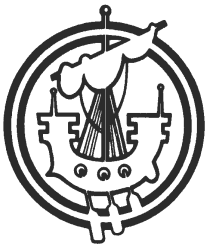


COMHAIRLE NAN EILEAN SIAR

Department of Education

Local Negotiating Committee Agreement

Title:	Arrangements for Special Leave: Teaching Staff
Date:	6 June 2007 (Revised)



COMHAIRLE NAN EILEAN SIAR

Department of Education

Local Negotiating Agreement: June 2007

personnel/special leave teachers

ARRANGEMENTS FOR SPECIAL LEAVE: TEACHING STAFF

The circumstances for which paid leave may be granted are given below.

Supply cover will be provided in relation to paragraphs 1-4.

In respect of the other paragraphs, supply cover may be provided, following negotiation with the Education Department is required in relation to the possible provision of supply cover.

1 Bereavement

- (a) In the event of a death in the immediate family of a permanent employee, he/she is entitled to receive up to a maximum of five (5) consecutive working days leave of absence with pay for the purpose of arranging or attending the funeral. The immediate family is defined as spouse, partner, child, parents, including parents-in-law and step-parents, sister or brother.
- (b) In the event of the death of a grandparent, grandchild, aunt, uncle, nephew or niece of a permanent employee, he/she is entitled to receive up to a maximum of three (3) consecutive working days leave of absence with pay for the purpose of arranging or attending the funeral.
- (c) In the event of the death of a brother-in-law or sister-in-law of a permanent employee, he/she is entitled to receive up to a maximum of two (2) consecutive working days leave of absence with pay for the purpose of attending the funeral, or three (3) consecutive working days in the case of a funeral on the mainland.
- (d) In cases where the applicant is the next-of-kin, executor/executrix or carer, the conditions in (a) above apply.
- (e) In the event of transport problems preventing a return to work at the agreed time, the line manager should be notified as soon as the problem arises.

2 Family Illness

Up to five days leave with pay in a leave year in the case of the undernoted relatives where living with the member of staff or living alone:

Spouse, partner, parent, child and other relatives in special circumstances.

The precise number of days relating to family illness allowance will be determined at the discretion of the Director of Education, in consultation, where necessary, with the Chief Executive.

3 Special Circumstances

Where special circumstances apply, it will be open to the Comhairle to extend the period of leave or to review cases of financial hardship. Such cases should, in the first instance, be notified by the Director of Education to the Human Resources Section for consideration by the Chief Executive. The Chief Executive will have the delegated power to grant up to five days' additional leave with pay or up to one month's unpaid leave in a leave year without reference to the Comhairle. Any further extension of leave will require specific approval by the Comhairle.

In the event of disruption to transport schedules preventing a return to work at the agreed time/date, the line manager should be notified as soon as the problem arises.

4 Parental Leave

An employee who has been continuously employed for a year or more and has a child under 5 years old is entitled to 13 weeks unpaid leave in respect of each child. (Parents with disabled children are entitled to 18 weeks). Both mothers and fathers can take Parental Leave.

The following conditions apply:

- Leave may be taken in blocks of one week upward (this minimum period does not apply in relation to a child with disabilities).
- The employee must give at least 21 days notice of taking the leave.
- The employer can postpone leave for up to six months, for example, for business reasons.
- Employees may not take more than four weeks' leave in respect of any individual child during a particular leave year,
- Outstanding parental leave can be carried over to a new employer but a further one year qualifying period of service is needed before there is any entitlement to the leave.

Applications for parental leave can be obtained from the Human Resources Section.

5 Family Friendly Policies – Authorisation of Unpaid Special Leave

In terms of its family friendly policies the Comhairle is keen to support employees where there would be no financial consequences or detrimental effect on service to the Comhairle of granting such leave

- All Heads of Department to grant up to 5 working days unpaid special leave in any one year;
- The Chief Executive to grant up to a further 15 working days unpaid special leave in any one year

Typical examples of such leave may be a mother wishing to support daughter on birth of a child, weddings or graduations.

6 Community Service

(a) Childrens Panel

Up to 15 days paid leave in a leave year.

(b) Lifeline Agencies

Volunteers with Lifeline Agencies be granted up to 15 days paid leave in a leave year.

Lifeline Agencies are the Fire Brigade, Maritime and Coastguard Agency, Lifeboat Association and North Constabulary (Special Constables). Also included in this category are the Territorial Army.

Volunteers with Lifeline Agencies must have recorded on their Personnel file which Lifeline Agencies they are part of and in which capacity.

(c) Elected Officers

Employees who are elected officers of organisations such as the Stornoway Trust, Community Council, School Board and Scottish Crofters Union Council are entitled to receive up to five (5) days paid leave in a leave year.

When elected to office, the office bearer should forward a note to this effect to the Personnel Officers, Human Resources Section in order that a record is kept on file.

Officers who wish to become members of an outside body where remuneration is payable must seek approval with the Human Resources Sub-Committee which will assess applications on a case by case basis.

(d) Parental Assistance – School Trips, Scout Camps, Bible Camps, etc

Special leave up to 10 days be made available to employees required to accompany their children on school trips, scout camps, bible camps, etc, if such trips take place during term time. The leave taken would be on the basis of half paid, half unpaid and provided there is no cost to the authority.

(e) Charitable Works – National and International

Special leave up to 10 days be made available to staff involved in voluntary work at a national/international level. The leave taken would be on the basis of half paid, half unpaid and provided there is no cost to the authority.

(f) Youth Camps/Bible Camps/Sports Competitions

Special leave up to 10 days be made available to employees who are involved with youth activities/clubs and who are required to accompany children to camps and competitions, if such activities take place during term-time. The leave taken would be on the basis of half paid, half unpaid and provided there is no cost to the authority.

(g) Representing the Western Isles/Scotland/UK

Employees representing the Islands or their country in competitions or for the purposes of receiving an award from the Queen, be granted up to five (5) days paid leave in any one year.

This excludes members of clubs who regularly compete against mainland clubs.

A teacher claiming special leave for more than one of the community service categories is entitled to a total of no more than 15 days leave in a leave year.

7 Conferences / SQA Duties

Leave of absence, with pay, will be granted at the discretion of the Director of Education, to a maximum of twelve working days per annum without specific approval of the Comhairle to employees attending as delegates or lecturers, conferences, courses and meetings which are organised by a recognised body or to employees engaged in SQA examination procedures.

Any additional leave will require the specific approval of the Comhairle.

8 Election

Employees who have, with the approval of the Director of Education, been appointed to assist at local or parliamentary election will be granted leave with pay.

9 Union Activities

Employees elected to an Executive Committee of the Western Isles Branch or Local association of a Union recognised by the Comhairle or sub branches thereof shall be granted paid leave of absence to attend meetings of the branch and to attend duties associated with their offices, subject to the approval of the Director of Education.

The same conditions apply to Union Learning Representatives.

One day's leave with pay per session is allowed for the purpose of Union training activities.

If cover can not be arranged internally, application for cover should be made to the authority.

10 Jury Service

An employee receiving a summons to serve on a jury must report the fact to the Director of Education and shall be granted special leave with pay to attend, unless exemption is secured, subject to the deduction of the allowances to which an employee is entitled under the Juror's Allowances Regulations and accordingly the employee should claim such allowances. Any allowance received should be offset against salary and discussed with the Payroll Manager.

When required to attend for jury service, an employee will be furnished with an official note of salary, expressed in terms of an hourly rate.

As witnesses are legally required to attend Court, paid special leave should be made available for the duration of the attendance. The employee should provide their Line Manager with a copy of the citation.

If called for jury service or as a witness but subsequently released, staff should return to their school immediately.

11 Head Teachers' delegated powers to grant special leave

The Director of Education has delegated to Head Teachers the power to grant any member of staff up to two days special leave without pay at any one time.

In exercising this delegated power, Head Teachers should be mindful of the conditions specified in respect of specific circumstances, as detailed in the foregoing paragraphs. For circumstances not covered above, reference should be made to the following chart.

Category	Specific Conditions	Nature of leave granted
Weddings	Immediate family: employee's own children or stepchildren	One day with pay. Any additional days without pay.
	Other	Leave without pay
Interviews	Travel should be by the quickest feasible route	Leave with pay, up to a maximum of 12 days per leave year.
Adjudication	If related to the applicant's employment	Leave with pay. Any fee received to be declared to the Comhairle and deducted from salary.
Cultural/Sporting events	Participation as competitor.	By negotiation with the Education Department.