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Time Off for Public Duties and Special Leave Guidance and Examples

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Introduction

We recognise that anyone may experience circumstances in their personal life which require time away from work. Time needed may be supported through:

- special leave
- flexible/hybrid working arrangements
- annual leave
- unpaid leave
- a combination of these.

Special leave is intended to provide a compassionate response and support for a range of situations (and is a maximum of 5 paid days per rolling year (pro rata for part time employees)).

This document provides examples to assist managers and employees in the application of the Time Off for Public Duties and Special Leave Policy and Procedure, but is not an exhaustive list. If you are unclear about a particular matter you should speak to HR Services if you are acting in a management capacity, or to your manager. Our [Flexible Working principles](#), [Ways of Working webpage](#), [Supporting Carers webpage](#) and [Employee Assistance Programme webpage](#) also provide relevant information.

Jury Service, Court and Tribunal Attendance

Summons for Jury Service

Appendix 1 outlines the process to be followed when an employee receives a summons for Jury Service.

Attending Court as a Witness

Example:

An employee has received a summons from court to attend a hearing as a witness. They have the summons notice, which is within working hours.

Time off will be given under the Time Off and Special Leave Policy, the amount of time off given will be agreed by the manager who will consider the individual circumstances. The employee should provide a copy of the summons or notification to their line manager.

Attending Court

Example:

An employee has raised a legal case/ has had a legal case raised against them, which has been given a scheduled date in court, which is within their normal working hours. They have requested the time off, which is likely to be half a day but could be longer, as they are required to attend.

Time off under the Time Off and Special Leave Policy is not appropriate. The employee should take time off through annual leave, unpaid leave or flexible/hybrid working arrangements.

Attending an Employment Tribunal

Example:

An employee has been asked by a work colleague to give evidence in an Employment Tribunal.

Time off will be allowed under the Time Off and Special Leave Policy. The employee is expected to attend to give their evidence and return to work as soon as possible.

Voluntary Public Service

Example:

An employee has requested time off to carry out their duties as a School Governor.

Time off will be considered under the Time Off and Special Leave Policy, up to 12 days per rolling year (calculated on a pro rata basis for part time employees). In addition unpaid leave will not be denied unreasonably.

Example:

An employee has requested time off to attend Reservist training.

Time off will be considered under the Time Off and Special Leave Policy, up to 5 days per rolling year (calculated on a pro rata basis for part-time employees). In addition, unpaid leave will not be denied unreasonably.

Example:

An employee has received a 'Call-out for Mobilisation' notification letter and is called up for full-time military service.

Time off will be given under the Time Off and Special Leave Policy. Leave will be unpaid as the Ministry of Defence will cover their salary for the duration of their operational duty.

Dependant Leave/Compassionate Leave/Carer's Leave

The circumstances under which employees can take time off include:

- An unexpected break down in the caring arrangements for a child or person for whom the employee is the primary carer.
- Where a dependant falls ill or has been injured or assaulted.
- To deal with an unexpected incident involving the employee's child during school hours.
- To be able to deal with the immediate emotional trauma of a distressing situation concerning a dependant/relative.
- Organising care arrangements for an elderly parent, for example to enable them to continue living at home or during selection and move to a care home.
- To support employees who have dependants with long term care needs (e.g. dependants with a disability) – this includes providing practical support and/or medical care.

Employees are expected to consider other arrangements before requesting paid time off under this policy, including flexible/hybrid working arrangements. It is also not unreasonable to expect a spouse/partner/other relative to share caring responsibilities.

Example:

A dependant has been taken into hospital and is having an emergency or major operation.

Paid time off will be given under the Special Leave and Time Off for Public Duties Policy. As appropriate, this may be to allow the employee to accompany the dependant and stay with them in hospital and perhaps to care for them when they return home as necessary whilst other arrangements are put in place. Managers should also consider whether flexible/hybrid working arrangements are operationally viable to support employees during this time.

Examples:

A dependant has a hospital appointment for a checkup following a previous operation and the employee has requested time off to accompany them to hospital.

A dependant is referred to the hospital by their GP for further tests and the appointment is in two weeks time.

An employee's parent, who has a long-term mental health condition, has an appointment with a therapist. The employee has requested time off to transport them to the clinic and provide support during the appointment.

Employees are expected to consider other arrangements before requesting paid special leave, including choice of appointment time outside of working hours (where available) or flexible/hybrid working arrangements. It is also not unreasonable to expect a spouse/partner/other relative to share caring responsibilities. If this is not possible, managers may authorise paid special leave in keeping with the parameters set out in the policy (evidence of appointment may be requested).

Medical Emergency (Relating to the employee)

Emergency hospital appointments relating to the employee are covered under the Time Off and Special Leave Policy. The term emergency is not restricted to immediate appointments and it is recognised that hospital appointments may be given a few weeks in advance. Up to half a day during normal working time will be allowed to attend the appointment. In determining the actual amount of time, the manager should consider the time and length of the appointment in relation to the employee's working day, the location of the hospital and therefore reasonable travelling time to and from the University and other relevant circumstances such as medication to be taken during the examination/tests. In exceptional circumstances additional time may be given up to a maximum of 1 day.

People need to be able to attend the medical appointments that they need, but with minimal disruption to work and work colleagues.

Example:

An employee has been referred to the hospital by their GP as the employee has symptoms which require hospital investigation. The employee has received notification of the hospital appointment, and it has been scheduled within their normal working hours (at 3pm) in two weeks time.

Paid time off will be given under the Time Off and Special Leave Policy for the employee to attend the first hospital/specialist appointment. The employee should come to work as usual prior to the appointment. The amount of time off given will be agreed by the manager taking into consideration the matters outlined above. Where follow up appointments are required, managers should consider whether flexible/hybrid working arrangements are operationally viable to support employees to attend the appointments. Where not viable, managers may grant reasonable paid time off subject to the production of evidence of appointment(s) and there is no requirement to submit an application form for special leave in these circumstances.

Example:

An employee is required to take medication the day before an explorative appointment and the medication will result in the employee being unfit to work on both the day before the appointment and on the day of the appointment.

Time Off under the Time Off and Special Leave Policy is not appropriate. The absence should be treated as sickness absence.

Example:

An employee is due to have a follow up check at hospital following an earlier operation. The hospital has notified them of the appointment time, which is within working hours.

Where follow up appointments are required, managers should consider whether flexible/hybrid working arrangements are operationally viable to support employees to attend the appointment(s). Where not viable, managers may grant reasonable paid time off subject to the production of evidence of appointment(s) and there is no requirement to submit an application form for special leave in these circumstances.

Routine and Regular Medical Appointments

Example:

An employee suffers from high blood pressure and is required to attend regular appointments with their doctor. Due to surgery opening times, the appointments are often during working hours.

Time off is not appropriate under the Time Off and Special Leave Policy. Employees are expected to arrange appointments outside of working hours wherever possible. Where this is not possible, managers should consider whether flexible/hybrid working arrangements are operationally viable to support employees to attend the appointments (e.g. if appointments are arranged at the start/end of the day, could the employee start work later/leave work early and make up the time on another day). Alternatively, the employee can take time off through annual leave or unpaid leave.

Blood Donor

Example:

An employee is a regular blood donor; they have asked to be allowed to donate during their normal working hours.

Time off is not appropriate under the Time Off and Special Leave Policy. Managers should consider whether flexible/hybrid working arrangements are operationally viable to support employees to give blood. Alternatively The employee can take time off through annual leave or unpaid leave.

Dental Treatment

Emergency dental treatment only is covered under this policy. The employee should take time off through annual leave or flexible/hybrid working arrangements or unpaid leave for all other dental appointments and treatment. If the employee is unfit to work following the appointment/treatment, then the absence should be treated as sickness absence.

Domestic Emergency

Examples:

An employee's home has been damaged overnight in a burglary and they have requested time off.

An employee discovers in the morning that a pipe has burst and there is damage to the ceiling and furniture. They have asked for time off to arrange for the repairs.

Paid time off will be given under the Time Off and Special Leave Policy of up to one day to deal with the immediate issues (normally ½ day should be sufficient). Time off the employee may need to arrange for further repairs should be taken through annual leave or flexible/hybrid working arrangements or unpaid leave.

Jury Service Flowchart

