

Special Leave Procedures

1. Introduction

- 1.1. Special leave arrangements relate to periods of absence from work which are not covered by other absence procedures.
- 1.2. All requests for special leave will be **considered in light of individual circumstances** and in line with business needs and may be granted at the discretion of the line manager and HR.
- 1.3. There are limits to the amount of special leave allowed, some within a 12 month leave period (April to March) and employees may be expected to make a contribution of their own time (e.g. annual leave/ flexi leave).
- 1.4. All references to 'days' in these procedures should be pro rata to part time hours. E.g. five days special leave would equal the 'normal' working week for a part time employee.

2. Provisions

2.1. Bereavement

- 2.1.1. The following are general guidelines for the amount of special leave that can be expected, but individual circumstances will be considered which may affect the amount of special leave approved:
 - up to five days paid leave following the death of a spouse, partner, child, parent, or other close relative such as a brother or sister;
 - up to three days paid leave following the death of in-laws;
 - up to one day's paid leave to attend the funeral of a relative not mentioned above or a close friend;
 - if the employee has to act as an executor or take charge of the funeral arrangements they may apply for a further three days paid leave;
 - a further request for additional special leave can be made when a funeral is delayed or there are unforeseen circumstances;
 - exceptionally, one extra day's special leave with pay may be allowed after the funeral where it would be unreasonable to travel home on the day of the funeral due to distance.
- 2.1.2. Days noted above include time off for attendance of the funeral.
- 2.1.3. In line with statutory rights, unpaid leave may be granted if the employee needs further leave where the bereavement involves a dependant.

2.2. Dependants

- 2.2.1. Unpaid special leave to deal with unexpected or sudden emergencies and to make necessary longer term arrangements for dependants is a statutory right. The circumstances covered are:
 - if a dependant falls ill, or has been injured or assaulted;
 - when a partner is having a baby;
 - to make longer term care arrangements for a dependant who is ill or injured;
 - to deal with the death of a dependant;

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- to deal with an unexpected disruption or breakdown of care arrangements for a dependant;
- to deal with an unexpected incident involving the employee's child during school hours.

2.2.2. A dependant is a partner, child or parent of the employee or dependant who lives in the same household as the employee e.g. grandparent

2.2.3. A total of five day's paid leave in a 12 month leave period will be granted to the employee to cover the above circumstances, however, in line with statutory rights, unpaid leave may be granted if the employee needs to extend the leave. Individual circumstances will be considered which may affect the amount of special leave approved. Any dependant leave must be discussed and authorised by the line manager and HR.

2.2.4. In addition to the statutory entitlements above, paid special leave from the balance of five days or unpaid special leave may be granted for the following:

- to take a dependant to a medical appointment where they are unable to do so themselves.
- to remain at home to care for a relative or dependant due to their short term illness. This period may be extended if medical evidence is provided to confirm that it is essential for the employee to remain at home to care for that relative or dependant.
- any other exceptional request for dependant leave will be assessed on an individual case by case basis by the line manager and HR.

2.2.5. Unpaid leave may be requested for an employee who is unable to make arrangements for the childcare during the school holidays, however there is no guarantee that this will be granted. Employees should use their annual leave entitlement in the first instance, and also consider the possibility of changing working patterns or part-time working.

2.3. Foster leave

2.3.1. An employee must have one year's continuous service in order to qualify for the right to take foster leave. The employee must have, or expect to have, responsibility for a child and the leave must be for the purpose of caring for that child and provide supporting evidence.

2.3.2. The following special leave may be granted, dependant on business need, to a foster parent within a five year period:

- Up to 40 working days paid leave;
- an additional 40 working days unpaid leave.

2.3.3. After taking foster leave for a period of up to four weeks, the employee is entitled to return to the same job in which they were employed before the leave.

2.3.4. HEFCW reserves the right to postpone leave where the business would be unduly disrupted. The employee would be given clear reasons for the postponement.

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2.4. Public duties

2.4.1. Employees who are involved in certain public duties, are entitled to statutory paid leave. Employees must submit evidence to support their request for special leave under the following circumstances:

- Justice of the Peace – up to 18 days paid leave per annual leave year;
- local councillor – up to 18 days paid leave per annual leave year;
- Governor of a state school/HE Institution/FE Institution – up to six days paid leave per annual leave year;
- member of the Reserve Forces – up to six days paid leave per annual leave year;
- any statutory tribunal – up to six days paid leave per annual leave year;
- time off with pay will be given to those employees who are summoned for attendance at legal/criminal proceedings and jury service.

2.5. Religious/cultural observance

2.5.1. Employees are entitled to request special leave, or a temporary change to their working hours for religious or cultural occasions or cultural observance. Subject to business need the employees are entitled to:

- a) general flexibility in arrangement of working hours, and/or;
- b) annual leave, time off in lieu (flexi leave) or unpaid leave.

2.5.2. Reasonable notice for such requests should be given and line managers should accommodate these requests wherever possible.

2.6. Voluntary work

2.6.1. Employees are entitled to apply for up to two days paid special leave per leave year (pro rata for part time staff) to carry out voluntary work under the following conditions:

- time off is subject to business needs;
- reasonable notice of leave given;
- evidence of involvement must be provided ;
- voluntary work must be for a recognised voluntary, community or religious group or agency, including charitable organisations;
- if time away as a team is required, Head of Team/ Director approval is required, considering business needs;
- the voluntary role should not be in conflict with HEFCW paid work (e.g. if a contract is in place between HEFCW and the voluntary organisation);
- the activity should not bring HEFCW into disrepute

2.7. Other

2.7.1. Special leave with pay may also be granted where severe damage or disruption to property necessitates the employee's presence at home.

2.7.2. Unpaid special leave may be granted for a maximum period of three months. Any time off exceeding three months will be classed as a Career break.

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3. Authorisation for special leave

- 3.1. Requests for special leave should be discussed with your line manager in the first instance. Where the request is not covered by the above allowances, it must be discussed in conjunction with HR.
- 3.2. Applications are made to Line Managers via MySite which is available on the intranet. Reason and details surrounding the request must be included in the online application.
- 3.3. If the line manager feels that the request should be refused, this should be discussed beforehand with HR and the employee will be notified in writing with the reasons for the decision.
- 3.4. Where a special leave request has been refused, the employee has the right of appeal in line with HEFCW's Grievance procedure. The outcome of the appeal is final.
- 3.5. It is likely that requests for special leave will be retrospective due to the nature of unexpected circumstances.

Version	Date	Description
0.1		Inherited Policy
1.0	October 06	Policy updated for HEFCW
1.1	June 07	Policy amended – administrative improvements
2.0	05 Feb 08	Policy amended in line with style guide, ISG and EIA
2.1	June 08	Policy amended to include voluntary leave
2.2	November 09	Policy amended to clarify time limit for Special Leave. Agreed by Policy Changes Group
2.3	11/10/11	Policy amended following EIA
3.0	Aug 14	Amended in line with policy review project. Incorporated foster leave procedures
3.1	Oct 14	Amended following Management Board Sept 2014
3.2	Nov 14	Approved at Works Council following staff consultation
3.3	March 15	Approved at HR Committee
3.4	Aug 15	Impact Assessment
4.0	Oct 15	Minor amendments following Impact Assessment