

RESEARCH SPECIAL LEAVE POLICY

RESEARCH COUNCIL SPECIAL LEAVE POLICY

Management Guidance

This document provides additional guidance for managers and HR in the handling of Special Leave issues. It includes the Research Council's Special Leave policy and procedure which is contractual. The additional guidance which is shaded is not intended to be legally binding and does not form part of the policy and procedure.

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Policy Statement

The Research Council acknowledges that there may be occasions when specific personal circumstances may require an employee to request special leave. The aim of this policy is to set out some of the circumstances in which a request may be made and the procedure for authorisation of such a request thus ensuring fair and equitable treatment across the Research Council.

The Research Council recognises a shared responsibility, in partnership with employees, to assist in the development of individuals.

The Special Leave Policy and Procedure (the 'Special Leave Policy') has been agreed with the Trade Union Side and complies with statutory legislation.

The Special Leave Policy applies to all employees of the Research Council. This includes those employed on temporary or fixed term contracts but excludes visiting workers, students or those workers provided by a third party agency.

The UK Shared Business Services Ltd (SBS) provides HR Services across the Research Councils. However some employees are deployed at establishments/facilities/ships that do not access services from SBS. In these cases references to the SBS or the System will not apply and employees should refer to their Research Council HR team for assistance.

Whether a worker is deemed to be a worker of employee is not always clear under employment legislation. In cases where managers have any doubt as to whether the Special Leave Policy should apply, advice should be sought from the Research Council HR team.

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1. Principles

- 1.1 All special leave must be authorised, by the line manager in consultation with the Research Council HR team who must consider all reasonable requests.
- 1.2 This policy covers special leave to deal with family/domestic emergencies as well as leave required for activities relating to transfers within the Research Council, time for duties within the armed forces, jury service, unpaid voluntary public service, time for parliamentary elections, and work with non-statutory voluntary aid bodies.
- 1.3 For the purposes of this policy a 'dependant' is defined as the husband, wife, partner, child or parent of the employee. It also includes someone who lives in the same household as the employee, or someone who reasonably relies on the employee for assistance. For example this could be a partner or relative; it does not include tenants or boarders living in the family home, or someone who lives in the household as an employee.
- 1.4 Special Leave is normally short-term and is not intended to help with long-term domestic, family and caring needs which may be more appropriately provided for by an application for parental leave or flexible working arrangements.
- 1.5 Some circumstances of special leave are paid whilst others are unpaid. Details can be found in sections 2 & 3 of this document.
- 1.6 Special leave is additional to the Research Council provision for annual and parental leave, including sabbaticals. Please refer to these individual policies for further guidance and information.

The policy defines or gives guidance on the number of days leave to deal with each circumstance. However, managers are encouraged to look at each situation individually and to consult the Research Council HR team for advice.

Special leave should only be declined if the request does not fall within the stated criteria in this policy or appears unreasonable, for operational reasons, due to length or frequency of time requested.

Managers should contact the Research Council HR team when a request for special leave is made or granted for record keeping purposes.

Employees should be encouraged to use the Employee Assistance Programme (as applicable) as a source of additional support.

2. Paid leave to deal with domestic/family emergencies

- 2.1 The exact number of days is at the discretion of the line manager in consultation with Research Council HR and depends upon individual circumstances.
- 2.2 Paid leave may be given to deal with the following unforeseen crises:
 - a) Death of a dependant and/or close relative (spouse, child, partner, sibling or parent), including attending the funeral.

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- b) Serious illness/injury involving an employee's dependant, which requires immediate emergency medical attention or serious illness/injury requiring immediate short-term care at home when the employee is the only person who can provide such care.

Normally up to five working days' paid leave may be granted over a rolling year.

2.3 Paid leave is also given to:

- a) Attend the funeral of a parent in law or parent of partner, or grandparent.
- b) Deal with the immediate effects of a burglary necessitating the employee's presence at home.
- c) Deal with the immediate effects of unavoidable severe damage to the employee's property necessitating the employee's presence at home.

Normally up to one days' paid leave may be granted.

3. Unpaid leave to deal with family and domestic incidents

3.1 Employees may request authorisation for a reasonable amount of unpaid leave to deal with unexpected situations:

- a) To assist a dependant not covered above who has fallen ill, given birth, is injured or assaulted.
- b) To make arrangements for the provision of care for a dependant who is ill or injured.
- c) To make arrangement for the provision of care during the unexpected disruption or termination of arrangements for the care of a dependant.
- d) To deal with the disruption in the education of a child of the employee which occurs unexpectedly, e.g. unexpected school closure or if the child has been involved in a fight, is distressed, has been injured on a school trip or is being suspended from school.
- e) To attend the funeral of a relative or close friend (other than those specified in 2.2 and 2.3 above).
- f) To deal with the immediate effects of a serious motor vehicle accident involving the employee's vehicle necessitating the employee to take action required by law (e.g. police reports).

3.2 Procedure

- 3.2.1 Employees must contact their manager by phone to seek authorisation either in advance or as soon as it is reasonably practicable. If their manager is not available they should speak to the next senior manager within their team.

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3.2.2 Employees must advise their manager of the reason for the absence and how long they expect to be absent to deal with the specified event.

3.3 Making up approved time off

3.3.1 It may be possible for employees to work additional hours equivalent to the time taken off work to deal with essential matters which cannot be accommodated outside normal working hours, e.g. moving house, general repairs to housing, general domestic situations which can be planned for, and routine appointments which are made in advance and can be planned for, e.g., gas/electricity appointments, to take a car for servicing. In these situations an agreement must be confirmed with the manager.

4. Other types of special leave

4.1 Transfer and resettlement

4.1.1 Special leave with pay may be granted to an employee who on transfer is entitled to reimbursement of removal expenses. Employees not entitled to reimbursement may be granted leave without pay or choose to take annual leave to cover the time. Details of entitlements during relocation are available from the Research Council HR team.

4.2 Civil Service Benevolent fund

4.2.1 Officials of the Civil Service Benevolent Fund may be granted paid absence from work to attend meetings of the Fund.

4.3 Forces training

4.3.1 Employees who are members of the Volunteer Reserve Forces (Royal Naval Reserve, Royal Marines Reserve, Territorial Army (TA) or Royal Auxiliary Air Force) are eligible for paid special leave in accordance with current legislation.

4.3.2 Employees may have up to five days' paid leave (less any military allowance received) and five days' unpaid leave for military service and call-up in a rolling year. Reservists who are mobilised will be granted unpaid leave, and full employment rights will be restored upon return from military service.

4.3.3 Employees must make their manager aware of any special leave needed for military service and call-up as soon as possible.

4.3.4 Reservists should advise Payroll of any military allowance received during paid special leave, so that these can be deducted from the individual's salary.

4.4 Attendance in court as a witness or juror

4.4.1 Employees who are called upon in their official capacity to:

- a) give evidence in criminal and civil proceedings and in coroners' courts, or
- b) attend other outside bodies as witnesses or in other capacities

should be regarded as being on Research Council business. In addition to normal pay they are entitled to claim travelling and subsistence expenses. Any other sums received from the outside sources should be refunded to the Research Council.

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4.4.2 The following provisions apply to employees who appear in court in a private capacity:

- a) special leave with pay may be granted to employees appearing as witnesses for the Crown in criminal proceedings or coroners' courts and to those necessarily absent for jury service. They may retain any travelling or subsistence expenses received from the court but should not claim from the court, or accept, any compensation for loss of earnings.
- b) an employee must notify their line manager and Research Council HR team immediately if they have been summoned for jury service unless they are clearly ineligible or disqualified (as explained on the summons) and has so notified the summoning officer.
- c) special leave without pay may be granted to employees appearing as witnesses in civil proceedings. Travelling and subsistence expenses will not be paid by the Research Council but the employee may claim and retain any travelling and subsistence expenses and, any compensation for loss of earnings or other sums payable by the Court or by a party to the action.

4.5 Unpaid voluntary public service

4.5.1 Special leave with pay may be granted within specified limits for performing certain voluntary public services, e.g. as a Justice of the Peace (18 days), a member of a Local Authority Committee (6 days) or of a Board of Managers or Governors of a School (4 days for establishments in England, Scotland and Wales).

4.5.2 The maximum amount of special leave with pay which may be allowed for any combination of unpaid voluntary public service in any leave year is 24 days. Special leave without pay may be granted after the permitted allocation of special leave with pay has been exhausted. Employees should neither claim nor accept attendance fees on any days for which they have been given special leave with pay.

4.5.3 Special leave may also be granted (within the limits of 4.5.2) to members of probation and court boards and to members of youth offender panels.

4.6 Parliamentary elections

4.6.1 An employee standing as a candidate for parliament may be granted one month's special leave with pay at the period of the election. An employee who wishes to serve as a political agent to a candidate (or to a bona fide prospective candidate) in a parliamentary election may be allowed up to six weeks' special leave with pay.

4.7 Non-statutory voluntary aid bodies

4.7.1 Managers may grant paid special leave for participation in the activities of non-statutory voluntary aid bodies, particularly where the activities of these have some link with the work of the Research Council or where the Research Council has a particular expertise that can be usefully passed on to the voluntary sector.

5. Working visits

5.1 Working visits and exchanges to other organisations and departments may provide key training opportunities. The Research Council supports such arrangements, whereby employees spend time working in another establishment either within or external to Research Council, in the UK or abroad, for a period of up to one year.

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The working visit/exchange should give individuals the opportunity to learn new scientific or policy related skills or be part of a collaboration with another research group. Similar arrangements can also be made to enable an employee to accept an invitation to lecture in university or hospital departments.

5.2 Where the Research Council approves such a proposal for a working visit/exchange a decision will be taken on whether leave should be unpaid, or with whole or part pay, and whether the Research Council should meet travelling expenses and subsistence. The decision will be governed in part by the amount of support the employee has obtained from outside of the Research Council for the visit.

5.3 It is not normally possible for financial assistance from Research Council funds to be given to allow the employee to take their family with them on such visits.

6. Policy review

6.1 This policy will be regularly reviewed to incorporate any legislation changes. The TU may request that a policy is reviewed.

7. Amendment history

Version	Date	Comments/Changes