



Human Resources

LEAVE AND SPECIAL LEAVE POLICY AND PROCEDURE



September 2022

Surrey Heath Borough Council
Knoll Road, Camberley GU15 3HD
human.resources@surreyheath.gov.uk



1. Introduction

Surrey Heath Borough Council is committed to ensuring that employees are able to achieve a balance between the demands of work and their domestic, personal, public duties and circumstances in order to maintain work performance.

2. Scope

This procedure applies to all employees at the Council. This policy and procedure should be read in conjunction with the following policies and all other relevant policies will apply:

- Overtime Policy
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- [Flexible Working Policy and Procedure](#)
- [Flexi-time Policy and Procedure](#)

3. Policy Statement

The purpose of this policy and procedure is to provide guidance when dealing with requests for leave and special leave. Information on hours worked and overtime working can be found in the Terms and Conditions.



4. Equality Assessment Policy

The Council's Equality Scheme demonstrates its commitment to equality internally and externally and ensures that all sections of the community are given an opportunity to contribute to the wellbeing of the community. An equality impact assessment has been carried out on this Policy and Procedure.

The Council ensures that consultation is representative of the community and that consideration is given on how to consult hard to reach groups and will positively learn from responses.

5. Principle and Aims

The purpose of this policy and procedure is to provide for the entitlement for annual leave and domestic emergencies as well as planned special leave such as public duties.

6. Leave Provision

6.1 Holidays

The basic annual paid leave entitlement is as follows:



Grade	Leave Entitlement (Days)	Leave Entitlement (Hours)
SH 33	26	192.4
SH 32,31,10,9,8 and 7	25	185
SH4,5 and 6	24	177.6
SH1,2 and 3	23	170.2

One day of leave entitlement is based on the full time equivalent of 7 hours 24 minutes (7.4 hours).

6.2 ~~Bank holidays and company holidays are included in~~ In addition to the basic annual paid the annual leave entitlement set out above, employees will receive an entitlement for bank holidays and company holidays. The total leave entitlement inclusive of bank holidays and company holidays will be displayed on iTrent for example a full time employee who has 24 days (177.6 hours) annual leave and there is a standard 8 day bank holiday year (59.2 hours) and 2 company days (14.8 hours) at Christmas will have an overall entitlement showing of 250 hours.

6.3 For employees who work part time hours or have a flexible working arrangement, hours deducted for each holiday booked will reflect the hours they work on the day booked. ~~HR will continue to monitor how iTrent calculates leave entitlement but if any~~ If employees have any questions on how their leave entitlement is calculated they are to approach the HR Team.



Bank holiday entitlement will reflect the number of hours that would have normally been worked on that day.

Example part-time holiday calculation

An employee works 18.5 hours per week; 6.5 hours on Mondays and 6 hours on Tuesdays and Wednesdays. 18.5 hours / 37 hours of a standard working week = 0.5FTE.

With a holiday entitlement of 23 days, this would equate to 23 days x 0.5FTE = 11.5 days or 85.1 hours.

For every bank holiday or company holiday, the employees will all be credited 7.4 hours -x 0.5 = 3.7 hours.

It then depends on whether the bank holiday falls on a working or non-working day:

- If a bank holiday or company day fall on the employee's **working day**, they will have 6.5 hours deducted if it is a Monday or 6 hours deducted if it is a Tuesday or Wednesday.
- If a bank holiday or company holiday fall on the employee's **non-working** day they will be credited 3.7 hours for that day, but no hours will be deducted from the total.

If a bank holiday or company holiday fall on the employee's non-working day they will be credited 3.7 hours for that day, but no hours will be deducted from the total.

- 6.4 The leave year runs from 1 April to 31 March. Actual periods of leave must be authorised in advance by the Strategic Director/Head of Service or the appropriate line manager. Leave will be granted on a first come, first served basis, taking into account the requirements of the service and the need to



maintain continuous cover. [All leave must be requested and authorised through iTrent.](#)

- 6.5 In addition and subject to similar approval, an employee may carry forward up to a maximum of 5 days (37 hours) (pro-rata for part time staff) annual leave entitlement from one leave year to the next. [Any leave in excess of the maximum annual leave entitlement will be lost with exception of 6.51.](#) Carried forward leave must be used within three months of the start of the new leave year [and if not taken then this will be removed by iTrent.](#)

[Example for part-time employees](#)

[An employee working 30 hours per week will be able to carry forward a maximum of 30 hours into the next leave year \(1 working week\).](#)

[6.51](#) Employees can opt to bank leave each year, up to a cumulative maximum of 20 days (148 hours) (pro-rata for part time staff) to facilitate, for example, an extended trip abroad, additional programmed study leave, or sabbatical purposes. [This must be pre-arranged with the line manager and have approval from the appropriate Strategic Director/Head of Service. The approval of this must be sent to Human Resources and kept on the staff members file for record detailing the exceptional circumstances of the request and the period the leave will be taken. This will then be updated accordingly on iTrent by HR.](#)

[Example for part-time employees](#)

[An employee working 30 hours per week will be able to carry forward a maximum of 30 hours into the next leave year \(1 working week\).](#)

[An employee working 25 hours per week can bank up to a cumulative maximum of 100 hours \(4 working weeks\).](#)



6.6 ~~In addition to the basic annual paid leave entitlement and the statutory public holidays, the Council also grants an additional day's holiday which is customarily attached to the Christmas holiday.~~

6.7 Newly appointed employees will be entitled to annual leave proportionate to the completed months of service during the leave year of entry as indicated below, rounded to the nearest half day and thereafter on the normal scale.

Month of Entry	Completed months of service by the end of March, "Year A"	Leave entitlement during leave year ending 31 March in "Year B"
Year "A" March	More than 12	Full
April	11	11/12ths
May	10	10/12ths
June	9	9/12ths



July	8	8/12ths
August	7	7/12ths
September	6	6/12ths
October	5	5/12ths
November	4	4/12ths
December	3	3/12ths
Year "B" January	2	2/12ths
February	1	1/12ths
March	0	Nil

- 6.8 Following five years continuous local authority or other associated service, employees will become eligible for an additional 5 days (37 hours) annual leave. The additional 5 days will be credited on a pro-rata basis for that leave year to 31 March. This will be calculated as follows:

Month of Entry	Completed months of service by the end of March	Additional leave entitlement in days
April	11	4.5
May	10	4.0
June	9	4.0
July	8	3.5
August	7	3.0



September	6	2.5
October	5	2.0
November	4	1.5
December	3	1.0
January	2	1.0
February	1	0.5
March	0	0

The full additional entitlement of 5 days will apply for the following leave year.

- 6.9 ~~Where an employee leaves the employment of this Council and continues in local authority or associated service, they may be entitled to transfer their total annual leave entitlement. Where an employee is leaving the employment of this Council and is unable to transfer their annual leave entitlement they will be required to repay any leave taken beyond their proportional entitlement and this will be deducted at source from their final salary payment.~~ Where an employee intends to leave the employment of this Council and will be unable to take ~~or transfer~~ their proportional leave entitlement, due to work commitments, then they may receive payment for the untaken leave up to their proportional entitlement. **It is otherwise expected that any accrued, untaken leave up to the last date of employment will be taken during the notice period.**

7. ~~Flexible Working Hours Scheme~~ Flexi Time

7.1 ~~Flexible Working Hours~~ Flexi Time



~~Flexible Working Hours (FLEXITIME)~~ Flexi Time is a method by which employees are able to have a measure of personal control over when they work their prescribed hours. The Scheme is based on the following principles:

- That there shall be no increase in staffing levels as a result of ~~the Flexible Working Hours Scheme.~~ Flexi Time.
- That there shall be no reduction in the level of services provided.

7.2 This scheme applies to all part time and full time salaried employees of the Council with the following exceptions:

- CMT Members
- ~~Officers working fixed hours~~
- Employees, whose pattern of working hours would, in the view of their Strategic Director/Heads of Service, make Flexible Working Hours impracticable.

Please refer to the [Flexi Time Policy](#) for further information.

7.3 Time off in Lieu and Overtime

7.3.1 Flexible Working Hours Flexi Time should minimise the need for time off in lieu and overtime working, as urgent matters or peak loads will normally be dealt with by the adjustment of hours within the flexible arrangements.



7.3.2 However, subject to the prior authority of the appropriate Strategic Director/Head of Service, any necessary overtime hours worked outside bandwidth (8am – 6pm) will can either be taken as time off in lieu or paid for in accordance with Council policies as adopted from time to time. Alternatively, itor will be treated as additional carry-forward credit on a one hour for one hour basis. Where employees such as Committee Administrators regularly work outside bandwidth and such hours are treated as additional carry-forward credit, their Strategic Director/Head of Service may agree to such credits being used to facilitate time off over and above the normal flexi-leave limits.

7.3.3 Time of in Lieu will be equivalent to extra time worked, for example, if a Democratic Officer worked 3 hours in an evening at a committee meeting, they will be given 3 hours time off at an agreed time with their line manager.

7.3.4 Time off in Lieu can be accrued using the same guidelines as Flexi-Time using the same 4 weeks periods and accruing up to 2 days during each 4 week period. This must be with prior approval of the Line Manager.

7.4 Recording of Absence

____ Absence for a full day will be recorded as 7 hours 24 minutes and for a half day as 3 hours 42 minutes for staff contracted to a 37 hour working week. -In addition to statutory leave, annual leave and sickness absence, this arrangement will also be used to cover other periods of absence specifically authorised by the appropriate Strategic Director/Head of Service.



7.5 Termination of Service

____ During the period of notice an employee may continue to work flexible hours but subject only to the contractual hours being worked, plus or minus any carried-forward balances, being taken into account. Any accrued flexible hours must be taken prior to the last day of employment, no payment will be made for any flexi hours not taken.

7.6 Abuse of the policy

7.6.1 The success of the ~~Flexi hours~~[Flexible Working Hours](#) Scheme depends upon the close co-operation of all concerned and an attitude of responsibility being displayed by everyone.

7.6.2 Any abuse of the Scheme will be considered under the Disciplinary Procedure.

7.7 Interpretation

____ Whilst it is hoped that generally any problems that arise over the operation of the Scheme will be resolved at Strategic Director/Head of Service Level, the **Head of HR, Performance and Communications** should be consulted if a matter affects or could affect more than one Service, for example, a major transport disruption affecting a number of employees. Strategic Directors/Heads of Service will retain authority to exercise their discretion in relation to individual difficulties. If any employee believes that



they are not being fairly treated under the Scheme, they may, if they so wish, invoke the Grievance procedure.

____ For those employees who are not contracted to a 37 hour week, but who are entitled to work flexible hours, further guidance and advice is available from Human Resources.

8. Special Leave

8.1 Compassionate Leave

Additional leave may be granted in special circumstances. In the event of the death of a member of the employee's immediate family, the employee may contact their line manager to request compassionate leave. ~~Requests for compassionate leave will also be considered in the case of serious illness of immediate family members.~~

Compassionate leave may be granted as detailed below:

Reason for absence	Maximum entitlement
Death of a member of immediate family <u>or equivalent</u> – for example partner, parent, child, brother, sister. Each request for absence will be reviewed with their manager in line with the	Up to 5 days with pay. Additional leave may be granted in certain circumstances after consultation with the Line manager and Head of HR Performance, and Communications – .



employee's personal circumstances.	
Funeral of a member of immediate family – for example partner, parent, child, brother, sister.	1 day with pay for a funeral. 1 day of unpaid leave to attend a friend's funeral
Serious illness of member of immediate family if supported by medical certificate including partner, parent, child, brother, sister	Up to 2 days with pay. Additional leave may be granted in certain circumstances after consultation with the Head of HR, Performance and Communications.
Funeral of close friend or Surrey Heath Borough Council Colleague	1 day of unpaid leave or book annual leave

8.1.1 Parental Bereavement Leave

In the event of the death of a child, if they die under the age of 18 or are stillborn after 24 weeks of pregnancy, all employees have the right to up to two weeks of Parental Bereavement Leave, regardless of their length of service.

Parental Bereavement Leave can be taken in a single block of two weeks or two separate blocks of one week, within 56 weeks of the death of a child.



Employees with at least 26 weeks' continuous employment are eligible for two weeks of Parental Bereavement Pay. For further information, please contact Human Resources,

8.2 Leave for Examinations

Subject to Section 5 of the Post Entry Training Scheme, leave of absence of a day without loss of salary is to be granted to employees for the purpose of sitting for examinations, or dissertations/coursework if there is not an exam, where such study has previously been approved. No further paid leave will be provided after a second attempt at sitting the exam. In addition, leave of absence of a day without loss of salary is to be granted to employees for the purpose of preparing for each examination. If you require further clarification please contact HR.

8.3 Military service in Non-Regular Forces

Please refer to the Council's Reservist Policy [on the council's intranet, Warbler here](#).

8.4 Jury Service and Attendance at Court

An employee receiving a summons to serve on a jury must provide a copy of the court summons to their line manager or Strategic Director/Head of Service when requesting time off to attend. The line manager or Strategic Director/Head of Service shall grant leave of absence unless exemption is



secured. An employee serving as a juror must claim the allowance for loss of earnings to which they are entitled under the Jurors' Allowance Regulations currently in force. The employee will then be required to pay the Council an amount equal to the allowance received, excluding expenses.

If an employee is required to attend court as a witness on behalf of another party where loss of earnings and travelling/ subsistence can be claimed from public funds, the claim should be made from the Court and the **Head of HR, Performance and Communications** should be notified of the amount as soon as possible. Claims for travelling/subsistence allowances should be claimed from the court.

8.5 Time off for dependents

8.5.1 Employees have the right to reasonable **unpaid time** off work to deal with emergencies involving a dependent. A dependent could be a spouse, partner, child, parent, or someone who depends on an employee for care or assistance. An example of such emergencies include:

- a breakdown in childcare
- if a dependent falls ill or is taken into hospital
- in consequence of the death of a dependant
- to put longer term care in place for children or elderly relatives



- to deal with an incident that involves a dependent child and occurs unexpectedly while the child is at school/other educational establishment

8.5.2 There is no set amount of time allowed to deal with an unexpected emergency involving a dependent. The right to time off does not apply if the employee knows about the event in advance. For example, commitments arising from known school holidays are not a justification for time off as an emergency.

The employee must inform their line manager of the reason for their absence and how long they expect to be absent as soon as is reasonably practicable. Time off work under this right is envisaged as being no more than one or two days in most cases.

If agreed by both the individual and the service, staff with sufficient annual leave, may take annual leave as opposed to unpaid leave to care for a dependent.

Please contact HR regarding any other circumstances involving taking time off for dependants.

~~8.6 Garden Leave~~

~~The Council may, at its sole discretion in response to circumstances arising, require that any employee should not attend their normal place of work while remaining available to the Council and receiving their full normal pay and entitlements, for a period to be determined. This is known as Garden Leave. The decision to place an employee on Garden Leave would be made by the Head of HR, Performance and Communications and the Chief Executive/CEO.~~



8.67 Trade Union Activities/Joint Staff Consultative Group (See Section 9 of T&C's)

Employees have the right to join, or not to join, a trade union. If an employee joins a trade union they have a right to participate in its activities. The officially appointed representative of the local branch of Unison will be granted paid leave of absence to enable their attendance at the Union's Annual Conference and reasonable time to fulfil union activities as approved by the **Head of HR, Performance and Communications**.

8.8 Special leave to undertake public duties

Employees are allowed reasonable **paid** time off for public duties if they are:

- a magistrate, sometimes known as a justice of the peace
- a local councillor
- a school governor
- a member of a police authority
- a member of any statutory tribunal (e.g. an Employment Tribunal)
- a member of the managing or governing body of an educational establishment
- a member of a school council or board in Scotland



- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency or the Scottish Environment Protection agency
- in England and Wales, a member of the prison independent monitoring boards or in Scotland, a member of the prison visiting committees
- a member of Scottish Water or a Water Customer Consultation Panel

Applications for special leave for public duties should be made to the Strategic Director/Head of Service. Whether time off is classed as 'reasonable' will depend on:

- the employees duties
- the time required to carry them out
- the impact on the employer's business

The employee should provide evidence of their attendance or involvement at specific events. Line managers should inform the Head of HR Performance and Communications of all leave granted within the scope of this policy for personal records.

There may be circumstances where other special leave may be required. Requests should be made to line managers who will consult with the Head of HR, Performance and Communications.



8.9 Sabbaticals

There may be times when employees wish to take an extended break away from work during the course of their employment with the Council in order to pursue other interests outside of work including, but not limited to, taking an extended holiday, spending time with family, pursuing further education or participating in voluntary work.

A sabbatical may be for any length of time between one month and six months and employees wishing to apply must have at least 2 years continuous service.

Employees with at least 2 years continuous service are eligible to take one period of sabbatical leave within a 5 year period.

All sabbaticals will be deemed as an unpaid leave of absence and will not constitute a break in service.

8.9.1 Employees wishing to be considered for a sabbatical must apply to their manager in writing. The application should contain details of the reasons for the career break, the length of break being requested and may also include details on how the absence would impact on service delivery



and how work could be covered during the absence. Requests should be made a minimum of three months in advance of the leave of absence.

8.9.2 The manager will arrange a meeting to discuss the application with the employee and a decision will be confirmed in writing at the earliest opportunity thereafter. The decision regarding the acceptance or rejection of the application lies with the appropriate member of the management team, but liaison with the Human Resources department and the Head of Service/Strategic Director will take place before a decision is reached.

When considering a request, the Council will take into account:

- the impact on service provision
- financial implications
- the purpose of the sabbatical
- that the employee has at least 2 years' continuous service

Any employee may appeal against the decision by utilising the Grievance Procedure.

8.9.3 Subject to the approval of the request for a sabbatical, the following terms will apply:



employees will benefit from a continued contractual relationship by being 'retained as an employee' with the right to maintain unbroken service and a job (or redundancy if a job is unavailable) at the end of the sabbatical

employees will have no entitlement to payment of salary, allowances, annual or bank holiday leave, occupational sick pay or occupational maternity/paternity pay during sabbatical leave

private healthcare cover will cease for the duration of the sabbatical leave period

employees may be required to use any outstanding annual leave entitlement accrued up until the start of the sabbatical period

holidays will ~~continue to~~not accrue during the sabbatical period

any period of authorised unpaid leave of absence will not count for pension purposes unless you make an election to buy Additional Pension Contributions (APCs) to make up the 'lost' pension once you have returned to work. Further information can be found at <https://www.lgpsmember.org/more/apc/index.php> or by contacting the Payroll Team.

all council property should be returned prior to the start of sabbatical leave unless otherwise agreed by a Senior Manager.

any employee on sabbatical may not ~~work~~undertake paid work for any other employer during their absence without prior written authorisation from the Chief Executive and the Head of HR, Performance and Communications



employees must return to work on the date originally agreed when the request for a sabbatical was authorised. Failure to return by the due date will be considered to be unauthorised leave ~~gross misconduct~~ and subject to an investigation; this may lead to the individual's dismissal under the Council's Disciplinary Policy

upon return, the Council will ensure a return to the individual's previous job unless this is not reasonably practicable and the Council makes no guarantee that the individual's previous job will be available. If a return to the previous job is not reasonably practicable then every effort will be made to provide a suitable alternative opportunity including redeployment where appropriate and acceptable

upon return, length of service and all Terms and Conditions will be re-instated and the duration of the sabbatical will be counted as continuous service

8.9.4 Contact during sabbatical

Methods and frequency of contact during sabbatical leave must be agreed between the employee and the line manager before the period of leave begins.

Where organisational changes are proposed during the leave period which may affect the employee, every effort will be made to contact them in a timely manner and treat them in the same way as other employees.

The employee is required to keep the Council informed of any changes of address or change of circumstances that arise during the sabbatical.





