**PERTON PARISH COUNCIL**

**DEPENDANT LEAVE & EMERGENCY**

**DEPENDANT LEAVE**

# INTRODUCTION

* 1. The Council believes that all employees, regardless of their length of service, have the right not to be unreasonably refused a reasonable amount of unpaid time off during working hours to deal with emergencies involving their dependants. This right is conferred by the Employment Rights Act 1996.
	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**. This 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)
	3. This policy is to assist in unforeseen circumstances for all employees.

# SCOPE

* 1. 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:
	2. The Government suggests that, while the amount of time off is reasonable it may well vary according to the circumstances of the emergency, one or two days’ leave should be sufficient in most cases.

# MEANING OF DEPENDANT

* 1. A dependant is defined as;
1. Husband, Wife, Civil Partner or Partner;
2. Parent;
3. Child;
4. Someone who lives in the household as part of the family, rather than being a lodger or tenant.
	1. 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.

# TAKING EMERGENCY AND KNOWN LEAVE

* 1. Emergency leave is only intended to cover unplanned absence to attend to urgent or serious situations affecting your immediate family or dependants It is not possible to provide a complete list of circumstances that are covered under this policy, however the most common circumstances are as follows;
1. Full pay will be paid in the following circumstances:
	1. As a result of the death of the dependant or parent
	2. Accident to a dependent and unexpected hospitalisation of a dependant.
2. One or two days leave will be paid in the following circumstances
	1. To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted
	2. Because of the unexpected disruption or termination of arrangements for the care of a dependants
	3. To deal with an incident which involves a child of the employee and which occurs unexpectedly when the child is in full time education or childcare provision.

Iv To make arrangements for the provision of care for the dependant who is ill or injured.

# NOTIFICATION OF LEAVE

* 1. Given the nature of this leave, it may not be possible to provide the advance notice required in the parental leave Policy
	2. When time off for dependants is necessary, employees must contact their line manager as soon as possible stating the reasons why time off work is needed and the likely duration of the leave.
	3. If their Line manager cannot be contacted then a message should be left with the assistant clerk
	4. Email and/or text message communication is permitted. However, the employee must make telephone contact as soon as reasonably practicable.

# CHANGE OF CIRCUMSTANCES

* 1. If the circumstances change while the employee is off work, such that they need more time off than originally envisaged, their line manager must be contacted as soon as extra time is needed with the explanation for, and an estimate as to the length of the extension required.

# PROTECTION FROM UNFAVOURABLE TREATMENT

* 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.

# ABUSE OF THE POLICY

* 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.

# REVIEW

* 1. This policy will be reviewed every four year term, or earlier if there are any material changes.