further Information

Employees requiring further information regarding this Procedure should speak with their line manager, AskHR or their Trade Union.

Exceptional Circumstances

There may be occasions when special leave is appropriate but may not be covered by the Special Leave provisions.

Service Directors in conjunction with HR have discretion to authorise special leave, either paid or unpaid up to a maximum of 10 days in total, for situations not already covered by this procedure.

In cases of 'Exceptional Circumstances' the paid special leave form or unpaid special leave form LvAp2 form must be completed and forwarded to the appropriate person within the Service for recording or, in the case of Unpaid Leave being granted, forwarded to payroll.

Authorisation of Requests

Requests for Special Leave must be authorised in advance unless otherwise stated. For monitoring and payroll purposes either the Paid Special Leave form 'LvAp1' or the Unpaid Special Leave and Special Payments form 'LvAp2' must be completed in respect of each absence.

Unpaid Leave

All unpaid leave that is granted must be recorded on the <u>LVAP2 Unpaid Leave</u> form and forwarded to the Payroll Section.

Extended Holidays

Up to three months unpaid leave may be granted to employees who have at least one year's continuous service with Aberdeenshire Council.

The taking of the above type of leave is subject to the following conditions:

The granting of leave under the above provision will be at the discretion of the Service, taking account of operational requirements. This may include considering the time of year at which leave is requested against work patterns such as differing Summer/ Winter hours or term time working.

Employees may request and be granted an extended holiday once in every five years of continuous service.

Three months' notice should be given where an extended holiday is requested.

Managers must discuss the granting of leave for the above purposes with the HR Operational team before authorisation is given.

Employees may apply for other posts within the Council whilst on extended holiday leave, but the receiving Service will not be obliged to honour the leave arrangement. The new manager may require the employee to commence work in their new post following the expiry of the notice they are required to give to their former manager.

Outside Working conditions will apply to employees on extended holiday leave. For more information on these please refer to:

Outside Working Factsheet - Working Time

Political Candidature

An employee who has been nominated and is standing for election to a political post (e.g. member of a Council other than Aberdeenshire, Member of Parliament, Member of Scottish Parliament, Member of European Parliament) will be entitled to up to two weeks unpaid leave during the Election Campaign. Requests for Annual Leave will also be authorised. Any requests for leave out with the Election Campaign period will be considered and decided by the Head of Service. The agreed additional leave may be taken as annual leave or as further unpaid leave. Any request for leave for

representatives at National Party Political conferences will be considered. The agreed additional leave may be taken as annual leave or as further unpaid leave.

NB: Employees in 'politically restricted' posts may not seek election as a Councillor, MP, MSP or MEP, and must resign prior to nomination.

Politically restricted posts include:

- 1. Chief Officials including Chief Executive.
- 2. Posts involving regular provision of advice to Councillors.
- 3. Posts involving regular contact with the media.
- 4. Post reporting directly to the Chief Executive, an Area manager or Director.
- 5. Posts reporting directly to full Council or a council committee or subcommittee.
- 6. Secretarial, clerical and support posts, head teacher and teaching posts are exempt unless falling into category two or three.

Any employee wishing to pursue a nomination must contact askHR for confirmation as to whether their post is politically restricted. The leave provisions above will therefore not apply in such cases.

Please note under the Local Governance (Scotland) Act 2004 any Aberdeenshire Council employee wishing to become an Aberdeenshire Council Councillor is not required to resign prior to being nominated as a candidate.

They must, however, resign from their post as an Aberdeenshire Council employee no later than the day after they have been elected as stated in the Local Governance (Scotland) Act 2004, Part 2, Section 7, 31A: Disqualification of officers, employees etc. from remaining members of local authority.

Employees should be aware that Council premises are not to be used to promote the election of any candidate.

Service in Non Regular Forces (Mobilisation of Reservists)

The Council recognises that a number of its employees have a commitment as members of the Volunteer Reserve Forces (Royal Naval Reserve, Royal Marines Reserve, Reserve Air Forces and Territorial Army) that may result in them being called upon in support of the Regular Forces at times of increased operational demands.

An employee who is mobilised as a member of the Volunteer Reserve Forces will receive unpaid leave but will be paid during their absence by the Ministry of Defence (MOD). Please refer to <u>Service in Non Regular Forces (Mobilisation of Reservists)</u> for further guidance and information

Religious Festivals

For the purposes of holidays or festivals of religious or ethnic groups' employees will be granted unpaid leave up to a maximum of two days in any one leave year subject to the needs of the Service and reasonable notice having been given.

Other Unpaid Leave (employees with fixed annual leave)

Employees whose annual leave is designated to be taken at set times (e.g. those employed in schools) may be granted Unpaid Leave, at the discretion of the Service, for purposes such as attending a wedding or graduation, sitting a driving test or moving house.

Paid Leave

All paid leave that is granted must be recorded on the <u>LVAP1 Paid Leave form</u> and forwarded to the appropriate person within the relevant Service to input the data into iTrent.

Bereavement Leave

An employee is entitled to be reavement leave on the death of a family member or partner, or to attend a funeral such as that of a friend or neighbour. The amount of leave given is dependent on the relationship.

Following the death of a relative up to five days paid leave is available to make funeral arrangements, attend the funeral, give support to spouse/ partner/ family member, or act as executor. The leave may be taken as one period at the time of the death or funeral, or part may be reserved for use thereafter in connection with winding up the estate.

Each situation will be assessed individually and appropriate leave given. However, general guidelines for leave are listed below:

General guidelines for leave:

Spouse/partner, child, parent, sibling, parent/son/daughter/brother/ sister-in-law: up to five working days.

Grandparent/grandchild: up to three working days.

Aunt/uncle, niece/nephew, cousin: up to one working day.

Non-Relatives: up to half a working day.

Travel

Leave may be extended to take account of necessary travel.

General

If an employee is already absent from work (e.g. through annual leave, other special leave or sickness) when bereavement leave would otherwise be requested, bereavement leave will not be given instead. 'Working days' refers to days which are working days for the employee or their full-time equivalent. For example, an employee working two and a half days per week (where full time is five days) and who is entitled to five days bereavement leave is not entitled to take two weeks off.

Compassionate Leave

Paid leave may be granted where an employee is facing an extreme family situation (e.g. immediate family member/partner is seriously ill or is missing). Appropriate leave to a maximum of two weeks may be given initially by the employee's line manager, following which the situation should be reviewed by the manager, employee and their HR Advisor. At this point, alternatives such as a temporary reduction in hours or unpaid leave should be considered, although further Compassionate Leave may be given. Each situation will be assessed individually, and managers should seek guidance from their HR Advisor regarding situations where Compassionate Leave may be appropriate.

Elections

Paid leave is available to employees who wish to assist at elections and for attendance at required briefings. Employees wishing to volunteer for election duties should discuss this matter with their line manager and, insofar as that person's absence would not affect basic levels of service provision, they should be released from substantive duties. Please see the Elections Fact Sheet within the Resource Pack for further information and guidance. <u>Elections Factsheet</u>.

Constituency Officer (Election Team)

Temporary posts within the Council's Election Team of Constituency Officer and Assistant Constituency Officer become available at specified times to undertake election duties for Aberdeenshire Council. Any employees who wish to apply for these roles will be required to undertake Election Team duties both during their substantive work hours and occasionally in the evening or at weekends, especially close to election time.

These vacancies are filled following the usual recruitment and selection processes. In the period immediately prior to major elections, employees appointed to these posts will spend a significant proportion of their core time fulfilling essential election duties and, therefore, it is imperative that any employee who would like to apply for the post/s has the full support of their line manager and Service before progressing their application.

For further information please refer to the <u>Constituency Officer (Election Team) Fact Sheet.</u>

Study/Exam Leave

Paid leave is available in certain circumstances for both Supported and Approved study. Detailed advice relating to this is available within the Learning & Development Procedure.

Jury Service/Witness

Employees summoned to serve on a Jury or as a witness must advise their Line Manager showing the documentation sent by the court. They will be granted Special Leave to attend, unless exemption from serving is secured.

Employees will continue to be paid whilst on Jury Service at their normal contractual rate of pay, subject to the deduction of any monies received from the court in respect of loss of earnings. Accordingly, if an allowance is offered in respect of attendance the employee must claim these monies.

Procedure prior to attending Court as a Juror:

Employee must e-mail their court citation form to payroll **immediately** using payroll@aberdeenshire.gov.uk, quoting their name and payroll number in the subject matter

i.e. Surname, Forename Payroll Number 1234567 - Jury Duty

If the employee has no access to e-mail, then they need to post the citation form into the payroll section at the following address:

Payroll Section,

Aberdeenshire Council,

Woodhill House, Westburn Road,

Aberdeen, AB16 5GB

Payroll will send an e-mail back to the employee with a letter explaining the process along with the completed loss of earnings form and an unpaid leave form.

For an employee who has no access to e-mail, a letter and the relevant documentation will be sent to their home address.

A reminder letter will be issued If an employee fails to notify payroll on whether they were chosen for jury duty and if there is no response, it will be classed as unpaid leave.

Please access the Jury Service / Witness factsheet via the following link or in the resource pack – <u>Jury Service / Witness Factsheet</u> where you will find all letters and forms.

Service in Non Regular Forces

Reservist (Training Camp) Employees who are members of the non-regular forces may request up to 15 days paid leave to attend annual camp and / or associated training. Employees are requested to give as much notice as possible, to allow cover to be arranged as required. Request for paid special leave process should be followed.

Service in Non Regular Forces (Cadet Forces Adult Volunteer)

Employees who are members of the Cadet Forces Adult Volunteers are entitled to up to 10 days paid special leave to attend annual camp. Employees are requested to give as much notice as possible, to allow cover to be arranged as required. Request for paid special leave process should be followed.

Emergency Service Volunteers

Employees who are members of the approved Voluntary Emergency Service Organisations listed below may be entitled to take paid leave to fulfil their obligations with these organisations, and will be granted special leave with pay to attend actual emergencies during working hours.

Approved bodies are:

British Red Cross Society

St John's Ambulance Association

Voluntary Fire Service and the Retained Fire Service

HM Coastguard

Royal National Lifeboat Institution

Mountain Rescue Services (as recognised by the relevant police authority)

Special Police Constables

Non-Regular Armed Forces, e.g. Territorial Army

Arrangements will be subject to the approval of the Service Director, who will be satisfied with provisions for service delivery in the absence of the employee during a call-out, and will review the situation regularly.

Once the emergency has been dealt with, the LvAp1 form should be completed by the employee and their manager, and passed to the appropriate person within the Service for recording.

The employee may retain any pay or allowances received from their Emergency Service in addition to receiving their Council pay for the relevant period.

Investiture

In recognition of their achievement, employees who receive Honours in the Queen's Honours List (e.g. an MBE) in recognition of their Council work may take two days paid leave to attend their Investiture.

If a travel allowance is offered then this should be claimed.

Job Interviews

Internal - Employees may attend internal job interviews within their working day, but must give their line manager as much notice as possible of their absence and only be away from work for the minimum time necessary to attend the interview.

External - (non Aberdeenshire Council) interviews must take place during the employee's own time (e.g. annual leave).

Medical Appointments

Although employees are generally expected to attend medical appointments in their own time, in some circumstances paid leave is available.

Medical appointments (hospital/doctor/dentist/ physiotherapist etc) should be made to minimise disruption to the working day.

Employees on Flexi time

Employees are expected to make every effort to make medical appointments out with working hours. Where this is not possible due to urgency of treatment or to clinic times, employees may be granted paid time off to attend appointments, including preventative appointments.

When an employee wishes to attend a medical appointment during work time they should discuss this with their line manager, including arrangements for working the rest of the day, and required travel time. As much notice as possible should be given to the line manager and proof of appointment may be requested.

For employees who have a morning appointment and do not come to work first – time will be credited from 10am – 12 noon.

For employees who have an afternoon appointment and do not return to work afterwards will be credited from 3.00pm to 4pm (or normal finish time for part time workers).

At least half an hour must be deducted for lunch and no half day credits will be given (eg 3.63).

For an employee who has a medical appointment in the middle of the day, flexi time will be accrued as per the following examples:

Example 1

Hospital appointment at 11.00am

Employee starts work at 8.30am

Leaves for appointment at 10.30am

Returns 12.30pm

Employee is credited with time actually worked - 2 hours (8.30-10.30 am) Absence during core hours- 1.5 hours (10.30 am – 12 noon)

Total time credit for am period – 3.5 hours

Example 2

Hospital appointment 11.00am

Employee does not report for work prior to the appointment due to the distance

to the appointment and necessary travel time

Employees clock in at 12.30pm

Employee is credited with core time only (10.00am -12 noon)

Total time credit for **am** period – 2 hours

Example 3

Hospital appointment at 3.00pm

Employee leaves for the appointment at 2.30pm and does not return.

In addition to time actually worked, employee is credited for absence during core hours between 2.30pm and 4.00pm – 1.5 hours

In each of the above 3 examples the total time accrued for time actually worked plus paid special leave taken cannot exceed the employee's contracted working hours for that day.

*Core hours are 10.00am - 12 noon : 2.00pm - 4.00pm

Annual leave may not be reclaimed when an appointment is attended on a holiday, except by employees falling ill whilst on annual leave, who should advise their line manager as soon as is practicable and will be considered to be on sick leave from the date of a doctor's statement.

Paid time off will not be given under this procedure for purposes such as assessments connected to insurance claims, where no treatment is to be offered.

Fertility Treatment

If an employee is undergoing fertility treatment, paid leave will be granted for related absences during one cycle of treatment. Employees are however required to schedule appointments out with their work hours where possible.

If an employee's partner is undergoing fertility treatment the employee will be granted paid leave to attend related appointments during one cycle of treatment. This includes appointments to which he/she accompanies his/her partner for support, as well as those at which he/she is required to be present.

Should further treatment be undertaken, it will be necessary for the employee to use annual/unpaid leave (at the Line Managers discretion) to cover the above situations.

Dependants

Planned medical appointments: See Time off for Dependants.

Sudden/emergency admissions/appointments: See <u>Family Illness</u> and Compassionate Leave.

Disability Leave Scheme

If an employee is absent from work as a result of their disability paid time off may be granted under the <u>Disability Leave Scheme</u>.

Public Duties

Employees are entitled to reasonable time off to fulfil duties as a Justice of the Peace or member of a statutory panel (e.g. Children's Panel, Employment Tribunal) subject to the discretion of the Service.

An employee should be allowed reasonable time off with pay during working hours to:

Perform any of the duties of their office as a Justice of the Peace.

or

If a member of one of the following bodies, to attend meetings of these (or of their committees or sub-committees) or to complete tasks approved by the body, committee or sub-committee in connection with discharging its functions:

- a local authority.
- a statutory tribunal (e.g. Children's Panel, Employment Tribunal).
- a police authority.
- a board of prison visitors or a prison visiting committee.
- a relevant health body.
- a relevant education body.
- the Environment Agency or the Scottish Environment Protection Agency.

also

Other requests may be considered on an individual basis.

For further advice regarding whether a particular position is designated as 'public service', please contact askHR.

Applications will be considered on an individual basis, but it should be noted that the two attendances per month required by the Children's Panel will generally be seen as reasonable. Two days paid leave may also be given when induction or refresher training is required in connection with Children's Panel membership.

When determining whether the time off requested is reasonable, the Service Director or nominated senior officer will have regard to the following:

- how much time off is required in general to perform the particular public duty and how much time off is required on the particular occasion in question; and
- how much time off the employee has already been permitted for this purpose or any other activities.
- Operational requirements of the Service.

The LvAp1 form should be completed and forwarded to the appropriate person in the employee's Service.

Arrangements will be subject to review by the Service Director.

For members of educational bodies, examination boards, National Working parties or for School Councils, staff should be granted paid leave for the purpose of attending meetings in work time

Sporting Activities

An employee who is a member of an official national team (e.g. as competitor, manager or coach) will be entitled to up to five days paid leave per year for the purpose of attending training and competitions as a member of that team.

Trade Union and Health & Safety Duties

Time off for the above work-related activities is available in certain circumstances: please refer to separate policies on these subjects.

<u>Time off for Trade Union Duties</u>

Time off for Health & Safety Representative

Other paid leave

Transfusion Service Visits to Council Premises

When Council premises are visited by the Blood Transfusion Service employees will be allowed paid time off to make a donation. Employees must obtain permission to attend from their line manager, but this will not be withheld provided there is adequate cover. An employee is expected to attend their workplace before and after the donation is made.

In Emergency (donation of blood or bone marrow)

Where an employee is called upon to make an immediate donation of blood or bone marrow (e.g. in response to an emergency situation) they should be released immediately for the time required.

No travelling expenses may be claimed for journeys made for the above purposes, and the time taken may not be reclaimed by employees making a donation during a period of annual leave. Employees should be prepared to provide record cards etc. as evidence of visit.

The LvAp1 form should be completed and forwarded to the appropriate person in the employee's Service.

Information regarding blood transfusion services may be obtained at: http://www.scotblood.co.uk or from the Aberdeen Donor Centre on 01224 685685.

Family friendly initiatives - Time off for dependants

Time off for Dependants is unpaid leave taken by an employee for urgent family reasons where their immediate presence is indispensable. This entitlement may be used in addition to any relevant paid special leave provided by the Council, and is intended to help employees in reconciling the demands of work and home life.

When leave maybe taken

An employee is entitled to take time off in order to take necessary action:

Because of the unexpected disruption or termination of arrangements for the care of a dependant.

To deal with an unexpected incident at an educational establishment involving a child/foster child of the employee. NB: If the unexpected incident is due to adverse weather then please go to Adverse Weather Arrangements.

To accompany a dependant to a medical appointment.

Who is a dependant?

For all of the situations described above, a dependant is a person who is the employee's spouse, child (including foster child), or parent, or a person who lives in the employee's household. (This does not include someone who is the employee's tenant, lodger, boarder or employee.)

'Dependant' can also mean any person who reasonably relies on the employee for assistance (again this would not include someone who is the employee's tenant, lodger, boarder or employee.)

if they fall ill, are injured or assaulted.

to make arrangements for the provision of their care in the event of illness or injury.

because of the unexpected disruption or termination of arrangements for their care.

Unpaid leave may be taken to provide assistance in these situations.

Length of Leave

The length of leave given is at the discretion of the Service. Usually one or two days will be considered reasonable, although other periods may be appropriate in particular circumstances. Managers should seek advice from their HR Advisor.

Procedure

An employee wishing to take unpaid leave for any of the above reasons must inform their manager of their absence, and the reason for it, as soon as is reasonably practicable. They must also advise how long they expect to be absent for (unless they have already returned to work).

The LvAp2 form should be completed as soon as possible, and sent to Payroll so that the appropriate salary amendment can be made. If Service records are also kept, a copy of the form should be forwarded to the appropriate person.

Family Illness

Employees are entitled to one day of **paid** leave to care for a close relative/ spouse/ partner/foster child who has been taken ill suddenly or been injured and is unable to look after themself, and to make care arrangements for further days if necessary. (The leave may be taken as one full day or as an afternoon plus the following morning if required). However, employees should endeavour to have alternative arrangements already in place so that leave is not required

Parent Council Duties

An employee who is a member of a Parent Council of an Aberdeenshire Council school will be entitled to paid leave for the purposes of attending Appointment Committees or Sub Committees. Leave for other Parent Council activities occurring within working hours will be unpaid.

Foster Carers

Leave Approved Foster Carers will be entitled to request paid leave (if their presence is required in relation to their Foster child) for the purpose of attending Looked after Children's Reviews and Children's Hearings. Foster Carers may be asked to provide their Line Manager with evidence that their presence is required at the Looked after Children's Review and/or Children's Hearing before the leave is granted. This evidence may include the letter:

A letter that is sent to the approved Foster Carer requesting their attendance at the Looked after Children's Review and/or Children's Hearing.

NB: If there is a confidentiality issue regarding information on any placed child then the Manager may request verification through contact with the Family Placement Worker or relevant Team Manager.

Looked after Children's Reviews

A half day leave per review up to a maximum of four half days per calendar year. Children's Hearing A half day leave per hearing up to a maximum of two half days per calendar year.

Antenatal Appointments (Time off to Accompany)

From 1 October 2014 the husband, civil partner or partner of the pregnant woman has the right to unpaid time off to attend up to 2 ante-natal appointments.

The right is to unpaid time off of up to six and a half hours on no more than 2 occasions.

In order to qualify for this unpaid leave the employee must provide the following to their line manager

A signed declaration which states:

- The employee has a qualifying relationship with a pregnant woman or her expected child and the purpose of taking time off is to accompany a woman to an ante-natal appointment
- The date and time of the appointment

The unpaid leave should be recorded on the <u>Unpaid Leave Form</u> and forwarded to the payroll section.

Maternity/Adoption Support Leave

Five days paid leave irrespective of length of service. A further five days paternity/adoption support leave may be granted if the employee has 26 weeks continuous service at the start of the 15th week before the baby is due or the week official notification is received of the adoption or the date of placement. Please refer to the following for further information:

http://arcadialite.aberdeenshire.gov.uk/wp-content/uploads/2012/03/PaternityMaternityGuidanceLG.pdf

http://arcadialite.aberdeenshire.gov.uk/wp-content/uploads/2012/03/PaternityAdoptionGuidanceLG.pdf

Parental Leave

Parental Leave is unpaid leave taken by a parent to care for their child or foster child, or make arrangements for the good of the child or foster child. Please refer to the Parental Leave Factsheet for further information and guidance.

Maternity Leave

Maternity Leave Procedure

Adoption Leave

http://arcadialite.aberdeenshire.gov.uk/wp-content/uploads/2012/03/AdoptionGuidanceLG.pdf

Additional Paternity Leave

http://arcadialite.aberdeenshire.gov.uk/wp-content/uploads/2012/03/PaternityMaternityGuidanceLG.pdf
Special Leave Procedure
Local Government Employees
September 2020

Document Revision History

Document Revision History					
Rev No.	Rev Date	Summary of Changes	Reviewing Team	Contributors	Next Review Year
012	06 June 2023	Change to corporate format	Operations	A Cheyne	
011	09 September 2020	Amendment to Service in Non Regular Forces details			
010	13 December 2016	Further information included about medical appointments and flexi time			
009	20 May 2016	Information included about medical appointments and flexi time			
800	02 February 2015	Amendment to Pension details			
007	16 June 2015	Amendment to Pension details			
006	01 October 2014	New category of Unpaid Leave as part of new SPL Guidelines			
005	08 November 2013	Addition of Constituency Officer (Election Team) as a new category of special leave			
004	13 September 2013	Signposting to study/exam leave details			

003	14 April	Revision of		
	2012	Procedure		
002	22 July	Political		
	2011	Candidature		
		Changed		
001	01	Creation of all		
	December	documents.		
	2003			

Appendix One Resource Pack Unpaid Special Paid Special Leave **Special Leave** Application for **Leave and Special** <u>Form</u> Parental Leave Forms Payments Form **Jury Duty** Parental Leave **Factsheets** Elections **Election Team** Mobilisation of **Factsheet** Reservists <u>Factsheet</u> **Factsheet Factsheet**



Annual Leave <u>Procedure</u>

Grievance <u>Procedure</u>

Disciplinary <u>Procedure</u>

Learning and **Development** <u>Procedure</u>

Disability Leave <u>Scheme</u>

Trade Unions <u>Procedure</u>