

Working Time Framework

Special Leave

1 Introduction

This Policy is part of the Working Time Framework, which is made up of a number of elements which together encompass all formal policy, procedure and statement documents, including associated forms, relating to working time in Abertay University (the "University"). If you would like this document in a different format (e.g. large print, braille) or need any assistance to access or understand the policy/procedure please contact your School/Service designated Senior HR Officer.

This procedure does not form part of any employee's contract of employment and it may be amended at any time. The University may also vary any parts of this procedure as appropriate in any case. This procedure applies to all employees regardless of length of service.

2 Purpose and Scope

The University has a range of provision for employees with domestic or caring responsibilities. The following policy outlines the allowances for employees and provides guidelines for managers in how to deal with such circumstances.

3 Definitions

Dependant – For these purposes, a "dependant" is an employee's spouse, partner, child, parent or someone who lives with him/her as part of his/her family. It does not include tenants, boarders or employees living in an employee's family home. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on an employee for assistance. This may be where the employee is the primary carer or the only person who can help in an emergency.

Immediate Family - Immediate family is generally defined as husband, wife, partner, brother, sister, father, mother, daughter, son – whether through kinship, adoption or marriage.

4 Carers Leave

Carers leave is available to all employees to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements. It is recognised that occasions may arise where an employee faces an emergency in connection to a person for whom they have a caring responsibility. Examples of Carer's Leave may include:

- The sudden illness or injury of a dependent, for example caring for a sick child or elderly relative or making longer term arrangements for them;
- The unexpected disruption or breakdown of care arrangements for a dependent, if for example a childminder or nurse fails to turn up or a crèche, school or nursing home unexpectedly closes.
- An unexpected incident involving an employee's child during school hours.

4.1 Amount of leave

The amount of leave will depend on the particular circumstances which apply but a maximum of five days paid leave will normally be available per rolling 12 month period. The maximum amount of leave will normally be granted where an employee plays a major role in arrangements for the care of an immediate family member. Up to three days where a minor

role is played, the family member is not immediate, or to deal with other emergencies as detailed above. In exceptional circumstances it is at the discretion of the line manager to approve additional leave to the days outlined above.

4.2 Making a request

All requests for Carers leave will be considered by the Head of School or Service. Employees must contact their Head of School/Service as soon as practicable and inform them of the reason for their absence and expected period of absence. All requests will be dealt with quickly and sympathetically. Please ensure you advise Payroll of the amount of leave granted through your monthly absence returns.

5 Compassionate Leave

The right to take time off to enable employees to manage unexpected or sudden problems and make any necessary longer-term arrangements applies:

- if a dependant has been involved in an accident;
- to deal with the death of a dependant, for example, making funeral arrangements;

The actual amount of leave with pay authorised in any instance will depend on the particular circumstances which apply. All requests for compassionate leave should be made to the Head of School/Service as soon as practicable, together with the reason for the absence and expected period of absence. Please ensure you advise Payroll of the amount of leave granted through your monthly absence returns.

The following guidelines should apply:

Circumstances	Compassionate Leave
Death of a member of an employee's immediate family where the employee is expected to play a major role in the organisation of funeral arrangements, disposal of effects, etc, with account being taken of the individual's needs in relation to any special circumstances which apply, including location.	Up to 5 days
Death of a member of an employee's immediate family where the employee is expected to play a minor role in funeral and other associated matters with account being taken of the individual's needs in relation to any special circumstances which apply, including location.	1 – 3 days
Death of a relative, other than immediate family, for example a grandparent, aunt, uncle or cousin.	1 day and travelling time, where appropriate

Serious illness of a member of an employee's immediate family may require compassionate leave to the same extent as that set out above, depending on the particular circumstances which apply.

6 Time off for Public Duties

Where an employee holds a public office or public position, it is the University's policy to grant a reasonable amount of time off work so that the employee can perform the duties associated with that position. The employee will not be required to make up for any such time off by working additional hours at another time. Where, however, the amount of time off that the employee requires for public duties becomes excessive, or begins to cause operational difficulties for the University, the University has the right to refuse the employee further time off in the immediate future. Alternatively, the employee may be permitted to take time off out of his/her annual holiday entitlement or use unpaid leave for this purpose.

Employees should provide written notification to their line manager of any dates on which they wish to take time off work for public duties, stating the expected length of their absence. This notification should be provided as far in advance as possible.

Time off for public duties will normally be unpaid. However, at the discretion of management, an employee may continue to be paid at his/her normal rate of pay during periods of time off for public duties, subject to the deduction of any monies received from the relevant authority in respect of the duties performed, which the employee must declare.

Listed below are examples of public duties in respect of which employees may submit requests to their line manager for time off to attend meetings, undertake training and carry out other functions concerned with the University's duties.

- a Justice of the Peace
- a member of a local authority
- a member of a statutory tribunal
- a member of a police authority
- a member of a relevant health body
- a member of the Environment Agency. The Scottish Environment Protection agency
- training duties or mobilisation. In respect of Reserve Forces please refer to the Reserve Forces Policy.

Whilst requests for time off work will not be unjustifiably refused, the University does have the right to refuse requests for time off that are unreasonable or excessive.

6.1 Jury Duty

Where an employee is called up for jury service he/she should contact his/her line manager to request time off work. In requesting time off an employee should provide a copy of the court summons and should submit a claim to the court for loss of earnings.

The employee will continue to be paid whilst on jury service at the normal rate of pay, subject to the deduction of any monies received from the court in respect of loss of earnings.

If on any day the employee's services are not required at the court he/she shall return to work for that day.

7 Time off for Medical Appointments (Including IVF Treatments & Cancer Screening, Outpatients etc).

7.1 Medical & Dental Appointments

The University recognises that employees will from time to time need to attend medical, hospital, dental, optician and other similar appointments. Whenever it is possible to do so, employees (both full time and part time) should endeavour to arrange such appointments in their own time or, if this is not possible, then at times that will cause the minimum amount of absence from work or inconvenience to the University.

Guidance on time off for such appointments can be found within the Absence Management Policy within the Health and Wellbeing Framework.

Any employee who has a query on this policy, or who believes that he/she has been unreasonably refused time off, should in the first instance discuss the matter with his/her line manager. If the issue cannot be resolved in this way, the employee may use the University's formal Grievance Procedure to resolve any dispute.

7.2 Fertility Treatment

It is the policy of the University to grant up three days' paid leave in any one year for an employee to undergo fertility treatment. The policy applies equally to an employee whose partner is undergoing fertility treatment. If the employee requires time off beyond the permitted number of days, the employee may nevertheless be allowed to take time off out of his/her annual holiday entitlement or unpaid for this purpose.

Time off for fertility treatment up to the permitted number of days will be paid at the employee's normal rate of basic pay.

Any employee who wishes to take advantage of this policy must:

- inform his/her line manager as soon as his/her plans to undergo fertility treatment have been confirmed;
- provide a statement from a qualified medical practitioner that fertility treatment has been recommended and approved;
- (at the request of his/her line manager) produce an appointment card for each occasion on which time off is requested;
- try to arrange appointments at times that will cause the minimum amount of inconvenience to the University;
- give as much notice as possible of the days on which time off is required.

Any information provided to the line manager will be maintained in strict confidence.

7.3 Hospital Appointments

The University recognises that employees will from time to time need to attend hospital appointments such as outpatients. Whenever it is possible to do so, employees (both full time and part time) should endeavour to arrange such appointments in their own time or, if this is not possible, then at times that will cause the minimum amount of absence from work or inconvenience to the University.

Employees should give his/her line manager reasonable notice of the date and time of an appointment, time off with pay will normally be granted, although this is subject to the discretion of the employee's line manager. Where, however, time off for appointments becomes frequent or regular, or starts to cause difficulties for the employee's department, the line manager has the discretion either to require the employee to make up for the time off by working extra time on another occasion, or to grant any further time off without pay.

Employees must obtain approval from their line manager in advance of any appointment. The line manager reserves the right to ask an employee to reschedule an appointment if its timing would cause disruption to University business. The line manager may also, at his/her discretion, ask the employee to produce an appointment card.

For exceptional circumstances, it is at the discretion of the manager to approve additional leave, or to provide a combination of carer's and compassionate leave depending on the individual's personal circumstances. For instances outlined in this policy, managers should seek advice, guidance and support from the designated Senior HR Officer to their School/Service, and the Occupational Health Advisor where required.

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