

## Special leave and public duties leave policy

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 Reviewed as current:  
 Owner: **Assistant Director, People Services**  
 Responsible work team: **Policy, Pay and Reward**

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# 1 Introduction

- 1.1 This policy sets out the Brigade's arrangements when special leave for particular occasions and circumstances may be given and applies to all employees.
- 1.2 This policy should be applied in line with the Brigade's values:
  - Service – We put the public first.
  - Courage – We step up to the challenge.
  - Learning – We listen so that we can improve.
  - Teamwork – We work together and include everyone.
  - Equity – We treat everyone fairly according to their needs.
  - Integrity – We act with honesty.

## 2 Special leave

### Prescription

- 2.1 Special leave **with or without pay** may be given at the discretion of the Brigade. When granting special leave account will be taken of your circumstances including outstanding annual leave, attendance records and any special leave previously granted. Any leave granted will be subject to the exigencies of the service. Special leave may be either paid or unpaid up to a maximum of 10 days in the normal 12 month leave period, 1 January to 31 December for operational staff, and 1 April to 31 March for FRS and Control. It should be noted that special leave is not an allowance and should not be seen as an entitlement to be used up.
- 2.2 Special leave is divided into three broad categories for all staff. The provisions for leave for public duties and armed forces training are separate from the special leave arrangements. Further details for categories of special leave and leave for public duties can be found in the appendices to this policy.
  - (a) Compassionate/domestic leave - this provision allows **paid** time off for serious illness and/or bereavement of family members and certain personal and domestic situations.
  - (b) Dependants leave – this provides for you to take a reasonable amount of **paid or unpaid** time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements. This provision is for unforeseen matters. The emergency must involve your dependant. In the policy a dependant is defined as the spouse, civil partner, partner (regardless of gender), child or parent of yours, or someone who shares your household as the employee\* and has a caring commitment. In cases of illness or injury, or where core arrangements break down, a dependant may also be someone who reasonably relies on you for assistance. This may be where you are the primary carer or the only person who can help in an emergency.

\*This does not include tenants or boarders living in the family home, or someone who lives in the same household as you such as a live in housekeeper.
  - (c) Official Brigade duties – this provision allows **paid or unpaid** time off to attend certain Brigade functions or events in a representative capacity, personal investiture with an honour or decoration, participation in Brigade sports as a member of the Brigade sports team, or an official Fire Services Team. An example where such leave would normally be granted with

pay would include a personal investiture. An example of unpaid special leave would include participation in Brigade or national sports events.

- 2.3 Subject to paragraph 2.1 and 2.2 above, leave may be allowed in accordance with the guidelines set out in Appendix 1. This outlines the recommended categories of special leave available in different circumstances. Your manager has discretion over the period they allow you to have special leave. They must however take into account your circumstances, as set out in paragraph 2.1 and balance that with the principle that special leave is only granted in exceptional circumstances and the total amount of paid and/or unpaid special leave should not exceed 10 days in the twelve month period as previously specified. Only in very exceptional circumstances can these provisions be extended and only with the approval of the appropriate director/head of service/assistant commissioner in consultation with the Assistant Director People Services.

### 3 Public duties

#### Prescription

- 3.1 The Brigade recognises and values the work of its employees in performing public duties for the benefit of the community it serves. To that end a limited amount of paid leave is made available for you to continue to perform such duties of public character. This must be balanced against the needs of the Brigade to provide a front line emergency service; therefore paid leave is limited to the duties set out below.
- 3.2 Public duties includes staff who serve as a Justice of the Peace (JP) or as a member of a local authority, or who fulfils other duties of a public character such as membership of a statutory tribunal, a police authority, a board of prison visitors or prison visiting committee, a relevant health authority, a relevant education body or the Environment Agency. If undertaking public duties you may be granted up to the equivalent of 15 days leave with pay (20 days a year for service as a JP, Local Authority Leader of the Council, Local Authority Committee Chair) for such purposes. Any leave granted for public duties in excess of 15 or 20 days a year, as appropriate, shall be without pay, and shall be subject in each case to the agreement of the Assistant Director, People Services.
- 3.3 Jury Service - leave of absence will be granted to you for the purpose of serving on a jury. See paragraph 8.1 regarding allowances paid to jury members.
- 3.4 Information regarding the categories for leave for public duties can be found in Appendix 2.

### 4 Application for special leave

- 4.1 If, for any reason you need leave of absence at a time when you should normally be on duty, you must make an application beforehand as described in the following paragraphs. The application form may be accessed via this link: [Templates & Resources > Leave & Working Arrangements](#) category (or search for: Form 308 Application for Special Leave).

#### Special leave (all categories) and leave for public duties

- 4.2 Special Leave form (F 308) must be completed in **all** circumstances and must be supported by relevant evidence whenever possible (and the reasons if no evidence is provided). This evidence is to be scanned to your ePRF by the Area Team with the completed F 308 within 7 days of it being authorised by your manager. You should complete the form and submit it for authorisation at the earliest opportunity as "failure to submit the completed form and supply supporting evidence within one month of the end of the period of special leave may result in the special leave being unpaid, with appropriate adjustments being made in the next available pay-run.

### **Jury Service**

- 4.3 If you require special leave to serve on a jury, you should make your application on the attached form, as soon as the need for leave is known, giving all relevant information available at the time. The notice to undertake training or to serve on a jury must be shown to your manager in a role/grade not less than sub/station officer/FRS D/control commander. Your manager should copy and retain any documentation on your e-PRF.

## **5 Accountability and monitoring**

- 5.1 The special leave provisions are to be used in exceptional circumstances only. It is not an allowance to be used up and all special leave granted will be monitored. Alleged misuse of the special leave provisions will be investigated and you may be subject to disciplinary action. Your manager will be accountable for authorising special leave applications. Please refer to Policy number 392 – Discipline (Conduct) procedure.

## **6 Authorisation for special leave and leave for public duties (manager's actions)**

- 6.1 You should satisfy yourself that all other avenues for dealing with personal and domestic situations have been explored before granting special leave. This should include; taking account of the applicant's existing leave entitlements, and the use of the exchange of duty arrangements or consideration of alternative dates for the event (where appropriate) for which special leave is requested. Only when all these options have been investigated should special leave be considered. You must take into account the impact on service delivery if you are granting the leave. It should be noted that special leave is over and above the station/rota book leave allocation, and in special circumstances, that of Control too.
- 6.2 Upon receipt of an application, you must satisfy yourself that the leave requested is required for the purpose stated. You will obtain any documentation which may be considered necessary to support the application, for example court subpoena or jury papers. Generally, it is not expected that an employee will provide, for example, medical certificates or letters in the case of a dependant's illness. However, the right is reserved for the requirement of such evidence, if the circumstances warrant it.

**As an applicant** you should ensure that any supporting documentation available is provided to the manager.

- 6.3 It should be noted that:
- (a) Special leave granted to control staff will normally be included as part of the watch, shift or section allowance. However, in exceptional, short notice circumstances, the control commander authorising such an application will consult the duty brigade control senior manager.
  - (b) An application for special leave can only be authorised by an appropriate line manager in a role or grade not less than sub/station officer/FRS D/control commander. See Appendix 1 and Appendix 2 for authorisation requirements.
  - (c) All special leave granted will be subject to the exigencies of the service and as the manager you are responsible for confirming that the supporting documentation, where required, has been provided by the employee e.g. for public duties.
  - (d) Where an employee works part time or job-share, special leave provisions should be adjusted on a pro-rata basis. For example, an employee who is part time and works 50% of

the 'standard' working hours could be granted a maximum of five days in the specified 12 month period, see paragraph 2.1.

- 6.4 **The line manager is responsible** for checking if any further action is required including the notification to HR Services of any adjustments to salaries. This includes any loss of earning allowances that might be deducted through Public Service provisions.
- 6.5 **The line manager is responsible** for ensuring that the appropriate line/rota book manager is informed to enter the details of special leave onto StARS. Please refer to the StARS guidance notes on hotwire for details of how to do this.
- 6.6 **For staff working at stations** or in Area Teams, any special leave application F 308, which has been authorised at the appropriate level as outlined in paragraph 7.3, together with any supporting documentation, should be forwarded to the respective Area Team for processing. Station staff should not update the F 308 Received box on StARS. This should only be updated by Area Team staff following receipt of the F 308.
- 6.7 Following processing, special leave applications will be forwarded by the line manager/Area Teams/HR Services, to the Records Services (Third Floor Union Street) for filing on the individual's Personal Record File. As mentioned in paragraph 7.4 any leave requiring salary adjustment must be forwarded to the HR Services team.
- 6.8 Urgent applications for special leave will be dealt with by the line manager or the officer of the day on the understanding of the applicant that in each case leave granted is allowed provisionally, pending full consideration of the application. If the application is then disallowed or only allowed in part, the leave may have to be (a) without pay, or (b) where neither paid nor unpaid leave can be approved, made up by the applicant, by counting it against outstanding annual, long service, public holiday or option absence leave as appropriate.

## **7 Allowances paid to an employee for public duties**

- 7.1 Jury service –Staff will give prior notification of their Jury summons to their line manager and the HR Services who will issue a 'Confirmation of Jury Service' letter detailing the claims process to be followed. An employee serving as a juror will be issued with a Remittance Advice Form on the final day of Jury Service when dismissed; or it will be posted to them within a week. It is your responsibility to claim the loss of earnings to which you are entitled under the Jurors' Allowances Regulations currently in force. The form must be sent to HR Services within 1 month of completing your jury service. An amount equal to the allowance received will be deducted from your net pay in the month following your return to work from jury service. For the purpose of calculating 'average pensionable pay' under the Firefighter's and Local Government Pension Schemes), it will be assumed that such a deduction did not take place.
- 7.2 If you serve as a Justice of the Peace or as a member of a Local Authority you will claim a loss of earnings allowance or any other allowance to which you would have been entitled under Section 177(2) of the Local Government act 1972, or any other statutory enactment. An amount equal to the allowance received will be deducted from your net pay. For the purpose of calculating 'average pensionable pay' under the Firefighters' and Local Government Pension Schemes, it will be assumed that such a deduction did not take place.

## **8 Deductions from salary**

- 8.1 When special leave is granted without pay, deductions from salary will be calculated on a pro-rata basis according to your rate of pay and the time spent away from duty, part of an hour being

reckoned as an hour. For the purposes of deductions, a day's pay will be determined using the standard format for calculating a day's pay.

- 8.2 As detailed in paragraph 8.1, you are required to make a loss of earnings claim through the court service and to return the court remittance slip to HR Services at the earliest opportunity, within 1 month of your dismissal from Jury service. If you fail to do so, you will be notified by e-mail in advance that an amount equivalent to your maximum loss of earnings entitlement under the Jurors' Allowances Regulations will be deducted from your salary within 2 months of your return to work from jury service.

## **9 Rota leave and off-duty periods adjoining or during special leave**

- 9.1 Rota leave or off-duty days immediately preceding or following a period of special leave, or forming the first or last day of such a period, are to be regarded as rota leave or off-duty days. Any rota leave days or off-duty days falling within a period of special leave are also to be counted as rota leave or off-duty days.

## **10 Recording of special leave and leave for public duties**

- 10.1 All special leave and leave for public duties must be recorded on StARS. Where leave granted is equal to or less than half a duty period, it shall be recorded as half a day's leave; leave in excess of half a duty period shall be recorded as a day's leave.
- 10.2 StARS will automatically record the amount of special leave granted to you. A warning box will appear once you have been granted 10 days special leave in the 12 month period.

## **11 Records**

- 11.1 Please send records by email to [RecordsServices@london-fire.gov.uk](mailto:RecordsServices@london-fire.gov.uk). Records will be kept on your electronic personal record file (e-prf) and retained in accordance with Policy number 788 - Electronic personal record file. Personal data shall be processed in accordance with Policy number 351 – Data protection and privacy policy.

## **12 Help and support**

- 12.1 Please contact the HR Helpdesk on extension 89100 option 3 and by email to [IT.HR@london-fire.gov.uk](mailto:IT.HR@london-fire.gov.uk).
- 12.2 This policy may also be available on request in other alternative accessible formats as set out in Policy number 290 – Guidance note on translation and interpretation. Please contact Communications on extension 30753 and by email to [communications.team@london-fire.gov.uk](mailto:communications.team@london-fire.gov.uk) to discuss your needs and options.
- 12.3 The Brigade invites your engagement so that it can learn so if you have a suggestion that can improve this policy then please submit your idea via the Staff Suggestion Scheme on Hotwire as set out in [Policy number 887](#) – Staff suggestion scheme. Any changes do need to go through the agreed engagement, consultation, negotiation or governance requirements.

## Appendix 1 – Categories for special leave

	Purpose	Guidelines	Authorisation required
<b>Compassionate/Domestic leave</b>			
<b>(a)</b>	Serious illness** of spouse, civil partner, partner (regardless of gender), child, parent, sibling, grandparent, grandchild, step relative or guardian. Or the serious illness** of a close personal friend (if living with the employee at the time)	Paid	sub/station officer/FRS D/control commander or above
<b>(b)</b>	Death of spouse, civil partner, partner (regardless of gender), child, parent, sibling, grandparent, grandchild, step relative or guardian. Alternatively the death of a close personal friend (if living with the employee at the time)	Paid Managers will consider these with compassion and are not limited to authorise a minimum of only 1 day.	sub/station officer/FRS D/control commander or above
<b>(c)</b>	Funeral of spouse, civil partner, partner (regardless of gender), child, parent, sibling, grandparent, grandchild, step relative, parent-in-law, son-in-law, daughter-in-law, brother or sister-in-law or guardian. Funeral of ex-partner where there are children in common if a close personal friend. The funeral of a close personal friend (if living with the employee at the time). Or relative of whom the employee is next-of-kin, or funerals attended in a representative capacity	Paid	sub/station officer/FRS D/control commander or above
<b>** A ‘serious illness’ is one that either arises unexpectedly and is of a potentially life-threatening nature or relates to critical times of a longer-term medically diagnosed chronic illness.</b>			
<b>(d)</b>	An employees own wedding or civil partnership registration (Ranks TFF – Stn Off ineligible, due to historical negotiated agreement)	Paid	sub/station officer/FRS D/control commander or above
<b>(e)</b>	Household removal (i.e. involving the removal of household furniture)	Paid	station commander/ FRS D/control commander or above

	<b>Purpose</b>	<b>Guidelines</b>	<b>Authorisation required</b>
	(Ranks TFF – Stn Off ineligible, due to historical negotiated agreement)		
<b>(f)</b>	Cancer screening (Operational staff only)	Paid	sub/station officer / FRS D/ control commander or above
<b>(g)</b>	Urgent private business	Unpaid	sub/station officer/FRS D/ control commander or above
<b>(h)</b>	Attendance as a witness in court either on subpoena, after direction from a court or other authorised body, or at the request of the police or other bodies	Paid	sub/station officer/FRS D/ control commander or above
<b>(i)</b>	Attendance as a witness at an inquest	Paid	sub/station officer/FRS D/ control commander or above
<b>(j)</b>	Attendance at examinations of an academic or educational nature generally, or for professional qualifications directly connected with the work of the staff concerned	Paid	sub/station officer/FRS D/ control commander or above
<b>(k)</b>	Degree presentation - absence for personal presentation of degree	Paid	sub/station officer/FRS D/ control commander or above
<b>(l)</b>	Personal circumstances beyond the control of the employee which necessitate unavoidable absence from work and which, because of the particular circumstances of the employee, are considered to merit special consideration e.g. fire or flood at home	Paid	sub/station officer/FRS D/ control commander or above
<b>(m)</b>	To facilitate participation in such voluntary service activities as summer camps, special holidays etc provided that:  (i) the employee has been continually employed for 6 months  (ii) the activity is connected with a community organisation involving young people, people with disabilities or disadvantaged people of all ages  (iii) the individual regularly participates in the voluntary activity throughout the year and  (iv) the activity involves the employee in continuous absence	Paid	sub/station officer/FRS D/ control commander or above



	Purpose	Guidelines	Authorisation required
	from the normal place of residence such that 5 days would have to be taken from the employee's own leave entitlement i.e. length of camp must be at least 5 days  <b>Note:</b> all these provisos must be met before the leave may be granted		
<b>Dependants Leave</b>			
(n) (i)	Illness or injury of a dependant* giving rise to serious domestic difficulties which require the presence of the employee	Paid	sub/station officer/FRS D/ control commander or above
(ii)	To make longer term arrangements for a dependant* who is ill or injured or where existing core arrangements break down	Unpaid	sub/station officer/FRS D/ control commander or above
(iii)	To deal with an unexpected incident involving the employee's child during school hours	Unpaid	sub/station officer/FRS D/ control commander or above
<p>* In the policy, a dependant is defined as the spouse, civil partner, partner (regardless of gender), child or parent of the employee or someone who shares the same household as the employee (this does not include tenants or boarders living in the family home, or someone who lives in the same household as an employee such as a live in housekeeper) and has a caring commitment. In cases of illness or injury, or where core arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.</p>			
<b>Official Brigade Duties</b>			
(o)	Attendance in a representative capacity at meetings of the Brigade Welfare Fund or any Committee of these bodies or other recognised equalities support groups	Paid	sub/station officer/FRS D/ control commander or above
(p)	Investiture - Personal investiture with an honour or decoration of employee	Paid	sub/station officer/FRS D/ control commander or above
(q)	Member of an official team representing the Brigade, or Directorate in athletic sports or games against official teams representing other local authorities, brigades, uniformed	Unpaid	sub/station officer/FRS D/ control commander or above

	Purpose	Guidelines	Authorisation required
	<p>services (in the UK), Boroughs or Directorates. Representing the Fire Service in athletic sports or games. Participation in international sporting events or trials as a member of an official Authority, Brigade, Fire Service or national team.</p> <p><b>Note:</b> (i) A representative Brigade team is one designated as such by the Brigade Welfare Fund. (ii) Please also see Policy number 955 - Sports facilities leave</p>		
(r)	Time off for equal opportunities to enable employees to attend trade union meetings on matters associated with the furtherance of the Brigade's Equality at Work Strategy and Programmes	Paid	sub/station officer/FRS D/ control commander or above

## Appendix 2 - Categories for leave for public duties

	Purpose	Guidelines	Authorisation required
<b>Leave for Public Duties</b>			
<b>(s)</b>	Justice of the Peace (JP)	Up to 20 days paid	sub/station officer/FRS D/ control commander or above
<b>(t)</b>	Local Authority Leader of the Council, Local Authority Committee Chair	Up to 20 days paid	sub/station officer/FRS D/ control commander or above
<b>(u)</b>	Member of Local Authority, Statutory Tribunal, a Police Authority, a board of prison visitors or prison visiting committee, a relevant health body, a relevant education body or the Environment Agency	Up to 15 days paid	sub/station officer/FRS D/ control commander or above
<b>(v)</b>	Employees who are candidates at parliamentary elections	Paid leave, as specified by the candidate, from the first day on which nomination papers are delivered up to the second day after the election, inclusive	sub/station officer/FRS D/ control commander or above
<b>(w)</b>	Employees who are candidates at local elections other than for the London Borough Councils and the City of London	1 day paid leave for polling day	sub/station officer/FRS D/ control commander or above
<b>(x)</b>	Employees who apply for permission, and are selected, to act as presiding officers or poll clerks at general, parliamentary and local government elections shall be granted special leave for the day of the election and for some time as may be necessary on a preceding day in order to receive their instructions and to sign the statutory declaration, and shall be allowed to retain the fees payable for the work. Employees undertaking these duties who are asked by returning officers to assist in the counting of votes shall be granted special leave for this purpose on the same conditions	Unpaid leave for day of election and counting votes. Paid leave as needed on a preceding day in order to receive instructions and sign the statutory declaration	sub/station officer/FRS D/ control commander or above

	Purpose	Guidelines	Authorisation required
<b>Leave for Public Duties</b>			
(i)	For participation in peace-time civil defence activities which are brought into being as a result of a major accident or national disaster	Up to 25 days special leave with pay in any year.	sub/station officer/FRS D/ control commander or above
(ii)	Jury Service	Paid, subject to the deduction of any monies received from the court in respect of loss of earnings.	sub/station officer/FRS D/ control commander or above

## Document history

### Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	12/12/23	SDIA	L -15/05/23	HSWIA	17/05/23	RA	NA
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### Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Throughout	PN512a and PN512b have been merged to create this policy. Cancelled copies of these policies are kept by the Knowledge Management Team for record of historical changes.	11/12/2023
Para 1.2, page 2 Para 13, page 7 Appendix 1	Brigade values added. Section on Carers leave added. Page 9, paragraph (f) – changes made to * paragraph.	05/04/2024
Page 8, para 14.1 Page 8, para 15.2	Data protection details added. Access to alternative policy format details added.	15/04/2024
Page 8, para 14.1 Page 8, para 15.3	Records Services details added. Staff Suggestion scheme details added.	30/05/2024
Page 5 para 12.2  Page 6 para 12.3	Altered the 'mother or birthing parent' to 'birthing mother/parent'.  Removed prefix of biological to refer to more inclusive 'parent'.	08/08/2024
Page 2, para 2.1	Updated to reflect leave periods for different groups of staff.	01/10/2024
Page 6, para 12  Page 7, para 13	Parental Bereavement Leave provisions removed and added to PN555 Family Support Leave policy. Carers Leave provisions removed and added to PN555 Family Support Leave policy.	25/02/2025
Throughout	Reservist special leave provisions removed and added to PN947 Outside employment in reserved forces policy.	27/02/2025
Page 7, para d)	Gender reassignment transition leave removed and added to PN323 Trans inclusion policy.	03/04/2025
Page 7, para d) and e)	Fertility leave removed and added to PN555 Family and support leave policy.	14/04/2025

### Subject list

You can find this policy under the following subjects.

Leave	Special Leave

## Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

<b>Considered by:</b> (responsible work team)	<b>FOIA exemption</b>	<b>Security marking classification</b>