



BENTHAM TOWN COUNCIL EMERGENCY / DEPENDANTS LEAVE POLICY

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Purpose and scope

All employees with dependants can take reasonable unpaid time off to deal with unforeseen emergencies. This is unlikely to amount to more than a day or two a year.

This policy covers all instances where you may need to take unplanned absence to attend to urgent or serious situations affecting your dependants and where no alternative provision is available.

Emergency leave is designed to provide carers with the opportunity to make alternative arrangements for the care of dependants. The Emergency leave policy is not intended to be used to allow carers to look after dependants on an ongoing basis (although time off may be available under other policies).

Taking emergency leave

Dependents include parents, husband, wife, partner, civil partner, children or individuals living as part of the family for whom you are the main carer or an individual who depends on you for care, e.g. an elderly neighbour.

Emergency leave is only intended to cover unplanned absence to attend to urgent or serious situations affecting your immediate family or dependants. It is impossible to provide a complete list of circumstances that are covered under the policy; however, the most common circumstances are as follows: -

- 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,
- as a result of the death of a dependant,
- because of the unexpected disruption or termination of arrangements for the care of a dependant, or
- to deal with an incident which involves a child of the employee and which occurs unexpectedly when the child is at school

As soon as is reasonably practicable in the circumstances, contact the Clerk (or Chair of the Council) by telephone to explain the circumstances, and if possible, an indication of the length of time-off you are likely to need in order to make alternative arrangements. If the Clerk (or Chair of the Council) is unavailable you must contact another councillor instead.

If you need to stay and care for a dependant on an ongoing basis you can agree with the Clerk (or Chair of the Council) to take annual leave; or where you have insufficient annual leave to take a period of unpaid leave. Alternatively, you may be able to take Parental Leave where the care is for your child

This is a non-contractual procedure which will be reviewed from time to time.

— policy ends here —

Notes

The wording of this policy is based on an employee's statutory right to take unpaid time off to deal with emergency or dependants leave. Adopting and applying this policy as it stands will support the council to comply with this right.

1. Pay

Councils may decide to amend the policy to allow some or all emergency leave with pay. If the council decides to do so, we recommend the policy is clear about how much time will be with pay.

If the council uses discretion and makes a decision on a case-by-case basis, such decisions may set a precedent.

If the council regularly pays staff for emergency leave, it may then become a contractual right through 'custom and practice' even if the policy or written contract states time will not be paid.

Guidance

Where there is text in [square brackets] this part may be updated or be deleted if not relevant. An alternative option may have been provided.

Important notice

This is an example of an employment policy designed for a small council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

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This document has been written by Worknest HR – a company that provides HR advice and guidance to town and parish councils. Please contact them on 01403 240 205 for information about their services.