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**NORTH LANARKSHIRE COUNCIL
REPORT**

To: POLICY AND RESOURCES (HUMAN RESOURCES) SUB-COMMITTEE		Subject: REVIEW OF SPECIAL LEAVE POLICY
From: HEAD OF HUMAN RESOURCES		
Date: 1 FEB 2016	Ref: IW/HL	

1. Purpose of the Report

- 1.1 The purpose of this report is to provide the Sub-Committee with information on feedback received during a recent consultation exercise on the Special Leave Policy, and present the updated policy for approval. The Special Leave Policy is attached at Appendix One and all changes are shown in bold and italic. Comments received during the consultation process are attached at Appendix Two.

2. Background

- 2.1 The Special Leave policy recognises the need for the Council to support employees in managing the balance between their working and personal commitments. At times, employees may require special leave to undertake obligations or attend events outside of working life. The use of annual leave or flexi leave may not always be appropriate for these obligations or events.
- 2.2 In early 2015/16, an officer led review of the use of special leave across the Council during 2014-15 was undertaken and presented to the CMT. On reflecting on the information provided, the CMT recommended that the policy was reviewed to ensure the categories and levels of special leave available were still appropriate. It was specifically noted by the CMT that employees should be encouraged to use the existing flexibility of coreless flexi (where available) and flexible working arrangements rather than relying on the authorisation of special leave.

3. The Policy Review

- 3.1 Led by the HR Network, a policy review group was established comprising representatives of the three larger Services. Corporate HR represented the interests of the three smaller Services. Throughout development of the new policy, group members were encouraged to seek the views of managers and HR colleagues within their Services.
- 3.2 From the outset, it was recognised within the review group that the current Special Leave policy was considered to be no longer fit for purpose. Since the introduction of the policy in 2008, the working environment of the Council has become more flexible with the introduction of coreless flexi (for applicable employees) and the extension of the right to request flexible working to all employees with 26 weeks or more continuous service.

4. Key Changes to the Policy

4.1 The main changes proposed to the Special Leave Policy are as follows:

Bereavement Leave

- Clearer guidance has been provided on the number of days of bereavement leave which will be available to employees in different circumstances.
- The definition of “close relationships” for the purposes of bereavement leave has been expanded to include grandparents and grandchildren.
- In line with treatment of national conditions, it has been clarified that all bereavement leave will be granted on a pro-rata basis or as the equivalent of a normal working week.
- A limit of three occasions in a rolling 12 month period has been applied to those employees attending the funeral of a friend or colleague.

Support for Dependants

- Previous categories of special leave available have been combined into one section which will provide employees the opportunity to request special leave to support dependants on up to three occasions in a rolling 12 month period.

Carers' Leave

- It has been clarified within the policy that an employee who wishes to support dependants recovering from short term illness/recovery from surgery may be granted a temporary change in working hours to assist in the provision of care. Alternatively, annual or flexi leave may be taken.
- The focus of what Carers Leave will be granted for has changed to apply to support required for those with terminal or serious illnesses. Special consideration will be given where the person who requires support has a disability. An employee wishing to offer support for someone who does not have a serious or terminal illness may be offered a temporary change in working hours.
- Proposed changes clarify the medical evidence which will be required to accompany applications for Carers Leave.
- Information for managers on the approval process and contact arrangements has been included.

Maternity Support Leave

- Following confirmation from COSLA on the application of this national condition, it has been clarified that all maternity support leave will be granted on a pro-rata basis or as the equivalent of a normal working week.

Leave for Non-Emergency Medical Appointments

- It has been clarified that it is expected that that appointments will be made outwith working hours. If this is not possible, appointments must be made at the beginning or end of the working day. This represents a change from the current policy which would allow employees to request special leave to attend routine appointments during the working day.

Holidays or Festivals of Religious or Ethnic Groups

- Currently employees are able to request paid leave of up to two days to celebrate religious festivals (over and above annual leave entitlement). A review of other local authorities demonstrates that this approach is unique in that other Councils offer unpaid leave only for this purpose. It is therefore proposed that only those on fixed annual leave (e.g. term-time) will be given the opportunity to request paid leave for this purpose. All other employees can seek to use up to two of their annual leave days or request unpaid leave if this is so wished.

Interviews

- The existing special leave policy offers the opportunity for employees to seek paid leave to attend interviews at any Scottish local authority. Following discussion within the review group, it is proposed that paid leave is offered only for interviews for posts within North Lanarkshire Council.

General

- Throughout the policy, a clearer definition has been made on the equivalent of an employee's "normal working week". This takes cognisance of employees who, for example, may work two days in one week and five days in another. The revised policy makes clear that any special leave granted will be to a maximum of contractual hours due to be worked in the week in which leave is requested.

5. Consultation

- 5.1 The draft policy was sent to the Joint Trade Unions (JTU) and the Employee Equality Forum (EEF) for comment. While the JTU did not offer any feedback, the EEF submitted a number of comments as shown in Appendix two alongside a response from the Council.
- 5.2 As a result of comments made by the EEF, the draft policy has been amended to reinforce the Council's commitment to disabled employees and our responsibilities under the Equality Act 2010 to make reasonable adjustments, where appropriate.
- 5.3 An equality impact assessment has been completed up to stage two and will be finalised, subject to committee approval of the policy.

6. Recommendations

- 6.1 It is recommended that the Sub-Committee:
- (i) Approves the proposed changes to the Special Leave Policy.
 - (ii) Otherwise notes the contents of this report.

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Head of Human Resources

For further information on the content of this report please contact Heather Liddle, Chief HR Officer (Policy and Training) on 01698 302248.

