



University of Essex

Special Leave

Compassionate leave, care leave, medical appointments, adverse weather, public duties, volunteer reserve forces, jury service

People and Culture

Aim

The University understands that there may be times when employees need time off from work for reasons that do not fall under the normal leave provisions. This special leave policy sets out guidance on how to respond in such situations. It applies to all staff regardless of length of service.

As a general principle, the University wants to support staff in maintaining a good work life balance. In line with the principle of mutual obligation, both managers and staff must consider together how to balance the needs of the individual with the need to maintain the work of the University.

Where employees experience urgent domestic need and personal distress, the University wants to support employees by granting reasonable time off. It is not our intention to set a prescriptive policy but to provide guidance. Managers must consider what is reasonable and offer the flexibility they can to safeguard the well-being of staff. It is also important to consider what else can be done to support staff in these situations, for example our Employee Assistance Programme and the option of working flexibly.

Voluntary public service has social, personal and workplace benefits for members of staff, the University and the community. The University is committed to supporting staff who wish to undertake public service duties, taking into consideration the business needs of the University.

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You may also be interested in these policies:

[Family Leave](#), covering Time off for Dependants and Parental Leave

[Flexible Working](#)

[Time off for religious observance](#), part of the Equality and Diversity codes of practice

1.0 Introduction

1.1 The provision of special leave recognises that employees will sometimes need time off work for reasons that do not fall within normal leave provisions. Managers will need to balance the needs of the individual with the requirement to maintain the work of the university. Employees can appeal to the next level of management if they are unhappy with a decision. All leave will need to be given within existing budgets and resources. There is also a requirement to record all special leave through HR Organiser and People Manager to ensure that the University has a record of the impact of these provisions.

2.0 Compassionate leave

2.1 Compassionate leave is usually intended to cover bereavement, serious illness of a close relative/dependant/friend, or another urgent or unforeseen circumstance which may prevent someone from coming to work.

Bereavement

2.2 Where someone has suffered the loss of someone close to them, it is important that managers consider how best they can offer support. The usual amount of paid leave would be up to 5 days (pro rata for part-time staff). Managers may use discretion to increase paid leave where reasonable and in line with the needs of the University.

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Managers must treat all requests with sympathetic consideration and use discretion to increase paid leave where reasonable and in line with the business needs of the University, taking into account the relationship between the employee and the deceased, involvement in funeral preparations, the distance that may have to be travelled from the local area and so on.

2.3 Parents of a child under the age of 18 who dies, or parents of a child who is stillborn after 24 weeks of pregnancy are entitled to two weeks parental bereavement leave which the University will top up from statutory to full pay. More support on stillbirth can be found in the [Miscarriage, Stillbirth and Infertility Policy](#).

2.4 Should additional extended time off be required, where possible and at the discretion of the line manager (taking into account the needs of the Section/School/Department) employees could arrange to do one (or, where appropriate, a combination) of the following:

- Take the day(s) as annual leave from the current year's entitlement.
- Take the day(s) as unpaid leave.
- Make up the time over an agreed time period (up to 3 months) if it is feasible to do so, taking into account the needs of the Department/School/Section.

2.5 If a member of staff has been severely affected by the bereavement, a period of sick leave may be appropriate.

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2.6 Any member of staff needing time off for compassionate reasons should inform their line manager (or other appropriate person) as soon as possible, giving the details of the proposed absence.

2.7 When staff return to work, managers should consider whether any additional support needs to be provided. For example, it may be appropriate for someone to work flexibly for a short while. The University's Employee Assistance Programme and Occupational Health team will provide support to managers and individuals.

Serious illness

2.8 Where employees suffer the serious illness of someone close to them, managers should discuss with the individual how best to provide support. It may be that a short period of paid leave is necessary at the outset, usually a period of **1-3 days** (pro rata for part-time staff). However, where there is a long term illness, a temporary flexible working arrangement might be more appropriate. The Occupational Health team and the Employee Assistance Programme are on hand to advise and help.

Other urgent or unforeseen circumstances

2.9 This is intended to cover urgent and unexpected emergencies such as fire or flood, burglary, car theft, road accident which creates transport difficulties. Usually, a period of **1-3 days** (pro rata for part-time staff) would be appropriate in such circumstances. Managers will need to consider the following factors in deciding whether to grant such leave: the nature and extent of the emergency, the

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support available to help deal with the emergency, and the impact of the emergency on the individual.

If the incident has caused any illness or injury to the individual, then a period of sickness leave may be appropriate. Managers and individuals should consider the services of Occupational Health and the Employee Assistance Programme.

3.0 Care leave

3.1 The University wishes to support staff in managing work alongside caring responsibilities and recognises the value of retaining staff who are also carers.

3.2 Carers are people who spend unpaid time looking after, or supporting, a relative, child, partner, neighbour or friend who is frail, ill, has a physical or learning disability, mental health problems or substance misuse problems.

3.3 Staff may be granted **up to 5 days** (pro rata for part-time staff) of care leave with full pay within any 12 month period on a rolling basis. They may also be granted up to a further 5 days unpaid care leave per year. This will not affect annual or sick leave provisions and staff are not required to exhaust their annual leave before care leave is granted.

Applying for care leave

3.4 Any member of staff applying for care leave must put their request in writing to their manager giving as much notice as possible. An application for care leave should, where possible, be supported by evidence such as a hospital letter or appointment card.

Long-term care leave

3.5 If a member of staff with caring responsibilities is faced with a particularly intensive period of caring requiring complete absence from work for a significant period of time, they must discuss the situation with their line manager. All feasible options should be explored. For example, a temporary reduction in hours or a temporary job-share.

3.6 Long-term care leave can only be granted if the University is satisfied that the member of staff's workload can be appropriately covered. The maximum period for which long-term care leave can be granted is **13 calendar weeks in any 12 month period**.

3.7 Long-term care leave is unpaid and the period of leave does not count as pensionable service. Staff considering applying for long-term care leave should ensure they are aware of the implications of taking this leave with regard to pension benefits and membership.^{i ii}

3.8 Staff granted long-term care leave are entitled to return to work in the same job at the end of the period of agreed leave.

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3.9 Any period of long-term care leave counts towards continuous service. Annual leave entitlement accrues during any period of unpaid long-term care leave in accordance with the Working Time Regulations.

4.0 Time off for medical, dental or related appointments

4.1 Generally routine appointments (e.g. dentist, optician, and non-urgent doctor's appointments) for both full and part-time staff should normally be made outside of work hours. If this is not possible, for full time staff for example, the appointment can be made and taken during work time. This would usually be as near to the beginning or end of the day as possible, although this may not be the best time in all departments. Individuals and managers should consider together how best to arrange the appointment to minimise work disruption. This would be paid authorised absence for part of a working day.

4.2 Where staff need to accompany dependants to medical or dental appointments, managers can exercise discretion and allow paid absence if disruption to work is minimal. Otherwise, time off will usually need to be taken using annual leave, unpaid leave or making up the time over an agreed period.

5.0 Adverse weather conditions

5.1 A degree of flexibility will be required from all staff during adverse weather conditions. Unless specifically broadcast to the contrary, the University will stay open where possible to ensure a

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normal level of service is maintained. Staff will be informed by the Registrar and Secretary, or their nominee, of any decision to reduce services, and send staff home early during adverse weather conditions.

5.2 It is expected that all staff will make every reasonable effort to get to work. If a member of staff is unable to attend their normal place of work or is likely to be significantly delayed, they should speak directly with their line manager if possible (or in their absence, another senior member of staff). The individual should agree with their line manager how to treat the absence for payment purposes.

The following options can be considered:

- A day's paid annual leave
- A day's unpaid leave
- A paid day with the agreement to make up the lost hours on a later date
- If appropriate, the member of staff may work from home

6.0 Paid time off to perform public duties

6.1 The University will grant, subject to the demands of the service, leave with pay, for a period not exceeding 18 days in any period of 12 months (calculated on a pro rata basis for part time employees) for the purpose of carrying out voluntary public duties as:

- Magistrates/Justice of the Peace (JP)
- Local Councillors
- Membership of any statutory tribunal (e.g. an Employment Tribunal)

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6.2 Any leave authorised for public duties may be taken in days or half-days, as required, with the prior agreement of the member of staff's line manager for each absence from work. Such agreement will not be unreasonably withheld. Additional leave may be granted on an unpaid basis.^{i ii}

6.3 Staff who are appointed as Chairperson, or equivalent, of a public body, and thereby attracts additional duties, may be granted up to an additional 6 days' paid leave for carrying out such additional duties, including any magisterial duties.

6.4 Members of staff who are granted leave should undertake to refund to the University any fees or attendance allowances received other than fees or allowances paid specifically as travelling and subsistence expenses. No travelling or subsistence allowance will be paid by the University.

[Part 6, 7, 8 are currently under review and may be revised]

7.0 Unpaid time off to perform public duties

7.1 The University may permit staff to take unpaid time off i to carry out the following public duties:

- Members of a National Health Service Trust
- School Governors
- Prison Visitors
- Lay visitors to police stations/member of police authority

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7.2 This is not an exhaustive list. Members of staff who are unsure as to whether an activity may be considered under these guidelines should consult Human Resources.

7.3 In addition to unpaid leave, line managers may wish to consider flexible working arrangements to accommodate the period of leave.

[Part 6, 7, 8 are currently under review and may be revised]

8.0 Volunteer reserve forces

8.1 The University will grant, in addition to the normal annual leave entitlement, 5 days with pay (pro rata for part-time staff) for employees who have volunteered for the Territorial Army or Reservist Training and is required to attend training exercises, summer camps, etc. Should a member of staff be mobilised an appropriate period of unpaid leave of absence will be granted.^{i ii}

[Part 6, 7, 8 are currently under review and may be revised]

9.0 Jury Service, Court and Tribunal Attendance

9.1 Employees who are called for jury service or as a witness in a court or tribunal case should inform their line manager immediately providing confirmation of their attendance.

If the attendance is during a pre-arranged holiday, employees may attend and take annual leave at a later date provided that they provide confirmation of their attendance. If the member of staff is not

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required to attend court every day, or for only half of a day, they must return to work wherever practicable.

9.2 An employee on jury service is able to claim “loss of earnings” from Her Majesty’s Courts Service (HMCS) to cover their salary or part of their salary. The University will pay the difference between this compensation and normal average earnings – it will not pay for the proportion of salary covered by “loss of earnings”. Employees should forward a HMCS “Certificate of Loss of Earning or Benefit” to Human Resources for completion then pass the completed form to the Court.

9.3 To ensure that the employee is not disadvantaged by any delay in the payment by the Court of loss of earnings and to recognise that the actual loss of earnings is unlikely to be certain at the time of the University’s payroll is run, the University will continue to pay the employee their normal pay until they have received notification from HMCS of the loss of earnings.

9.4 Employees are under a duty to promptly notify Human Resources of all loss of earnings compensation received from HMCS. They will need to send Human Resources the original copy of the remittance advice sent by HMCS.

i To ensure your pension entitlement is not affected, the University will automatically take pension contributions from you for short periods of unpaid leave. For longer periods, you would be given the opportunity to make voluntary contributions to maintain your pensionable service. If you choose not to make voluntary contributions, then your pensionable service will be reduced by the amount of time you take unpaid leave.

ii If you are eligible to be submitted in the REF, you should consider the implications of long-term leave on the number of research outputs you will require for submission. You may want to discuss the implications with your Head of Department, departmental Director of Research or the Research Governance and Planning Manager in the Research and Enterprise Office.

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