

PERTH AND KINROSS COUNCIL

Strategic Policy and Resources Committee – 17 April 2013

TIME OFF FOR MEDICAL APPOINTMENTS

Report by Head of Human Resources

ABSTRACT

This report seeks approval of the introduction of a policy covering Time Off for Medical Appointments.

1. RECOMMENDATION

1.1 It is recommended that the Strategic Policy and Resources Committee agree:

- The introduction of the Time off for Medical Appointments Policy as Appendix A.
- That paid time off will now be allowed for routine and non emergency appointments which are unavoidable during working hours.
- That paid time for routine and non emergency appointments is monitored for twelve months following implementation of the My View Leave Management functionality to quantify the lost time when a further report will be submitted to the Strategic Policy and Resources Committee.

2. BACKGROUND

2.1 There is currently no single policy which covers all the leave provisions that apply in respect of time off to attend medical appointments. Some provisions are covered within other policies and procedures such as the Flexi-time Scheme and Carer & Compassionate Leave policy.

2.2 The implementation of the new Human Resources and Employment Services Team structure identified that there are inconsistent approaches across the Council when considering requests for time off for medical appointments, which could result in unfair treatment and potentially unlawful discrimination under the Equality Act (2010).

2.3 Benchmarking with other Scottish Councils indicate that the majority;

- Expect employees to make medical appointments in their own time wherever possible and that a combination of paid time off and/or use of the employee's own leave arrangements apply where unavoidable.
- Treat time off for fertility treatment in the same way as other medical appointments or deal with requests on a case by case basis.

- Do not have provisions for time off for gender re-assignment related appointment expressed within their policies and would consider on a case by case basis. Three Councils are reviewing their policies and intend to consider this aspect.

3. PROPOSALS

3.1 To implement a Time off for Medical Appointments policy to support a fair and consistent approach across the Council which clarify the time off provisions that will apply.

3.2 The key points of the policy are;

- It will support a fair and consistent approach across the Council for all Employee Groups, including Teachers.
- Reasonable paid time off will be granted for emergency medical or dental appointments.
- Routine and non emergency appointments should be arranged in the employee's own time wherever possible. Where unavoidable, employees may be credited with up to one day, taking into account the time of the appointment and reasonable travel time.
- Provisions for time off for ante-natal appointments, fertility treatment and transsexual appointments are clarified.
- Ante-natal appointments may include parenting classes which may only be available during normal working hours but not other classes which may be beneficial, e.g. aqua classes, unless these are **recommended** by a registered medical practitioner, midwife or nurse.
- Time off for fertility treatment and transsexual related appointments will be treated in the same way as other medical appointments.
- Provision is made to allow employees to discuss a temporary alteration to their working hours with their line manager while undergoing fertility treatment.

4. IMPLEMENTATION ARRANGEMENTS

4.1 During consultation with the Trade Unions UNISON expressed concern regarding the previous proposal to allow reasonable paid time off for emergency medical or dental appointments but not for routine and non emergency appointments arranged out with core time hours. Employees working fixed hours would have been credited with their normal working hours.

4.2 As a result of their concerns the original proposals have been re-visited and it is now proposed that paid time off will be allowed for emergency, routine and non emergency appointments which are unavoidable during working hours.

4.3 Following implementation of the My View Leave Management functionality it is proposed that paid time for routine and non emergency medical or dental appointments is monitored for a period of twelve months to quantify the lost

time when a further report will be submitted to the Strategic Policy and Resources Committee for consideration.

5. CONSULTATION

- 5.1 The Executive Officer Team, the Corporate Management Group and Heads of Performance have been consulted in the preparation of this report. The recommendations in this report have been amended following Trade Union consultation.

6. RESOURCE IMPLICATIONS

- 6.1 The opportunity cost of paid leave for unavoidable routine and non emergency medical or dental appointments during normal working hours will be assessed as part of the review twelve months after implementation of the My View Leave Absence functionality.
- 6.2 There are no further financial implications associated with the recommendations contained within this report.

7. COUNCIL CORPORATE PLAN OBJECTIVES 2013-2018

- 7.1 The recommendation within this report supports the delivery of the corporate objective of supporting people to lead healthy and active lives.

8. EQUALITIES IMPACT ASSESSMENT (EqIA)

- 8.1 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- i) Assessed as **relevant** and actions taken to reduce or remove the following negative impacts: consistency and guidance on fertility and transsexual related appointments.

9. STRATEGIC ENVIRONMENTAL ASSESSMENT

- 9.1 The plan, programme or strategy presented in this report was considered under the Environmental Assessment (Scotland) Act 2005 and the determination was made that the items summarised in this report do not require further action as they do not qualify as a plan, programme or strategy as defined by the Act.

10. CONCLUSION

- 10.1 The proposed amended policy will support a fair and consistent approach across the Council to deal with requests from employees for time off for medical reasons and meet our obligations under the Equality Act (2010).

Hugh Mackenzie
Head of Human Resources

Note: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

Contact Officer: Sheila Munro
Ext No: 01738 475427
Email Address: ssmunro@pkc.gov.uk
Address of Service: Council Building, 2 High Street, PERTH, PH1 5PH

Date: 19 March 2013

If you or someone you know would like a copy of this document in another language or format, (on occasion only, a summary of the document will be provided in translation), this can be arranged by contacting Sheila Munro



Council Text Phone Number 01738 442573

TIME OFF FOR MEDICAL APPOINTMENTS

POLICY STATEMENT

Perth & Kinross Council recognises that employees will from time to time need to attend medical, hospital, dental, optician and other similar appointments. Employees should make such appointments in their own time or if this is not possible, then at times that will cause minimum amount of absence from work.

SCOPE

The provisions within this policy apply to all employees of Perth & Kinross Council.

GENERAL

Employees must take reasonable steps to arrange medical appointments in their own time (or by using annual leave/flexi time) with minimum disruption to work. For example regular check ups with GP and dental appointments.

Employees should be prepared to produce appointment cards or letters when requested to do so by their manager.

Any employee suspected of abusing these provisions should be investigated by the manager and could result in disciplinary action being taken under the [Achieving and Maintaining Standards Policy](#) / [Disciplinary Procedure for Teachers](#).

TYPES OF SPECIAL LEAVE COVERED WITHIN THIS POLICY

Perth & Kinross Council offers time off to attend medical appointments; this is explained in more detail below. A summary of each type is provided below to assist employees and Managers in identifying the leave that may be applicable

- [Non Emergency & Routine Appointments](#)
- [Emergency Appointments](#)
- [Occupational Health Appointments](#)
- [Ante-Natal Appointments](#)
- [Alternative Therapies](#)
- [Dependants](#)
- [Donating Blood](#)
- [Fertility Treatment](#)
- [Life Style Treatments](#)
- [Transsexual Appointments](#)

NON EMERGENCY & ROUTINE APPOINTMENTS

An employee who needs time off to attend a routine medical or dental appointment should give their manager as much notice as possible. For example, if an employee arranges an appointment by calling their GP's surgery at 8am on the morning of the day they are ill, they should contact their manager as soon as they can to inform them of the appointment.

Paid leave may be granted for the time off required in the following circumstances;

Employees who participate in Flexitime	Employees who do not participate in Flexitime
Where possible hospital appointments should be arranged out with core hours. However, where this is not possible reasonable paid time off may be granted for time required during core time hours including reasonable travel time. Any further time off agreed will be from the employee's own leave entitlement.	Up to one day, depending on location, time of appointment and any additional travel time required to attend.

EMERGENCY APPOINTMENTS

Employees may have urgent medical or dental problems on occasion, which may require time off during working hours with minimal notice. Reasonable paid time will be granted in these circumstances, and may include time out with core time hours, subject to line management's prior agreement.

OCCUPATIONAL HEALTH APPOINTMENTS

Employees who are required to attend the Council's Occupational Health Service will receive paid time off to attend appointments where these take place during the employee's normal working hours.

ANTE-NATAL APPOINTMENTS

Pregnant employees have a statutory right to paid time off work to enable them to attend ante-natal appointments, where their attendance has been recommended by a registered medical practitioner, midwife or nurse. These will normally take place at the GP surgery, hospital or at home and can include parenting classes which may only be available during normal working hours.

Where an employee wishes to attend other classes which may be beneficial during pregnancy, for example, aqua classes, they should request time off from their own leave entitlement if any time off from work is required. However, if a registered medical practitioner, midwife or nurse **recommends** attendance then the employee should be given paid time off work to attend where they produce an appointment card or other written evidence.

Women who undergo IVF treatment have a statutory right to paid time off work to attend ante-natal appointments from the point in the treatment when the fertilised ova are implanted in the uterus.

ALTERNATIVE THERAPIES

Physiotherapy, chiropractic, osteopathy, acupuncture, homoeopathy appointments and pain clinics etc should be arranged in the employees own time unless it is NHS treatment that has been prescribed by a GP to treat a recognised medical problem.

DEPENDANTS

Paid time off will not be granted for GP visits, sight tests, dental appointments or appointments for dependants. Only in exceptional circumstances when the appointment is an emergency, will the provisions of [Carer and Compassionate Leave Policy](#) apply.

DONATING BLOOD

Employees are encouraged to donate blood with reasonable paid time away from work to do so, subject to line management's prior agreement.

FERTILITY TREATMENT (e.g. IVF)

Fertility treatment will be treated in the same way as appointments for other medical conditions. Employees should therefore, where possible, arrange these out with normal hours of work.

Eligibility for paid time off will be treated in the same way as [Non Emergency & Routine Appointments](#).

In view of the emotional impact that fertility treatment can have on an employee, they may wish to discuss a temporary alteration to their working hours with their line manager while undergoing fertility treatment.

The partner not receiving treatment may take time off to attend appointments to support their partner using their own leave provisions e.g. annual leave, flexi.

LIFE STYLE TREATMENTS

Appointments for “life-style” treatments (e.g. elective cosmetic surgery, aromatherapy) should always be taken in the employee’s own time unless it is NHS treatment that has been prescribed by a GP to treat a recognised medical problem (e.g. cosmetic surgery to treat a disfigurement).

TRANSSEXUAL APPOINTMENTS

An employee who proposes to undergo gender reassignment or is in the process of undergoing gender reassignment may require time off to attend gender reassignment related appointments and should give his or her manager as much notice as possible.

Eligibility for paid time off will be treated in the same way as [Non Emergency & Routine Appointments](#).

APPOINTMENTS AND SICK LEAVE RECORDING

Medical appointments of any duration should not be recorded as sick leave unless the treatment makes the employee ill.

For Example:

- 1 Employee is **admitted** to hospital prior to the date of surgery. The entire duration should be treated as sick leave.
- 2 Employee **attends** hospital for an appointment prior to receiving surgery. Only the absence for surgery should be sick leave.
- 3 Employee **attends** hospital for a “scan” with time off for a medical appointment, reacts badly to drugs used in the scan and is unable to attend work the next day. Only the absence on the second day should be treated as sick leave.
- 4 Employee is **admitted** to hospital for gender reassignment surgery. The entire duration should be treated as sick leave.