

TIME OFF FOR PUBLIC DUTIES

POLICY STATEMENT

The Council's Corporate Plan sets out its vision which is underpinned by a strong public service ethos and shared values.

In addition to its community leadership role, the Council also acknowledges the positive contribution that employees can make towards the functioning of public and voluntary bodies and, therefore, recognises that employees may require paid time off work in order to perform these duties.

SCOPE

The provisions within this policy apply to all employees of Perth & Kinross Council. Part-time and job share employees are entitled to the same provisions and will be credited with their contracted hours of work for that day.

TYPES OF SPECIAL LEAVE COVERED WITHIN THIS POLICY

Perth & Kinross Council offers paid time off to attend a number of Public Duties. A summary of each type is provided below to assist employees and Managers identify the leave that may be applicable

- Leave of absence to undertake Public Duties
- Leave of absence to attend Court as a Juror or a Crown Witness
- Leave of absence for Children's Panel
- Leave of absence for Non-regular Forces
- Leave of absence for Donating Blood

The policy does not apply in circumstances where an employee is required to attend court for any other reasons, e.g. where charges have been made against them. In such circumstances the employee should use their own leave arrangements.

LEAVE OF ABSENCE TO UNDERTAKE PUBLIC DUTIES

An employee is legally entitled to reasonable paid time off work to undertake public duties as defined in the Employee Rights Act 1996.

Section 50 of the Act provides employees with a positive right to a reasonable amount of time off from work to pursue the duties of their office, or duties as a member of the public body concerned, if the employee is or is a member of one of the following:

- A Justice of the Peace
- A Local Authority
- A Statutory Tribunal
- A Police Authority

- A Board of prison visitors or a person visiting committee
- A relevant Health Body
- A relevant Education Body
- The Environment Agency or the Scottish Environment Protection Agency

This above list is not exhaustive; there may be other requests that may be considered on an individual basis.

The Local Government and Housing Act 1989 allows a Council to grant paid leave to an employee for the purpose of performing duties as a member of another Local Authority up to a maximum of 208 hours in any financial year.

There is no statutory limit placed on the amount of unpaid leave which the Council may grant in this regard.

What is reasonable time off?

Criteria for determining reasonable time off are –

- How much time off is required to perform the particular public duty
- How much time off the employee has already been permitted for this purpose or any other activities
- The effect of the employee's absence on the operation of the Service

LEAVE OF ABSENCE TO ATTEND COURT AS A JUROR OR A CROWN WITNESS

Employees who are cited to attend Court as either a Juror or a Crown Witness, will be granted special leave with pay, subject to the following conditions:

- Employees present the citation and supporting documentation to their Line Manager or Service Manager advising them of the initial date they will be attending Court.
- Should the employee be selected as a Juror, it is the employee's responsibility to inform their Manager or Service Manager of the additional date(s) they are required to attend Court.
- Travelling and subsistence expenses are matters to be agreed between the employee and Court, and do not involve the Council.
- Employees will return to work as soon as it is reasonably practicable to do so.

If an individual is cited to attend court in an official capacity due to the role they undertake as an employee of the Council, they should contact the Corporate Insurance and Claims Team who will endeavour to have this rescinded. Out of pocket expenses to attend the Sheriff Court or Court of Session in this instance will be paid by the Court Service.

LEAVE OF ABSENCE FOR CHILDREN'S PANEL

The Children's Hearing System is at the centre of child care in Scotland and Children's Panel Members fulfil a vital part. The Panel system cannot operate without individual members of the public willing to serve as Panel Members and the Council wishes to support this valuable Public Duty.

Employees who are appointed as members of the Children's Panel –

- Employees should discuss becoming a Children's Panel member prior to applying with their Line Manager
- The Line Manager will determine whether or not an employee can have time off during working hours to meet their obligations as a Panel Member. Rota's for Panel Hearings are issued 3 months in advance requesting availability, therefore an employee should notify their Line Manager immediately to ensure adequate cover, where necessary can be arranged and the time off is agreed and granted. It is however recognised that there may be certain categories of employment which make it impractical to approve time off
- Time off with pay should be granted for employees who attend Children's Panel Hearings during working hours.
- Employees attending Children's Panel Hearings and or Training will be granted a maximum of 2 half days per month, where they are required.
- Employee must complete an application for Other Work on [MyView](#).

Training for the Children's Panel

Training is essential to be a Member of a Children's Panel. As the training takes place at evenings or weekends, this should not result in a request for time off, unless an employee is required to work at such times, in which case the employee and Line Manager should discuss and determine an appropriate outcome. During the training period, it may be necessary to visit a Children's unit or home. These visits tend to be arranged in the evenings, therefore time off would not be required unless an employee is required to work at such times. The maximum time off would be as outlined above.

LEAVE OF ABSENCE FOR NON-REGULAR FORCES

This refers to employees who are Army Reservists, Cadet Force Adult Volunteers and Special Constables. You should also refer to the [Other Work Policy](#) and the [Volunteers of the Emergency Services](#).

Army Reservists

Army reservists are generally required to train one evening per week and at weekends throughout the year. In addition, they are required to attend an initial 15 day training course, or a two week annual camp to refresh their skills.

The maximum special leave is fifteen days paid leave each year (maximum 108 hours, pro-rated for part time employees), subject to:

- You should advise your Service Manager immediately upon receiving notification of the annual training camp date.
- Your attendance is for a period of not less than one week and not exceeding 15 days.
- A deduction will be made from your pay equivalent to the value of any service pay or allowances received by you in respect of the period of special leave.

Cadet Force Adult Volunteers

Typically Cadet Force Adult Volunteers are encouraged to attend their local detachment one or two evenings a week and occasional weekends. Their assistance is also requested at annual camps.

The maximum special leave is fifteen days paid leave each year (maximum 108 hours, pro-rated for part time employees), providing attendance at your local detachment is during your normal working hours. If you have a non-standard working pattern which includes evening or weekend working you should discuss with your manager to agree reasonable special leave.

Special Constables

The Council supports Police Scotland's Employer Supported Policing programme.

During the initial recruitment stage, special leave is granted with pay of up to ten days (maximum 72 hours, pro-rated for part time employees) to attend compulsory training (which includes a residential stay at Police College).

On successful completion of initial training, Special Constables will receive up to five days paid special leave (maximum 36 hours, pro-rated for part time employees) to attend deployments or training which occur during your normal working hours. If you have a non-standard working pattern which includes evening or weekend working you should discuss with your manager to agree reasonable special leave.

LEAVE OF ABSENCE FOR DONATING BLOOD

As a vital part of local health service provision, the Council is committed to promoting blood donation by employees.

The Blood Transfusion Service in Tayside accepts donations in Perth generally once a month. Relevant details will be placed on the workplace Notice Boards. Donations may also be made in Kinross, Crieff, Auchterarder, Aberfeldy, Blairgowrie, Coupar Angus, and Alyth. Dates and times when donations can be made are advertised locally.

Where operationally feasible, employees should request paid time off to donate blood. Giving blood takes approximately one hour and the minimum time between donations is 12 weeks. Therefore, for regular blood donors, the amount of time off

granted should equate to little more than four hours per annum, plus the time to travel to and from the most appropriate and 'cost-effective' donation site.

Should you require any further information, please contact Human Resources.