

# Human Resources

## Time off for Public Duties

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South Yorkshire  
Fire & Rescue  
WORKING FOR A SAFER  
SOUTH YORKSHIRE

# TIME OFF FOR PUBLIC DUTIES

## INTRODUCTION

1. South Yorkshire Fire and Rescue is committed to establishing and maintaining a positive working environment where the dignity and respect of employees is not undermined. It is committed to working practices that ensure the fair treatment and professional and personal dignity of all its employees. No employee will be treated less favourably on the grounds of race, gender, disability, age, sexual orientation, religion or belief or for any other reason which cannot be justified in job related terms.
2. South Yorkshire Fire and Rescue (SYFR) acknowledges that certain employees may be undertaking public duties and/or reserve forces activities. The organisation wishes to support employees effecting these duties wherever possible.
3. SYFR accepts that it is not always possible for employees to carry out such duties in their own time, therefore, will allow staff to perform some of these activities in working hours where reasonable.
4. As defined by The Employment Protection (Consolidation) Act 1978 (Time of For Public Duties), there is a statutory right for employees to have a 'reasonable' amount of time off during their normal working hours in order to perform specific duties for public bodies.
5. This policy provides a definition of:-
  - public duties
  - the particular public bodies that are covered
  - 'reasonable' time off

This policy seeks to provide guidance to managers and employees on how to request, agree and manage requests for time off.

## SCOPE

6. This policy applies to all employees, regardless of length of service, grade and hours worked.

## PUBLIC OFFICE

7. Any employee who is a member of the following public offices will be entitled to reasonable time off in order to perform duties relating to their office:
  - The National Joint Council for Local Authorities' Fire Brigades, its committees and such other bodies
  - Board of the Fire Services College
  - National Executive Committee of the Firefighters Charity

## **TIME OFF FOR PUBLIC DUTIES**

- Justice of the Peace
- Members of a Local Authority
- Members of any Statutory Tribunal
- Members of a Police Authority
- Members of a Prison Independent Monitoring Board
- Members of the a relevant Health Authority (i.e. a National Health Trust, an NHS Foundation Trust etc)
- Members of the Managing or Governing Body of an educational establishment
- Members of the General Teaching Councils
- Members of the Environment Agency

This list is not exhaustive. Please liaise with the Human Resources Function in order to discuss any other public office duties not included above.

### **WHAT DUTIES ARE COVERED?**

8. The duties for which SYFR will permit reasonable time off with regard to public office duties might include:-
- Attendance at meetings of the body or any of its committees or sub-committees
  - Performance of duties approved by the body, which need to be done in carrying out its functions or those of its committees or sub-committees.

### **WHAT IS REASONABLE TIME OFF?**

9. The amount of time which an employee should be permitted to take off in order to perform public duties should have due regard to the following:-
- How much time is required overall to perform the particular duty in question
  - How much time off the employee has already been granted for the purpose or activity
  - The operational effect the employee's absence will have upon the organisation. This will extend to an assessment of the impact of the absence upon the employee's particular watch/ function and their colleagues.

## **TIME OFF FOR PUBLIC DUTIES**

10. An employee must be reasonable and cannot expect to make a number of commitments that may involve time off (with or without pay) where this may result in a detrimental impact on their SYFR duties.

### **NOTICE REQUIREMENTS**

11. Employees requesting time off for public duties must give notice to their line manager at least seven calendar days, where practical, prior to the event so that an assessment can be made of the potential impact upon the watch/function. This notice requirement can be reduced in exceptional circumstances.

### **PAYMENT FOR TIME OFF FOR PUBLIC DUTY**

12. Paid leave will be granted for employees on jury service, serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings, the employee should make a claim which will then be deducted from their salary.
13. Payment will only be made for approved time off where the duty is performed during the employee's normal working hours.

### **LOCAL ELECTIONS**

14. Employees who are appointed as candidates at a County or District Council election will be granted up to five days special leave without pay to enable them to pursue their candidature. This leave must be taken during the period from the last day of handing in nomination papers to the day of the ballot (inclusive).

### **PARLIAMENTARY ELECTIONS**

15. Employees who are adopted as candidates at a parliamentary election shall be granted four weeks special leave without pay to enable them to pursue their candidature.

### **RESERVE FORCES**

16. Under the Reserve Forces Act 1996, individuals in the service of the Territorial Army, the Volunteer Reserves of the Royal Navy, Royal Marines and Royal Air Force agree, with their employers consent, to abide by legal call out liability and to undertake required training in their own time.
17. Reservists may be called out in the event of national emergency, war, or for peacekeeping, humanitarian or disaster relief operations. SYFR reserve the right to apply for the exemption or deferral of an employee from call out in circumstances where there might be unacceptable detrimental impact on service delivery.

## **TIME OFF FOR PUBLIC DUTIES**

18. Where reservists are called out they shall be paid their full pay and must claim the earnings allowances to which they are entitled under the Reserve Forces Act 1996. SYFR will deduct from salary an amount equal to the allowance received that does not exceed more than their monthly salary.
19. Reservists attending annual camp may be given up to ten working days/two tours paid leave, subject to the needs of their watch/function.

## **EMPLOYEE RESPONSIBILITIES**

20. Employees who hold public office or are a member of the reserve forces should inform their line manager of their involvement and the potential impact this may have on their employment within SYFR. Employees should plan their absences and manage the level of commitment which such public duties involve in order to produce a pattern which can be regarded as reasonable. Where possible, employees should submit a list of commitments for the coming financial year to their line manager. The production of such a list will not guarantee authorised time off. The manager should make any recommendation for time off for public duties on Form FS120e (attached)
21. All requests for time off for public duties should be submitted on Form FS120e (Appendix A) with, where possible, any supporting documents i.e. letter to attend meeting/training etc. The form should be countersigned by the employee's line manager and then submitted to the Human Resources Function for authorisation by a Human Resources Manager.
22. Employees should not take time off without prior approval.

***If you require any further guidance please contact the  
Human Resources Function***