



CITY OF  
*Lincoln*  
COUNCIL

## **Leave Entitlements Policy**

### **1. Introduction**

The City of Lincoln Council recognises that employees may need to take leave from work for a variety of reasons outside the scope of the normal annual leave entitlements. Our employees have various entitlements available to meet this need. These entitlements come from statute, national terms and conditions and the discretion of the Council.

### **2. Scope of this policy**

This policy applies to all staff employed by the Council.

### **3. Aims of the Policy**

This policy explains the leave entitlements for employees. It sets out the qualifying criteria, leave entitlement and pay and conditions relating to:

- Annual Leave
- Time off for dependants
- Compassionate leave
- Jury Leave
- Leave for Public Duties
- Reserved Forces
- Emergency Services Leave
- Job Interviews
- Health Related Appointments

### **4. Principles**

This policy is based on the following principles:

- The Council wishes to support its staff through access to appropriate leave entitlements.
- The entitlements will be applied in a consistent manner.
- Where there is an element of discretion, this will be exercised fairly, consistently and with justification given.
- Staff may involve and consult their Union Representatives in the application of this policy, if they wish to.

## 5. Responsibilities:-

### Directors and Assistant Directors

Effective leadership and support to managers and staff.

### Managers

Application of the policy and procedures, arranging risk assessment.

### Human Resources

Advising on the application of the policy and procedures. Review and maintenance of the policy. Training, advising and supporting managers and staff affected by the application of this policy.

## THE POLICIES

## 6. Annual Leave and Public Holidays

Annual leave entitlements vary according to employees' length of service and grade. The basic entitlements in working hours (and days), based on full-time employees working a 5 day week, are as follows:

Grade	Less than 5 years	After 5 years	After 10 years	After 15 years	After 20 years
*S1a – S4 and Apprentices	185 hours (25 days)	214.6 hours (29 days)	222 hours (30 days)	229.4 hours (31 days)	236.8 hours (32 days)
*S5 – S6	199.8 hours (27 days)	214.6 hours (29 days)	222 hours (30 days)	229.4 hours (31 days)	236.8 hours (32 days)
*SO1 – PO2B	214.6 hours (29 days)		236.8 hours (32 days)		
*PO2C and PO2D	244.2 hours (33 days)		266.4 hours (36 days)		
CX, Director, Assistant Director	236.8 hours (32 days)		259 hours (35 days)		
Craft	177.6 hours (24 days)	214.6 hours (29 days)			

*\*Please note The Council will be applying these changes at the start of each employee's next leave year (on/after 01 April 2023).*

The Working Time Regulations mean all employees receive paid annual leave of 5.6 weeks per year. An employee's entitlement is based on either their statutory entitlement or their contractual basic leave entitlement, whichever is the greater.

As well as the basic leave entitlement, there are 8 public holidays each year falling on:

- New Year's Day
- Good Friday
- Easter Monday
- May Day - usually the first Monday in May
- Spring Bank Holiday -usually the last Monday in May
- Late Summer Bank Holiday usually the last Monday in August
- Christmas Day
- Boxing Day

If Christmas and New Year holidays fall on Saturday or Sunday, the next normal working days will be treated as the Public Holiday. We also give employees half a day concessionary paid leave from 12.00 noon on the last working day before Christmas day.

Employees can check their personal leave entitlement using the 'Itrent Employee Self Service' system.

The employee's leave allowance shown on Itrent includes bank holidays.

## **6.1 Leave Year**

All employees have a personal leave year. This starts on the date they began employment with the City Council.

## **6.2 Leave for part-time employees**

Part-time employees are entitled to leave on a pro rata basis based on the number of hours they work each week.

## **6.3 Employees terminating employment during the leave year**

If an employee leaves the Council part way through their leave year, we will calculate their entitlement based on the number of days they have worked up to the date they finish work.

If an employee transfers from full-time to part-time or from part-time to full-time, annual leave will be calculated pro rata accordingly.

## **6.4 Casual Employees**

Leave entitlements and holiday pay for casual or relief staff will be based on their average hours and pay over 3 months. The payments are calculated quarterly, to

cover hours worked April to June; July to September; October to December and January to March.

### **6.5 Leave During Sickness**

If an employee is on sick leave on a day when they had booked annual leave, the day(s) are counted as sick leave and the employee can take the annual leave booked at a later date, provided they have followed the Council's sickness absence procedures.

However, if an employee is sick on a public holiday, they cannot take the bank holiday at a later date. If the employee's leave allowance includes bank holidays the Council will deduct the relevant number of hours from their leave allowance for any public holidays.

### **6.6 Long Service Leave**

The additional long service leave provisions relate to continuous local government service and apply from the anniversary of appointment.

### **6.7 Additional leave (Holiday Purchase)**

The Council operates a Holiday Purchase Scheme. This allows employees to "buy" up to 2 weeks extra leave per leave year. This leave can be a continuous period of anything from 1 day to 2 weeks and is not restricted to whole weeks.

Employees will need to complete an application form (see Appendix 1), requesting additional leave and giving the dates and number of days they wish to take. As additional leave approval is subject to business needs any request for such must be authorised by their Service Manager.

The Council will agree the repayment period with the employee on an individual basis, and the costs can be deducted in a single lump sum or in instalments over a period of no more than 12 months, starting from the month after the employee takes the leave. Should the employee's contract be terminated for any reason, the Council will deduct these monies from the employee's final salary.

### **6.8 Distribution of leave**

Employees may take their annual leave however they choose, including in hours. This is subject to the needs of the service and employees are encouraged to spread their annual leave throughout the year and to take reasonable periods of leave to ensure adequate breaks from work.

However we recognise that employees may sometimes want to take a longer holiday. Employees must get approval from their Service Manager for any periods of leave greater than 3 consecutive weeks.

## **6.9 Transfer of Leave between Leave Years**

Employees can transfer up to 1 working week of their leave entitlement between leave years with the approval of their Service Manager. If employees want to transfer more than one week, they will need the approval of their Assistant Director.

If an employee has been on sick leave during the year and has been unable to take their leave either:

- because they have been away from work on sick leave
- or
- because on return to work it was not possible to authorise the employee to take all their outstanding leave within the leave year

A maximum of 5.6 weeks leave must be rolled forward and added to their next year's entitlement. Any additional leave will be forfeited.

## **6.10 Relationship between Annual Leave and Lieu Leave**

Employees must not accrue lieu days to supplement annual leave. Any lieu days must be taken in line with the Flexible Working policy.

## **6.11 Booking Leave**

Employees must get prior approval from their Manager before confirming holiday bookings or taking leave. Managers will not unreasonably refuse requests for leave although Managers will need to consider service needs. Managers should deal with requests in a timely manner, and where that is not practical the manager should outline the reasons for the delay.

## **6.12 Payment for untaken/overtaken annual leave on termination of employment**

Employees should make every effort to take their annual leave entitlement before they leave the Council. However, if they are unable to do so because of the needs of the service, they will be paid for any pro rata annual leave outstanding at the date they leave the Council.

If employees have taken more annual leave than they are entitled to, they must repay the Council for the overtaken leave. Any such sums will be deducted from the Employee's final salary.

# **7. Time off for dependants**

## **7.1 Rights and qualification criteria**

As an employee you have the right to reasonable time off work to deal with emergencies involving a 'dependant'. A dependant is a:

- Spouse or Civil Partner
- Partner
- Child
- Parent
- Anyone who lives in the employees household (excluding tenants, lodgers, and employees)
- Anyone who reasonably relies on you for assistance and/or care.

The right to time off work for dependants is limited to dealing with an unexpected event involving a dependant.

The circumstances in which employees may take time off for dependants are specified in legislation. These are to:

- provide assistance when a dependant falls ill, gives birth or is injured or assaulted;
- make arrangements to provide care to a dependant who is ill or injured;
- deal with the death of a dependant;
- deal with the unexpected disruption or termination of arrangements for the care of a dependant; or
- deal with an incident involving the employee's child during school hours.

This is not a right for time off to deal with:

- long term care arrangements
- problems not connected to dependants, for example a boiler breaking down or accompanying a friend to the hospital
- issues that you have advance notice of, for example, planned hospital appointments

You can take time off regardless of your length of service, you must inform your immediate line manager as soon as possible, this does not have to be in writing.

## **7.2 Leave**

There is no set amount of time to deal with an unexpected event involving a dependant, however the amount of paid time off which is given will be determined by the manager after considering the circumstances.

You are entitled to take a reasonable amount of time to deal with the event and make alternative arrangements that are needed, although normally such arrangements would not be expected to require more than one working day.

It is the manager's responsibility to determine what is 'reasonable' therefore once you have returned to work a meeting will take place between yourself and your manager to discuss the absence and to complete the time off for dependants form (Annex A)

The employee should keep their manager up to date with any changes/ developments which could affect the length of the absence.

### **7.3 Pay and terms and conditions**

Reasonable time off for dependants leave will be paid in full, however if your Manager believes that more time than necessary has been taken, they can ask you to take additional days as annual leave or unpaid leave.

Where your Manager is unable to grant paid time off for dependants leave they will write to you explaining their decision.

## **8. Compassionate Leave**

### **8.1 Rights and qualification criteria**

You can take leave

- At the time of death of a close relative, dependant, friend or colleague has died.
- To attend the funeral of a close relative, dependant, friend or colleague
- If you are responsible for making funeral arrangements or handling the deceased affairs
- Any other event of a compassionate nature with the prior consent of your Assistant Director

You can take time off regardless of your length of service, you must inform your immediate line manager as soon as possible, this does not have to be in writing.

### **8.2 What may constitute any other event?**

Discretion will need to be exercised by Managers under this heading. There can be no hard and fast rules as consideration of each individuals circumstances will need to be undertaken.

### **8.3 Leave**

You are allowed 'reasonable' time off. It is the manager's responsibility to determine what is 'reasonable' after carefully considering the circumstances. Therefore once you have returned to work a meeting will take place between yourself and your manager to discuss the absence and to complete the relevant documentation (Annex C).

There is no limit to the number of days or times you can take compassionate leave, however the amount of paid time off which is given will be determined by the manager after carefully considering the circumstances in consultation with HR.

## **8.4 Pay and terms and conditions**

Reasonable time off for compassionate leave will be paid in full, however if your Manager, believes that more time than necessary has been taken, they can ask you to take additional days as annual leave or unpaid leave.

Where your Manager is unable to grant paid time off for dependants leave they will write to you explaining their decision.

## **9. Parental Bereavement Leave**

### **9.1 Rights and qualification criteria**

We recognise that, while dealing with any bereavement is difficult, the death of a child is among the most devastating events that an employee can ever face.

The Parental Bereavement (Leave and Pay) Act 2018 provides two weeks' leave for employees following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy. The Council will offer any employee the right to parental bereavement leave at full pay irrespective of length of their service.

### **9.2 Leave**

Employees can take two weeks of parental bereavement leave. They can take the leave as:

- a single block of two weeks; or
- two separate blocks of one week at different times.

Employees cannot take the leave as individual days.

Employees can take the leave at the time(s) they choose within the 56 weeks after their bereavement.

### **9.3 Pay and terms and conditions**

If in the event that an employee has lost more than one child, they would have a separate entitlement to bereavement leave for each child who has passed away.

We recognise the need to provide bereaved parents with as much support as possible, and we will continue to pay employees their normal pay during your leave.

## **10. Jury Service/ Summons to attend Court as a Witness**

### **10.1 Rights and qualification criteria**



All employees summonsed to serve on a jury or attend court as a witness are entitled to take jury leave for the duration of the period they are required to serve. This must be reported to their manager and Payroll as soon as possible.

## **10.2 Leave**

The employee is entitled to be absent from work for the period they are required by the court under the summons. Where an employee reports on a daily basis and they are released or exempted they must return to work as soon as practicable or notify if unable.

Where the person on jury duty or required to attend court as a witness works shifts, evenings or weekends they will still be released from work without loss of pay.

## **10.3 Pay and terms and conditions**

The employee will receive full pay for the period they are absent.

## **11. Public Duties**

### **11.1 Rights and qualification criteria**

The Council is committed to enabling all employees to take up public duties in addition to their employment with the Council. Leave may be granted for the following duties:

- Justice of the Peace or member of other statutory tribunal
- Members of a local authority
- Members of the managing or governing body of an educational establishment
- Members of professional societies accepted by the Council as relevant to the work of the employee
- Members of examination boards or occasional lecturers on subjects appertaining to local government services
- Employees requested to give their services voluntarily to any organisations, committee, tribunal or panel subject to the approval of the Director

The granting of leave under this heading is subject to the proviso that such absence is approved by the Line Manager.

### **11.2 Leave**

Leave under the above headings should not normally exceed an aggregate of 20 days in a year.

### **11.3 Pay and terms and conditions**

The employee will receive full pay for the period they are absent. They are required to declare and claim the full amount of any loss of earnings allowance they are entitled to and this will be deducted from their full pay.

## **12. Reserved Forces**

## **12.1 Rights and qualification criteria**

Employees who are members of non-regular reserved forces who attend annual training camp are entitled to additional leave over and above their annual leave. Detailed applications to participate in the reserve training must be submitted to the Assistant Director as soon as reasonably practicable.

## **12.2 Leave**

Employees will be entitled to an extra 2 weeks leave for the purpose of the camp.

## **12.3 Pay and terms and conditions**

The extra leave will be on full pay. If any allowances are payable to the employee as part of attending training the employee must claim such, notify payroll and any monies recouped will be deducted from the employee's pay at a time to be agreed with the employee, but which must be within 3 months of any recoupment being paid to the employee.

## **13. Emergency Services Leave**

### **13.1 Rights and qualification criteria**

Employees who are members of the voluntary or retained emergency services such as Special Constables or Retained Firefighters are entitled to additional leave over and above their annual leave for any training necessary to serving on these services. Detailed applications to participate in the training must be submitted to the Assistant Director as soon as reasonably practicable.

### **13.2 Leave**

Employees will be entitled to up to 2 weeks extra leave for the purpose of training.

### **13.3 Pay and terms and conditions**

The extra leave will be on full pay and any allowances payable must be claimed and this will be deducted from their pay.

## **14. Job Interviews**

### **14.1 Rights and qualification criteria**

Employees may have reasonable time off to attend interviews with other Local Authorities. Such time off must be agreed with their Service Manager, and confirmation of the interview must be available for inspection by the Service Manager at the time the application for time off is made.

Employees who are at risk of redundancy will be entitled to time off for interviews in line with the Management of Change policy.

## 14.2 Leave

The employee will be credited with leave to attend the interview and any travel time.

## 14.3 Pay and terms and conditions

The leave will be on full pay.

## 15. Health Related Appointments

### 15.1 Rights and qualification criteria

Employees will be granted time off to attend medical appointments. Every effort should be made to arrange appointments out of working time but the Council realises this may not always be possible.

Where appointments do have to be within the working day then employees are asked to make the appointment at the least disruptive time possible such as the beginning or end of the day or around lunchtime.

The Manager must be informed at the earliest opportunity of the appointment, and the Manager may request to see evidence of the appointment.

Appointments for Cosmetic Surgery will not be covered under this.

### 15.2 Leave

Employees will be granted time off for the appointment and any reasonable travel time.

### 15.3 Pay and terms and conditions

The leave will be on full pay.

**Updated: April 2020**

#### For Trade unions

GMB  
Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

UNITE  
Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

UNISON  
Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**For the City of Lincoln Council**

Name \_\_\_\_\_ Position \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Annex A**

**Application for time off for dependants and compassionate leave**  
This form should be complete by the line manager on the return of the employee.

**PART A**

<b>Full Name</b>	<b>Job Title</b>
<b>Directorate</b>	

**PART B**

<b>Leave Requested from:</b>	<b>Leave Requested to:</b>
<b>Total Number of Working days off:</b>	

**PART C (to be completed in cases of time off for dependants)**

<b>Reason for Absence:</b>
<b>Is any support is needed?</b> (If so please discuss this with a HR Associate)

**PART D (to be completed in cases of a bereavement)**

<b>Relationship of deceased to employee</b>
<b>Date of Death</b>
<b>Date, time &amp; place of funeral</b>

**Special Considerations**

**Is any support is needed?**  
(If so please discuss this with a HR Associate)

**PART E** (for completion by Assistant Director )

Leave with pay  without pay  days approved

Signed Designation Date

On completion the employee should submit this form to your Assistant Director who, after signing, should forward it to the HR, City Hall.