

COLWICH PARISH COUNCIL



PD103 DEPENDANTS POLICY

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DEPENDANTS

Time off for Dependants – PD103

Revision history

This document was originally written by:

Name	Position	Date
Michael Lennon	Clerk	January 2017

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Revision History

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1 Policy Statement

- 1.1 Colwich Parish Council believes that all employees, regardless of their length of service, have the right not to be unreasonably refused a reasonable amount of time off during working hours to deal with emergencies involving their dependants. This right is conferred by the Employment Rights Act 1996 s. 57A.
- 1.2 This right to time off is limited to the time needed to take the action that is necessary to deal with an unexpected emergency
- 1.3 The right is to reasonable time off. The amount of time is not fixed but is to allow the employee time to deal with the immediate problem and put any other necessary arrangements in place.
- 1.4 The Government suggests that, while the amount of time off that is reasonable may well vary according to the circumstances of the emergency, one or two days' leave should be sufficient in most cases.
- 1.5 If employees wish to take longer periods of time off to care for dependants they should refer to the Council's Parental Leave Policy and Special Leave Policy for further information.

2 Pay during Time off for Dependants

- 2.1 The entitlement to time off for dependants is paid.

3 Meaning of Dependant

- 3.1 A dependant is quite narrowly defined as:
 - Husband, wife, civil partner or partner;
 - Parent;
 - Child;
 - Someone who lives in the household as part of the family, rather than being a lodger or tenant.
- 3.2 The definition is extended to any person who reasonably relies on the employee for assistance to make care arrangements where that person has fallen ill or been injured or assaulted.

4 Situations to take Time Off

- 4.1 Reasonable time off during the working hours may be taken in connection with one or more of the following:
 - When a dependant falls ill;
 - When a dependant is injured or assaulted;
 - When a dependant gives birth;
 - To make longer-term arrangements for a dependant who is ill or injured;
 - The death of a dependant (see also the Council's Bereavement Policy);
 - An unexpected incident involving a child of the employee when the child is at an educational establishment;
 - When there is an unexpected disruption or breakdown in care arrangements for a dependant.

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4.2 Illness includes mental illness.

5 Notification of Leave

5.1 Given the nature of this leave, it may not be possible to provide the advance notice required in the Parental Leave Policy.

5.2 When time off for dependants is necessary, employees must contact the Clerk, or in the case of the Clerk the Chairman, as soon as possible stating the reason why time off work is needed and the likely duration of the leave.

5.3 If the Clerk, or the Chairman, cannot be contacted then a message should be left with the Vice Chairman.

5.4 Email and/or text message communication is permitted. However, the employee must make telephone contact as soon as reasonably practicable.

6 Change of Circumstances

6.1 If the circumstances change while the employee is off work, such that he/she needs more time off that originally envisaged, the Clerk or Chairman (as appropriate) must be contacted as soon as the extra time is needed with an explanation for, and an estimate as to the length of, the extension. See 5.4 above.

7 Protection from Unfavourable Treatment

7.1 It is unlawful for an employer to treat an employee unfavourably because they have taken, or sought to take, reasonable time off for dependants.

8 Abuse of the Policy

8.1 An employee may be subject to disciplinary action if there are grounds to believe that they have abused the right to time off for dependants, for example, by claiming time off for a fictitious emergency.

9 Review and Monitoring

9.1 The Council will monitor the application of this policy and reserves the right to review it at any time, through the appropriate consultation mechanisms.

9.2 Responsibility for the implementation, monitoring and development of this policy lies with the Council. Day to day operation is the responsibility of the Clerk who is to ensure that it is adhered to.

SIGNED	
COUNCILLOR WENDY PLANT PARISH COUNCIL CHAIRMAN	