

# Special Leave Policy

Effective from 06/04/2025

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## 1.0 Context

The University is committed to developing inclusive working practices and policies that support work-life balance. The University recognises that there may be occasions when employees need to take time off work for reasons that do not fall under normal leave provisions. The Special Leave Policy provides a framework that enables employees to request reasonable time off in different situations. A range of special leave options are available. This policy has been developed in consultation with the Trade Unions and the University Diversity Network.

The Head of Institution may delegate authority for the operation of this Policy in their institution to a nominated individual, e.g. line manager or in accordance with local reporting procedures.

Employees need permission to take a period of special leave. Applications for special leave should be submitted on a [CHRIS/68](#) form. Any request for special leave is considered with reference to operational needs.

This Policy should be used in conjunction with the following:

- [Duties and Leave of Absence for established academic staff \(Statute D, II, 6\) and Residency requirements for University Officers \(Statute D, II, 2 and Ordinances, section 1\)](#)
- [Staff Guide](#) (for academic, academic-related and research staff)
- [Assistant Staff Rules](#) (Special Leave Rules B31–35, assistant staff)

This Policy is not intended to remove any current provisions afforded to employees under their contracts of employment, under existing legislation, or other local institution arrangements agreed between the University and trades unions.

The following legislation is relevant to this Policy:

- Employment Relations Act (1999)
- Employment Rights Act 1996
- Juries Act 1974
- Constitutional Reform and Governance Act 2010
- Equality Act 2010
- The Carer's Leave Regulations 2024 (Section 236(3) Employment Rights Act 1996)
- Neonatal Care (Leave and Pay) Act 2023

All other types of leave are out of scope of this Policy, including annual leave, sick leave, maternity, paternity and parental leave, leave for academic or professional reasons and time off related to adverse weather.

It is not possible to cover all circumstances where special leave may be appropriate. For circumstances not covered by this Policy, please contact the relevant [HR Business Partnering Team](#) for advice.

The University will treat instances of unauthorised leave as a serious disciplinary matter. If an employee takes a period of leave that has not been approved, their pay may be withheld, and they may be subject to disciplinary action under the relevant disciplinary procedure. For further advice please refer to the [HR Business Partnering Team](#).

## 2.0 Eligibility

This Policy applies to all University employees. The specific eligibility criteria that apply to particular types of special leave are detailed in the relevant section of this Policy.

A Head of Institution will make every effort to accommodate legitimate special leave requests however there may be occasions when, for critical operational reasons, they are unable to agree a request or need to ask an employee postpone their leave until a later date.

During an agreed period of unpaid leave the employee will not receive salary, allowances, or any other payments (please see [other considerations](#)).

## 3.0 Statement of Policy

The University will endeavour to grant reasonable time off to employees that need to take special leave while also taking into consideration the operational needs of Institutions. The table below summarises the types of special leave available. Further details are given in this Policy.

	Time and stipend available	Conditions and documentation
<a href="#">Compassionate leave</a>	The compassionate leave provisions under the Assistant Staff Rules, Assistant Staff Handbook, Staff Guide and Summary of Leave Table will apply.	Compassionate leave covers bereavement or serious illness of a close family member or dependant. It is granted according to the circumstances. The Head of Institution may complete the <a href="#">CHRIS/68</a> where appropriate.
<a href="#">Emergency leave</a>	Normally up to 2 days paid leave on each occasion. May be combined with	Emergency leave covers genuine unforeseen emergencies connected with dependants or unexpected domestic or other emergencies. It is

	<b>Time and stipend available</b>	<b>Conditions and documentation</b>
	compassionate leave/annual leave.	granted according to the circumstances. The Head of Institution may complete form <a href="#">CHRIS/68</a> where appropriate.
<a href="#"><u>Parental bereavement leave</u></a>	Paid time off is available if an employee's child has died or is stillborn after 24 weeks of pregnancy. This provision is separate and in addition to an employee's entitlement to compassionate leave.	Please see <a href="#">Parental Bereavement Leave and Pay Policy and Procedure</a> for details.
<a href="#"><u>Carer's leave</u></a>	Up to 5 days of unpaid leave in a 12-month rolling period. Can be taken in blocks of half days or one day. Leave does not need to be taken consecutively and may be combined with annual leave.	Carer's Leave covers planned unpaid time off to care for, or arrange care for, a dependant. The employee must provide notice using form <a href="#">CHRIS/68</a> which confirms their entitlement to the leave. The minimum notice required is twice the length of time off requested or 3 days, whichever is the longest.
<a href="#"><u>Service in the Reserve Forces</u></a>	Reservists required to undertake training on a normal working day will be required to take annual leave or may request unpaid leave.	Where the employee is called up this will be treated as unpaid leave. The employee should complete form <a href="#">CHRIS/68</a> . Documentation from the relevant official body will be required in support of the application.
<a href="#"><u>Jury service</u></a>	The University will 'top up' any sums reimbursed to the level of the employee's normal salary.	The employee should complete form <a href="#">CHRIS/68</a> . The jury summons should be provided in support of the application. A receipt of reimbursement must also be provided within 3 months, where applicable.
<a href="#"><u>Attendance in court as a witness</u></a>	If summonsed to appear as a witness in a private capacity, the employee may request annual leave or unpaid leave.	Annual leave should be requested in the normal way or the employee should complete form <a href="#">CHRIS/68</a> to request unpaid leave. The witness summons should be provided where applicable.
<a href="#"><u>Fertility treatment</u></a>	Up to 5 days paid leave in a 12-month period for employees undergoing fertility treatment, or up to 2 days paid leave to provide support to a partner who is undergoing fertility treatment.	Individuals who are following a course of fertility treatment and have been employed by the University for one continuous year are eligible to apply. The employee should complete form <a href="#">CHRIS/68</a> . Confirmation of treatment will be required at the point of application.
<a href="#"><u>Neonatal care leave</u></a>	Applies where an employee has a baby admitted to neonatal care for 7 days or more in the	Neonatal leave is taken following a period of family leave. Employees

	<b>Time and stipend available</b>	<b>Conditions and documentation</b>
	28 days following birth. Up to 12 weeks neonatal care leave is available. Statutory neonatal pay is available (subject to eligibility criteria).	complete <a href="#">CHRIS/85</a> to apply for neonatal care leave.
<a href="#"><u>Planned surgery/procedures</u></a>	Time off for surgery or treatment and recuperation that relates to a medical or psychological condition and is supported by a self-certificate or medical certificate, will be treated as sick leave in the same manner as any other medical appointment. In cases of non-medical surgery, treatment and recuperation (i.e. cosmetic and/or surgery not medically necessary), an employee needs to take annual leave or unpaid leave.	The employee should complete form <a href="#">CHRIS/68</a> . Medical certification may be required.
<a href="#"><u>Gender reassignment</u></a>	Requests for time off for medical treatment relating to gender reassignment will be managed and recorded in accordance with the University's <a href="#">Sickness Absence procedure</a> , ie treated as time off for illness or other medical appointments. Reasonable requests for time off for non-medical treatment will be considered subject to operational requirements. Normally annual leave or unpaid leave will be considered for these purposes.	The employee should complete form <a href="#">CHRIS/68</a> . Medical certification may be required.
<a href="#"><u>Religious or belief-related obligations</u></a>	Employees may use their annual leave entitlement to request time off for religious or belief-related purposes.	Annual leave should be requested in the normal way.
<a href="#"><u>Voluntary work</u></a>	Annual leave entitlement must be used for the days that the employee will be absent from work. Unpaid leave may be granted under exceptional circumstances.	Annual leave should be requested in the normal way. The employee should complete form <a href="#">CHRIS/68</a> to request unpaid leave. Documentation from the relevant organisation will be required in support of the application.

A flowchart showing the process for considering a special leave request is given in [Appendix 1 Procedure for considering a special leave request](#).

Throughout this Policy dependants are defined as:

- An employee's spouse/civil partner/partner
- A child (biological, adopted or fostered or for whom the employee has a legitimate responsibility)
- The employee's parent
- Someone who lives with the employee as part of their family (but is not a lodger or boarder) and who reasonably relies on the employee to provide or arrange care.
- Someone who does not necessarily live with the employee but reasonably relies on them for assistance or to arrange provision of care if they fall ill, give birth, are injured or assaulted, or where care arrangements break down unexpectedly. This may be where the employee is the primary carer or the only person who can help in an emergency, for example where an employee is a registered carer.

### **3.1 Compassionate leave**

The University recognises that employees may be faced with difficult personal circumstances involving the serious illness or death of a close relative and may need to take time away from work. Under these circumstances, the compassionate leave provisions under the Assistant Staff Rules, Assistant Staff Handbook, Staff Guide (for academic, academic-related and research staff) and [Summary of Leave Table](#) will apply.

Compassionate leave is normally granted to an employee who:

- Needs to care for a dependant or close relative who is seriously ill, or
- Has experienced the death of a dependent or close relative (including where time is needed to deal with practical matters which may arise as a result).

A 'close relative' is defined as a:

- Spouse/civil partner or partner
- Child/stepchild
- Grandchild
- Parent/step-parent/parent-in-law
- Grandparent
- Sibling/step-sibling/brother or sister-in-law

A Head of Institution may allow an employee to take up to 5 working days paid compassionate leave in relation to a dependant or close relative. In exceptional circumstances where a longer period of leave is required, compassionate leave may be combined with approved annual leave and/or unpaid leave.

Each employee's situation will be different therefore the Head of Institution should assess each application for compassionate leave individually considering the following:

- The employee's relationship with the individual and their caring responsibilities for them.
- The nature and extent of any illness or treatment required.
- Whether the employee is involved in making funeral arrangements.
- Whether the employee needs to travel or attend a funeral or ceremony.
- The operational needs of the institution and its capacity to make alternative arrangements to cover duties.

For further advice or to discuss exceptional circumstances, please contact the relevant [HR Business Partnering Team](#).

### **3.2 Parental Bereavement Leave**

Employees may be entitled to take parental bereavement leave and pay, if their child or a child in their care dies or is stillborn after 24 weeks of pregnancy. Full details of the

University's provisions and eligibility criteria can be found in the [Parental Bereavement Leave and Pay Policy and Procedure](#).

### **3.3 Emergency leave**

Emergency leave is intended to cover genuine and unforeseen emergencies involving dependants, or unexpected domestic emergencies.

If an employee knows in advance that they are going to need time off, (for instance to take their child to a hospital appointment), they should request annual leave to cover this. The [Adverse Weather Policy](#) gives details of arrangements that apply in the case of adverse weather.

#### **Emergencies involving dependants**

A Head of Institution may authorise paid emergency leave to allow an employee to deal with unforeseen emergencies involving dependants as follows:

- Unexpected disruption or breakdown in care arrangements for a dependant, for example, when a childminder is unavailable; or when a nursery or school is unexpectedly closed.
- If a dependant falls ill, gives birth or has been involved in an accident or suffers some form of assault or harm.
- To make appropriate care arrangements for a dependant who is ill, injured or in need of other forms of significant emergency care.
- An incident or emergency involving an employee's child while they are at nursery, school or college.

A Head of Institution may authorise paid emergency leave in a situation where an employee is experiencing domestic violence e.g. where they need time away from work to organise practical arrangements such as emergency housing.

Normally, up to 5 working days' paid emergency leave will be granted in any rolling 12-month period with a limit of 2 working days' paid leave permitted on any occasion. This entitlement will be pro-rata for part-time employees. Under certain circumstances this may be combined with compassionate leave. The amount of emergency leave granted should be reasonable in the circumstances; it should be sufficient to deal with the immediate problem and to arrange alternative longer-term care if required. It is anticipated that in most cases one or two days of emergency leave on any one occasion will be sufficient. Where there are longer term care requirements, it may be more appropriate to request annual leave, parental leave or flexible working.

Employees also have a statutory right to reasonable unpaid time off to make arrangements to deal with unforeseen emergencies involving dependants. Therefore, where an employee has exhausted their paid emergency leave provisions they may be entitled to take unpaid leave.

#### **Unexpected domestic and other emergencies**

An employee may request up to 1 day of unpaid leave or annual leave if they experience a severe and unexpected domestic emergency (unrelated to children or dependants).

Examples of a domestic emergency include:

- Fire or flood at the employee's home
- A burglary at the employee's home
- A road accident or other similar accident involving the employee (excluding time off for illness or injury where the sickness absence policy will apply)
- The breakdown or theft of the employee's car

This list is not exhaustive. Any additional time off needed should be taken as annual leave. In considering a request for emergency leave the Head of Institution will consider:



- The nature and extent of the emergency
- The availability of others to deal with the emergency
- The likely impact of the emergency on the employee

### **3.4 Carer's leave**

An employee, from the first day of their employment with the University, is entitled to up to 5 days of unpaid carer's leave in a 12 month rolling period to provide or arrange care for a dependant with a long-term care need, which is defined as where the dependant:

- has an illness or injury (physical or mental) that requires, or is likely to require care for more than 3 months;
- has a disability for the purposes of the Equality Act 2010; or
- requires care for reasons connected to their old age.

This entitlement is in addition to the emergency leave entitlement detailed above. The leave is pro-rata for part time employees.

The leave can be taken as a minimum of a half working day and a maximum of 5 working days. The leave need not be taken on consecutive days. The leave may be combined with annual leave. The entitlement is the maximum period irrespective of how many qualifying dependants an employee has. Employees must provide notice of their intention to take carer's leave, confirming that they are entitled to the leave and the days or part of the days they propose to take.

### **3.5 Essential civic and public duties**

The University will grant reasonable unpaid special leave to those employees who hold the following public positions (as defined in s.50 of the Employment Rights Act 1996):

- Magistrate or Justice of the Peace
- Member of a Local Authority
- Member of any statutory tribunal
- Member of an independent monitoring board for a prison or a prison visiting committee
- Member of a relevant education body e.g. school board or equivalent education establishment
- Member of a relevant health body e.g. National Health Service Trust or a Health Board
- Member of a police authority
- Member of the Environment Agency or the Scottish Environment Protection Agency
- Member of a Scottish Water or a Water Customer Consultation Panel

The public body may also require the individual to attend training, additional meetings, or committees in order for them to fully perform their function. These activities should be considered part of the individual's public duties. In considering whether the leave application is reasonable, the Head of Institution will consider:

- How much time off is generally required for the performance of the office in question.
- How much time off is required for the performance of the particular duty on the particular occasion.
- How much time off has already been granted to the employee for public duties.
- The employee's involvement in current departmental activities and the operational impact of granting time off.

Employees must notify their Head of Institution, on appointment, if they hold membership of any of the organisations listed above, or if they take up membership of such organisations during their employment.

An individual should discuss their requirements for time off as early as possible and submit their leave application as soon as they have confirmation of the dates of their public service. Employees should provide any additional documentation to their Head of Institution as evidence of the request and/or dates and times of their attendance.

Employees may also request a period of unpaid special leave for the following reasons:

- To serve as a Special Advisor to the British Government (appointed under the Constitutional Reform and Governance Act 2010).
- To serve or stand for election as Member of Parliament.
- To serve as a Political Agent to candidates or prospective candidates in parliamentary elections.
- To serve or stand for election in local government as an elected or co-opted member of a local authority.

Requests will be considered on a case-by-case basis depending upon the specific circumstances.

### **3.6 Service in the Reserve Forces**

All volunteer members of the Reserve Forces (the Army Reserve, Royal Naval Reserve, Royal Marines Reserve or Royal Auxiliary Air Force) who are required to undertake training on a normal working day, and are unable to reschedule the event, will be required to take annual leave or may request unpaid leave in order to attend.

Employees called up for compulsory military service under the Reserve Forces Act (1996) must immediately notify their Head of Institution, providing any necessary documentation. The University cannot prevent an employee who is called up from attending military service but can appeal against the decision if they feel the employee's absence will cause serious detriment to the University. For further advice please contact the relevant [HR Business Partnering Team](#).

Where an employee is called up for active duty by the UK government, their absence will be treated as a period of unpaid leave. Whilst this period of leave will not break continuity of employment, it will not count in calculating the employee's length of continuous employment.

The employee has the right to be re-employed in the same position within 6 months of the end of their military service on terms and conditions which are no less favorable than those which previously applied. If total reinstatement is not reasonable or practical, the employee will be offered the most favorable terms and conditions possible in the circumstances. The employee must apply in writing for reinstatement by the third Monday following the end of their military service (except where the employee is prevented from doing by illness or some other reasonable cause). The University is not required to reinstate an employee if it would result in the dismissal of another employee who was employed before the reservist was called up for active duty, was as permanent as the reservist and who had longer service at the time of mobilisation.

In certain circumstances a return-to-work plan may be offered to an employee who has been involved in active duty. The plan will be developed in discussion with the employee, their Head of Institution, the HR Business Partnering Team and the University Occupational Health Service as required.

Non-UK nationals called up for compulsory national service by their home country should contact the relevant [HR Business Partnering Team](#) for advice.



### **3.7 Jury service**

If an employee is called up for jury service, they should contact their Head of Institution or Departmental Administrator at the earliest opportunity to discuss the matter. Jury service normally lasts for 10 working days but may be longer. The employee should provide their Head of Institution with a copy of the jury summons and any other relevant documentation.

The University expects employees to seek reimbursement from Her Majesty's Courts Service (HMCS) wherever possible. To do this, the employee should:

- a. Send the Certificate of Loss of Earnings or Benefit they receive with their jury summons to payroll for completion.
- b. Submit the Certificate to HMCS to receive reimbursement for loss of earnings.
- c. Send the reimbursement receipt they receive from HMCS to payroll.

Employees will continue to be paid as normal whilst on jury service, until reimbursement for loss of earnings is confirmed by the court, at which point the University will make the appropriate deduction from their pay in the next monthly payroll. If the receipt for reimbursement is not received within 3 months of the end of the period of jury service, the University will make a deduction from the employee's salary in respect of those sums which are reclaimable from HMCS by the employee.

Where an Institution considers that an employee's absence on jury service will be severely detrimental to the operation of the Department, the employee may be asked to make an application for excusal or deferral, as appropriate. Where the Institution or employee considers that this applies, they should first discuss the matter with their [HR Business Partnering Team](#). Where the Institution provides a letter (and any other relevant evidence) to support the employee's application, this should be submitted with the application for excusal or deferral. There is no guarantee that the University's support will ensure that a deferral will be granted by the court service.

### **3.8 Attendance in court as a witness**

If in a private capacity, an employee is summonsed to appear as a witness in third party proceedings or is required to give evidence in their own court proceedings they may request annual leave or unpaid leave.

Where unpaid leave or annual leave has been granted, the employee may retain any compensation for loss of earnings or other sums payable or ordered by the court. The employee may also retain any travelling and subsistence allowances received from the court.

Where an employee is called by the University to act as a witness on the University's behalf at an Employment Tribunal hearing or any other court proceedings, the employee will continue to receive their full pay, as this will be deemed part of their normal duties.

### **3.9 Fertility treatment**

Individuals who are following a course of fertility treatment and have one year's continuous service with the University are eligible to apply for fertility treatment leave. This includes employees with same-sex partners and single persons. Fertility treatment leave is as follows:

- Employee undertaking fertility treatment, up to five days paid leave within a 12-month period to cover necessary treatment during a fertility treatment cycle.
- Partner of a person undertaking fertility treatment, up to two days paid leave within a 12-month period to cover necessary treatment and to provide support during a fertility treatment cycle.

The 12-month period runs from the first day of fertility treatment leave. Any unused entitlement to fertility treatment leave during the 12-month period may not be carried forward.

If an employee requires additional time off, they may request a period of annual leave or unpaid. Alternatively, depending on the treatment being undertaken, an employee may wish to apply for a temporary flexible working arrangement.

If an employee becomes ill because of or during fertility treatment, subject to their compliance with the sickness absence policy, they should receive statutory or contractual sick pay in the usual way.

Further guidance is available for line managers from the [HR Business Partnering Teams](#).

### 3.10 Neonatal care leave

An employee is entitled to take neonatal care leave if their baby is admitted to hospital for medical or palliative care up to the age of 28 days and for a continuous period of 7 days or more. Neonatal care leave will also apply where a baby is receiving medical care outside of hospital but under the direction of a consultant after the child was an inpatient.

The right to take neonatal care leave is available to all employees in this situation regardless of their length of service with the University.

Employees can apply to take between 1 week and 12 weeks of neonatal leave depending on the length of time their baby is in neonatal care. Neonatal care leave needs to be taken within 68 weeks of the baby's birth.

An employee can opt to take neonatal care leave either before or after other family leave. When neonatal care leave is taken determines how weeks of leave can be organised and the notice requirements that apply, as follows:

Period	When this applies	How leave is taken	Notice required
Tier 1 period	Starts when the child begins receiving neonatal care and ends seven days after the care ends.	Neonatal care leave can be taken in non-consecutive blocks. Each block needs to be one week or more.	Notice must be given before the start of the employee's work on the first day of absence of each week of neonatal leave or as soon as possible. In this situation the employee should give notice by speaking to their line manager and follow up with a <a href="#">CHRIS/85</a> form that details the dates of neonatal care leave.
Tier 2 period	Any period following the tier 1 period.	Neonatal care leave needs to be taken in a continuous block.	If taking 1 week of neonatal care leave 15 days' written notice is required. For two or more weeks neonatal leave 28 days' written notice is required. Employee should complete a <a href="#">CHRIS/85</a> form.

An employee will receive full pay during neonatal care leave (this will include statutory neonatal care pay).

If the employee wants to amend the start or end dates of their family leave because they are intending to take neonatal care leave, they need to give 8 weeks' notice to do this (details are available in the maternity, paternity/co-parenting, adoption or shared parental leave policies).

### 3.11 Planned surgery/procedures

Time off for planned surgery, procedures, treatment and recuperation that relates to a medical or psychological condition and is covered by a self-certificate or medical certificate, will be treated as sick leave e.g. hip replacement, elective back surgery or reconstructive surgery following medical treatment or injury.

Where an employee is opting to have planned surgery or a procedure for non-medical reasons, e.g. cosmetic surgery for aesthetic reasons, annual leave should be taken. The employee should follow the normal process for requesting annual leave. In exceptional circumstances a request for unpaid leave may be granted. In the event that such treatment results in an employee becoming unfit for work, e.g. due to infection or other complications, the usual [sickness absence](#) provisions apply, including procedures for certification.

### 3.12 Acting as a donor

Where an employee is acting as an organ donor the time off required for the operation and recovery will be treated as sick leave. For blood or sperm donations, employees should, where possible, schedule appointments outside of their normal working hours. Alternatively, the time off required should be covered by working flexibly or by requesting annual leave or unpaid leave. Any other type of donation will be handled on a case-by-case basis, balancing the employee's need for time off with the operational impact on the institution.

### 3.13 Gender reassignment

Employees will be granted reasonable paid time off to attend medical appointments relating to gender reassignment. Requests for time off for treatment, surgery and recuperation relating to gender reassignment will be managed in accordance with the [Sickness Absence Procedure](#). Although this is not an illness situation an employee may not be medically fit to work during this period. Time off in this situation will be treated no less favourably than time off for other medical issues.

An employee should request annual leave or unpaid leave if time off is needed for non-medical treatment related to gender reassignment. Requests will be considered subject to operational requirements.

An employee may also request to take a period of leave before returning to work following gender reassignment. The request will be considered by the employee's Head of Institution subject to operational requirements.

In all cases the employee should discuss their time off request with their Head of Institution as far in advance as they can and where possible at least 4 weeks before the date requested.

Further guidance on gender reassignment is available from [Equality & Diversity Team](#).

### 3.14 Religious or belief-related obligations

The University is committed to promoting an inclusive culture that values diversity. Flexibility will be provided wherever possible to enable employees to take annual leave at a particular time so that they may celebrate and/or comply with their religious or belief-related obligations. Further information on religion and belief, including a calendar of key diversity festivals, is available from the [Equality & Diversity Team](#).

### 3.15 Voluntary work

The University recognises that some employees may wish to undertake voluntary work outside of their employment with the University. Employees who wish to do this need to request annual leave to cover the time off required. In exceptional circumstances, with the

Head of Institution's agreement and subject to operational needs, unpaid leave may be granted.

Employees need to request annual leave or unpaid leave in the normal way and give as much notice as possible. Heads of Institution should endeavour to agree to such requests in line with operational needs.

#### **4.0 Procedure for requesting special leave**

Employees must discuss special leave requests with their Head of Institution as early as possible. If an individual finds it difficult to talk to their manager due to the nature of the leave requested, they may wish to contact the [HR Business Partnering Team](#).

The following steps should be followed for all special leave applications:

1. The employee completes a [CHRIS/68](#) form and submits this to their Head of Institution (or nominated line manager, departmental administrator or equivalent) at least 4 weeks before the period of leave requested. The employee should attach any additional documentation as required under the relevant policy section. Where it is not possible to give 4 weeks' notice, eg for emergency leave, the employee must contact their line manager as soon as they reasonably can or follow the normal reporting procedure of their Institution.
2. For carer's leave the minimum notice given should be either twice the length of the time being requested or 3 days, whichever is the longest. The employee is not required to provide evidence of their entitlement to carer's leave.
  - For neonatal care leave the employee should give at least 4 weeks notice.
3. If needed the manager will arrange to meet with the employee to discuss:
  - How many days special leave the employee anticipates they will need
  - When leave will be taken
  - Any additional flexible working arrangements the employee may need
  - Any implications for the institution
  - Anything else that is relevant to the type of special leave requested
4. The Head of Institution (or nominated equivalent) will confirm to the employee whether their request has been agreed, must be postponed or cannot be agreed. If a request cannot be agreed the reason will be explained to the employee. If special leave needs to be postponed alternative dates will be suggested or alternative arrangements discussed with the employee.
5. With applications for carer's leave:
  - Written notice must be given to the employee within 7 days of their notice or before the earliest day requested whichever is earlier.
  - If the carer's requested leave is not agreed, the employee must be allowed to take the requested leave within one month of the earliest day requested.
6. Where requests are agreed, the completed [CHRIS/68](#) is sent to the relevant HR Team who will process on CHRIS. For all unpaid leave requests and future dated requests for paid leave, HR will prepare a letter for the employee copied to the departmental administrator or equivalent. Depending upon the type of special leave requested, there may be additional steps not set out above, such as the submission of medical certificates or receipt of reimbursement from a court for undertaking jury service as detailed in relevant section of this Policy.

In certain circumstances the Head of Institution may complete the [CHRIS/68](#) on the employees' behalf, for example in certain cases of emergency leave. In all cases a

confidential written record should be kept by the Head of Institution of any time off granted for special leave.

Employees who feel that they have been unreasonably refused time off should, in the first instance, raise the matter with their Head of Institution. Ultimately employees have the right to raise the matter through the relevant grievance procedure for their staff category.

## **5.0 Other considerations**

### **Leave from Established Offices**

Academic staff holding an established University office listed in Schedule J should be aware that any period of leave of 28 days or more that falls during term time, may make the term(s) in question non-reckonable for sabbatical leave purposes. The term(s) in question will be included in the six-year period referred to in the Statute for calculating future sabbatical leave entitlement. The Head of Institution may wish to discuss this with their HR Business Partnering Team if such a situation arises.

Approval by the relevant competent authority (i.e. Faculty Board or equivalent) will also be required for all types of leave except for jury service, essential civic and public duties and service in the reserve forces which are statutory entitlements.

### **Financial and operational considerations**

Employees and Heads of Institutions should ensure that they are fully aware of the time commitment involved, the type of leave that will be taken and any impact on department operations, before the approved leave application is submitted to the HR Division.

### **Annual leave accrual**

Annual leave will only accrue during the first two weeks of any period of unpaid special leave. An employee's annual leave entitlement for the relevant leave year will therefore be adjusted accordingly. Annual leave will accrue as normal during paid special leave.

### **Statutory payments**

Taking unpaid leave may affect an employee's entitlement to certain statutory payments such as statutory maternity pay. If you have any questions please contact your HR [Business Partnering Team](#) or the [Payroll section](#).

### **Pension implications**

Employees are advised to contact the [Pensions office](#) if they have any questions on the impact of unpaid leave on their pension contributions.

### **Immigration**

Employees are advised to refer to the terms and conditions of their visa and the guidance created by UK Visas and Immigration (UKVI) for information on the impact of a period of unpaid leave on their immigration status. For Tier 2 /Skilled worker visa holders, and Tier 5/Temporary Worker GAE visa holders (which are "sponsored visas"), the following rules apply under the University's sponsor licenses with the UKVI. These rules do not apply to individuals holding any other type of visa at the University:

- If a sponsored visa holder has taken a period of unpaid leave in excess of four weeks (except for a period of maternity, paternity, adoption or long-term sick leave), the University must notify the UKVI and stop sponsoring the individual, which would result in the irrevocable loss of their sponsored visa. The individual would then require a new visa before being able to return to work for the University. Institutions are asked to notify the HR Business Partnering Team and the HR Compliance team immediately should this situation arise.

- If a sponsored visa holder is absent from work for more than 10 consecutive working days without the University's permission (i.e. unauthorised absence) the Institution concerned must notify the HR Business Partnering Team and the HR Compliance team immediately.

### **University loans and salary exchange schemes**

During any period of unpaid special leave, employees will need to agree with the HR Division and Payroll Section the appropriate arrangements for continued or deferred repayment of any University loan. Alternatively, the employee can arrange for the loan to be repaid in full. Employees participating in salary exchange schemes are advised to refer to the relevant scheme rules for further information on the implications and options available when taking unpaid leave.

## **6.0 Roles and responsibilities**

Employees should:

- Submit special leave requests to the relevant manager using the appropriate documentation and providing supporting information where needed. Employees can contact their HR Adviser in the first instance to discuss the special leave request if needed.
- Give at least 4 weeks' notice before the requested start of leave wherever possible.

Managers should:

- Consider all requests for special leave, arranging a meeting with the individual to discuss the request.
- Ensure that requests are dealt with in accordance with this policy and the relevant procedure.
- Inform the employee of the outcome of their request. If a request cannot be agreed reasons must be given and alternative arrangements should be considered.
- Inform HR of the outcome of the leave request.

HR should:

- Advise on all matters of special leave.
- Implement special leave details on CHRIS.

Support is also available from Occupational Health, the University Counselling Service and other employee support services.

## **7.0 Form**

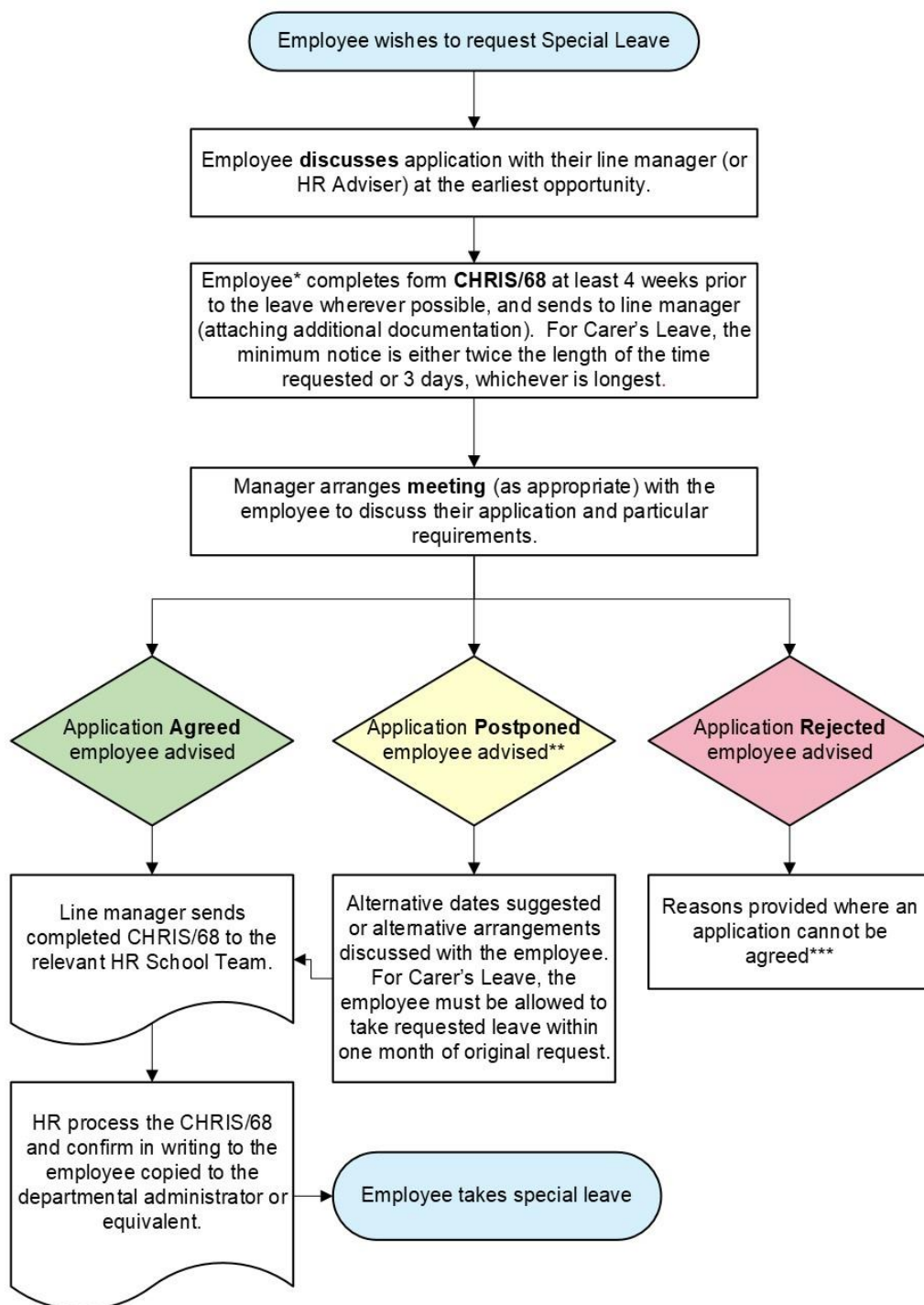
[CHRIS/68 Special Leave \(Paid and Unpaid\) Application Form.](#)

[CHRIS/85 Neonatal Care Leave Form](#)



## Appendix 1 – Procedure for considering a special leave request

### Special Leave Procedure



Please refer to relevant policy section for further information on any specific requirements.

\* In certain circumstances the line manager may complete the CHRIS/68 on the employees' behalf.

\*\* With applications for Carer's Leave, written notice must be given to the employee as soon as reasonably practicable but no later than 7 days after the employee's notice was given or before the earliest day requested on the notice, whichever is the earlier.

\*\*\* If employees feels they have been unreasonably refused, they can raise the matter with their line manager but ultimately may raise a grievance through the relevant procedure.