



SOUTH LANARKSHIRE
Leisure & Culture

Scheme of Special Leave

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Introduction

Special Leave is available to all employees of South Lanarkshire Leisure and Culture for a wide range of reasons which may be with or without pay. The scheme is divided into two sections: Section 1 specifically covers matters to support work life balance and Section 2 covers leave for National, Public and Community Service and other special circumstances.

In all circumstances, we believe that the national conditions of service which apply to each group of employees have been incorporated or exceeded within the provision of this Scheme. In any instance where this is not the case, the terms of the national conditions will be applied.

When approving requests for special leave, consider the operational requirements of the Resource as well as any requests that have previously been granted, outstanding annual leave and requests governed by legislation.

Under the Maximising Attendance Policy, managers are encouraged to consider flexible methods of supporting employees, and should use this scheme as a means of encouraging attendance.

In cases of unpaid leave, managers have discretion to agree changes to working patterns to allow employees to make up the time by working additional hours. This is subject to operational needs and a record of the agreement should be kept for audit purposes.

Similar flexibility should be considered where paid leave applies, and managers should approve appropriate time off depending on what is necessary.

Applications for special leave must be submitted initially to line managers giving as much notice as possible. Appointment cards or other notification should be shown, where available.

Requests for special leave in the following cases must be passed to the Chief Executive or nominated Senior Manager:-

CLAUSE 5.2	Employees with less than 5 years service who request leave of absence to visit relatives overseas.
CLAUSE 17	Employees who apply for voluntary service overseas.
CLAUSE 11	Employees who wish time off to participate in an International sporting or cultural event.

Loss of Earnings Certificates will only be issued when employees have been granted unpaid leave of absence and as a result have had an appropriate deduction from their pay. They will not be issued for events which took place during a period of annual leave / rostered day off etc.

Section 1 - Balancing Work and Family Life

South Lanarkshire Leisure and Culture recognises that the effectiveness of the Company depends on the motivation and commitment of its workforce. Nowadays, one in 7 adults in Scotland are carers – including people who look after relatives who have a disability, illness or are frail - and over 70% of couples with children are both working. SLLC fully appreciates the difficulties that many employees have in balancing work requirements and family/caring commitments.

A family emergency can be anything from having to cope with a child being ill and not being able to attend nursery/school, to a close family member being involved in a serious accident or becoming ill and being admitted to hospital. Events such as those outlined above can be traumatic situations for anyone to deal with. SLLC therefore recognises that when its employees have to cope with any of these situations they will need the support of a caring and supportive employer.

If an employee has a family emergency and it does not appear that SLLC has a policy/procedure in place to assist in that particular case, advice can be obtained from the Human Resources section. Many of the policies/ procedures allow a degree of flexibility for special arrangements to be made in certain circumstances.

1. Family Emergencies

- 1.1 If employees are required to be absent from work to make alternative arrangements arising from family emergencies leave with pay for up to one day will normally be granted for each incident. Family emergencies may include incidents such as the sudden and unexpected illness of a relative, partner or child, disruption to the care of a dependant or an incident involving children at school/childcare.
- 1.2 In the case of the **emergency** hospitalisation of a child and an employee has been advised by medical staff to remain with their child whilst they are in hospital, leave with pay for up to 5 days will normally be granted. Additional time off may be agreed at the line manager discretion.
- 1.3 In the case of a critically ill or injured relative/partner, an employee may be granted up to 5 days leave with pay. Additional time off may be agreed at the line manager discretion.
- 1.4 Where the illness of a near relative or partner is of a serious nature and an employee wishes time off work to allow them to care for that person, an employee with one year's continuous service may be granted leave of absence without pay, subject to monthly review.

2. Victims of Domestic Abuse

- 2.1 Where an employee is required to be absent from work to make special domestic arrangements arising from being a victim of domestic abuse, leave with pay for up to 5 days will normally be granted for each incident.

3. Medical Treatment

- 3.1 Employees requiring optical, dental, orthopaedic or other medical treatment should make arrangements to obtain treatment outwith normal working hours. For employees on flexible working hours, appointments should be arranged using flexitime.

- 3.2 It is recognised that for employees who are not on flexible working
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hours it is not always possible to get appointments outwith normal working hours. In these circumstances if a line manager is satisfied that alternative arrangements are not possible, leave with pay may be granted. Employees should arrange appointments at times which will mean the time off required will be minimal, such as early morning, lunch-time or late afternoon.

- 3.3 Employees shall be entitled to reasonable time off with pay for the purpose of preventative medical examinations, fertility treatment and hospital and dental hospital appointments for themselves and to accompany their own children under the age of 18 and elderly/disabled relatives.
- 3.4 Employees who are pregnant and who, on the advice of a doctor, midwife or health visitor, attend a clinic or other place for ante-natal care will be granted reasonable time off with pay.

4. Bereavements

Guidance on [managing bereavement in the workplace](#) has been developed to assist managers with employees who are dealing with bereavement.

Leave with pay will be granted on the following basis:—

- 4.1 In the case of a near relative, such as husband, wife, or partner, son, daughter or parent of an employee, reasonable time off as necessary will be allowed.
- 4.2 Where employees are required to conduct business in connection with a bereavement, leave as necessary will be allowed, due regard being taken of the circumstances.
- 4.3 In other cases, the time necessary to attend the funeral service subject to a maximum of not normally more than one day with pay. The manager and the employee should liaise to agree the time off required to attend the service which will include an element for travelling time. In exceptional circumstances where the employee has a significant distance to travel, the line manager has the discretion to allow an additional day with pay.

In normal circumstances it is expected that the employee will attend work before and after the service but this will depend on the actual time of the service. Where the service is held at a time outwith an employee's normal working hours it is expected that the employee will report for work as usual or as otherwise agreed.

- 4.4 In dealing with cases covered by items 4.1 and 4.2 the line manager should be sympathetic to the situation faced by the employee. No minimum or maximum period of leave is specified since managers should liaise and agree with the employee 'reasonable time off as necessary' having considered the circumstances.
- 4.5 If an employee is experiencing difficulty in coming to terms with a bereavement, the Human resources section can arrange appropriate counselling.

5. Parental Bereavement Leave

5.1 The Parental Bereavement (Leave and Pay) Act 2018 introduces a right to two weeks' leave for employees following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy.

- Parental bereavement leave may be taken by a bereaved parent who had responsibility as one of the primary carers for a child who is now deceased. This includes adoptive parents, legal guardians, individuals who are fostering to adopt, grandparents who have had caring responsibilities for a child, or instances where someone other than the biological parents is the primary carer.
- As a result of the death of more than one child, the employee is entitled to leave in respect of each child.
- The Act gives employees taking parental bereavement leave similar rights to those enjoyed by women taking maternity leave i.e:-
 - Protection from any detriment as a result of having taken paternity leave;
 - The benefit of the terms and condition of employment except pay;
 - The right to return to the same job, or, if that is not reasonably practicable, a suitable and appropriate alternative job.

5.2 Bereaved parents who have 26 weeks continuous service, at the week immediately before the one in which the child dies, will be entitled to 2 weeks leave with pay, as detailed below:

- 1 week at full normal pay
- A 2nd week's leave under the Statutory Parental Bereavement Pay (SPBP) provisions. Employees whose average earnings are above the lower earnings limit for national insurance contributions will be paid SPBP (SPBP) for the second week's leave. SPBP is paid at the standard rate of Statutory Paternity Pay (SPP).

Employees will be due payment in respect of each child who has died.

5.3 Employees who do not meet the criteria above will be entitled to unpaid leave.

Notification Requirements

Intention to Take Parental Bereavement Leave

5.4 Statutory Parental Bereavement Leave must be taken within a period of 56 weeks, beginning with the date of the child's death. Leave can either be taken in one block or in two separate blocks of one week.

5.6 Notice requirements will be flexible and will distinguish between leave taken very soon and leave taken at a later period. Parents will not need to provide a death certificate as evidence.

6. Parental Leave

6.1 Employees with at least one year of continuous service are entitled to up to 18 weeks of unpaid parental leave per child under 18, including adopted children, with the entitlement applying to each parent individually.

6.2 Parental leave may be taken in a single block or as an allowance at any time

up to the child's 18th birthday. The minimum amount of parental leave that can be taken at any one time will be one complete week. If a period less than one week unpaid leave is required it will count as a full week for the purposes of calculating the total parental leave allowance.

- 6.3 If the child is disabled, leave may be taken up to the child's 18th birthday and may be taken in single days or multiples of one day.
- 6.4 Employees may apply for parental leave in addition to Maternity/Adoption Leave or Paternity/ Maternity Support Leave.
- 6.5 Unless in an emergency situation, an employee must give as much notice as possible but at least 21 days.
- 6.6 Every effort will be made to grant parental leave for the dates requested, however, consideration must be given to operational requirements and other leave requests such as annual leave, maternity/adoption leave and paternity/maternity support leave. Line managers may postpone parental leave for up to 6 months for operational reasons, except when parental leave is to be taken immediately after the birth or adoption of a child.

Leave To Be Set Against Annual Leave

The following requests for leave should normally be set against annual leave entitlement.

7. Visiting Relatives Overseas

- 7.1 South Lanarkshire Leisure and Culture employees visiting relatives overseas must use their annual leave entitlement. Where an extension of leave is necessary, employees who have completed 5 years' continuous service at the date of the proposed leave may be granted reasonable leave without pay.
- 7.2 In exceptional circumstances employees with less than 5 years' continuous service may be granted leave without pay. Requests should be submitted to line managers who, if supporting the application, should forward it to the Human Resources section for approval.

8. Weddings

- 8.1 For South Lanarkshire Leisure and Culture employees, leave for weddings, including an employee's own marriage, must be set against annual leave entitlement.

9. Moving Home

- 9.1 For South Lanarkshire Leisure and Culture employees, leave required in connection with moving home will normally be set against the employee's annual leave entitlement, except in cases covered by the Resettlement Allowances Scheme.
- 9.2 An employee whose full annual leave entitlement has been exhausted may be granted leave without pay for one day.

Section 2 - Special Circumstances

National, Public and Community Service

South Lanarkshire Leisure and Culture is committed to providing support to employees who have chosen to support their country or community in any way, and to accommodating those employees who are called on to carry out public duties. Accordingly the following leave arrangements will apply:-

10. Reserve Forces

- 10.1 An employee who is a member of reserve forces and attends an annual training camp for a period of one week or more will be granted up to 15 days special leave with pay. This will be subject to the deduction of service pay and allowances received in respect of the period of special leave.

11. Jury and Witness Service

- 11.1 An employee who receives a summons to serve on a jury must advise their line manager and will be granted special leave with pay to attend unless exemption is secured. This pay is subject to the deduction of Jurors' Allowances which the employee must claim.
- 11.2 Where an employee is cited to attend as a witness leave of absence will be granted as follows:—
- in the case of professional witnesses, leave with pay will be granted, on the understanding the employee advises their line manager of witness fees received to allow the equivalent deduction from pay.
 - Employees called as a witness by persons other than the SLLC, will be granted leave without pay. The employee may claim an allowance in respect of loss of earnings from the person citing him/her.
 - Where an employee has been called as a witness by SLLC, the employee will be considered to be on authorised Company business.
- 11.3 Employees who are required to attend an Employment Tribunal, either as a witness or an appellant in cases involving South Lanarkshire Leisure and Culture may be given reasonable leave of absence with pay.
- 11.4 After advising their line manager, employees who receive a citation should present the document to the Human Resource section to have their current daily/ hourly rate of pay entered in the loss of earnings section and certified as correct by an official stamp.
- 11.5 After attending Court, the Court staff will calculate the loss of earnings and other expenses to be paid and will record these on the citation. The employee should ask the court staff for a copy of the receipted claim and record their employee number on the citation. This copy claim should be submitted to the Human Resources section so that the amount received for loss of earnings can be deducted from the next available salary/payment.
- 11.6 Any other expenses received (i.e. travelling and subsistence payments) should be retained by the individual.

12. Public Duties

- 12.1 Leave without pay, as necessary, will be granted for employees to attend meetings

as members of Community Councils, Health Councils, DSS Appeals Tribunals, College Board of Management, Board of Visitors for Prisons and Young Offender Institutions, or to undertake duties as Justices of the Peace, or business arising there from.

- 12.2 Leave with pay, as necessary will be granted to all employees to attend meetings as members of School Boards and up to 5 days leave with pay to undertake duties associated with membership of the Children's Panel.

13. International Sporting/Cultural Events

- 13.1 An employee representing their country at an amateur international sporting event or an important international cultural event may be granted reasonable leave with pay depending on the nature and duration of the event as follows:-
- 13.2 Where individuals are representing their country at an international event then a period of up to 10 days paid leave in any annual leave year may be granted.
- 13.3 In the case of special events e.g. Commonwealth Games, Olympic Games, World and European Championships employees may be entitled up to a further 10 days paid leave, which may mean that in a year where employees have a combination of championships at a significant level they could receive up to a maximum of 4 weeks paid leave within an annual leave year.
- 13.4 Requests may also relate to duties such as being a national coach and umpiring/ refereeing at sporting events.

All requests should be submitted to the Human Resources section.

Leave In Support Of The Community Plan “Stronger Together”

South Lanarkshire Leisure and Culture, in line with the philosophy of South Lanarkshire Council Community Plan “Stronger Together” will work to realise the full potential within its communities and overcome disadvantage. One way will be to support leave for employees: the following area is one example:-

14. Youth Organisation Holiday Camps Etc.

Leave of absence without pay may be granted to South Lanarkshire Leisure and Culture Employees who are required to organise or assist at Youth Organisation Holiday Camps, etc., provided the exigencies of the Service can be met.

Leave And Support Of The Democratic Process

South Lanarkshire Leisure and Culture fully supports and encourages employee involvement in the democratic process in the following ways:-

15. Election Duties

Subject to the operational requirements being met, leave with pay will be granted to allow appropriate employees to undertake official duties such as Presiding Officer and Polling Clerk at Elections for the Scottish, Westminster or European Parliaments or Local Elections within South Lanarkshire Council.

16. Election Candidates & Agents

- 16.1 Leave of absence without pay for a period not exceeding 4 weeks at the time of the election will be granted to employees, who are candidates or election agents for the

Scottish, Westminster or European Parliaments or Local Elections within South Lanarkshire Council. This facility would not apply to those employees holding posts which are "politically restricted"

17. Councillor Duties

- 17.1 Employees who require to undertake duties in connection with being a Councillor with another Local Authority will be allowed reasonable time off.

Employees will be required to resign from their posts should they be elected as a Councillor with South Lanarkshire Council.

- 17.2 Under Section 10 of the Local Government and Housing Act 1989 the amount of leave with pay is limited to 208 hours in any financial year. Thereafter any further leave will be without pay. This limit does not apply to employees who are appointed as Chair of a Local Authority, for example, the Convenor or Provost.

Voluntary And Humanitarian Services

Employees who participate in improving the quality of life for others will be supported in their action in the following areas:-

18. Community Emergency Services

- 18.1 All employees who participate in community emergency services, e.g. retained fire-fighters, lifeboat crew, will be granted leave of absence with pay to attend emergencies which occur during working hours.

19. Voluntary Service Overseas

- 19.1 Employees applying to the Voluntary Service Overseas Organisation, will be granted leave of absence without pay for a period of up to 2 years, provided they have at least 1 years' continuous service with South Lanarkshire Leisure and Council. Following completion of the period of leave, the employee will be reinstated on the salary grade and placing held immediately prior to the period of leave, but not necessarily to the same post. During the period of absence, the post held by the employee may be filled. If specialised training is required to be undertaken, a further 3 months leave without pay may be granted in addition to the two years.
- 19.2 Any requests received should be forwarded to the Human Resources section for approval.

20. Special Purposes

- 20.1 Leave with pay will be granted to allow an employee to undertake duties or services of an honorary, charitable, philanthropic and civic character. Normally this leave will not exceed one day in any one year.

Interviews

21. Interviews

- 21.1 An employee seeking employment with another Local Authority who is required to attend an interview will be granted leave with pay for up to one day, for each interview. If more than one day is required, e.g. for travel purposes, the employee will be required to set the additional days against

annual leave or be granted leave of absence without pay.

ordination of, or similar service for, a near relative. Any additional days, if granted, will normally be without pay.

Summary of Special Leave

A summary of Special Leave provision is shown below. For further information please refer to the appropriate section, as detailed on the index at the front of this document.

Circumstances	Leave
Bereavement <i>Clause 4</i>	In the case of a near relative, reasonable time off as necessary, with pay. In other cases, time to attend the funeral service, up to one day with pay
Community Emergency Services <i>Clause 18</i>	All employees who participate in community emergency services will be granted leave with pay to attend emergencies which occur during working hours.
Councillor Duties <i>Clause 17</i>	Employees undertaking duties as Councillor with another local Authority will be allowed reasonable time off. Paid leave is limited to 208 hours in any financial year.
Election Candidates and Agents <i>Clause 16</i>	Employees who are candidates or election agents for the Scottish, Westminster or European Parliaments or Local Elections are granted leave of absence without pay for up to 4 weeks at the time of the election.
Election Duties <i>Clause 15</i>	Leave with pay will be granted to employees undertaking official duties such as Presiding Officer and Polling Clerk at Elections, subject to the exigencies of the Service being met.
Family Emergencies <i>Clause 1</i>	Up to one day with pay to make alternative arrangements. Up to 5 days with pay for hospitalisation of child or critically ill partner/relative.
International Sporting/Cultural Events <i>Clause 13</i>	Employees representing their country at an international sporting or cultural event may be granted up to 10 days paid leave in any annual leave year. For special events e.g. Olympic games, employees may be entitled to a further 10 days paid leave.
Interviews <i>Clause 21</i>	Employees may be granted leave for interviews with other Local Authorities, with pay, for up to one day for each interview.
Jury and Witness Service <i>Clause 11</i>	Leave with pay as necessary, subject to the deduction of the allowances which the employee must claim.
Medical Treatment <i>Clause 3</i>	Appointments should be made outwith work hours or using flexitime. If this is not possible allow reasonable time off with pay for the employee to attend an appointment or accompany a child or elderly/disabled relative. Pregnant employees will be granted time off with pay to attend clinics or ante-natal care.
Moving Home	Leave required for moving home should be set against

<i>Clause 9</i>	annual leave entitlement. An employee whose annual leave is exhausted may be granted one day without pay. Teachers may be granted one day with pay.
Parental Leave <i>Clause 6</i>	Up to 13 weeks leave without pay for parents of children up to 18 years of age (18 weeks and up to age 18 for disabled children). Can be taken as a single block or in periods of a full week or more.
Public Duties <i>Clause 12</i>	Leave without pay as necessary for employees attending meetings as members of Community councils, Heath Councils, work as Justices of the Peace etc.
Reserve Forces <i>Clause 10</i>	Up to 15 days with pay, subject to the deduction of service pay received for the period of leave.
Special Purposes <i>Clause 20</i>	Leave with pay will be granted, up to one day per year, to allow an employee to undertake duties of an honorary, charitable and civic character.
Victims of Domestic Abuse <i>Clause 2</i>	Up to five days with pay for each incident
Visiting Relatives Overseas <i>Clause 7</i>	Employees should use annual leave entitlement. Leave may be extended by unpaid leave without pay.
Voluntary Service Overseas <i>Clause 19</i>	Leave of absence without pay for a period of up to 2 years will be granted (23 months for promoted teachers) for employees applying for voluntary service overseas.
Youth Organisation Holiday Camps etc. <i>Clause 14</i>	Leave of absence without pay may be granted to employees organising or assisting at Youth Holiday Camps etc. where exigencies of the Service can be met.
Weddings <i>Clause 8</i>	Leave for weddings must be set against annual leave entitlement. Teachers may be granted up to two days, one of which may be with pay.