



Leave Policy

Ilfracombe Town Council

1 Annual Leave

The Council takes a positive view on work/life balance issues and believes that employees should take responsibility for regularly taking annual leave to ensure their own health, safety, and wellbeing in accordance with the Working Time Directive.

The annual leave year runs from 1 January to 31 December.

The minimum paid annual leave entitlement is 20 days. Those employed part-time will be entitled to leave on a pro-rata basis. There are no enhancements to annual leave for long service.

Employees who join and/or leave the Council during the annual leave year will receive a holiday entitlement proportionate to their completed service during the leave year.

In the event of the employee leaving the Council, payment for any leave which has been taken in excess of their accrued part year entitlement will be deducted from the final wage payment.

An annual leave request form must be completed and approved by the Line Manager. Annual leave must only be taken with Line Manager approval. Employees must give at least two weeks' notice when requesting annual leave to enable Line Managers to make the necessary arrangements to ensure adequate staffing levels are in place.

It is at the discretion of the Line Manager whether or not to approve annual leave requests. If a request is rejected, an appeal can be made to the Staffing Committee. **The Staffing Committee's decision is final.**

In some years, employees will be required to retain annual leave for use during any period of Council close down e.g. Christmas and New Year period. Employees will be notified of this as soon as practicable with at least two weeks notice.

Employees taking leave without prior authorisation from their manager will render themselves liable to disciplinary action including the possibility of dismissal. Such unauthorised absence will result in the employee losing pay for the period in question.

In the event of an employee becoming sick whilst on annual leave, the absence will **only** be regarded as sick leave if the employee provides the Council with a medical certificate. In cases where a medical certificate is provided, then employee's annual leave will be suspended from the date of the medical certificate. No such adjustment will be made for employees who have self-certified sickness absence.

2 Bank/Public Holidays

All employees are entitled to paid bank/public holiday leave. The Council recognises eight bank holidays during the year, although the dates of these may vary from year to year.

Part-time employees have a pro rata entitlement to bank/public holiday leave. This is calculated with reference to the annual entitlement of a full-time employee.

3 Carry Over of Annual Leave

All annual leave should be taken in the leave year during which it is accrued. Only in exceptional circumstances, a maximum of five days' leave can be carried over into the next leave year with the approval of the Line Manager in accordance with consultation of the Staffing Committee. It will only be granted where the carry over of leave can be accommodated and will not have a detrimental effect on service delivery.

In cases where leave is carried forward, such leave must be taken by 31 March of the subsequent year.

4 Compassionate Leave With Pay

Up to 3 days' compassionate leave with pay can be granted in order to help the employee to cope with the death or serious illness of a member of their immediate family. This includes:

- Husband, wife, or partner;
- Mother or father;
- Child, including any adopted child; and
- Sister or brother

A further day may be granted for attending the funeral.

All applications for Compassionate Leave must be made to the Line Manager and approved by the Staffing Committee in advance.

5 Public Duties

Up to 3 days' leave without pay per year may be given with the permission of the Line Manager for serving on public bodies or undertaking public duties, e.g. magistrate's service, school governing bodies, and political appointments for those employees whose posts are not politically restricted.

6 Jury Service

Unpaid leave of absence will be granted for employees undertaking jury service.

7 Additional Leave

Additional leave without pay may be granted in special circumstances at the discretion of the Line Manager in accordance with consultation of the Staffing Committee.

8 Parental Leave

8.1 Introduction

The Parental Leave Regulations came into force as part of the Employment Relations Act 1999. They apply to all parents (birth or adoptive) and those people with parental responsibilities and allow for them to take up to 18 weeks' unpaid leave for each child.

This leave must be taken between the child's birth or placement (in the case of adoption) and their 18th birthday.

8.2 Eligibility

The right to take up to 18 weeks' unpaid leave is subject to the following conditions:

- The rights are acquired after one year's continuous employment with the Council and apply to both mothers and fathers.
- Both parents are entitled to take 18 weeks' parental leave for each child.
- The leave can only be taken in blocks of one week or more, up to a maximum of four weeks in one year, except where the child is disabled, in which case it may be taken one day at a time.
- The employee needs to give his or her manager at least 21 days' notice in writing to take leave.
- The manager may postpone the leave for a maximum of 6 months if there are sound business reasons for doing so. The manager should seek agreement with the employee over mutually acceptable arrangements and confirm the outcome in writing within 7 days of the request.
- Managers should keep a record of leave taken under this entitlement, so that it is clear when the entitlement is exhausted.
- Employees have the right to return to their job in the same way as provided to those returning from maternity leave.
- Time taken as parental leave counts as continuous service.
- If an employee falls ill during parental leave, the absence will be treated as sick leave for those periods covered by a doctor's certificate.

9 Time Off For Dependants

Under the Employment Rights Act 1996, all employees (regardless of their length of service) have the right to take a reasonable amount of unpaid time off work in order to deal with particular unexpected emergencies affecting their dependants.

A dependant is:

- A spouse;
- A civil partner;
- A child;
- A parent;
- A person who lives with the employee other than as his or her employee, tenant, lodger, or boarder;
- Any other person who would reasonably rely on the employee for assistance if he or 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 or any other person who reasonably relies on the employee to make arrangements for the provision of care.

Under this provision, an employee is entitled to take time off work:

- Where a dependant falls ill, gives birth, or is injured or assaulted;
- To provide assistance following the death of a dependant;
- Where there has been an unexpected disruption to, or termination of, the arrangements for the care of a dependant; and
- To deal with an emergency relating to a child of the employee that occurs unexpectedly at the child's school.

Although there is no requirement to give notice the employee must, as soon as possible, tell their line manager the reason for their absence and how long they expect to be away from work.

Policy reviewed: 14/2/22

Adopted: 12/08/19

Next review: 14/2/24