



COMPASSIONATE AND SPECIAL LEAVE POLICY

THIS POLICY SHOULD ANSWER SOME OF THE QUESTIONS YOU HAVE AS SOMEONE WITH FAMILY RESPONSIBILITIES

Our objectives:

This policy sets out the contractual rights and responsibilities of employees of Boston Borough Council who have specific caring responsibilities which are not covered under Compassionate Leave and for those who need to request Compassionate Leave

We recognise that, from time to time, employees may have questions or concerns relating to their rights. It is our policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As these provisions are complex, employees should clarify the relevant procedures with their Line Manager or People Services to ensure that they are followed.

This procedure applies to all employees of Boston Borough Council.

Principles

This policy incorporates the following principles.

- **Good faith**
This policy and procedure will be applied in a consistent manner and without discrimination.
- **Fairness**
Any action taken will be reasonable and necessary. Members of staff involved are entitled to be heard with courtesy and respect.
- **Confidentiality**
Information relating to Compassionate and Special Leave will only be shared with individuals who have a need to know.
- **Representation**
If issues arise within these procedures and a formal approach is required to deal with them, employees will be entitled to be accompanied by a trade union representative or by a work colleague.

Version History

Version	Author	Reason For Issue
2004	People Services	Review of 1998 policy
June 2005	People Services	Review of 2004 policy
April 2007	People Services	Review of 2005 policy
August 2012	People Services	Review of 2007 policy

Document Distribution

Name	Role
JCC	For consideration of amendments for policy
CMT	For approval of amendments to policy
HoST	For implementation.
All staff	Revised scheme/ staff benefit.

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1. Who does this policy cover?

All Boston Borough Council employees, except casual/relief workforce.

Casual/relief workers are those who have no contract of employment and who may work on an occasional basis but have no contract to provide work or to attend work on a regular basis.

2. How do I know what leave I can take?

Where appropriate, your leave entitlement will be determined by your Conditions of Service and will be included in your terms and conditions document. There are certain leave provisions for employees who have specific caring responsibilities. These include:

- [Compassionate Leave](#)
- [Other Special Leave](#) to attend to family needs

The provisions relating to family care within this policy assume a 5-day working week. Employees working less than a 5-day week will be granted leave for family care on a pro-rata basis. The provisions set out below are seen as a means of bringing in family friendly policies which help recognise the domestic responsibilities of employees.

3. How will this affect my annual leave accrual?

Where you take any period of paid or unpaid leave you will continue to accrue annual leave as normal.

4. What happens to my pension if I take unpaid leave?

Pension contributions will not be made during any period when you are taking unpaid compassionate or other special leave.

Where staff take a period of unpaid leave they should also be aware that voluntary contributions will be made on their behalf e.g. Westfield Health Scheme or Trade Union membership deductions. Alternative arrangements are the responsibility of the employee to make for this time, although People Services/ Payroll will help where possible.

5. Who can authorise my leave?

All arrangements for Compassionate or other Special Leave will need to be agreed with your Manager.

6. What compassionate leave can I take?

All employees may be granted, at the discretion of their Section Heads through their Senior Manager a maximum¹ of 7 days' paid leave and a

maximum of 20 days' unpaid leave in any one period of 12 months as compassionate leave in the following circumstances:

- The death of a near relative²
- The death of any other relative who, until the death, was living in the same household as the employee
- The serious illness³ either of a near relative or of any other relative who is living in the same household as the employee where, in either case, there is no other person to look after the ill relative
- The serious illness³ of a near relative which necessitates a visit or visits by the employee and the distance to be travelled requires the employee to be absent from duty
- Any acute domestic distress, subject to agreement that the circumstances justify the absence.

7. What other leave (Special Leave) can I take to attend to family needs?

There are occasions when employees with specific caring responsibilities need some time off but for which the provisions of [compassionate leave](#) do not allow such leave to be authorised. This leave is for reasonable paid time off (usually 1 or 2 days) to deal with immediate caring problems and to make longer-term arrangements. The maximum paid leave which can be allocated is 3 days and this must be agreed through your Head of Service, in conjunction with People Services

Examples of these circumstances might be:

- Where the care arrangements of a dependant⁴ break down (e.g. due to the illness or injury of the usual carer), making it necessary for the employee to care for the dependants
- Following a serious accident and/or where an urgent hospital operation is required and either the patient and/or dependants have to be cared for during hospitalisation or subsequent convalescence
- In the event of the illness of an employees dependant (which is not classed as serious) where there is no other person to look after that dependant
- In circumstances where the care is of a dependant with a physical or learning disability which requires special arrangements to be made for care and/or treatment
- Providing assistance to elderly 'near relatives' moving house or moving into a home.

8. Can I use flexible working arrangements to cover my need for time off?

In some cases, those employees who are operating under a flexible working scheme may be able to meet their time off requirements through the scheme to resolve any domestic difficulties.

9. How many unpaid days special leave can I take?

There is no limit on the number of days unpaid leave allowed however it is vital that services are able to continue to function.

NOTES

¹The allocation of compassionate leave is that to be allowed in a full year. Where a second, or even third death were to occur, the allocation of up to 7 days maximum would have to cover them all. Any time over and above this would have to be taken normally as annual, flexi, or unpaid leave.

²Near relative means their relation to the employee will be:

- spouse
- partner, civil partner
- child, step child, adopted child
- parent, step parent or parent in law
- grandparent, [step grandparent](#), [grandparent in law](#)
- brother, step brother, brother in law
- sister, step sister, sister in law

³Serious illness means dangerous illness, the suddenness of which makes it necessary for the employee to make urgent and special arrangements for the care of the patient and/or his/her family.

⁴A dependant is a relative as detailed in (²) above. It also includes someone who is living in the same house as the employee e.g. grandparent or family member but not live in employee e.g. lodger or tenant.

This policy has been agreed by Boston Borough Council and the Trade Union representatives for the workforce at Joint Consultative Committee.

Signed: Date:

Chief Executive:

Signed: Date:

UNISON Branch Secretary:

Signed: Date:

GMB REPRESENTATIVE: