



28 February 2018

## FREEDOM OF INFORMATION REQUEST – 215/18

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request:

To ask under the FOIA

1. Whether your local authority offers special leave / public duty leave for council staff to fulfil public duties relating to the emergency services. Such duties include: retained fire fighters, special constables, on call NHS / Community responders, search and rescue workers, the RNLI and any other emergency services workers. it does not include jury service or armed forces, or sitting on a health authority board / committee.

Answer: These specific services/leave for employees are not specifically referenced in our Policy but the Council gives due regard for such circumstances to consider whether paid leave would be provided. As below – extract from our Policy

### 9. PUBLIC DUTIES

Rutland County Council employees holding certain public positions are entitled to a reasonable period of unpaid time off to perform their duties.

#### 9.1 Jury Service

9.1.1 Rutland County Council employees who are called for Jury Service should inform their Manager in writing at the earliest opportunity. Jury service normally lasts for 10 working days, but may be longer.

9.1.2 There is a statutory obligation to attend for Jury service if called. Where payment can be claimed back for the duties the employee should be paid as normal but they must refund the amount once they have received the payment.

9.1.3 It is the Line Manager's responsibility to notify HR and Payroll of the employee's attendance on Jury Service and the start and finish dates.

9.1.4 Where there is no payment for their duties the leave taken will be unpaid.

9.1.5 Employee's who are called for Jury Service and attend at court but are not required for the day should return to work if at all possible for the remainder of their working day.



## 9.2 Magistrates / tribunal members.

Magistrates, sometimes known as Justice of the Peace will be allowed a “reasonable” amount of time to fulfil their public duties. There is no statutory right for this time to be paid.

### 9.3.1 School Governors

Employees may request a “reasonable” amount of paid special leave for School Governor duties. There is no statutory right for this time to be paid.

## 10. UNPAID LEAVE

10.1 Rutland County Council appreciates that there may be certain times when employees need to take unpaid time off work, this would normally be appropriate where the individual has exhausted their annual leave entitlement, or it is not appropriate to take annual leave.

### 10.2 Territorial Army/ Reserve Forces

10.2.1 Employees may request unpaid leave for Reserve Forces training – there is no statutory right to payment for this period of time or during any military service.

10.2.2 Employees should request the unpaid leave at least four weeks in advance of the training, through their Line Manager, giving the dates of the training and any other relevant details for the requested absence.

10.2.3 Under the Reserve Forces Act 1985, members of the volunteer reserve forces, or the regular forces are liable to be called up at short notice for military operations. It is an offence under the Act to terminate a reservist employee’s employment because he or she has been (or is liable to be) called up for active military service.

10.2.4 A reservist employee has the qualified right under the Reserved Forces Act 1985 to be reinstated in his or her former job after demobilisation. This right applies for six months after the end of the period of service. Re-employment should be to the same job and on terms and conditions no less favourable than if the employee had not been called up.

### 10.2 Sports Representative / Officials / Arts and Culture

10.2.1 Employees may request unpaid leave when they are selected to represent their county, region or country for sporting events, this may be for competing or for officiating at such events.

10.2.3 Unpaid leave may also be requested for representing the county, region or country for arts and cultural events, such as choirs etc.

10.2.2 Employees should request unpaid leave at least four weeks in advance of the event, giving full details of the need for special leave.

### 10.3 Work in the community

10.3.1 Rutland County Council appreciates that there are benefits for staff to use their skills in the local community, ie, working for a charity or enlisting as a retained firefighter.

10.3.2 Employees may request a reasonable amount of unpaid leave for work in the community.

10.3.3 Employees should put requests for this type of leave to their Managers in writing, stating the time requested, the reasons for the request and what the work in the community entails. All requests for working in the community will be considered in full.

2. If the local authority offers such special leave for the emergency services, is it paid or unpaid? If it is paid, how many days / hours are offered per calendar year?

Answer: As para 10.3.above.

3. If the local authority pays staff to take such leave, for a copy of this policy. And the number of staff who have taken the leave between 1 January 2017 and 31 December 2017 (broken down by 'emergency service' in part one.

Answer: None

4. If the local authority does not offer such special leave, whether there are plans to introduce such a policy.

Answer: None

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If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP  
You can also complain to the Information Commissioner at:

The Information Commissioner's Office  
Wycliffe House, Water lane  
Wilmslow, Cheshire  
SK9 5AF  
Tel: 01625 545700

Yours faithfully

FOI Administrator  
Corporate Support Team, Rutland County Council