

## Section Four - Hours and leave

<b>Paragraph</b>	<b>Subject</b>	<b>Page</b>
4.1	<a href="#">Working hours</a>	2
4.2	<a href="#">Job sharing</a>	2
4.3	<a href="#">Short day working</a>	2
4.4	<a href="#">Term-time working</a>	2
4.5	<a href="#">Career break scheme</a>	2
4.6	<a href="#">Annual leave entitlement</a>	3
4.7	<a href="#">Leave year</a>	4
4.8	<a href="#">Carry-over of annual leave</a>	4
4.9	<a href="#">Bank and extra-statutory holidays</a>	4
4.10	<a href="#">Outstanding leave</a>	5
4.11	<a href="#">Temporary staff - annual leave</a>	6
4.12	<a href="#">Religious/belief leave</a>	6
4.13	<a href="#">Maternity, adoption, paternity, parental and shared parental leave occupational pay</a>	6
4.14	<a href="#">Fathers-to-be/partners/nominated carers and ante-natal care</a>	7
4.15	<a href="#">Fostering training leave</a>	7
4.16	<a href="#">Disability leave</a>	7
4.17	<a href="#">Unpaid leave</a>	8
4.18	<a href="#">Witness/jury service</a>	8
4.19	<a href="#">Time-off and facilities for representatives of trade unions</a>	8
4.20	<a href="#">Professional bodies (attendance)</a>	9
4.21	<a href="#">Public bodies (service on)</a>	10
4.22	<a href="#">Leave for volunteer members of non-regular forces</a>	11
4.23	<a href="#">Special constables</a>	11
4.24	<a href="#">Special leave for sporting competitions</a>	11
4.25	<a href="#">Aggregation of special leave</a>	11
4.26	<a href="#">Time off for attending interviews</a>	12
4.27	<a href="#">Employees' credit union</a>	12
4.28	<a href="#">Time off for giving blood and plasma</a>	12
4.29	<a href="#">Inclement weather allowance</a>	12
4.30	<a href="#">Time off for attending employment tribunals</a>	13
4.31	<a href="#">Time off for duties associated with city or national elections</a>	13
4.32	<a href="#">Time off for work in the community</a>	14
4.33	<a href="#">Flexible working requests</a>	14
4.34	<a href="#">Time off to train</a>	14
4.35	<a href="#">Buying additional annual leave</a>	14

## **4.1 Working hours (former APT&C conditions)**

Standard Working Week - this will be 37 hours though it may vary from standard over a pre-determined reference period (as per flexi time arrangements). For school based staff working term time only, salaries are determined by calculating annual hours to ensure that equal pay for equivalent hours is achieved.

A scheme of flexible working hours applies to employees except where shift working, the direct supervision of employees who need to work set hours, or other features of the post make its application impractical. The main principles of the scheme are set out at [Appendix M](#).

## **4.2 Job sharing**

Details of the council's Job Sharing Scheme are given at [Appendix D](#).

## **4.3 Short day working**

Employees wishing to work a shorter day, e.g. between 10.00 a.m. and 2.30 p.m., should approach their manager who will respond on the basis of the needs of the service. This arrangement may also be combined with job-share, part-time working and home-working, subject again to the needs of the service.

## **4.4 Term-time working**

Term-time working allows employees to remain on permanent contracts as either full or part-time employees but gives them the ability to take unpaid leave during school holidays. The main conditions of the scheme are given at [Appendix P1](#).

## **4.5 Career break scheme**

The scheme is designed to assist employees who leave work for domestic reasons, e.g. to care for a child or an elderly relative, to seek

re- employment once circumstances permit a return to work. Full details are given at [Appendix Q](#).

## 4.6 Annual leave entitlement

Full-time employees on Local Government Services conditions of service are entitled to the following annual leave:

Continuous Service*	Days	Hours (one day is 7.4 hrs)
Under 5 years	25	185
5 years and over	30	222

\*With organisations named on the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999.

These entitlements include three extra-statutory days which have been incorporated into annual leave.

Leave entitlement is pro-rata for employees who do not work full-time all year round, i.e. 37 hours a week for 52 weeks of the year.

The protection arrangement for staff in post on 31st March 1981 who were receiving, or had a future entitlement to, more than the above are as follows:

Spinal Column Point at 31 <sup>st</sup> March 1981	Annual leave entitlement (including 3 extra-statutory days)
scp 28 - 39	30*
scp 40 or above	31*

Former Leicestershire County Council employees who transferred on STO conditions on 1 April 1997, who received more annual leave, will also have any leave above Leicester City Council entitlement protected.

## **Proportionate annual leave**

When commencing or leaving the council's employment part way through a leave year an employee shall be entitled to a proportionate amount of leave according to the leave year that remains/elapsed up to the date of commencement/leaving. There is an exception to this for ill health retirement/dismissal (see section 4.10).

## **4.7 Leave year**

Except where local agreements provide for different arrangements the leave year will commence on 1st January and end on 31<sup>st</sup> December.

## **4.8 Carry-over of annual leave**

Up to five days' annual leave (pro-rata for part-time and job share employees) may be carried over from one year to the next. Applications for carry-over in excess of five days must be notified in advance to the Head of Service who may approve the carry-over of more than five days up to a maximum of 10 days (pro-rata) in special cases.

The only exception to the 10 day maximum carry-over rule would be where an employee requires the additional leave to take extended leave abroad. No more than 15 days (pro-rata) carry over may be granted in any circumstances.

## **4.9 Bank and extra-statutory holidays**

In addition to eight bank holidays (and any additional bank holidays which may be announced from time to time) one extra-statutory holiday is granted each year during the Christmas period. The dates of these for the next three years are as follows:

- **Friday 27<sup>th</sup> December 2024**
- **Friday 2<sup>nd</sup> January 2026 (this cover the 2025/26 Christmas and New Year period)**
- **Friday 24<sup>th</sup> December 2026**

- **Friday 24<sup>th</sup> December 2027**

Time off on the extra-statutory day is subject to the needs of the service. If an employee is required to work on this day payment will be in accordance with paragraph 3.7.

Where Christmas Day, Boxing Day or New Year's Day falls on a Saturday or a Sunday, the following Monday will be treated as the bank holiday except for those workers who are required to work on these days.

Part-time employees have a pro-rata entitlement to bank and extra-statutory holidays.

#### **4.10 Outstanding leave**

There is no entitlement to payment for annual leave not taken except where an employee is leaving the council and the manager authorises that the employee is unable to take outstanding leave because of service requirements.

##### **Ill health retirement/dismissal**

Where an employee does not return to work for ill-health reasons the employee shall be allowed payment in lieu of:

- (i) holiday outstanding from the previous leave year which the employee had been unable to take due to sickness absence, up to a maximum of 10 days; and
- (ii) where an employee has been on continuous sickness absence since the beginning of the current leave year, he/she will be entitled to the proportionate untaken contractual holiday up to the last day of paid sickness absence, calculated in accordance with the sick pay scheme (section 10 of the Green Book). There is no entitlement to payment in lieu of holiday beyond the paid period of sickness absence.

- (iii) in addition to (i) and (ii), where an employee has commenced sickness absence part way through the current leave year, he/she will be entitled to the proportionate amount of untaken statutory leave (in accordance with the Working Time Regulations) for any unpaid period of sickness absence, up to the last day of employment.
- (iv) where the council has extended the period of paid sickness absence to which an employee is entitled, no proportionate untaken contractual holiday will be due in respect of the extended period.

#### **4.11 Temporary staff - annual leave**

See Section 15.

#### **4.12 Religious/belief leave**

Each year an employee from a religious minority group may select a day, or two half-days, during the course of the year, at the time of their religious festivals which will be recognised by the council as extra-statutory leave. They will do so by using the extra-statutory day otherwise taken at Christmas which will be replaced by annual leave out of the employee's allowance. Such employees will then be expected to take their selected day or half-days off, but should they be required to work the appropriate enhanced rates and time off in lieu will apply. An employee who has selected a day (or half days) off but subsequently declines to take them at the time will automatically revert to the general leave arrangements. Employees are requested to inform their supervisor two months in advance of the relevant festival.

#### **4.13 Maternity, adoption, paternity, parental and shared parental leave occupational pay**

Where the employee has one year's continuous service at the 11th week before the EWC, or date of being notified of the placement of the child,

and has stated their intention to return to work for a period of at least three months after their leave, they will be eligible to receive:

50% of their average weekly earnings for 12 weeks, plus lower rate Statutory Maternity Pay/Statutory Adoption Pay/Shared Parental Pay – provided the total does not exceed their normal weekly pay.

Detailed information regarding maternity, adoption, paternity, parental and shared parental leave and pay can be found in the [relevant guidance](#).

#### **4.14 Fathers-to-be/partners/nominated carers and ante-natal care**

In addition to the statutory right to unpaid leave on two occasions, an employee who is the father-to-be, partner or nominated carer, may be granted further unpaid leave to accompany the expectant mother to an ante-natal appointment.

Annual leave, flexi leave, or TOIL may also be used for this purpose at management discretion.

#### **4.15 Fostering training leave**

Foster carers may take up to three days paid time off per year to undertake fostering training. This also applies to those who are undertaking foster carer training as part of preparation to become foster carers.

Individuals should request and agree the actual dates with their manager. This provision for paid time off cannot be used for any other purpose. Individuals must also inform their manager immediately if they cease to be foster carers.

#### **4.16 Disability leave**

Employees unable to attend work because of a reason connected with their disability, but unrelated to sickness, may apply to their manager for disability leave.

Wherever possible arrangements will be made for the employee to work from home as an alternative to disability leave.

#### **4.17 Unpaid leave**

Directors may grant at their discretion unpaid leave of any duration to employees where no cost occurs for the council i.e. the employee elects not to make pension contributions beyond the statutory minimum and there are no recruitment costs for a replacement.

Where some or all of these costs occur, Directors may grant at their discretion a period of unpaid leave of up to one year. Unpaid leave, where such costs occur, for a period exceeding one year, must have the approval of the appropriate Committee.

No deductions of pay will be made for weekends and bank holidays which fall within a period of absence of two weeks or less. Annual Leave will not accrue during periods of unpaid leave greater than one week except for the statutory maternity pay period.

#### **4.18 Witness/jury service**

An employee who is required to attend court as a jury member or witness shall claim the allowance for loss of earnings from the court. The city council shall then deduct from the employee's pay the amount equal to the allowance received.

#### **4.19 Time-off and facilities for representative of trade unions**



The council supports the principle of trade union recognition and accredits the unions who are parties to the relevant national agreements, as follows:

- (a) Unison
- (b) GMB
- (c) Unite

Time off and facilities are granted to the accredited representatives of trade unions in order to assist them in representing the interest of the members. The nature and extent of allowances is determined by the numbers of employees in a particular union.

The allowances for the individual unions are set out as follows:

GMB – Appendix N2

Unite – Appendix N3

Unison – Appendix N4

The council supports the half time appointment of a Secretary to the Joint Trade Union Side in order to facilitate good working relationships. The specific duties of the role are:

Trade union side secretary to Authority Wide Consultative Committee (AWCC) and Employees Consultative Forum (ECF),  
Organisation of Joint Working Parties,  
Position of contact for management,  
Distribution of information and views between the trade union side and management.

See also the [Lifelong Learning Agreement](#) regarding time off for union learning representatives.

Check-Off

The Council has made arrangements with the trade unions concerned that it will deduct trade union subscriptions from pay where authorised by the employee. An administrative charge is made to the individual trade union for this service.

## **4.20 Professional bodies (attendance)**

### Office Holders

Subject to the requirements of the city council, employees serving on a committee or council of a professional body may be granted paid leave to attend meetings.

### Generally

Directors will have discretion to grant paid leave where it is considered that some benefit would accrue to the council from the attendance of employees at open meetings of professional or similar bodies.

## **4.21 Public bodies (service on)**

Subject to the requirements of the city council, an employee will be granted special leave with pay as necessary in order to undertake duties consequent upon his or her membership of, or attendance at:

- (a) a Local Authority Council;
- (b) meetings concerned with national or provincial council affairs;
- (c) certain committees when specifically nominated;
- (d) a regional or area health authority;
- (e) the managing or governing body of an educational establishment maintained by a local authority (subject to constraints on the number of bodies concerned);
- (f) tribunals or similar bodies;
- (g) or as a Justice of the Peace;
- (h) or Youth Offending Panels.

The leave granted will, in approved circumstances, be up to 10 days per year\*, or 208 hours per year\* when serving as a Justice of the Peace, subject to the needs of the service.

\*Equivalent pro-rata for part-time employees and job-sharers. Also see 4.25 below. Where the employee attends in council time and receives a fee, this shall be paid over to the council.

#### **4.22 Leave for volunteer members of non-regular forces**

Employees serving in the reserve forces will be entitled to up to two weeks leave\* (average earnings) less any payments received from the Army (excluding out of pocket expenses) to attend their annual training camp. Any further requests considered will be for unpaid leave.

\*Equivalent pro-rata for part-time employees and job-sharers. Also see 4.25 below.

#### **4.23 Special constables**

Directors may grant up to 7 days per year\* (equal to one half of the minimum requirement) paid leave of absence, at times to be agreed, to undertake special constabulary duties. The total number of days that may be granted to any individual employee will be dependent on the needs of the service.

\*Equivalent pro-rata for part-time employees and job-sharers. Also see 4.25 below. Where the employee attends in council time and receives a fee, this shall be paid over to the council.

#### **4.24 Special leave for sporting competitions**

Directors may grant a total of up to 5 days per year\* paid leave of absence, at times to be agreed, to employees who are selected to represent the city, county or country in sporting competition, on an amateur basis, where such competitions take place on days on which the employees would normally be working.

\*Equivalent pro-rata for part-time employees and job-sharers. Also see 4.25 below.

#### **4.25 Aggregation of special leave**

No more than 10 days, or 208 hours for Justices of the Peace, paid leave per year in total (pro-rata for part-time employees and job-sharers) may be granted to an employee for all requests under sections 4.20 to 4.24 above.

#### **4.26 Time off for attending interviews**

Employees will be allowed time off with pay only if they are attending for interviews within the Local Government Service. The Civil Service, Nationalised Industries, New Towns and Development Corporations, Statutory Boards and the National Health Service are classified as outside the Local Government Service and employees attending for interview with these bodies will not normally be entitled to time off with pay.

The above condition does not apply to staff in a redundancy situation who may apply for reasonable time off for job hunting with any employer.

#### **4.27 Employees' credit union**

There will be no automatic release for duties which are dealt with on an ad hoc basis.

Where the Credit Union approaches the Director for release the request should be considered favourably provided this is possible within the service concerned.

#### **4.28 Time off for giving blood and plasma**

Employees wishing to donate blood or plasma will be allowed to do so in work time. Prior permission for absence should be obtained in the usual way as for medical visits.

## **4.29 Inclement weather allowance**

In extreme weather conditions the council may announce that inclement weather allowances may be paid to employees who report for work but are unable to work their full contractual hours.

In these circumstances' managers will have discretion to credit employees with up to two hours (i.e. up to one hour at both the start and finish of the working day) providing their total hours for the day, including time credited, does not exceed their normal working hours. Managers will take into consideration both employees' individual circumstances and the needs of the service.

Employees who do not report for work because of the effects of the weather will not be paid unless they book annual leave. Employees may also make up the lost time, subject to agreement with their managers.

It is recognised that some employees, because of the nature of their disability, may face difficulties in getting to work in times of adverse weather conditions. Additional time off may be granted to disabled employees who face particular difficulties on inclement weather days - see para 4.16 disability leave.

The above scheme does not apply to trading units where different provisions may be in place.

Employees who are sent home because of office/depot/school closure will be granted leave with pay.

## **4.30 Time off for attending employment tribunals**

Employees taking a case to an employment tribunal, once internal procedures have been exhausted (i.e. after it has been through the appeals process and a decision has been made) will be allowed paid time off to attend the tribunal, as will representatives and witnesses.

Paid time off will not be allowed where an employee takes a case to an employment tribunal without first exhausting the internal procedure.

#### **4.31 Time off for duties associated with city or national elections**

Subject to the needs of the service one day's paid leave will be granted, to support such elections, to staff who are appointed to work at them with the prior agreement of their manager.

#### **4.32 Time off for work in the community**

Subject to the needs of the service employees may be granted one day paid leave per year to undertake voluntary work within the community. Requests for leave should be made as far in advance as possible.

#### **4.33 Flexible working requests**

All employees who have worked for the council for at least 26 weeks have a right to request flexible working. Further details can be found in [Appendix P](#).

#### **4.34 Time off to train**

Employees have a statutory right to request time off for training provided they have at least 26 weeks service and have not made a request for time off for training within the last 12 months.

#### **4.35 Buying additional annual leave**

The council recognises that some employees may wish to take more than their standard amount of annual leave and so this policy allows employees to 'purchase' additional annual leave, subject to certain conditions. Further details can be found in the [Policy on Buying Additional Annual Leave](#).