



## Box Parish Council

### Highly Confidential

## **LEAVE OF ABSENCE POLICY**

### **1. POLICY**

Terms and Conditions of Service (including holiday entitlements) are shown in Box Parish Councils' staff contracts. They may be amended and/or supplemented from time to time.

### **2. INDIVIDUALS AFFECTED**

All employees of Box Parish Council

### **3. DEFINITION**

Employees are contractually entitled to the Annual and Public holidays provided for under their Conditions of Service. Employees are also contractually entitled to paid leave to sit approved examinations and to undertake jury service. All other leave is granted at the discretion of Council.

Entitlement to leave will accrue from day 1 of the worker's employment.

### **4. GOOD PRACTICE STANDARDS**

Good practice guidance is given below under the following headings:

Delegated Authority

General Rules

Public Holidays

Annual Leave

Sickness during Annual Leave

Annual Leave entitlement on Termination of Employment

Examination Leave

Maternity Support Leave

Maternity & Paternity and Adoption Leave  
Parental Leave & Time off for Dependants  
Compassionate Leave  
Additional Leave  
Leave Entitlements for Part-Time Employees  
Sick Leave

**5. DELEGATED AUTHORITY**

- a. Council delegates authority, in the first instance, to the line manager, and thereafter to the Chairman of the Council, Chairman of the Personnel Committee and the Chairman of the appropriate Committee to approve applications, in advance, for the taking of contractual leave.

**6. GENERAL RULES**

- a. All types and all periods of leave taken must be recorded in writing by the line manager.
- b. The Council reserves the right to refuse an application for leave or time off if it is necessary to maintain appropriate levels of service. Such a decision should be reasonable in all of the circumstances.

**7. PUBLIC HOLIDAYS**

- a. Unless the employee's contract specifies otherwise, he/she will be entitled to all public holidays including any additionally granted by government in any year. If an employee is required to work on a public holiday he/she will be entitled to a day off in lieu.

**8. ANNUAL LEAVE**

- a. The annual Leave year runs from 1 April to 31 March. Entitlement for part of a year's service is on a pro-rata basis for whole months worked.
- b. Up to 5 days annual leave may be carried forward into the next leave year.
- c. Where possible, annual leave taken by the parish clerk should not be taken on scheduled Full Council meeting dates.

**9. SICKNESS DURING ANNUAL LEAVE**

- a. An employee who becomes sick during a period of annual leave should obtain a medical certificate from the GP or hospital. Leave will be suspended from the date of the medical certificate and can be re-applied for when the employee returns to fitness.

**10. ANNUAL LEAVE ENTITLEMENT ON TERMINATION OF EMPLOYMENT**

- a. If an employee leaves the Council's employment during a leave year, where possible, he/she should use up any remaining leave entitlement prior to their termination date.
- b. If there are valid reasons why the employee cannot take leave due, he/she will be entitled to receive pay in lieu of the untaken leave.
- c. If the employee has taken leave beyond that earned by service in the year, a deduction for the excess leave taken will be made from the final salary payment.

**11. EXAMINATION LEAVE**

- a. Employees are entitled to leave with pay to sit approved examinations.

**12. MATERNITY SUPPORT LEAVE**

This will be applied in line with current legislation

**13. MATERNITY & PATERNITY AND ADOPTION LEAVE**

This will be applied in line with current legislation

**14. PARENTAL LEAVE AND TIME OFF FOR DEPENDANTS**

This will be applied in line with current legislation

**15. COMPASSIONATE LEAVE**

- a. Compassionate Leave, with or without pay, may be granted at the discretion of Council but will not normally exceed 5 days. Compassionate grounds may include serious illness or death of a close relative or attendance at a funeral

**16. ADDITIONAL LEAVE**

- a. Additional leave, with or without pay, may be granted in special circumstances at the discretion of Council.

## 17. LEAVE ENTITLEMENTS OF PART-TIME EMPLOYEES

- a. Part-time employees have the same entitlement as full-time employees, pro rata, to annual leave, public holidays and other contractual leave provisions. They are also entitled to the same consideration as full-time employees for discretionary leave and time off.
- b. Part-time employees cannot be expected to use their normal non-working or holiday time on Council business.
- c. The leave entitlement of part-time employees is calculated pro rata of the full-time hours for their respective employment group.
- d. When accounting part-time leave taken, a day's leave is only the number of hours that normally would have been worked on that day.

## 18. SICK LEAVE

- a. If the employee is absent from work through sickness, the employee must report this to the Parish Council Clerk as soon as possible.
- b. In respect of absence lasting seven or fewer calendar days, the employee need not produce a medical certificate unless specifically requested to do so but must notify the Clerk immediately after returning to work
- c. In respect of absence lasting more than seven calendar days, the employee must, on the eighth day of absence, or as soon as possible thereafter, provide a medical certificate stating the reason for absence and thereafter produce a like certificate to cover any subsequent period of absence. **The employee must also produce a doctor's note confirming that they are fit to recommence work prior to returning.**
- d. The Council reserves the right to require the employee at any stage of an absence to produce a medical certificate and/or undergo a medical examination. Any costs associated with the examination will be met by the Council.
- e. In the event of the employee's incapacity for work, full pay will be maintained for one week after one year's employment, two weeks after five years, three weeks after ten years, four weeks after fifteen years, **in a twelve-month period**, and thereafter at the Council's discretion, followed by statutory sick pay for a maximum of 28 weeks, provided that the employer's obligation is reduced by any sickness benefit that the employee shall receive.
- d. The Council retains the right to terminate the employment of the employee if they are, for an extended period of time, incapable of working

- e. Whilst on absence due to sickness or incapacity employees are not permitted to undertake any paid work for another employer or for any business established by the employee without express permission from the Council.

**19. LEGISLATION**

Current legislation relating to Employment Rights; Part-time Workers; Disability Discrimination; Employment Equality and Equal Pay will apply.

This policy will be reviewed in one year's time or earlier should government legislation change.