

Policy and Sustainability Committee

10am, Tuesday, 12 March 2024
Special Leave Policy

Executive/routine
Wards

1. Recommendations

1.1 To approve the new Special Leave Policy for all colleagues.

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Report

Special Leave Policy

2. Executive Summary

- 2.1 In 2024, legislation will be introduced which provides additional rights for carers.
- 2.2 In addition to this, a Council motion has requested that an Employee Volunteering Policy should be developed that would give colleagues one day paid leave per annum to volunteer which will be incorporated into our Special Leave Policy.
- 2.3 To ensure we are meeting good practice, our legislative requirements as well as enhancing our employee experience, we undertook a review of the Special Leave policy.
- 2.4 The Special Leave Policy replaces our existing policy which was last approved at Committee on 31 August 2022 following slight amendments.

3. Background

- 3.1 In May 2023, a new Act received Royal Assent and is to be introduced in 2024.
- 3.2 The Carer's Leave Act 2023 was approved and while further regulations from the government are still in draft; it will introduce one week's unpaid leave to provide or arrange care for a dependant with a long-term care need and this will be a day one right.
- 3.3 In November 2022, a motion was put forward to full Council regarding the creation of an Employee Volunteering Policy that would give colleagues paid leave to volunteer with local organisations and initiatives.
- 3.4 In response to these upcoming changes, it has been agreed to review the existing Special Leave Policy. While the Special Leave Policy was last updated in 2022 following a change to Parental Bereavement Leave, a full review of the policy was last undertaken in 2019. In addition to this, feedback from colleagues has suggested we could be clearer and call out certain types of leave which are common within the Council. We want to ensure the policies are inclusive, meet good practice as well as our legislative requirements and offer support and guidance to colleagues at each stage.

4. Main report

Carer's Leave Act

- 4.1 The Carer's Leave Act 2023 is to be introduced from April 2024. The Secretary of State recently laid before parliament a draft form of supporting regulations. The new entitlement will be a day right and will provide carers with one week's unpaid leave.
- 4.2 Carer's leave will apply to employees only, to allow them to provide or arrange care for a dependant with a long-term care need. A "long-term care need" is defined as an illness or injury (either physical or mental) that requires or is likely to require care for more than three months, a disability under the Equality Act 2010, or issues related to old age. Whilst the Carer's Leave Act set out that regulations could provide that "particular activities are, or are not, to be treated as providing or arranging care", the current draft regulations do not impose any such limitations. It therefore appears to be left open to employees to make an assessment as to whether they are providing or arranging care for a dependant (provided they are eligible to take the leave in the first place). However the draft regulations do confirm that the leave is per employee, not per dependent.
- 4.3 The Council's existing Special Leave arrangements provide for Leave for Dependents to allow colleagues to deal with unplanned situations involving dependents. For example, where they are providing short-term, emergency assistance to a dependant who is ill or injured and is unable to look after themselves and no healthcare professional or other adult is available to provide that care. They need to plan for the care of a dependant who is ill or injured; or the care arrangements in place for a dependant are unexpectedly disrupted or have ended. This does not necessarily provide for the same situations as the proposed Carer's Leave.
- 4.4 The Council's Leave for Dependents is enhanced, providing up to 6 days paid leave in any 12-month rolling period. On this basis, and to ensure parity it would be appropriate to align the Carer's Leave and provide 6 days paid leave.
- 4.5 The Council currently has 654 (3%) colleagues who have declared they have caring responsibilities.
- 4.6 Our intention is that this new entitlement will be incorporated in our Special Leave Policy and will provide clear definitions as to what a Carer is and who will be eligible for it. The expectation is that colleagues will have declared their caring status and confirmed this with their manager however there is no requirement, in the regulations, for an employee to evidence their entitlement to this leave.

Council Motion

- 4.7 At Full Council on 24 November, a motion was put forward:

"To request officers to develop a proposal for an Employee Volunteering Policy that would give staff paid leave to volunteer with local organisations and initiatives, and report back to Policy and Sustainability Committee by September 2023 including an

assessment of any operational and financial impact on the delivery of council services.”

- 4.8 Benchmarking was undertaken across other local authorities to understand their provisions, arrangements and where possible the uptake by colleagues. This can be found at appendix A.
- 4.9 It was confirmed that the expectation would be that one day of paid leave per annum should be afforded to all colleagues including teaching staff. On the basis of this one day entitlement, it was agreed that it would be incorporated into the Special Leave Policy rather than a standalone policy.
- 4.10 Following engagement with Corporate Leadership Team in October 2023, it was agreed that the leave should be aligned to the Council’s Business Plan and colleagues should be able to demonstrate their contribution to one of the objectives of making Edinburgh a good place to live and work, ending poverty or our sustainability commitments in becoming a net zero city. It was also proposed that a focus should be on team building and development in proposed activities although where not logistically feasible individual requests would be supported.

Special Leave Provisions

- 4.11 As part of our review of the Special Leave Policy, we have engaged with colleagues in HR who regularly respond to employee queries to understand frequently asked questions and consider where improvements and clarifications could be made to existing arrangements. We also engaged with employees directly for feedback.
- 4.12 There are certain types of leave requested currently which are not provided for explicitly within the Policy and therefore it is processed as simply Paid or Unpaid Leave at manager’s discretion. To ensure an inclusive policy, we propose calling out these leave types. It is not assumed this will be an additional cost to the Council, as managers are already applying discretion and approving the leave under a generic leave reason.

Fertility Treatment

- 4.13 At the same time we are also reviewing our Family Leave policies and we believe it is important to support our colleagues at all stages of their fertility journey. The current policy does not provide any specific provision for fertility treatments however when queried, HR encourage management to process this leave as a paid medical appointment. The proposal would be to have a standalone section within the Special Leave Policy on Fertility Treatment.
- 4.14 Benchmarking against other local authorities suggests that colleagues would be entitled to paid leave through one course of fertility treatment. For any subsequent courses annual leave should be used, or alternatively unpaid leave requested.
- 4.15 There are different forms of fertility treatment, and time off may vary. To provide an example, an average IVF cycle can take from 3 to 6 weeks; however, it is important to note that every person is unique so the length of the process may vary depending on the individual circumstances. The time off can be used to cover attendance at scans, consultations, hospital appointments or any fertility-related procedure.

4.16 While there is no statutory right to time off for fertility treatment, the Equality and Human Rights Commission Code of Practice recommends that employers treat requests for time off for fertility treatment “sympathetically” and recommends that employers establish procedures for allowing time off for fertility treatment. This will also be a way to support colleagues through, what can be, a difficult process.

Enhancement to Parental Bereavement Leave

4.17 Since April 2020, parents have had the right to take up to two weeks of paid leave following the death of a child. The legislation covers the death of a child under the age of 18 or where it is stillborn after 24 weeks of pregnancy.

4.18 In 2022, the Council enhanced this right to cover the death of any child, including those over 18 years of age. We would like to propose a further enhancement to this leave to also cover those who experience a miscarriage – pregnancy loss before 24 weeks.

4.19 We have no data to support the numbers impacted within the Council however according to NHS data, 1 in 4 pregnancies result in a miscarriage. As a supportive employer, it is expected that currently absences following a miscarriage have been processed by management as Paid Leave or paid Sickness Absence and therefore by enhancing the Parental Bereavement Leave definition, we should not be incurring any additional costs.

4.20 This change will provide those with dedicated time off to focus on recovery.

Kinship Caring

4.21 Kinship Carers are Grandparents, Great Grandparents, Uncles, Aunts, Siblings, other relatives and or family friends who step in to take care of a child who is unable to live with their parents under a formal arrangement. This can be on a permanent or short-term basis and often in challenging circumstances.

4.22 The process is very similar to fostering a child, and the Council have received queries in relation to this across the last year.

4.23 Our proposal is to include kinship caring into the Special Leave Policy and align it with the current Foster Care Leave provisions which include 1 day’s paid leave and up to 4 days’ unpaid leave in any 12-month period.

5. Next Steps

5.1 An implementation plan, including communications, will be put into effect to launch the policy for April 2024 in line with the new legislation. Communications will align with and further promote Our Behaviours, specifically that of Flexibility.

5.2 In addition to this, throughout consultation, EIS raised concerns about the impacts of the fixed school holiday patterns on colleagues requesting leave for religious

observances and as such work is ongoing between the Council and our schools to promote and encourage flexibility in accommodating such requests.

6. Financial impact

- 6.1 Finance has confirmed that provision of an additional paid day's leave on a permanent basis for all staff would have an associated annual cost of some £3m. These costs will primarily be restricted to cases where direct cover is required.
- 6.2 This paper looks to introduce additional paid days for:
- Volunteering Leave: figure outlined above.
 - Carer's Leave: 3% of the Council has declared that they have caring responsibilities. Therefore, if everyone took the full 6 days paid leave, this would cost circa £540k. However, it is worth noting that these individuals are potentially already being given this time off as dependents' leave.

7. Equality and Poverty Impact

- 7.1 In integrated impact assessment was carried out as part of the wider policy review project and to date, no negative implications have been identified and a more streamlined approach for colleagues was seen to positively impact groups.
- 7.2 We have also worked in partnership with Stonewall on the policy who have reviewed the policy to ensure it is inclusive.
- 7.3 As the policy deals with bereavement as well as other difficult life events, we have also ensured that it has been reviewed from a Trauma Informed perspective.

8. Climate and Nature Emergency Implications

- 8.1 Not applicable.

9. Risk, policy, compliance, governance and community impact

- 9.1 The Council will be expected to have in place provisions for Carers Leave by April 2024. The development of this new Policy meets our legal requirements and provides colleagues with their statutory right to leave.
- 9.2 The initial premise of the Volunteering Leave will be focussed on benefiting the local communities within Edinburgh. The purpose will be to increase resilience within the Council, add value and build relationships within the local community.
- 9.3 The development of this Policy meets our legal obligations in relation to formal consultation and the Trade Unions have been engaged on the new Policy and are content with the proposed changes. The Policy is a collective agreement.

10. Background reading/external references

- 10.1 [Minutes from Full Council on 24 November 2022](#)
- 10.2 [Carer's Leave Act 2023](#)

Appendices

Appendix One – Special Leave Policy

Special Leave

We (the Council) understand that the health and wellbeing of our colleagues is one of the most important investments we can make as a responsible caring employer, and we are committed to developing a working environment which supports a healthy work-life balance.

This policy sets out the Council's provisions for special leave, covering both the statutory entitlements and the additional forms of leave the Council offer to colleagues, when they need time off from work to deal with issues in their life outside work.

Author	Scope
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Employee Relations, Human Resources, Corporate Services Directorate	This policy applies to all Council employees.
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Purpose	Review
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This policy provides flexibility for colleagues to take periods of paid or unpaid special leave as required to support their work / life balance and meets specific commitments in line with employment legislation and good practice.

The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.

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Introduction

We recognise that colleagues often have competing priorities in their life, there may be occasions when you may require additional time off from the workplace and we aim to help in these situations, by providing additional flexible leave.

This leave can be broadly grouped as balancing work with your:

- Family life
- Wellbeing
- Other commitments outside of work.

This policy includes statutory entitlements, as well as Council enhancements on special leave and indicates where leave will be granted with or without pay. The policy applies to all colleagues regardless of age, disability status, sex, gender identity, sexual orientation, race/ethnicity, religion, and belief or working pattern.

Unless otherwise stated within the Policy, you are entitled to Special Leave regardless of length of service.

Where appropriate, colleagues will be asked to provide evidence to support any leave request.

This policy is underpinned by Our Behaviours of Respect, Integrity, and Flexibility and both managers and colleagues are expected to demonstrate these in applying for and approving any requests for leave.

It is recognised that not every situation will be covered by this Policy, and on occasion managers may be asked to apply discretion when approving paid or unpaid time off. Please note that separate policies and procedures are available for maternity leave, adoption leave, parental support leave, flexible working, sick absence, annual leave, and public holidays.

If a colleague has not followed the correct request and approval procedure, without good reason, the absence from work may be classed as unauthorised. Where appropriate, this may be dealt with under the disciplinary policy.

A colleague who believes that their request for leave under this policy has been unreasonably refused may raise this through the grievance policy.

Roles and Responsibilities

All colleagues should:

- Read and understand the policy and provisions outlined.
- Contact your line manager as soon as possible to request time off.
- Be flexible and prepared to change appointment times/dates where required to assist in meeting the demands of the service.
- Book the relevant leave on myHR when a request has been accepted. Where you do not have access to myHR, this should be completed by your line manager.
- Provide documentation to evidence the requirement for leave when it is appropriate (for example, producing a letter or hospital card to confirm the appointment). To maintain confidentiality this can be redacted appropriately.
- Ensure that the relevant documentation is completed to avoid a loss of earnings where this is appropriate (for example, completing a juror citation form and send this to askHR following your attendance at court when participating in Jury service).
- Maintain a reasonable level of contact with your line manager, during any period of longer-term special leave, to keep them up to date on the situation, but also to access any support that may be available, e.g., the Employee Assistance Programme.
- Contact askHR where you need further information.

Line managers should:

- Read and understand the policy and provisions outlined.
- Have regular wellbeing conversations with your team. As a result, requests for special leave should not come as a surprise and will allow for effective planning.
- Engage with colleagues who are looking to make requests for leave and discuss each individual case prior to accepting/rejecting the request on myPeople.
- Ensure that, whilst each request for leave will be considered on an individual basis, the policy is applied consistently throughout the Council.
- Take into consideration the needs of the service in any decision to approve leave while still ensuring we are supporting colleagues and meeting any legislative obligations for time off.
- Where leave cannot be granted make sure the colleague is aware of the reasons why and where possible offer other dates or flexibility options
- Ensure that leave is recorded where it is accepted for colleagues who do not have access to myHR, making sure that it is recorded under the correct leave reason
- Process any special leave by the payroll deadline so no overpayments are generated.
- Ensure that the detail of this leave is kept confidential unless the colleague has expressed otherwise.
- Contact askHR where you need further information.

Family Life

Leave for Dependants

You have a statutory right to take a reasonable amount of unpaid leave to deal with unplanned and emergency situations involving your [dependants](#). Please refer to the definitions guide at the end of this policy to ensure you meet the criteria.

In addition to this, the Council provides up to **6 days paid leave** in any 12-month rolling period (pro rata for part time) where you need to arrange care for dependants in the following circumstances:

- you need to plan for the care of a dependant who has fallen ill or is injured; or
- the care arrangements you have in place for a dependant are unexpectedly disrupted or have ended and you need to arrange alternatives.

This leave is per colleague, not per dependent.

If you need more time off or know in advance that you will need time off, you should discuss alternative arrangements with their line manager. These may include flexible working arrangements, a period of unpaid leave or an employment break.

Carers' Leave

Being a [carer](#) can place significant demands on time, energy and emotional resources and can cause disruptions to both family and work life. It is recognised that not all caring responsibilities are the same and that caring situations can change over time, often at very short notice and understand the importance of providing colleagues with time off.

This leave type is separate to the Leave for Dependants, it is important that everyone is aware of the distinctions between the two types of leave therefore please refer to the definitions guide at the end of this policy to ensure you meet the criteria.

If you are a carer, you are entitled to **6 days paid leave** in any 12-month rolling period (pro rata for part time) and up to **a week unpaid leave** to provide or arrange care for the dependent.

The leave could be taken flexibly in a block or in individual or half-days to suit your caring responsibilities. This leave is per colleague and not per dependent.

You will be required to self-certify your eligibility for carer's leave to your manager and on the HR system, but you do not need to provide evidence of how or for whom the leave is being used.

If you require time off to cope better with the sudden responsibilities of looking after a dependent, there may be other options to explore with your line manager. This may include a period of unpaid special leave, annual leave or, where appropriate, sick leave.

Unpaid Parental Leave

The purpose of this leave is to allow you time off to look after your child's welfare.

Unpaid Parental leave is a statutory entitlement that's available to all colleagues, enabling you to take a total of **18 weeks unpaid leave** for each child or adopted child, up to their 18th birthday, providing the following criteria are met:

- You're named on the child's birth or adoption certificate, **or** you currently have, or will have, parental responsibility for the care of a child and can evidence this;
- You have 1 year's continuous service with the Council; and

- The child is under the age of 18.

Up to four weeks leave can be taken per child in any single year. The 18 weeks is an entitlement that stretches over the whole period until the child reaches 18. Leave must be taken in whole weeks rather than individual days unless your child is disabled.

You must provide 21 days' notice of your intention to take this leave.

Note that the entitlement is per *child*, not per job. Therefore, if you have taken 10 weeks with a previous employer, you would be entitled to a further 8 with us and therefore must declare this as part of the leave request. Managers must satisfy themselves that the correct entitlement has been approved.

Planned Healthcare for Children under 5

[Parents](#) may be required to accompany children to clinics or to doctors' appointments for developmental check-ups and inoculations in the first 5 years of the child's life. In these circumstances, where you are the care provider for the child and no other alternative is available, the entitlement is as follows:

- (a) up to 5 working days' **paid** leave before your child's 5th birthday; and
- (b) up to 5 working days' **unpaid** leave before your child's 5th birthday.

Foster / Kinship Carer Leave

Foster Carers look after children full time on an interim basis. This is until they can return home to their birth family or can be supported to move on to long term care. If you are interested in fostering, you can find more information on the [Edinburgh Fostering website](#).

Kinship Carers are Grandparents, Great Grandparents, Uncles, Aunts, Siblings, other relatives and or family friends who step in to take care of a child who is unable to live with their parents under a formal arrangement. This can be on a permanent or short-term basis and often in challenging circumstances.

As a prospective carer, you are entitled to:

- Up to 5 working days' **paid leave** to cover the preparation and assessment process involved in registering as carers.

For active carers, you are entitled to:

- 1 working day's **paid leave** and up to 4 working days' **unpaid leave** in any 12-month period.

This time is to be used to attend urgent meetings about the placement of a child. Your line manager can agree to more unpaid leave to care for a placed child. If you and your partner are both employees of the Council, only one will be granted Kinship Carer Leave.

Where a formal arrangement is in place, you may also be eligible for other types of family-related Special Leave.

Compassionate Leave

In the event of a bereavement, your line manager can grant **up to 5 working days' paid leave**. Compassionate leave can be taken to cover funeral arrangements and / or attendance at a funeral but isn't limited to these examples.

Line Managers will consider all circumstances when granting leave, for example, the relationship and the arrangements required to be undertaken. While we need to apply the policy consistently throughout the Council, we also need to understand that each situation will be different.

We recognise that any bereavement can be a very stressful time for individuals. If you feel unable to return to work following a period of paid bereavement leave, you should discuss with your line managers what

other options are available. This may include a period of unpaid special leave, annual leave or, where appropriate, sick leave.

Parental Bereavement Leave

Parental bereavement leave is designed to give parents extra support following the loss of a child. This leave can be taken by the child's birth parent, adoptive parent, the partner of the child's parent or adoptive parent regardless of gender– anyone who would have had parental responsibility for the child.

You are entitled to **up to 2 weeks paid leave**.

This leave is also available to parents who experience pregnancy or baby loss.

You can take one- or two-weeks as parental bereavement leave. It is not available as individual days and can be taken as:

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

You can take this leave within 56 weeks of the date of the bereavement.

We recognise that any bereavement can be a very stressful time for individuals. If a colleague feels unable to return to work following a period of paid bereavement leave, they should discuss with their line managers what other options are available. This may include a period of unpaid special leave, annual leave or, where appropriate, sick leave.

Wellbeing

Leave for Medical Appointments

You should try and book medical appointments out with working hours. Where this is not possible, try to book appointments for near the start or end of the working day. Where this is not possible, we would encourage you to speak with your line manager and where appropriate, **paid** special leave will be granted for the duration of the appointment.

If you have been referred to hospital for examination/treatment you should, where feasible, try to arrange appointments out with normal working hours. If this is not possible, then **paid** special leave will be granted.

Where appropriate, you'll need to provide your line manager with documentation evidencing your appointment details before your leave can be approved. To maintain confidentiality this can be redacted appropriately.

Where you are required to attend for appointments on more than 4 occasions in a rolling 12-month period, speak to your line manager in advance to allow you both to plan for this leave or consider alternative arrangements such as flexible working.

Where you require emergency medical treatment, you will be entitled to paid special leave for the treatment, however recovery time or where the treatment results in illness should be recorded as sickness absence.

Medical Gender Reassignment

The Council is committed to equality of opportunity for all colleagues throughout recruitment and employment, including supporting trans colleagues who may have undergone, be in the process of, or about to undertake the process of transition.

You will be entitled to reasonable time off to support your medical gender reassignment.

Please refer to the [Transgender colleagues in the workplace](#) guidance for information relating to leave and other provisions available to support transitioning colleagues.

Fertility Treatments

The Council will support you with paid leave to attend appointments through one course of fertility treatment. For any subsequent courses annual leave should be used, or alternatively unpaid leave requested. While not an exhaustive list, paid time off can be used to cover attendance at scans, consultations, hospital appointments or any fertility-related procedure.

If the treatment results in illness, this should be recorded as sickness absence.

It is important to note that there are different types of fertility treatment, and every person is unique so the length of the process may vary depending on the individual circumstances. As an example, an average IVF cycle can take from 3 to 6 weeks and the number of appointments they are required to attend may vary over this period.

Where treatment is successful, please refer to the Family Policies for further entitlements and next steps.

Elective Surgery

You may decide to undertake some elective surgery, i.e., surgery that is not considered medically necessary. This includes, but is not limited to, cosmetic surgery and other medical procedures such as laser eye treatment and vasectomies. You will be entitled to unpaid time off for appointments, or annual leave may be used to cover the absence.

In cases where the outcome of the surgery is unexpected or you require additional time off, this should be recorded as sick absence, and normal rules under the Sick Absence Policy will apply.

Volunteering Leave

Volunteering is about giving your time and skills, for the benefit of others, the local community and most importantly your personal wellbeing.

You are entitled to **1 day's paid** leave in a 12-month rolling period.

The purpose of colleague volunteering is for the Council to increase resilience, add value and build relationships within the local community but there are also many benefits to colleagues such as learning new skills and gaining experience, trying something new, bringing colleagues together, improving team morale, physical health and work-life balance. By giving your time to help a charity or organisation, it also helps the people and communities of the City of Edinburgh become more self-reliant.

Volunteering activities should align to the Council's Business Plan and you should be able to demonstrate a contribution to one of these objectives. Also, any activities which cannot be shown to be of benefit to the local community, such as organisations who look to make profit, volunteering to support a friend or family member, will not qualify under this scheme.

You should not participate in any activities that could be in conflict with your Council role or one which may impact on your health and wellbeing.

If you wish to take part, speak to your line manager about the opportunity. Approval will be subject to the nature of the volunteering and the demands of the service area however managers are actively encouraged to support colleagues in giving back.

We would also want to encourage colleagues to collectively give back as a team, to enhance collaborative working, shared experiences and to develop a better understanding of the communities we support. Therefore, volunteering leave can be used to bring colleagues together, delivered as a Team, to make a positive impact on the local community.

You can find more information and guidance about volunteering on the Orb. Please note this leave entitlement is separate to Leave for Voluntary Occupations as outlined below.

Leave for Religious Observances

The Council has a diverse workforce and acknowledges that you may make requests for time off to accommodate a religious observance that is significant to your beliefs.

All efforts should be made to accommodate a request for annual leave for religious observance.

Line managers should discuss requests made by the colleague and they should ensure that all options to provide flexibility have been exhausted such as using accrued leave or TOIL, flexible/alternative working for the day, changes to shifts / rotas, etc. It is for local line management to decide how this flexibility will work within their respective service areas.

Domestic Abuse Leave

We provide paid Special Leave for any appointments with specialist agencies, for example, Women's Aid, solicitors etc. We recognise the importance of providing colleagues with dedicated safe time. This applies to anyone who is a victim or survivor of domestic abuse who will require, housing, or police etc. Please refer to our [Domestic Abuse Policy](#) for more information on leave and support available.

Other commitments

Jury Service

If you're called for jury service, you'll get **paid** leave to cover the time you're in court. You need to bring your court citation to work and then follow the advice [on the Orb](#).

Attending Court as a Witness

If you're called as a witness by the Council, then your time away from work will be treated as part of your normal duties i.e., you will receive full pay.

If you're called as a witness by anyone other than the Council in a criminal case, whether for the defence or the prosecution, then you'll be granted **paid** leave to attend court.

If you are called as a witness in a civil case, you will have to cover the time you need with either annual leave or unpaid leave.

Leave for Public Duties

You are entitled to up to **208 hours of paid** leave per year to carry out public duties.

Examples of positions we consider to be public duties are:

- a magistrate or justice of the peace;
- a member of a local authority other than the City of Edinburgh Council;
- a member of any statutory tribunal (e.g., Employment Tribunal, Children's Panel etc);

- a member of a health board;
- a member of an NHS trust;
- a member of a school or college council or body of a central institution or college of education; and
- a member of a school board.

Once you use this allowance up, you are entitled to reasonable unpaid leave to cover the time needed to perform those duties, subject to service requirements.

Electoral Duties

Leave for electoral duties will be subject to the demands of the service, and authorisation by the line manager. Paid leave will be granted to allow you to undertake official duties at elections or referenda of the City of Edinburgh Council.

Out with the City of Edinburgh Council, and subject to the requirements of the service, **unpaid leave for a period not exceeding up to 10 days** (or up to the equivalent of two working weeks) will be granted:

- at the time of the election, if you are undertaking the duties of an Election Agent for a Local Authority/Parliamentary/Scottish Parliamentary candidate
- if you are standing for election to another Local Authority/as a Parliamentary candidate/as a Scottish Parliamentary candidate/as a European candidate.

Leave for Reservists

Where you are required to attend compulsory training events, leave may be granted up to a maximum of **two weeks paid leave**, to cover the time you attend the event.

If you get a call-out notice for full-time service, you will normally be granted **unpaid** leave for the duration of the call-out. Please see our policy for Reserve Forces for more information.

See [Reserve Forces Guidance](#)

Leave for Voluntary Occupations

The Council acknowledges the positive contribution that colleagues can make towards other public and voluntary bodies and recognises that they may require time off work in order to perform duties. Any leave agreed for this purpose will be **unpaid**.

Examples of voluntary activities are:

- retained fire-fighter (e.g., payment received for callouts);
- special constable;
- a member of a consumer council (e.g., public utilities);
- a member of a community council;
- a member of a tenants' or residents' association;
- a member of a body recognised by the Council for the purposes of community consultation.

Leave to Take Part in Sporting Events

Where you have been selected to represent your nation or country, and compete at national or international level, you will be granted reasonable paid leave to include participation, coaching or officiating in competitive sporting events. Where you are being paid for your involvement, other than travel or subsistence expenses, unpaid leave shall be granted.

When making a request, you must provide written confirmation from the sporting body that you will be participating or officiating at the event.

Other Authorised Unpaid Leave

It is recognised that not every situation will be covered by this policy, and on occasion managers may be asked to apply discretion when approving leave. If your situation is not covered by this policy, it's really important that you speak to your line manager as soon as possible to discuss your situation and talk through the options that are available to you.

We also understand that you have other commitments outside of work and you may wish to take a period of unpaid leave but not take an employment break.

Unpaid leave is available to all colleagues, enabling you to take up to 3 months unpaid leave during a 12-month period

It can be taken for any reason and can be taken as a block of leave or several days or periods of leave adding up to three months.

Taking unpaid leave will not affect your leave entitlement, however it may affect your pension. During unpaid leave your contract of employment remains in place.

Speak to your line manager as soon as possible. Your line manager is under no obligation to automatically agree leave; however, they must give proper consideration to the request and give a justified reason, in writing, why this leave will not be accepted.

Definitions

Continuous Service

Means continuous service with the City of Edinburgh Council (or its predecessors) or any local authority or employer to which the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 (as amended) applies.

For colleagues covered by the SNCT arrangements, qualifying service comprises any week, regardless of the number of hours worked, in which an employee is employed by a Council. Continuity of qualifying service is deemed to be broken where a break exceeds two weeks. As outlined in sections 6.2 and 6.3 of the SNCT Agreement.

Dependant	Your spouse; partner regardless of gender; a child of yours who is under 18 and lives with you; a parent; an individual who lives with you as part of your family (excluding tenants, lodgers, flat-mates or boarders); an individual who depends on you for either: short-term assistance in the event of illness/injury or, to make arrangement for the provision of care in the event of illness/injury.
Family	<p>Families can take different forms, and there does not always have to be a biological relationship.</p> <p>This definition can also include chosen families, loved ones and close support networks who can be particularly significant to those who are estranged from their families. It is recognised that close friends may be covered by this definition, including former work colleagues of the City of Edinburgh Council (or its predecessors).</p> <p>Managers should give consideration to the nature of the relationship and the specific circumstances of each case.</p>
Carer	<p>Is someone caring for a spouse, civil partner, child, parent, someone living in the same household or a person who reasonably relies on the employee for care.</p> <p>The person being cared for must have a long-term care need. This means they must:</p> <ul style="list-style-type: none"> • have a long-term illness or injury (physical or mental) that requires or is likely to require care for three months or more; or • a disability as defined in the Equality Act 2010; or • require care related to old age.
Parent	Is a child's mother, father, guardian, foster carer or some other person with parental responsibility regardless of gender.
Foster Carer	Foster carers offer children and young people a safe home when they can't live with their birth

families. Where an individual is registered and a formal arrangement is in place, colleagues are eligible for Special Leave.

Kinship Carer

Kinship carers can be a relative or family friend who steps in to take care of a child who is unable to live with their parents. Where a formal arrangement is in place, colleagues are eligible for Special Leave.

Week

Is considered the length of time an employee normally works over 7 days. For example, if an employee works 3 days a week, one 'week' of leave equals 3 days. If an employee works irregular weeks, the number of days in a 'week' is the total number of days they work a year divided by 52.

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