Special Leave Policy

Approved by:	Full Council Meeting – ref 59/2526.2
Date adopted:	21/07/25
Annual review date:	July 2027

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Scope and Aims of the Policy

This policy and procedure aims to assist staff to balance their work and personal life by detailing alternative leave arrangements and detailing the process for making requests.

This policy and procedure applies to all Meriden Parish Council Staff.

Types of Special Leave contained within this Policy and Procedure

Meriden Parish Council is required under appropriate legislation to provide paid or unpaid time off work in a few specific circumstances, as follows:

- Dependants' leave
- Antenatal Appointments (please see Maternity Policy for further details)
- Jury service
- Certain other public duties

In addition, the Council recognises that there may be other situations where special leave may be required, as follows:

- Bereavement leave
- Compassionate leave
- Domestic incidents
- Exceptional travel disruption
- Special Constabulary duties
- Sabbatical leave

Whilst employers are not obliged to pay staff in the majority of circumstances, Meriden Parish Council is committed to doing so in certain situations up to the levels detailed below.

Definitions, Entitlements and Procedure

A summary of entitlements for all types of Special Leave and the procedure for requesting such leave is detailed in Section 2.

It should be noted that during periods of agreed unpaid leave all benefits, including salary, pension and the accrual of annual leave will be suspended.

Dependants' Leave

All employees are entitled to take a reasonable amount of time off during working hours in order to take necessary action:

- To provide assistance when a dependant falls ill, gives birth or is injured or assaulted.
- To make arrangements for the provision of care for an ill or injured dependant.
- In consequence of the death of a dependant (over and above entitlement to bereavement leave).
- Unexpected disruption or termination of arrangements for the care of a dependant.
- To deal with an incident that involves their child/foster child, and which occurs unexpectedly while the chid is at school / other educational establishment.

The employee must inform their line manager of the reason for his/her/they absence and how long he/she/they expects to be absent as soon as is reasonably practicable. Time off work under this right (dependent's leave) is envisaged as being no more than one or two days in most cases.

A dependant is defined as:

- A spouse;
- A civil partner;
- A child/foster child;
- A parent;
- A person who lives with the employee other than as his/her/they employee, tenant, lodger or boarder;
- Any other person who would reasonably rely on the employee for assistance; or
- In relation to the disruption or termination of care for a dependant, this includes any other person who reasonably relies on the employee to make arrangements for the provision of care.

As Dependants' Leave is usually short notice, the employee will be required to submit the request on their return to work.

Dependants' Leave is unpaid and as such, an employee may choose to take annual leave, or agree a short-term flexible working arrangement with their line manager.

Jury Service

Jury Service is a 'civic duty' and helps decide the outcome of criminal trials in the Crown Courts.

Following an invitation request to attend jury service a copy of the letter from the courts should be provided to the payroll services team as a scanned copy to their email address confirming the period of service. Payroll will then complete a loss of earnings certificate on behalf of the employee, this will have been issued with the letter confirming the jury service and if not, one should be requested as soon as possible.

This completed form should be taken to the court on the first day of attendance to jury service as this notifies the court how much to pay the employee for attending. The courts will pay the employee a daily net pay for each day attended in court (capped).

A Statement of Earnings issued from the court will inform the employee of their payment. There is a requirement to pass a copy of this document to the payroll services team as soon as possible.

No employee should receive a financial gain from attending jury service; therefore the same amount received from the courts shall be deducted from the next monthly salary following receipt of the Statement of Earnings. Any expenses paid by the court shall not be deducted. Deductions from a salary for attending jury service will be deducted from one months' salary only. Exceptions to this will be if jury service exceeds 4 weeks.

Failure to produce the Statement of Earnings document shall result in a deduction from salary for all days attended for jury service. Please note this may result in a higher deduction than that paid for loss of earnings received from the courts.

Please note where there is no requirement to attend court at any time, including half days, the expectation is to return to work.

Employees will continue to receive all associated benefits and the accrual of annual leave whilst on jury service, subject to the deduction of monies received from court in respect of loss of earnings.

Other Public Duties

Employees are required to notify and seek permission from Meriden Parish Council prior to agreeing to undertake public duties. Public duties include time off if you are:

- A Magistrate, also known as a Justice of the Peace
- A local councillor
- A school governor
- A member of a police authority
- A member of any statutory tribunal
- A member of the managing or governing body of an educational establishment
- A member of a health authority
- A member of the Environment Agency
- A member of the prison independent monitoring boards (England and Wales)
- A trade union member

If the public duties are agreed by Meriden Parish Council, employees are allowed reasonable time off to attend meetings or carry out their duties. The time must be agreed with the Council beforehand by receiving approval from a line manager, which must include submission of written evidence of election or appointment, and it should be noted

that the Council can refuse the request if classed as unreasonable. A specific amount of time is not laid down in law.

Whether time off is classed as reasonable will depend on:

- What the duties are
- The time needed to carry them out
- The impact on the employer's business
- How much time off has already been taken for public or trade union duties

Whilst Meriden Parish Council is not obligated to pay employees when they take time off for public duties, it can choose to do so by approval from Full Council (a majority vote of Councillors).

Bereavement Leave

In the event of the death of an immediate family member, for example a parent, child, sibling, spouse or civil partner, Meriden Parish Council will grant paid leave of up to five days. The same will also be granted in the event of the death of other close family members, for example grandparents and in-laws. This may be extended if there are specific circumstances necessary for doing so. Paid time off for attendance at funerals for other relatives and close friends may also be granted.

Statutory Parental Bereavement Leave

Eligible parents and adults with parental responsibility who suffer the loss of a child under the age of 18 or a stillbirth after at least 24 weeks of pregnancy are entitled to two weeks paid statutory parental bereavement leave (SPBL). If an employee loses more than one child, they will be entitled to take a separate period of leave for each child.

Adults with 'parental responsibility' are defined as: adopters, fosters parents and guardians.

To be eligible for SPBL, parents and adults with parental responsibility must have been employed for a continuous period of at least 26 weeks before the child's death. All employees have a 'day one' right to unpaid bereavement leave.

The entitlement will also apply to parents who suffer a stillbirth after 24 weeks of pregnancy. In this instance, female employees will still be entitled to up to 52 weeks of maternity leave and 39 weeks of statutory maternity pay who meet the qualifying conditions, as will a mother who loses a child after it is born (refer to Meriden Parish Council's Maternity Leave and Pay Policy 2024).

Compassionate Leave

Meriden Parish Council may grant a reasonable amount of additional paid or unpaid leave in the event of a serious distressing event which requires longer term absence, for example a serious illness to a family member.

As such leave may be unpaid, an employee may choose to take annual leave or flex their working hours around the required period of leave.

Domestic Incidents

It is recognised that from time to time employees experience emergencies at home, such as a flood, fire or burglary. This policy is intended to allow those who experience genuine domestic emergencies to take a reasonable amount of time (i.e. no more than two days) to deal with the emergency. The policy does not apply to planned events such as domestic repairs, refurbishment, building or trades work, installation of appliances, home deliveries etc.

Such leave will be unpaid, as a consequence an employee may choose to take annual leave or flex their working hours around the required period of leave, in agreement with their line manager.

Section 2: Special Leave Procedure

Employee discusses situation with manager and requests Special Leave under the policy, or the manager identifies that an employee may require a period of special leave.

Manager liaises with employee and if deemed appropriate, will suggest a period of special leave.

Summary of entitlements:

Type of Special Leave	Paid	Unpaid	Period of Leave
Dependents' leave		X	Up to 2 days
Antenatal appointments	X		As advised by medical practitioner
Statutory Parental Bereavement Leave	X		2 weeks' statutory pay
Jury Service	Via Court	X	Decided by court
Bereavement leave	X		Up to 5 days
Compassionate leave		X	Reasonable
Domestic incidents		X	Up to 2 days