



Jonathan Geall
Head of Housing and Health *and*
Acting Head of Legal and Democratic
Services

MEETING : LOCAL JOINT PANEL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 5TH FEBRUARY, 2020
TIME : 12.00 PM

MEMBERS OF THE PANEL

EMPLOYER'S SIDE:

Councillors M Stevenson, E Buckmaster, L Haysey and J Dumont
(Vice-Chairman)

Substitutes:

A Alder and G Cutting

STAFF SIDE - UNISON

J Bruce (Chairman), N Munro and D Thomas

Substitute: J Francis

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting)

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
 - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
 - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
 - participate in any discussion or vote on a matter in which a Member has a DPI;
 - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

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AGENDA

1. Apologies

To receive apologies for absence.

2. Chairman's Announcements

3. Declarations of Interest

To receive any Members' Declarations of Interest.

4. Minutes - 5 June 2019 (Pages 7 - 12)

To confirm the Minutes of the meeting held on 5 June 2019.

5. General Leave Policy Update (Pages 13 - 38)

6. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 5 JUNE 2019, AT 2.40 PM

PRESENT: **Employer's Side**

Councillors E Buckmaster, J Dumont,
L Haysey and M Stevenson

Staff Side (UNISON)

J Bruce (Chairman) N Munro and D Thomas

ALSO PRESENT:

Councillors P Ruffles and A Ward-Booth

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Simon O'Hear	- Head of Human Resources and Organisational Development

1 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN
2019/20

It was moved by Councillor L Haysey and seconded by
Councillor M Stevenson that Ms J Bruce (UNISON) be

appointed Chairman for the Civic Year 2019/20. After being put to the meeting and a vote taken, the motion was declared CARRIED and Ms J Bruce was appointed Chairman of the Local Joint Panel for the civic year 2019/20.

It was moved by Ms J Bruce and seconded by Councillor L Haysey that Councillor J Dumont be appointed Vice Chairman for the civic year 2019/20. After being put to the meeting and a vote taken, the motion was declared CARRIED and Councillor J Dumont was appointed Vice Chairman of the Local Joint Panel for the civic year 2019/20.

RESOLVED – that (A) Ms J Bruce be appointed Chairman for 2019/20; and

(B) Councillor J Dumont be appointed Vice Chairman for 2019/20.

2 APOLOGIES

Apologies for absence were submitted on behalf of Simon Russell (ICT Strategic Partnership Manager), Jenny Francis (Unison) and Steve Ellis (Unison).

3 MINUTES

It was moved by Councillor E Buckmaster and seconded by Ms N Munro that the Minutes of the meeting be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on

12 December 2019 be confirmed as a correct record and signed by the Chairman.

4 ACCEPTABLE USE POLICY

The Head of Human Resources and Organisational Development presented a report on behalf of the ICT Strategic Partnership Manager regarding a new Acceptable Use Policy for IT. The Head of HR explained that processes would be introduced which required existing staff and new staff to sign up to the Policy with their log in credentials. This new Policy applied both to Officers, Members and to any contractors. In response to a query by Councillor L Haysey, the Head of HR explained that it would apply to any piece of personal IT kit which accessed and used the Council's network (including the new laptops) provided to Members.

Councillor E Buckmaster referred to external sites such as drop box and Facebook and queried whether this included "The Cloud" and referred to instances where he would occasionally cut and paste information for dissemination purposes. The Head of HR confirmed that the Policy implied that it referred to any external site and that the best advice would be to contact IT before using. Councillor E Buckmaster queried if this applied to extracts from files rather than a whole file, the Head of HR said he would get this clarified and amend the policy accordingly in relation to clause 6.5 by the ICT Strategic Partnership Manager.

The Chairman referred to the use of Herts FX, a secure server when sending large files.

Councillor L Haysey supported the Policy and suggested

that for ease of reference, the report should have an appendix of authorised sites, including the Herts FX Secure Server. She also suggested that the ICT Strategic Partnership Manager should prepare an item for inclusion in the Members' Information Bulletin so that all Members be made aware of the Policy and that the Policy be included as part of a Member Induction Pack. These proposals were supported.

For the benefit of new Members, the Head of HR explained to the Panel the process for submission of reports for determination by Human Resources.

It was proposed by Councillor L Haysey and seconded by Ms N Munro (Unison) that the Human Resources Committee be advised that the Local Joint Panel supports the approval of the Acceptable Use Policy, subject to the amendments as detailed above. After being put to the meeting and a vote taken, the Motion was declared CARRIED.

RESOLVED- that (A) the Human Resources Committee be advised that the Local Joint Panel supports approval of the Acceptable Use Policy as amended by:

- the inclusion within the report of an appendix of authorised sites, including the Herts FX Secure Server.
- the ICT Strategic Partnership Manager prepare an entry for inclusion in the Members' Information Bulletin about the Policy; and

- the Policy be included as part of a Member Induction Pack.

The meeting closed at 2.55 pm

Chairman
Date

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Local Joint Panel

Date of Meeting: 5 February 2020

Report by: Head of Human Resources and Organisational Development

Report title: Updated General Leave Policy (and brief update of East Herts Together Work)

Ward(s) affected: None

Summary

RECOMMENDATIONS:

- (a) To note the Updated General Leave Policy which has been published on the intranet in January 2020**
- (b) To note the removal of Carers Policy from January 2020 (which duplicated sections of the General Leave Policy and the Family Friendly policy which had caused confusion).**

1.0 Proposal(s)

- 1.1 The proposals are set out in the recommendations above. The General Leave Policy has been updated with Unison agreement to ensure it is clear and up to date with East Herts practice including clarity previously only made in the Carers Policy which had created an opportunity for inconsistent practice. The updated General Leave Policy and the deletion of the Carers Policy will ensure duplication is removed along with any previous confusion between the policies.
- 1.2 The background and reasons sections below will outline the issues which led to the need for an updated General Leave Policy. The sections below will also set out the changes that have been made and incorporated in the organisation to ensure greater clarity and consistency going forward.

2.0 Background

- 2.1 Early in the autumn the Head of Head of Human Resources and Organisational Development was asked to attend the Carers support group which meets on a monthly basis to explain what support was available for Carers. At the previous Carers meeting the group had identified that the support they had as individual carers from their line managers and Heads of Service varied and was not consistent and staff wanted to know if there was any paid dependency leave provision available.
- 2.2 The Head of Head of Human Resources and Organisational Development with support from an HR Officer reviewed the Carers Policy, the General Leave Policy and the Family Friendly Policy. The review identified that there was duplication between the Carers Policy and both of the other policies (General Leave Policy and the Family Friendly Policy). However, the main issue identified was that whereas the Carers Policy made it clear that there was a provision for eligible staff for 5 days paid Dependency Leave (further such leave would be unpaid) the General Leave Policy only referred to Dependency Leave in the unpaid leave section but did refer elsewhere to 5 days paid discretionary leave.
- 2.3 It was clear from the review that although East Herts like similar organisations/sectors had a provision for paid dependency leave it was not in the main known to our employees/managers as a form of paid support available in such circumstances and very little use had therefore been made.
- 2.4 The Head of Human Resources and Organisational Development attended the Carers support group and the differences were shared along with the need to seek clarity from Leadership Team and agree actions going forward which included the need to manage the use of such paid leave through the self- service HR system called MyView.

2.5 The issues were then raised at Leadership Team and it was agreed that Head of Head of Human Resources and Organisational Development would revise policies to provide clarity and ensure Unison agreed any changes. HR would also add the provision to MyView for managers to be able to administer and so that the system could process such leave to unpaid if the discretionary 5 day provision had been utilised (the 5 days would be pro-rata for part-time staff).

3.0 Reason(s)

3.1 The review identified that apart from the 5 days paid dependency provision established in the adopted Carers Policy all other provisions were contained elsewhere meaning that the best option was to remove duplication by deleting the Carers policy and ensure the clarity was correct in the General Leave Policy.

3.2 The reference to a discretionary 5 days paid leave provision was therefore removed and replaced with the intended 5 days paid dependency leave provision.

3.3 As agreed with Leadership Team it was also determined that in line with other absences that a line manager could approve paid dependency leave through MyView and this was then set up. Employees cannot request such leave through the system (as is the case with sick pay) but the manager can log absence as dependency leave but the system will only allow up to 5 paid days within a 12 month period.

3.4 As the unpaid leave section only referred to dependency leave which had helped cause the confusion this was removed and dependency leave was moved up from the end section to section 7 so it was more visible to all.

3.5 The General Leave Policy was updated with more detail on dependency leave (see section 7 for full details) based on the detail previously set out in the Carers policy. This included a clearer definition of a dependent in line with statutory guidance (unpaid dependency leave is a statutory right). The policy also makes clear that line managers should consult with

HR over its' use to ensure consistency. Clear examples of when dependency leave would be applicable for employees to take have been incorporated to ensure it is used to support unplanned/emergency events and not for planned events that can be managed through planned leave (flexi or annual leave).

- 3.6 A sub-section (7.6) called 'Further support for Carers/Staff with dependents' was added to the General Leave Policy to replace information previously covered in the Carers Policy. This was also updated to ensure all was current i.e. details of the current EAP were added as well as useful links to external bodies/guidance provided to ensure it remains up to date.
- 3.7 Once the re-drafting had been completed and the provision set up and tested on MyView Unison were fully consulted. Subject to a few minor adjustments requested Unison then agreed to the updated General Leave Policy and the deletion of the Carers Policy.
- 3.8 The revised policy has been published and a guidance email sent to line managers (who were also briefed over the changes that were being implemented at the last Service Manager Quarterly Meeting).
- 3.9 Where appropriate staff have been authorised for paid dependency leave and equally been asked to manage planned events through other provision. Managers are engaging well with HR to ensure consistency. The paid provision is also now outlined as part of the excellent terms and conditions available at East Herts as part of our recruitment literature.

4.0 East Herts Together Policy Development Update

- 4.1 A full East Herts Together group has now been established with representatives from all services invited and first full meeting was held on Friday 10th of January. The group were asked to consider initial feedback gathered from across the organisation at the last Service Manager Quarterly Meeting. The group considered and agreed how all staff could be engaged in this transformation programme to ensure a

bottom up approach. The Head of Head of Human Resources and Organisational Development is developing a engagement tool which can be used both in team meetings and also individually completed on line to ensure all can contribute.

- 4.2 Some initial 'housekeeping' actions were identified and have begun to be completed in the following areas:
- a. Supporting all staff to use the MiCollab telephone system consistently to support a one-team approach which allows staff visibility and connections to be more flexible.
 - b. A consistent understanding of how staff are expected to use the outlook calendar and how to link this with MiCollab.
 - c. To develop and implement a standard East Herts email signature.
 - d. To ensure that all staff put photos of themselves on corporate systems to allow staff to get to know the whole 'one-team'.

4.3 The group also agreed to develop a customer charter as another initial piece of work

4.4 In terms of Policy development which had been put on hold the group agreed a set of Terms of Reference for HR to begin progressing this work which would be subject to the normal consultation processes which include LT, Unison, LJP and HRC stages:

Agreed TOR for HR/Employment policies

- To take the employee through their career journey
- Should be joined up, not in isolation to each other
- Include good examples and flow charts
- Legally compliant and best practice
- Include who to contact for more information

4.5 HR have agreed a priority policy list which will begin with focus on the formal HR/Employment Policies (the next LJP in April should therefore include a number of draft policies to consider subject to LT and Unison processes being completed at the

relevant time). Policy development will also be subject to the core competency development work which will be produced through employee engagement over how we embed further our values and behaviours.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

Yes – the General Leave Policy support a number of equality areas i.e. those with dependents, career breaks, religious events

Environmental Sustainability

No

Financial

No (Paid provision was already established)

Health and Safety

No

Human Resources

Yes – as set out this is an employment matter and the report has been produced by HR

Human Rights

No

Legal

As set out in the report unpaid dependency leave is a statutory right

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 The updated General Leave Policy is attached at Appendix 1.

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East Herts Council

General Leave

Policy Statement

Policy Statement No 7 (Issue No 2) December 2019 (updated April 2019¹ and December 2019²)

¹ Minor updates made to reflect pay and terms and conditions changes agreed through collective bargaining in March 2019, this policy applies to situations which arise from 1 April 2019 onwards.

² Updated to ensure dependency leave is clear and no longer relies on a separate Carer's policy to provide clarity, Carer's Policy has been incorporated and deleted with General Leave updated to ensure consistency, changes were not material but have been agreed with Unison and will be reported to LJP/HRC.

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1.0 Introduction

- 1.1 The General Leave Policy provides employees and managers with information on the various types of leave entitlement.
- 1.2 This policy applies to all employees including Chief Officer level that are employed by East Herts Council.

2.0 Contractual Relationship during Absence

- 2.1 Having granted a period of paid or unpaid leave, the contract of employment between both parties remains in existence (except in the case of a Career Break) and therefore a commitment to maintain confidence, trust and act in good faith during the period of leave.
- 2.2 Employees on periods of extended leave will be required to maintain regular contact with their manager and, if appropriate, inform them of any changes in circumstance which may affect their intention to return to work.
- 2.3 Employees suspected of abusing the provisions of these procedures or fraudulently applying for leave will be subject to disciplinary investigation as detailed in the Disciplinary Policy.

3.0 Granting and Recording Leave

- 3.1 It is the Line Manager's responsibility to consider applications for special leave or approving and logging dependency leave and use the following information as guidelines (please contact HR for further guidance where appropriate and to ensure consistency).

4.0 Public Holidays

- 4.1 Employees are entitled to public holidays, irrespective of length of service. Part time employees are entitled to a pro rata entitlement to these holidays. This is calculated as a fifth of the employee's working week, for each bank holiday, regardless whether this is a working day or not. For example, an employee working 20 hours per week would be entitled to receive 4 hours for each bank holiday.

5.0 Annual Leave

5.1 Leave Year

5.1.1 The Council operates an anniversary leave period commencing on the date an employee commenced working for the Council. Those employees starting or leaving employment during the year are entitled to leave proportionate to the number of completed weeks of service during the year.

5.2 Part Time Staff

5.2.1 Annual Leave entitlement and any other leave allowances will be applied pro-rata for part time employees based on 37 hours full time working week. For example an employee with full time equivalent 25 days annual leave (7.4 hours x 25 days = 185 hours) entitlement working 20 hours per week will be entitled to 13.5 days/100 hours annual leave.

5.3 Approval for Taking Leave/Carrying Forward Leave

5.3.1 All leave is taken at the discretion of your Line Manager and requests will need to be looked at in the context of the cover available within the team to ensure that the service provided is not disrupted.

5.3.2 Managers should try and plan staffing arrangements well in advance so that peak holiday periods are adequately covered so that holiday requests can be treated equitably.

5.3.3 Where a late request is received, the employee should not expect or assume that it will be granted and managers should treat such requests, due to unexpected events, sympathetically. As a general rule, however, employees should give at least twice the amount of notice that they wish to take as leave. Therefore, if 5 days' holiday is being requested, at least 10 working days' notice is required.

5.3.4 As far as possible all employees should take their annual leave before the end of their leave year. Where this is not possible up to five days annual leave may be carried forward into the next leave year with the prior written consent of their Line Manager.

5.4 Cancelling Leave due to sickness

5.4.1 If an employee is due to go on annual leave or during their leave becomes unwell, any absence will be counted as sickness absence rather than annual leave if a fit note is provided. Employees must notify their manager as soon as possible to inform them that they are unwell. Details of the nature of the illness and an indication of the expected return to work should be provided.

5.5 Continuous Service

5.5.1 Employees who have 5 years' continuous local authority service with East Herts or another local authority are entitled to an extra 5 days annual leave.

5.6 Basic Leave Entitlement

5.6.1 The basic leave entitlement is dependent upon the scale point an employee has reached. It is banded as follows:-

SCP 4 - 22	25 days
SCP 23 - 25	26 days
SCP 26 - 28	27 days
SCP 29 and above	28 days

6.0 Bereavement

6.1 Bereavement of Immediate Family Members

6.1.1 When an employee suffers the loss of an immediate family member, for example, partner, child, parent or sibling, the employee will be entitled to 5 paid days leave. Leave may be taken at/or around the time of bereavement at the employees request.

6.1.2 If the employee has the same relationship with the deceased as described above, for example, having been brought up by the person, then the same provision of leave will apply.

6.1.3 Managers should endeavour to facilitate any requests for leave in these circumstances. However, if the Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

6.1.4 There may be circumstances where an employee requires more than the 5 days leave when an immediate family member has died. In this event the employee should make their Line Manager aware of the situation in order to arrange that annual leave or accrued flexi time can be added on.

6.2 Bereavement of Relatives / Friends

6.2.1 When an employee suffers the loss of a relative or friend, for example, grandparent, aunt/uncle or neighbour, the employee will be entitled to 1 day's paid leave to attend the funeral.

6.2.2 Line Managers should endeavour to facilitate any requests for leave in these circumstances. However, if the Line Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

6.2.3 There may be circumstances where an employee requires more than 1 day's leave when a relative or friend has died. In this event the employee should make their Line Manager aware of the situation in order to arrange that annual leave or accrued flexi time can be added on.

7.0 Dependency Leave

7.1 Dependency Leave

7.1.1 Eligibility to dependency leave:

7.1.2 Employees have the right to take dependency leave during working hours to deal with unforeseen/unplanned or emergency events.

7.1.3 The right applies to all employees regardless of length of service, hours worked, permanent or fixed term.

7.1.4 Employees are entitled to take reasonable time off in order to take action necessary in relation to the types of unplanned circumstances set out in 7.3 below.

7.2 What is a dependant?

7.2.1 A dependant is someone who relies on the employee for care. A dependant is defined for the purposes of this procedure as an employee's spouse, partner, child, parent, dependant relative or someone who lives in the same household as the employee but who is not his or her employee, tenant, lodger or boarder or someone else who is dependent on the employee. If a manager or employee requires further clarity on what a dependant is please contact HR.

7.3 When dependency leave may be taken

7.3.1 Employees may take reasonable time off during working hours in order to take action necessary to deal with the following types of unforeseen/unplanned or emergency events:

- To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted;
- To make arrangements for the provision of care for a dependant who is ill or injured;
- Because of the unexpected disruption or termination of arrangements for the care of a dependant; or
- To deal with an incident that involves a child of the employee and which occurs unexpectedly in a period during which an educational establishment that the child attends is responsible for him or her.

7.3.2 These are examples of instances which may require dependency leave; however, the council will give consideration to requests for dependency leave which are not included above but may require the support of the council, **manager should consult with HR to ensure consistency.** Illness and injury do not necessarily have to be serious or life-threatening and may be linked to a dependant with a deteriorating condition requiring occasional support. The council will consider sympathetically each individual request for dependency leave considering the merits and circumstances of the specific case.

7.4 Procedure for taking dependency leave

7.4.1 The council will allow employees reasonable time to do what is necessary in any particular given situation. Employees will need to

notify their line manager who can approve dependency leave by logging it into MyView (the council's HR & Payroll system) which will ensure the paid allowance is managed. Up to five days in any twelve month period will be paid (this will be pro-rata for part time employees in line with all leave provisions). Further time required for dependency leave is to be taken as unpaid leave, again a manager can log this into MyView but will need to log it as unpaid with the reason of dependency chosen. Agreement should be reached regarding what time is required and for what purposes, though it is accepted that the employee may need to alter the initial agreement depending on the circumstances. Each request will be considered individually in the context of the particular circumstances.

7.4.2 There is no limit to the number of occasions on which an employee can exercise the right to take time off; however, such leave should normally be for genuine emergencies and unforeseen matters or in the case of paid provision for providing care. Employees should, therefore, utilise annual leave, or parental leave, for any planned absence as dependency leave is not intended for such purposes.

7.4.3 Permission for dependency leave should not be unreasonably refused. Employees who feel they have not been treated reasonably in relation to such leave should discuss the matter with HR and if it cannot be resolved they should access the council's grievance procedure.

7.5 Unpaid Dependency Leave (where entitlement to paid Dependency leave has been exhausted)

7.5.1 Paid dependency leave should be used to take the appropriate action necessary to resolve or deal with an emergency/unplanned event which has arisen because of a dependant. Once the employee has had reasonable time to make alternative arrangements for care provision, any further planned time off for that particular event should be taken as annual leave or flexi leave or unpaid if appropriate.

7.5.2 Where an employee has exhausted their entitlement to paid dependency leave (5 days pro-rata in a rolling year), any further time off required for dependency leave within a rolling 12 month period is to be taken as unpaid leave unless flexi or annual leave can be authorised.

7.5.3 Managers should log unpaid dependency leave on MyView as unpaid absence with the reason of dependency chosen.

7.6 Further support for Carers/Staff with dependents

7.6.1 East Herts Carers Group is self-organised staff group which meets on a monthly basis in staff own time (usually at lunch time) to provide support to fellow carers by sharing best practice and experiences. The group is open to any staff member to join and as well as supporting each other it also works with human resources to ensure staff feel supported by the council in line with the provisions made.

7.6.2 Other provisions

As set out in this General Leave Policy and the Family Friendly Policy in addition to providing an enhanced provision of paid dependency leave and operating a flexi-leave scheme for most staff:

The council also provides enhanced occupational paid leave in the following areas:

- Antenatal care
- Maternity
- Adoption
- Paternity
- Fostering
- Bereavement

The council also provides the opportunity to take unpaid leave in the following areas:

- Parental Leave
- Career Breaks which can be used to support a longer term caring arrangement
- Dependency leave
- Unpaid leave to provide planned care

7.6.3 Employee Assistance Programme (EAP) The council provides employees with an external EAP which provides proactive, practical information and emotional support to help you to manage and reduce the impact of all of life's events, both at home and at work. The service is available 24/7 and is completely free and confidential. The service provides a specially trained, legal and information team which can help to resolve issues around: debt, legal concerns, consumer and care etc. In addition to a helpline/ telephone service

and online support where appropriate employees will have access to up to 6 sessions of structured counselling.

7.6.4 Useful Links:

- Carers UK: <https://www.carersuk.org/>
- Herts Carers: <https://www.carersinherts.org.uk/> this site also provides links to many other useful sites
- Hertfordshire County Council:
<https://www.hertfordshire.gov.uk/home.aspx>
- Unison (Trade Union) Carers support/news:
<https://www.unison.org.uk/search/carers/>

8.0 Career Breaks

8.1 **What is a Career Break?**

8.1.1 A career break enables an employee with 2 years continuous service with the Council to take an unpaid break from work for personal reasons and maintain continuity of service with the Council. The employee is required to give a minimum of 3 months' notice to commence a career break. With the exception of continuity of service, all other terms of the employment contract with the Council will be suspended. On return, at an agreed date following the career break, the employee will be able to return to the same or similar post within the Council without competitive selection.

8.1.2 It is recognised that during an employee's working life there will be times when personal commitments may take priority over work for example, bringing up children, longer term care for sick or elderly relatives, or pursuing a course of further education. The Council can accommodate such personal commitments, where operationally practicable, through career breaks.

8.2 **What is the purpose of a career break?**

8.2.1 The purpose of a career break could be:

- To extend the maternity/ paternity leave period
- To extend a period of adoption leave
- To care for dependent relatives
- To enter full time education
- Extended foreign travel

- To convalesce after a period of illness or major life crisis such as bereavement or divorce

8.2.3 These reasons are not all inclusive and others may be considered, with the major exception of taking up other paid employment.

8.3 How long is a career break?

8.3.1 The minimum break is 3 months and the maximum break is 1 year.

8.3.2 There is no limit to the number of career breaks an employee can take providing that they return to work for the Council for a minimum of 2 years between each career break.

8.4 Who can apply for a career break?

8.4.1 All permanent employees, with at least two years continuous service with the Council, regardless of the number of hours worked, are eligible to apply for a career break.

8.4.2 An employee must submit their request to their manager, with a copy to Human Resources stating when they would like their career break to commence, the reason for their career break and the durations of the requested break.

8.5 What happens to the employee's job?

8.5.1 After a career break the employee will have the right to return to their same or equivalent position (in terms of service area and pay) where this is available. However, where this is not available the Council will offer an alternative which can include work elsewhere in the Council at a different level and pay. The new job would need to be a suitable alternative, within the definition used when employees are facing redundancy and would be in line with the Redeployment Policy regarding salary protection. (see Redundancy policy and Redeployment policy for more details)

8.6 Extending or cutting short the career break

8.6.1 If the employee wishes to extend the career break, they must do so in writing giving a minimum of three months' notice. The Line Manager will give consideration to the extension along the same lines as the original request and may grant up to one year in total.

8.6.2 There will be no automatic right to cut short a career break but Line Managers will consider such requests from an employee as they can accommodate, without impacting on service level.

8.7 Contract of employment

8.7.1 The employee will be required to sign an agreement suspending all terms of their contract of employment, with the exception of continuity of service with the Council. The contract of employment will remain suspended for the duration of the career break. This will not constitute a break in service and general conditions of service will apply as at the start of the career break when the employee returns to work.

8.8 Rate of Pay/Pension

8.8.1 At the end of the career break the employee will return to the same incremental point they were on at the start of the career break which may result in salary protection if the post has been downgraded in a restructure or an alternative post has been agreed by all in lieu of the original post.

8.8.2 Employees considering career breaks should contact LPFA pensions for more information.

8.9 Disciplinary warnings

8.9.1 Any live disciplinary warnings will be suspended for the duration of the career break and will be carried forward upon the employee's return to work.

8.9.2 Please also view the Flexible Working Policy for more information.

9.0 Citizenship duties

9.1 Elected Members of other Council Authorities

9.1.1 Employees who undertake duties as an Elected Member in another authority will be allowed to take up to a maximum of 10 days paid leave per annum. Leave must be used to attend official functions or meetings. Requests for leave must be accompanied by proof that attendance is required.

9.1.2 All employees paid on or above SCP 44 are politically restricted and therefore, unable to undertake these duties. Other employees may also be restricted from undertaking these duties. Guidance should be sought from their line manager or Human resources. In both circumstances the restriction will be detailed in the employee's contract.

9.1.3 It is the Line Manager's responsibility to approve and monitor requests for time off to undertake Civic Duties. However, if the Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

9.2 Magistrates

9.2.1 Employees who are Magistrates will be allowed to take up to a maximum of 10 days paid leave per annum. Leave must be used to attend court sessions. Requests for leave must be accompanied by proof that attendance is required.

9.2.2 It is the Line Manager's responsibility to approve and monitor requests for time off to undertake Civic Duties. However, if the Line Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

9.3 Court Attendance as a Witness/Jury Member

9.3.1 Employees summoned as a witness or jury member will be allowed the necessary time off to attend court. The employee should inform their Line Manager at the earliest convenience and pass on the summons document to Payroll for completion.

9.3.2 Any monies received by an employee to compensate for loss of pay must be declared to Payroll.

9.4 Court Attendance as the accused or to pursue a Personal Claim

9.4.1 Employees who are attending court as the accused or to pursue a personal claim will be required to take annual or flexi leave.

9.5 Active Citizen Duties

- 9.5.1 Employees who volunteer their expertise for public service may take up to 3 days paid leave per annum to attend formal meetings or functions.
- 9.5.2 Applications for leave must be accompanied by proof that attendance is required. Leave will be granted at the discretion of the manager.
- 9.5.3 The definition of active citizenship duties would include School Governors, Trustees of Charitable Trusts, Management Committee members of charitable trusts, members of publicly constituted watchdog organizations. N.B. This list is not exhaustive and other bodies may fall into this category.

9.6 Service in Reserve Forces

- 9.6.1 Employees who are members of the Reserve Forces may be required to attend summer camp on an annual basis. Two weeks' paid leave will be allowed in these circumstances.
- 9.6.2 Employees are required to give as much notice as possible for annual camp in order for the Line Manager to arrange appropriate cover. Leave may be refused if it would have a detrimental impact on service delivery.
- 9.6.3 In circumstances where a reservist employee is mobilised they will not be paid by East Herts Council and should be placed on a Career break for payroll purposes to ensure their continuous service is not broken.

10.0 Union duties

10.1 Time off to Undertake Trade Union Duties

- 10.1.1 Unison stewards and officers are entitled to reasonable time off for Unison activities in accordance with the Recognition and Procedural Agreement 2004. As much notice as possible must be given to their line manager of absence due to union duties.
- 10.1.2 When the Employer request Unison to attend meetings, the employees concerned will be allowed paid time off from their normal duties to attend. Any additional expenses incurred by attendance will be reimbursed under the normal Council guidelines subject to approval by the Employer before they are incurred.

10.2 Unison Annual General Meeting

10.2.1 The annual general meeting will be arranged in consultation with the Chief Executive who should be given at least one month's notice of the date of the meeting.

10.2.2 The meeting will generally be held at lunchtime and Unison members attending may credit flexi time up to the end of the meeting.

10.3 Executive and Safety Committee Meetings

10.3.1 Unison will hold monthly executive meetings at Wallfields, Hertford and occasionally other EHDC venues.

10.3.2 The meeting may commence any time after 16.00 hours and employees attending may credit the flexi system until the end of their attendance or until 17.30 hours whichever is first.

10.4 Other Trade Union Activities

10.4.1 Managers may allow reasonable time off for Unison Officers to attend training courses, regional meetings and the annual conference in accordance with the Recognition and Procedural Agreement 2004.

11.0 Training Courses and Day Release

11.1 Employees who are required by the Council to participate in training events and/or day release courses will be allowed paid time off.

11.2 Employees will not be required to work extra hours to compensate for time off to attend Council run training events or courses. If an employee attends a course the time should be recorded in flexi time in accordance with the Flexitime Policy and guideline.

12.0 Examination & Study Leave

12.1 Employees who are required by the Council to undertake training course examinations will be allowed paid time off to do so. The time should be recorded in accordance with the Flexitime Policy and guide line.

- 12.2 Employees may apply to take one day's study leave per exam at the discretion of their manager.
- 12.3 Time off to resit exams should be taken as annual leave or flexi leave.
- 12.4 Employees should inform their manager of dates and times of examinations in order that cover arrangements can be made.

13.0 Interviews in other Local Authorities

- 13.1 Employees will be able to take up to 5 days' paid leave per annum in order to attend interviews at other Local Authorities.
- 13.2 It is the Line Manager's responsibility to approve and monitor requests for time off to attend Local Authority Interviews. However, if the Manager has any query regarding leave arrangements these should be discussed with the appropriate Head of Service and Human Resources before any action is taken.

14.0 Leave for Medical Reasons

14.1 Medical Screening

- 14.1.1 Employees will be entitled to paid time off for the purpose of medical screening as deemed necessary by their GP or any relevant medical body.
- 14.1.2 Employees should inform their Line Manager of date and times of the appointment and provide details of appointments as soon as practicable in order that cover arrangements can be made.

14.2 Hospital Appointments

- 14.2.1 Employees are entitled to paid time off to attend hospital appointments following referral by their GP or any relevant medical body.
- 14.2.2 Disability leave should be considered where a person needs time off every week, every few weeks, every few months or every year for medical appointments, treatments or rehabilitation relating to disability. Disability leave should not be counted towards trigger points. Please refer to the Absence Policy for detail.

14.2.3 Employees should inform their Line Manager of date and times of the appointment and provide details of appointments as soon as practicable in order that cover arrangements can be made

14.3 Fertility Treatment

14.3.1 An employee will be given reasonable time off to undertake fertility treatment.

14.3.2 Employees must agree their time off arrangements with their manager in advance of the appointments and produce their appointment card where appropriate.

14.3.3 Employees on flexi-time should record time to attend appointments as described in the Flexitime Policy in the section relating to hospital appointments.

14.4 GP and Dental Appointments

14.4.1 Normally employees should use flexi time to visit their GP or Dentist or arrange appointments outside work time.

15.0 Time off for Religious observance

15.1 Many religions or beliefs have special festival or spiritual observance days. Employees may request holiday in order to celebrate festivals or attend ceremonies. Line Managers should sympathetically consider such requests and grant leave out of holiday entitlement, flexitime or unpaid leave.

16.0 Review

16.1 This procedure will be reviewed every three years or sooner if there are any changes in legislation requiring amendments to be made.

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