



*Dunbartonshire and Argyll & Bute
Valuation Joint Board*

Disability Leave Scheme

Date: November 2013

CONTENTS

SECTION	TITLE	PAGE NOS.
1.	INTRODUCTION	3
2.	BACKGROUND	3
3.	KEY FACTS	3
4.	GUIDANCE ON THE RELATED PROCEDURE	3

1. INTRODUCTION

- 1.1 Dunbartonshire and Argyll & Bute Valuation Joint Board (“The Board”) recognises the implications of, and its responsibilities under, the Equality Act 2010 and this Scheme enhances the support and assistance available to disabled employees.
- 1.2 This document sets out what disability leave is, when it is available and the procedure for applying for it.
- 1.3 The impact and progress of the Disability Leave Scheme will be reviewed in order to assess its effectiveness from both a personal and organisational perspective.

2. BACKGROUND

- 2.1 Dunbartonshire and Argyll & Bute Valuation Joint Board has a Special Leave Scheme covering time off for circumstances such as medical appointments and emergency leave. However, the Scheme does not specifically cover disability and the provisions of the Scheme may not go far enough for employees with disabilities covered by the Equality Act 2010.

3. KEY FACTS

- 3.1 Disability Leave is paid time off work which may be granted where an employee is absent as a result of their disability, but for reasons other than sickness.
- 3.2 The effect of impairment depends on the individual and their circumstances. To accommodate this requires some flexibility and consequently disability leave may be taken on a planned or unplanned basis dependant on an individual’s circumstances.
- 3.3 Disability Leave is considered a ‘Subsection’ of Dunbartonshire and Argyll & Bute Valuation Joint Board’s Special Leave policy and should not be counted for attendance management purposes.

NB: Sickness related to a Disability will be declared and recorded as part of the Attendance Management Policy. Disability Related Absences will be taken into account by the line manager when considering progression through the stages of the Attendance Management Policy in line with the Joint Board’s equalities duties and responsibilities.

4. GUIDANCE ON THE RELATED PROCEDURE

4.1 Disability Leave Procedure

- 4.1.1 When an employee declares that they are disabled and wishes to be considered for disability leave they will be referred to West Dunbartonshire Council’s Occupational Health Provider for advice and guidance regarding appropriate adjustments that might

be made to the workplace and/or job and also to establish what aspects of their disability may result in planned or unplanned disability leave.

- 4.1.2 Upon receipt of the outcome report from Occupational Health the line manager will arrange to meet with the employee to discuss the content of the report and what disability leave would be appropriate in the circumstances.
- 4.1.3 The Joint Board's Tailored Adjustment Agreement will be the vehicle for facilitating a meeting between employee and manager and for establishing individual supports, provisions and parameters for Disability Leave.
- 4.1.4 The Tailored Adjustment Agreement discussion and agreement form will be used to establish and record **planned** Disability Leave requirements, the likelihood of **unplanned** Disability Leave requirements and what should happen and who should be contacted etc in cases of unplanned Disability Leave.

To assist in determining what leave and/or reasonable adjustments are required it may be appropriate to seek further advice and involvement from:

- West Dunbartonshire Council's Occupational Health Advisor
- West Dunbartonshire Council's HR – Case Management Team
- A Disability Employment Advisor
- The Employee's GP/ Specialist

The employee may be accompanied to the meeting by a trade union representative or work colleague should they so wish.

4.2 Planned Leave

- 4.2.1 Planned disability leave will be agreed in advance between the employee and line manager and recorded within the Tailored Adjustment Agreement. Such planned leave may, for example, be a number of days over each year or a block of time that the disabled employee needs to take off for treatment or assessment related to their disability.
- 4.2.2. Planned leave may include paid time off for:
 - counselling/ therapeutic treatment
 - planning and implementation of adjustments to the workplace/job
 - a phased return to work or period of time off work for a newly disabled employee
- 4.2.3 Where disability leave is agreed it will be reviewed on an annual basis to ensure that any change in circumstances is reflected. These reviews will be supportive and confidential. Employees may be accompanied to the review meeting by a trade union representative or work colleague should they so wish.
- 4.2.4 Employees whose impairment or circumstances change throughout the year may request a meeting to review their planned disability leave (or other reasonable adjustments) at any time.

4.3 Unplanned Leave

4.3.1 The line manager and employee should also discuss the likelihood of any unplanned leave, taking into consideration previous disability related absences not related to sickness and any improvement or deterioration (actual or anticipated) in the employee's condition. It may be possible to identify reasonable adjustments, which would counteract the need for unplanned disability leave.

4.3.2 Unplanned leave may include circumstances such as:

- breakdown of usual arrangements at work (e.g. malfunction of aid/adaptation etc)
- breakdown of usual arrangements which make it difficult to get to work (e.g. care breakdown and in the absence of an accessible alternative)

4.3.3 Where unplanned disability leave is required, employees must notify their line manager. Contact should be made with the line manager no later than 1 hour from the normal start time. They should provide the reason for the absence and indicate, where possible, when they expect to return.

4.3.4 Reasonable adjustments should be made wherever possible to counteract the need for disability leave, for example it may be necessary for an asthma sufferer to have disability leave in the summer when pollution levels may be high. However, it may also be possible in many cases to make arrangements for the employee to work from home on these days or work on other days thereby reducing the need for such leave. Flexibility, co-operation and a reasonable approach are key.

4.3.5 For all instances of Disability Leave the employee must complete a special leave form upon their return to record their absence accordingly.

4.4 Monitoring of Disabilities/Disability Leave

4.4.1 All employees accessing the Disability Leave Scheme will be classified as disabled for the purposes of, and will be monitored in line with, the Joint Board's equality duty.