



# Special Leave Policy





## 1 **Introduction**

- 1.1 The university is supportive of employees who need to take time off work in a range of different circumstances. This policy sets out the type of requests for time





- the Environment Agency, the Scottish Environment Protection Agency or a relevant Scottish water and sewerage authority;
- a panel of lay observers (those who monitor conditions in court custody and in cellular vehicles).
- Immigration visiting committees (those who monitor conditions in Immigration Removal Centres); or
- Short term holding facilities visiting committees (those who monitor conditions at immigration facilities at ports and airports).

### **Magistrates (Justice of the Peace)**

- 3.8 Employees undertaking Justice of the Peace activities where sessions (including training) occur during normal working hours shall be entitled to paid leave up to a maximum of 15 full or 30 half days per annum pro rata subject to as much prior notice as possible being given to their manager. Employees may make arrangements to take annual or unpaid leave for any additional attendance at training or sessions.

### **Jury Service**

- 3.9 Where an employee is called up for jury service they should contact their 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.
- 3.10 The employee will continue to be paid whilst on jury service at their normal basic rate of pay, subject to the deduction of any monies received from the court in respect of loss of earnings and in accordance with paragraphs 2.2 and 2.3.
- 3.11 If on any day the employee's services are not required at the court they shall return to work for that day.

### **Attendance at court as a witness**

- 3.12 Employees summoned to attend court as a witness will be granted time off on the same basis as the provisions for jury service above.
- 3.13 Employees attending court as a witness on their own account will be expected to request annual leave or unpaid leave.

## **4 Attendance at De Montfort University EDI Staff Network Groups**

- 4.1 Employees who are members of a university Involvement Group; such as the Lesbian, Gay, Bi and Transgender Staff Group (LGBT); Black, Asian and Minority Ethnic Staff Group, DMU Women or Disabled Staff Group, will be granted time off with pay in order to attend university approved meetings of



these groups that fall within their normal working hours. When considering requests to attend Involvement Group meetings, managers should consider the effect of the employee's absence on the service and the impact on students.

- 4.2 Employees fulfilling the role of Chair or Secretary to these university approved Involvement Groups will be granted up to one day per month (pro rata) to undertake the duties associated with these roles.

## 5 **Volunteering**

- 5.1 Subject to the needs of the university, up to three days per annum paid time off (pro rata) will be approved for De Montfort University related and approved volunteering activities e.g. volunteering activities that are for the benefit of DMU students or activities supported by DSU Volunteering.
- 5.2 Where employees request time off to undertake volunteer work that is unrelated to De Montfort University, requests will be subject to the needs of the university and will be unpaid.
- 5.3 The types of volunteering activities that will be supported are entirely at the discretion of the university.

## 6 **Fundraising**

- 6.1 The university is supportive of employees who wish to participate in fundraising events / activities in support of a charitable organisation or cause.
- 6.2 Where a fundraising activity coincides with working hours and time off is requested, managers are asked to consider requests reasonably and facilitate time off arrangements wherever possible, balanced with the need to minimise any disruption to service or students.
- 6.3 Managers should seek to facilitate such requests via existing flexible working policies, or by granting annual leave or unpaid leave.

## 7 **Reserve forces leave**

- 7.1 The university will consider any request for leave where the reason for that





- 9.2 Managers have discretion to permit a limited amount of unpaid leave if the employee has exhausted their entitlement to paid annual leave.
- 9.3 In considering time off requests, managers should be aware that some religious festivals are aligned with lunar phases and therefore dates change from year to year; the dates for some festivals do not become clear until quite close to the actual day and therefore managers are encouraged to be flexible where possible and to make reasonable accommodation for staff wishing to take leave for religious observance and festivals.
- 9.4 Employees should give as much notice as possible when requesting leave. Discussion and flexibility between employees and managers will usually result in a mutually acceptable compromise.

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10.4 Employees with at least one year's continuous service with De Montfort





service-related benefits, including accrual of annual leave and occupational sick pay.

- 10.19 Employees remain bound by the university's Disciplinary Procedure and may be subject to disciplinary action, up to and including dismissal, should they commit an act of misconduct or gross misconduct during their absence on unpaid leave.
- 10.20 Once a request for extended unpaid leave has been approved, a further request to take a subsequent period of extended unpaid leave cannot be made until three years following the employee's return from unpaid leave. This condition may be waived where there are exceptional circumstances

#### Pensions

- 10.21 Employees will need to seek advice from the university's payroll and pensions team (or scheme administrators) on the impact of any period of unpaid leave on their pension benefits as the rules will be subject to the applicable pension scheme rules.

#### Cancellation of Unpaid Leave

- 10.22 An employee should give at least one month's notice if they wish to cancel their unpaid leave or wish to end it earlier than the original agreed end date. Deans/Directors may relax this requirement in exceptional circumstances. Once a period of unpaid leave has been approved, the ability for the employee to cancel this leave, or to return from unpaid leave earlier, is at the sole discretion of the university.

#### Unpaid leave following maternity leave

- 10.23 Where an employee requests a period of unpaid leave following maternity leave, if the employee does not return to work for at least three months following their maternity leave they will forfeit their entitlement to occupational maternity pay in line with the Maternity Scheme.

#### Failure to Return from Unpaid Leave

- 10.24 An employee who fails to return from unpaid leave on the expected date will be treated as being absent without leave and may be subject to disciplinary action, up to and including dismissal, under the university's Disciplinary Procedure.
- 10.25 Where employees know that they will not be able to return to work on the



## 11 **Travel Disruption / Severe Weather**

- 11.1 De Montfort University acknowledges that travel disruption (e.g. due to severe weather conditions) may from time to time make travel to and from work difficult.
- 11.2 In the event of travel disruption it is the responsibility of the employee to make every reasonable effort to attend work for their normal contracted hours either at t





## 12.2 **Family emergencies / dependant care leave**

12.2.1 All employees are entitled to take a reasonable amount of time off during their normal hours of work for family emergencies.

12.2.2 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 falls ill or has been involved in an accident or assaulted (the illness does not need to be serious or life threatening in order to qualify for family emergency/dependant care leave);
- To make longer-term care arrangements for a dependant who is ill or injured;
- There is an unexpected disruption or breakdown in care arrangements for a dependant. For example, a child-minder fails to arrive, a nursery has closed unexpectedly, or there is an incident involving the employee's child during school hours that the employee needs to deal with urgently.

12.2.3 For these purposes, a "dependant" is an employee's spouse or partner (ongoing)



12.2.7 If the employee is unable to contact the manager before they need the compassionate leave to commence, they must contact the manager as soon as possible, but no later than two hours after



12.3







- 13.3 Provided that an employee gives their 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 employee making every reasonable effort to arrange the appointment at a time that will cause minimal impact or outside of normal working hours. Where, however, time off for appointments becomes frequent or regular, or starts to cause difficulties for the employee's department, the 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. For medical appointments that are related to an employee's disability, please refer to the provisions for [disabled employees](#).
- 13.4 Employees must obtain approval from their manager in advance of any appointment via MyLeave. The manager reserves the right to ask an employee to reschedule a routine appointment if its timing would cause disruption to the university's business. The manager may also, at their discretion, ask the employee to produce an appointment card.



## Fertility treatment (e.g. IVF)

- 13.9 Subject to [paragraph 12](#), it is the policy of the university to grant up to two days' paid leave in any one year (pro rata) for an employee to undergo fertility treatment. The policy applies equally to an employee whose partner (including same sex 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 their annual leave entitlement or take further leave that is unpaid for this purpose. Alternatively an employee might be granted a form of temporary flexible working to accommodate their needs, subject to the needs of the university.
- 13.10 Any employee who wishes to take advantage of this policy must:

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- 13.14 If the employee requires time off beyond the permitted number of days, the employee may nevertheless be allowed to take time off out of their annual leave entitlement or take leave that is unpaid for this purpose.
- 13.15 Any employee who wishes to take advantage of this policy must:
- inform their line manager as soon as their plans to undergo elective surgery have been confirmed;
  - provide a statement from a qualified medical practitioner that elective surgery has been approved and giving the likely duration of recovery;
  - in agreement with their line manager, arrange elective surgery at a time that will cause the minimum amount of inconvenience to the university; and
  - give two months' notice of the day on which the surgery will take place.
- 13.16 Any information provided to the manager will be maintained in strict confidence. The reason for the employee's absence will be disclosed only on a "need-to-know" basis and in consultation with the employee.
- 13.17 The employee may give the university their consent to disclose the reason for the absence to colleagues.
- 13.18 Where the outcome of the surgery impacts on the employee's fitness for work, the university's sick pay policy will apply, following receipt of the relevant sickness certificate.

### **Medical screening**

- 13.19 Employees will be granted paid time off work for medical screening (e.g. cervical, breast, testicular and prostate screening). Appointments should be approved with the employee's manager and time off does not need to be made up in respect of appointments of this nature.
- 13.20 The above provision includes medical screening offered as part of De Montfort University's employee wellbeing programme or required as part of an Occupational Health referral.

### **Disabled employees**

- 13.21 Employees who have a disability as defined by the Equality Act 2010 will be entitled to paid time off for medical appointments related to their disability. Appointments should be approved with the employee's manager and time off does not need to be made up in respect of appointments of this nature.

## **14 Research Leave (Academic Staff Only)**

- 14.1 The university may, at its discretion and subject to the scheme in operation at the time, grant a research leave award to allow an academic member of staff



to spend a focussed period of time on a specific research project by providing funds for replacement teaching in one term.

- 14.2 Where the university operates such a scheme, application forms and further details of the scheme in operation will be available on the intranet.



## Appendix A: Matrix – Summary of Special Leave Provisions

\*In accordance with paragraph 12, the provisions of this policy marked with an asterisk operate subject to a maximum aggregate amount of 10 days paid time off in any one leave year, subject to the discretion of the university in exceptional cases.

Type of leave	Prior authorisation required	Formal authorisation when reasonably practicable or on return to work	Amount of time off	Paid or unpaid time off	Additional time off
<a href="#">Ante-natal appointments (women)</a>	Request in MyLeave		Refer to <a href="#">p(a), 38 400..74drg/TT1 1 TfHa370.02 13,om1 52003.74(or</a>		

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	(eg unpaid leave/extended unpaid leave)		
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**Type of leave**



Fundraising

Request in MyLeave  
(Unpaid leave)

Consider existing flexible working policies, annual holidays or unpaid leave.





Type of leave	Prior authorisation required	Formal authorisation when reasonably practicable or on return to work	Amount of time off	Paid or unpaid time off	Additional time off
<a href="#">Magistrates (Justice of the Peace)</a>	Request in MyLeave		15 full or 30 half days (pro rata)	Paid subject to deduction of monies received in respect of the performance of the duties and/or loss of earnings	<ul style="list-style-type: none"> <li>• Annual leave</li> <li>• Unpaid leave</li> </ul>
<a href="#">Medical appointments (routine)</a>	Request in MyLeave (Medical/dental appointments)		Time off for the appointment  Reasonable adjustments for disabled employees – see policy	Paid subject to conditions – see policy	<ul style="list-style-type: none"> <li>• Make up time at another time</li> <li>• Unpaid leave</li> </ul>
<a href="#">Medical screening</a>	Request in MyLeave (Medical/dental appointments)		Time off for the appointment	Paid	
<a href="#">Public duties</a>	Request in MyLeave		Dependent on nature of duties performed – see policy	Unpaid except where specified	Annual leave



**Type of leave**

**Prior authorisation  
required**

**Formal authorisation  
when reasonably  
practicable or on  
return to work**

**Amount of time  
off**

**Paid or unpaid time  
off**

**Additional time off**



Type of leave	Prior authorisation required	Formal authorisation when reasonably practicable or on return to work	Amount of time off	Paid or unpaid time off	Additional time off
<a href="#">Witness – attendance at court (Court summons)</a>	Request in MyLeave (Public duties – witness)		As directed by the courts	Paid subject to deduction of monies received in respect of claim for loss of earnings from courts	
<a href="#">Witness – attendance at court on own account</a>	Request in MyLeave (Annual leave or unpaid leave)		Annual leave		