

THE HIGHLAND & WESTERN ISLES VALUATION JOINT BOARD

SPECIAL LEAVE POLICY

Document Control

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Introduction

This statement represents the Board's policy on special leave during working hours. Please note that separate policies and procedures are available for maternity leave, adoption leave, paternity leave, parental leave, time off for the support of dependants, sick leave, annual leave and public holidays. This policy applies to all staff. It encompasses statutory entitlements for special leave and indicates where special leave will be granted with or without pay. Generally a decision as to whether or not to grant special leave will be determined by the needs of the Board, the length of absence and having due regard to the particular circumstances of the employee with further specific criteria being given in the policy.

The Assessor may delegate to appropriate officers the power to grant special leave. Applications for special leave will be considered in the overall context of service delivery requirements.

Public Duties

An employee should be allowed reasonable time off with pay during working hours to perform any of the duties of office, as:

- (a) a Justice of the Peace
- (b) a member of a Local Authority
- (c) a member of a statutory tribunal (e.g. member of Children's Panel, Industrial Tribunal)
- (d) a member of a Health Board
- (e) a member of an NHS Trust
- (f) a member of a Family Practitioners' Committee
- (g) a member of a College Board
- (h) a member of a Visiting Committee in Scotland to Prisons, Remand Centres and Young Offenders Institutions

(i) Election duties

Leave for duties for items (b) to (g) includes attendance at Committees/Sub-Committees, or doing anything of a class so approved for the purpose of discharge of the functions of the body, or any of its Committees or Sub-Committees.

It will be for the Assessor to determine what constitutes reasonable time off for public duties by examining:

- how much time off is required for the performance of the duties of the officer as a member of the body, and how much time off is required for the performance of a particular duty
- how much time off the employee has already had in respect of these duties
- the circumstances of the business of the Board, and the effect of the employee's absence on the running of the business

Where time off with pay is granted, it will be subject to the deduction from such pay of any fees or remuneration or like allowances for the exercise of duties of the position which the employee is entitled to claim from the appropriate body whether or not the member of staff makes a claim. Alternatively the employee can surrender such fees, remuneration or allowances to the Board.

Where an employee elects to use his/her annual leave or to take time off without pay he/she can retain any fees, remuneration or allowances.

When an employee is permitted time off to perform the duties as an elected member of a relevant local authority, and those duties do not include acting as Chairman/Convener/Provost (or other appropriate title) of a Council, no payment will be made for any time off for such duties in excess of 208 hours in any one financial year of the Board.

Jury Service

A member of staff receiving a summons to serve on a Jury must report such fact to the Assessor and must be granted special leave with pay to attend, unless exemption from serving is secured. From such pay will be deducted the Juror's allowance to which the officer is entitled, and for which the officer must make claim. Alternatively the employee can surrender the allowance to the Board.

Election Day Duties

With the approval of the Assessor, employees who have been appointed to assist with polling or counting at Local or National Elections will be granted special leave with pay.

Service in Non-Regular Forces

Employees who are members of the non-regular forces and attend an annual training camp for a period of not less than one week will be granted special leave with pay with the approval of the Assessor equal to the period of time which the officer actually attends the training camp, but not exceeding a period of 15 days, and subject to the deduction of service pay, remuneration and like allowances in respect of the period of special leave. Alternatively the employee can surrender such service pay, remuneration and like allowances to the Board. Where an employee elects to use his/her annual leave to attend training camp he/she can retain service pay, remuneration or allowances.

Voluntary Emergency Service

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, but subject to the deduction of pay, remuneration and like allowances received from such bodies, and subject to approval from the Assessor who will be satisfied with arrangements for service delivery in the absence of the member of staff during a call-out.

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.

Bereavement

If an employee seeks special leave with pay in the event of a death of a **relative**, it will be at the discretion of the Assessor to agree as follows:

- In the event of the death of a husband, wife, partner, son or daughter, father, mother, grandchild, brother or sister, up to 5 days paid leave
- In the event of the death of a grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, up to 3 days paid leave
- In the event of death of other relatives, up to 1 day of paid leave

In exceptional circumstances it will be at the discretion of the Assessor, following consultation with the Board's Personnel Adviser, to grant up to a further 5 days of special leave.

In the event of funerals of non-relatives it is at the discretion of the Assessor to approve short periods of paid leave to attend local funerals. Otherwise time off will require to be taken from annual leave or flexible working hours balances.

Serious Illness

At the discretion of the Assessor up to 5 days special leave with pay in a leave year will be permitted in the event of a serious illness of a husband, wife, partner, child, father or mother. In special circumstances in the event of serious illness of other near blood relatives, or near relatives by marriage, up to 5 days leave with pay may be granted.

Employees will be expected to use annual leave in the event of minor illness or ailments of immediate family and relatives, or to use flexi-credit or unpaid leave, subject to approval.

Hospital Treatment incl. Clinic Appointment

On the approval of the Assessor, special paid leave for attendance at Hospitals or Clinics for either out-patient treatment or examination will be granted on the production of evidence of an appointment.

If it is essential that a member of staff accompanies family and close relatives (husband, wife, partner, son or daughter, father, mother, brother or sister) to Hospitals or Clinics for either outpatient treatment or examination, then up to 5 days special leave with pay may be granted

by the Assessor on receipt of a written recommendation from the General Practitioner that it is essential that the employee accompanies the relative to Hospital for treatment.

For incidental or routine appointments at Dentists, Doctors and other approved medical services, staff will be expected to attend such appointments in their own time, before or after normal working or outwith core hours.

Trade Union Duties

The Board will have due regard to the prevailing Acas (Advisory, Conciliation and Arbitration Service) Code of Practice on time off for trade union duties and activities for employees who are members of trade unions recognised by the Board and employees who act as officials of such recognised trade unions. Generally, time off with pay will be granted only to officers exercising duties as officials of the recognised trade unions, and not for participation in trade union activities.

Please find link to the Code of Practice:

<http://www.acas.co.uk/CHttpHandler.ashx?id=274&p=0>

Exceptional Circumstances

Where there is any request for special leave not covered by the policy the Assessor will refer this to the Board's Personnel Adviser for consideration as to the appropriateness of the request and who may authorise additional paid or unpaid leave of absence.

Reference to HR, Highland Council

To assist in achieving consistency in application of the Scheme, or for purposes of interpretation, the Assessor and individual members of staff may refer to HR at Highland Council for guidance.

13 September 2018