
Time off for Public Duties Procedure

Document Control

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Revision due	The service aims to review policies and procedures every two years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)
February 2024

Change History

Version	Date	Description	Changes made by
V2	February 2024	Only one role allowed to have paid time off. Added it is pro-rata for part time workers. Included details of the legislation	Melissa Berry
V1		Existing policy	

Contents

1	INTRODUCTION -	1
2	EQUALITY	1
3	PURPOSE.....	1
4	PRINCIPLES.....	1
5	SCOPE.....	2
6	Leave entitlements and time off	2
6.1	Leave Entitlements and time off.....	2
6.2	Reason for time off.....	3
6.3	What is Reasonable.....	3
6.4	Guidelines	3
6.5	Other types of Duties	4

BRACKNELL FOREST COUNCIL'S TIME OFF FOR PUBLIC DUTIES PROCEDURE

1 INTRODUCTION -

The Council is committed to supporting its employees' social responsibility through allowing employees time off for certain public duties and services.

2 EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity, and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The Council - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3 PURPOSE

The National Agreement on Pay and conditions of Service (the Green Book) states that paid leave of absence will be granted for employees undertaking jury service, serving on public bodies or undertaking public duties.

The definition of public duties is for local determination. This procedure therefore clarifies the position of Bracknell Council on what constitutes public duties.

In addition, The Time off for Public Duties order 2018 sets out the expectations for employers which this policy also reflects.

[Time off work for public duties - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

4 PRINCIPLES

- Time off will only be granted to cover meetings and duties in the employees' normal working hours. Should training for public duties fall outside normal working hours, time cannot be claimed.
- Managers will be required to keep records of employees taking time off for public duties to ensure it does not exceed the agreed maximum allowance.
- Staff wishing to undertake public duties are required to discuss how and when they will require time off in order to identify the potential impact on the service and the amount of time off that is likely to be required.

5 SCOPE

This procedure applies to all employees of Bracknell Forest Council, except for:

- School based staff (see separate School policy).
- Individuals undertaking casual work.

There is no minimum qualifying period of service for the employee to be entitled to request such time off.

6 LEAVE ENTITLEMENTS AND TIME OFF

6.1 Leave Entitlements and time off

Leave entitlements are given for the following public duties:

- an elected Chairperson or Mayor of a Council – up to an additional 18 days paid leave during a full year's term of office (pro rata for part time employees)

Or

- an elected Councilor or as a Magistrate – up to an additional 12 days paid leave each year from the date of the actual appointment (pro-rata for part time employees)

From 1 October 2018 The time off for Public Duties order 2018 was extended to include the following:

- members of a panel of lay observers. These are volunteers who monitor conditions for prisoners under escort and in court custody.
- members of Visiting Committees for the immigration and detention estate.
- members of Visiting Committees appointed to monitor short-term immigration holding facilities.

Please note, that employees can only request time off for one of the categories above. Where the employee opts to hold more than one role, they will be required to use annual leave to fulfill those duties or may request unpaid leave

In all the above scenarios, normal annual leave/unpaid leave approval processes would apply and be dependent upon sufficient cover within the team.

If an employee has a second job, they would also be required to disclose this in accordance with the Bracknell Forest Code of Conduct and follow the process to request to undertake additional employment?

In addition, reasonable time off can be requested as unpaid leave to undertake up to one of the public duties listed below, except where it is indicated that this will be paid leave. It should be noted that approval of paid/unpaid leave will be dependent upon established procedures for approval of leave:

- a member of a school governing body (excluding Clerk to Governors)
- a member of any statutory tribunal (e.g. an Employment Tribunal)
- a member of the managing or governing body of an educational establishment
- a member of the General Teaching Council
- a member of the Environment Agency
- a member of the prison independent monitoring board
- an elected safety representative – **must be 'paid'**
- a trustee of the employer's pension fund – **must be 'paid'**
- a court witness
- a member of a police authority
- a member of the Service Authority for the National Criminal Intelligence Service
- a member of the Service Authority for the National Crime Squad

Where paid time off is mandatory, employees are required to keep a record on their timesheet and it should also be recorded on iworks@BFC as Public Duties.

6.2 Reason for time off

Employees can request time off to:

- attend meetings of the body
- perform duties relating to the function of that body – for example school Head Teacher interviews or Appeal meetings

6.3 What is Reasonable

Employees may request a reasonable amount of time off. What is reasonable will depend on:

- what the employees' duties are
- the time required to carry them out
- the impact on the business
- how much time off has already been taken for public or trade union duties

Whilst the Council encourages and supports the employee partaking in public duties, it should be noted that such time off does impact on the service. Therefore, time off for public duties outlined in 6.1 will be limited to one role. Where the employee opts to hold more than one role, alternative arrangements will need to be made in line with existing annual leave, flexi-time/TOIL policies or unpaid leave if applicable.

6.4 Guidelines

- employers should try to accommodate employee requests to take 'time off'
- the employee should give reasonable notice
- time off must be agreed in advance

the request can be refused if it is considered unreasonable and leaves the staffing level below sufficient levels?

6.5 Other types of Duties

A separate policy exists for Trade Union duties, Election duties and Jury Service or Court Appearances. Territorial Army members/Army Reservist have special employment protection and separate guidance exists in these situations. These documents can be viewed on the intranet.

In addition, a separate allowance is recognised for Foster Carers. Please see the intranet for details