

Appendix S3 - Time off for Dependants Policy - effective from 1 March 2013

1. Purpose

1.1 The Employment Relations Act 1999 gives employees the right to take a reasonable amount of time off work to deal with emergency situations involving their dependants in the following circumstances:

- To provide assistance when a dependant falls ill, is injured or assaulted or gives birth;
- To make arrangements for the provision of care for an ill or injured dependant;
- Because of the unexpected disruption or termination of care arrangements of a dependant or the breakdown of those arrangements;
- To deal with an incident that involves their child, where it occurs unexpectedly while the child is at school/other educational establishment, e.g. sickness.

1.2 The Council's approach will be to allow employees to request up to three days of paid time off in any rolling 12 month period to deal with the emergency situations outlined. Individual employees will also have the right to request additional elements of unpaid leave should it be needed.

1.3 This right is intended to allow the employee to deal with an immediate, unexpected problem and to put other necessary care arrangements in place. It is not intended to provide extended time off for on-going care, recurring matters or for planned time off work.

1.4 Time off in the event of the death of a dependant, and for other unplanned major life events not covered by section 1.1 above, are covered by the Compassionate Leave Policy.

2 Conditions of Granting Time Off for Dependants

2.1 All requests will be managed sensitively and fairly, giving consideration to the circumstances of the individual employee.

2.2 The employee's manager will consider each request in line with this policy and may support the request in part or in full. Managers may refuse requests which are unreasonable or outside the scope of the policy, or alternatively may require employees to use annual leave or flexi-

leave. In situations involving pets, vehicles, domestic appliances or friends, employees will be required to use flexi or annual leave.

2.3 In some circumstances it may be more appropriate to deal with the employee's request under a different policy, such as Compassionate Leave or Parental Leave, and the line manager will discuss this with the employee.

3. Scope of the Policy

3.1 The policy applies to all employees of Leicester City Council, including those employees working in schools for which the Council is their employer. Governing bodies may make appropriate amendments where governance/management and practical application so require.

3.2 In relation to Chief Officers, where there is a conflict between this policy and the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities, the latter shall prevail.

3.3 All employees, irrespective of length of service, are entitled to request a reasonable amount of emergency time off work in order to deal with an emergency situation involving their dependant.

3.4 An emergency situation is normally one that is unexpected and requires immediate attention.

3.5 Emergency situations which do not involve care for dependants are not covered by this policy (e.g. those involving pets, vehicles, domestic appliances, friends not within the definition in section 4.1 below).

3.6 There are links between this policy and a range of other time off/leave schemes/policies, such as Parental Leave and Adoption Leave. Employees should familiarize themselves with these schemes and apply for time off under the most appropriate. Your HR Team can provide advice on this if needed.

4. Principles

4.1 A dependant, for the purposes of this policy, is defined as a partner (whether same or opposite sex), a child, a parent, or a person who lives with the employee but who is not a tenant, lodger, boarder or an employee. In cases of illness or injury, or where a woman gives

birth, a dependant may also be someone who reasonably relies on the employee for assistance. A dependent may also be considered as someone who may reasonably rely on an employee to make arrangements for the provision of care, for example transportation to medical appointments. This may be where the employee is the primary carer or the only person who can help in an emergency.

4.2 Employees who are responsible for the care of a disabled dependant (e.g., the parent of a disabled child) will be protected and, therefore, this policy is without prejudice to any statutory rights in force from time to time.

4.3 Managers may grant up to three days of paid leave under this policy in any rolling 12 month period (pro-rata for part-time and job-share employees). All further time off granted under this policy will be unpaid.

4.4 The purpose of the time off is to deal with the immediate emergency and make alternative arrangements for the care of the dependant. The amount of time off granted under this policy will depend upon the particular circumstances of each case. However, it is likely that each period of emergency time off would normally last no more than one to two days.

4.5 A reasonable amount of emergency time off for the purposes of this policy is defined as a maximum of three days paid leave in total in any rolling 12 month period (pro-rata for part-time and job-share employees). However, it is accepted that time off needs to be considered in the context of what is reasonable for the circumstances. Employees may choose as an alternative to take paid annual leave or flexi-leave (where applicable) and may choose to use annual leave or apply for parental leave (where appropriate) to secure any additional time off required in excess of the time granted as emergency time off for dependants.

4.6 Any part-day of leave taken under this policy will be recorded as the actual time taken off from work. Unpaid time off for part of a day will be deducted from salary proportionate to the hours taken.

4.7 Where there is a recurring or longer term caring need the manager and employee should look at flexible working arrangements rather than time off under this policy.

4.8 The application and authorisation of requests will be treated individually and sensitively.

5. Procedure

5.1 Where an employee requires emergency time off under this policy they should seek the approval of their line manager, as soon as is reasonably practicable, explaining the reason for requesting emergency time off and indicating when they expect to be back at work. If an employee fails to notify their manager as outlined above, they may be subject to disciplinary proceedings.

5.2 Where annual leave is to be used to cover full or part absences, the employee should retrospectively request this on My View for authorisation by their manager.

5.3 Where paid or unpaid leave is granted, the manager should complete the 'emergency time off for dependants' form, stating whether the time is to be paid or unpaid, and submit this to HR Benefits & Payroll for recording and processing.

6. Managers' Responsibilities

6.1 Managers must be sensitive, consistent and fair when dealing with requests under the Time Off for Dependants Policy.

6.2 Managers must not support more than three days of paid emergency time off for dependents per employee in any rolling 12-month period (pro-rata for part-time and job-share employees).

6.3 It is the manager's responsibility to check that the information supplied by the employee is accurate, and within the scope of this policy, before authorising the time off.

7. Unpaid Emergency Time Off for Dependants

7.1 Unpaid emergency time off for dependants will normally be deducted from the employee's next pay period unless an alternative arrangement has been agreed with their manager (e.g. working time back). The employee will be asked to sign their consent to the salary adjustment to pay for it.

Document Control

Implementation Date	Author	Summary of Changes
15 th April 2013		Section 3 updated.
31 st May 2022		Section 6.2 updated.