

# Special Leave Policy

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# Special Leave Policy

## 1 Introduction

This policy provides guidance on special leave provisions which are in addition to the University's existing policies relating to annual leave and public holidays, maternity leave, adoption leave, maternity support leave, training and development and sickness absence. It is also additional to the rights of academic staff to undertake personal consultancies or to apply for leave of absence for special purposes, for example carrying out a piece of research or private study, making a journey abroad, or taking up a temporary position at another university or similar institution.

## 2 Compassionate Leave

All requests for compassionate leave should be dealt with sympathetically, sensitively and timeously. Paid leave should or should not be granted based on the circumstances of the case and in accordance with the following.

In the event of the death of a child (whether natural, adopted, the child of a partner, or a child in their care) who is under the age of 18 years, the member of staff is entitled to Parental Bereavement Leave and Pay. Statutory Leave and Pay is a maximum of 2 week's leave within 56 weeks of the death occurring. Parents may be granted further discretionary leave and pay, to be determined by the Head of Department/School.

In the event of the death of an immediate relative (child over the age of 18, partner, parent or sibling) 5 days paid leave is available. Discretion may be exercised by the Head of Department/School based on circumstances (e.g. where a funeral is delayed beyond a period of 5 days or where a relative not listed above has been responsible for raising the employee). Advice on these matters can be obtained from Human Resources. Depending on the circumstances, further leave may be granted on full or partial salary, or without salary and for varying periods. In relation to bereavements which involve travel outside the UK, leave granted will be at the discretion of the Head of Department/School or designated nominee and will generally involve a mixture of paid/unpaid leave.

Death of a close relative not listed above will normally allow for a member of staff to take paid leave of up to 1 day. However, discretion may be exercised by the Head of Department/School based on the circumstances and responsibilities falling on the bereaved member of staff. Advice on these matters can be obtained from Human Resources. Depending on the circumstances, further leave may be granted on full or partial salary, or without salary and for varying periods.

Compassionate leave should be approved by the Head of Department/School or designated nominee. In cases of difficulty on either side, or if an individual feels aggrieved, advice may be obtained from Human Resources. Where, following a period of bereavement leave a staff member is experiencing difficulties, discussion should take place with the member of staff as to the benefit of a referral to Occupational Health or the [Employee Assistance Programme \(EAP\)](#). Human Resources can be contacted for advice in such cases and the campus trade unions will also be able to provide support to members.

## 3 Jury Service and Attendance as a Witness

### 3.1 Jury Service

Members of staff who are cited for jury service during normal working hours shall normally be granted the necessary time off work, with full pay, in order that they can fulfil their civic duty. It is expected that staff will make a claim for loss of earnings in order that the University can receive reimbursement for their service. On some occasions, attendance for jury service will only be for a short period each day and, if not selected for service, staff are required to return to work unless an alternative working arrangement has been agreed with their line manager.

Staff who are cited for jury service should advise their line manager at the earliest opportunity. The original citation should be submitted to the Payroll Office, along with a Certificate of Loss of Earnings (available from the [Scottish Courts website](#)) to enable the Payroll office to complete and return this to the staff member in advance of jury service. Any loss of earnings reimbursed to staff by the Scottish Courts will be deducted from their next available salary payment. Line Managers should ensure that all jury service is recorded as part of monthly absence reporting.

### 3.2 Attendance as a Witness

Paid leave of absence will be granted on the same basis as for Jury Service. In the case of a member of staff who is unofficially requested to be a witness i.e. not by Court Citation, unpaid leave of absence will normally be provided dependent on the circumstances.

## 4 Medical/Dental Appointments

An employee will be granted paid leave to attend out-patient hospital appointments. Evidence of such appointments (date/time/location) should be provided, upon request, to the Head of Department/School or designated nominee. Employees will also be granted paid leave for the purpose of attendance at the University's [Employee Assistance Programme \(EAP\)](#). In-patient hospital treatment involving absence of a half day or more should be treated as sickness absence, requiring completion of either a Self Certification Form or, in cases of absence of more than seven calendar days, the provision of a Fit Note.

Routine medical (including dental/optician) appointments should be arranged, where possible, outside a member of staff's normal working hours. Where the Head of Department/School or designated nominee is satisfied that an appointment cannot be arranged outside normal working hours, paid time off should be granted. In all such cases the appointment should be arranged, where possible, at the beginning or end of the working day or over the lunch period. The member of staff will normally be required to make up the time lost however this will be at the discretion of the Head of Department/School or designated nominee based on all the circumstances. Dental treatment involving absence of a half day or more should be treated as sickness absence, requiring completion of either a Self Certification Form or, in cases of absence of more than seven calendar days, the provision of a Fit Note. Heads of Department/School or designated nominees are expected to be accommodating in relation to time off for attendance at appointments relating to male and female wellbeing health issues, for example, prostate, mammogram etc. issues, which may be dictated by clinic times. Optician referrals in relation to technician safety spectacle issues should be made during working hours.

Reasonable notice of all appointments required during work time should be given; where possible the Head of Department/School or designated nominee should be informed a week in advance of the appointment. For out-patient hospital appointments the Head of Department/School or designated nominee should be informed as soon as the appointment is received.

## 5 Study Leave

Heads of Department/School or designated nominees may approve paid or unpaid leave for a member of staff to attend a course or programme of study leading to a relevant qualification, e.g. HNC/HND/Postgraduate Diploma etc. Equivalent paid time off (up to 1 day) for sitting an exam will normally be granted and, where possible, one further day of paid study leave may be granted, per exam. Where a Head of Department/School or designated nominee receives a request which exceeds this recommendation, advice may be sought from Human Resources.

## 6 Time Off for Dependants

A member of staff has the right to take a reasonable amount of unpaid time off to deal with an emergency involving a dependant and to make any necessary longer-term arrangements. There is no qualifying period of service for this right and both men and women are equally eligible. The amount of leave granted will depend on the circumstances of the case. The University does not provide paid leave to deal with such situations.

A dependant is generally defined as the husband, wife, partner, child or parent of the member of staff, or someone who lives in the same household as the member of staff. In cases of illness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on the member of staff for assistance.

Unpaid leave can be requested to cover family emergencies including illness and the breakdown of care arrangements. Some examples would include:

- Time off to make alternative arrangements where normal childcare arrangements break down
- Illness of a child where the member of staff has to provide care for them
- Illness of a child requiring hospital treatment
- Illness of an adult dependant where the member of staff has to provide care for them
- Illness of an adult dependant requiring hospital treatment
- Breakdown of usual care arrangements for an adult dependant
- Other family emergencies such as being called to a child's school on an urgent matter

As this right relates to emergency situations it will often be difficult to give notice of the intention to request leave. In this sense it is similar to illness and leave should be requested as early as possible after the requirement for leave becomes known. One or two days leave may be granted to deal with an emergency/unexpected situation but if further leave is required beyond this then other options should be considered and further advice obtained from your Human Resources team. Subject to agreement with the Head of Department/School or designated nominee it may be acceptable for staff to make up the time off rather than taking unpaid leave. Annual leave may also be requested to deal with such situations. Where unpaid leave is being taken this should be notified to Human Resources who will advise the Payroll/Pensions Sections of the Finance Office.

In some cases, for example in relation to the long-term illness of a family member, the member of staff may request more flexible working arrangements or an option to work on a part-time basis, rather than taking additional unpaid leave. This type of request should also be considered sympathetically. Where such arrangements are agreed these will generally be temporary in nature unless both parties agree otherwise.

If an employee is aware in advance that they are going to require time off, another form of leave should be requested, for example, annual leave.

## 7 Travel Difficulties Due to Adverse Weather

On occasions where travel difficulties arise as a result of adverse weather conditions a member of staff may be granted leave, either paid or unpaid, at the discretion of the Head of Department/School or designated nominee. The following guidelines should be considered in such cases.

## 7.1 General Guidelines

As a general rule it would be useful for Heads of Departments/School or designated nominees to ensure that staff are clear what reporting arrangements should apply in the eventuality of either inability to get to work or a delay in arrival. This should be consistent with information already provided to staff in the event of sickness or other forms of leave. It would be helpful if such advice also made it clear to staff that they should maintain regular contact where it is likely that the adverse conditions will persist beyond one day.

In the event that weather conditions deteriorate during the working day and it appears that staff may have difficulty in travelling home, Heads of Department/School or designated nominees should consider whether any staff should leave work early.

Given the wide range of factors that can apply, a decision as to how time off should be categorised is a local one for Heads of Department/School or designated nominees. Consistency and fairness of application of this discretion is however very important. A number of factors may arise which need to be taken into account in exercising this discretion. These include:

- **Availability of alternative transport**  
It may be that if trains and/or buses are running the member of staff could be advised to consider these as an alternative to private transport.
- **Ability to work from home**  
Where it is likely that the adverse weather will continue, it may be that, where circumstances permit and depending on the nature of their employment, staff can work from home.
- **Different types of time-off**  
In extreme circumstances (i.e. where there is a regular or consistent pattern of requests for time-off as a result of adverse weather conditions resulting perhaps from the member of staff having a considerable distance to travel to work or where the member of staff lives in a remote area) consideration should be given to a combination of paid, unpaid or annual leave.
- **Impaired mobility**  
Where it is known that the member of staff has mobility problems which are exacerbated or caused by adverse weather special care should be taken in reaching a decision. Advice can be obtained from the University's Occupational Health Adviser.

## 8 Voluntary Public Service (Code of Practice)

The University Court recognises that members of staff should be able to serve on a local authority, as a justice of the peace, as a member of any statutory tribunal, on a Health Board, on a school or college council or governing body, or any similar statutory public body or office authorised by relevant legislation.

Under the terms of relevant legislation, the amount of time which an employee is permitted to take off and the conditions surrounding the taking of such time off are required to be reasonable having regard to the amount of time off required for the duties, the circumstances of the employer's business and the effect of the employee's absence on the running of that business. Because the demands made upon a member of staff, and their individual circumstances, vary considerably, a member of staff should make a case prior to nomination to their Head of Department/School or designated nominee and shall in particular discuss the effect of the commitment or likely commitment on the work of the Department.

At the time of election to membership of a local authority, or of acceptance of nomination to any body involving a significant daytime commitment, the member of staff should notify Staff Committee through Human Resources, giving details of the likely timing and frequency of meetings, the total commitment annually, and the arrangements proposed with regard to the member's normal duties.

Members of staff undertaking voluntary public service agreed with their Heads of Department/School or designated nominee who arrange to carry out their normal duties in full at alternative times will normally continue to receive full salary for such service. Members of staff who do not arrange to carry out their normal duties in full at alternative times are required to claim any attendance allowances available and to arrange with the Payroll Section for a sum equivalent to the allowances paid to be deducted from their normal salary, which will otherwise continue to be paid in full. In both cases continuation of salary will be subject to any maximum period established by Staff Committee, each case being considered on its merits, and due account being taken where any agreed voluntary public service bears a close and direct relationship to duties arising from the member's employment.

Unpaid leave of absence may also be granted on application to the Department for a member of staff's campaign for election to parliament, or a national legislative assembly.

Requests for special leave for any other purpose, for example participation in national sporting events, should be referred to your Human Resources Team for advice.

## **9 Review**

The terms of this policy will be reviewed after its first year of operation and regularly thereafter.