



University of
St Andrews

Special leave

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2.1	Amendment to the Pay and Pension email address to submit completed notification forms to.	Published	Lisa Stewart HR	06/02/2024

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- British Sign Language (BSL) users can contact us via the online BSL Video Relay Interpreting Service: <https://contactscotland-bsl.org>
 - This document and forms associated with this document are available in an alternative format upon request.
 - We encourage employees to review the [Special Leave webpage](#) to access details about each special leave absence type.

1. Introduction

- 1.1 The University is committed to developing work practices and policies that support work-life balance. The University recognises that employees may experience circumstances in their personal lives which may require time off work for reasons that do not naturally fall within the scope of other University leave policies (e.g. annual leave, family leave).
- 1.2 The University understands that not all family situations or dynamics are the same and will review each case on an individual basis. The University will treat cases relating to chosen family (whereby members of the LGBTIQ+ community, or others outside of it, have found people to fulfil the roles of support, teaching, comfort and kinship typically handled by relatives) on a par with more traditional families.

2. Purpose

- 2.1 The purpose of this policy is to provide guidance to employees when requesting time off for absences outlined in this policy.

3. Scope

- 3.1 This policy applies to all employees of the University regardless of length of service. All leave types are a day one right.

4. General principles

- 4.1 Some situations will be unplanned and will require immediate attention/time off whilst other leave types can be planned for and requested in advance of the leave. Where the situation can be planned for (e.g., medical appointments), the University requests that reasonable advanced notice is provided to the line manager.
- 4.2 All leave requests will be considered fairly, promptly and with sensitivity. Requests for special leave should not be unreasonably refused.
- 4.3 This policy is not intended to be prescriptive and therefore each request will be considered on its own merit, taking all factors into account and ensuring that employees do not suffer any discrimination or detriment. Decisions to authorise leave will usually be made by the employee's line manager.
- 4.4 Some special leave types are not a statutory entitlement and time off requested will be at the discretion of the line manager. Should special leave not be authorised or deemed appropriate, then employees may have the option of using annual or requesting unpaid leave.
- 4.5 Special leave will not be granted automatically, and the employee will normally be given the day off for an emergency with the understanding that they will discuss the matter with their line manager upon their return to determine whether special leave can be authorised.
- 4.6 Part-time employees (anyone who works less than 36.25 hours per week) and employees who work less than 5 days per week (e.g., condensed working arrangements) are entitled to the same leave allowance confirmed in this policy but this will be pro-rated to the employee's contracted hours/days of work.

- 4.7 All contractual terms and conditions continue to apply during periods of special leave. Longer terms of special leave and unpaid leave may impact upon pension contributions and in these circumstances, the employee should contact the [Pension Administrator](#) to discuss the matter further.
- 4.8 A list of special leave scenarios can be found at [Appendix A](#). For specific or exceptional matters not detailed in this policy, please contact the School/Unit [HR Business Partner \(HRBP\)](#) for guidance.
- 4.9 In some cases, documentary evidence will be required in order to process the special leave (e.g. jury service summons). Failure to produce such evidence may result in the special leave being denied.

5. Recording/requesting special leave

- 5.1 If an employee cannot attend work due to a reason outlined in this policy (e.g. emergency time off to care for a dependant), they should inform their line manager (or designated officer) as soon as possible. The employee should indicate a reason for their absence and the likely length of absence (if known).
- 5.2 All special leave (with the exception of Safe Leave and Neonatal Leave) must be recorded by the line manager via the [Special Leave Notification Form](#) and submitted to [Pay and Pensions](#) for processing.

6. Special Leave Absence Types

6.1 Emergency (unplanned) leave to care for a dependant

- 6.1.1 Whilst employees are responsible for ensuring they have appropriate care mechanisms in place, the University will endeavour to assist in circumstances where these arrangements have unavoidably broken down, or where additional unforeseen pressures arise for which time off may be required.
- 6.1.2 The University provides paid emergency leave, up to **7 days/50.75 hours*** (per rolling year) to take necessary action to deal with the unexpected or sudden emergency involving a dependant. Reasons may include (but not limited to):
- Caring for ill dependants, or accompanying them during an unexpected appointment/ stay at hospital.
 - Breakdown or unexpected disruption in care arrangements (e.g. school strike days).
 - Incidents at school.
- 6.1.3 The time taken should be enough to deal with, manage and respond to the emergency and/or make longer term arrangements. For example, if the employee's child falls ill, time can be taken to deal with their initial needs, such as taking them to the doctor and arranging for their care.

6.2 Carer Leave

- 6.2.1 The University provides paid leave **up to 5 days/36.25 hours*** (per rolling year) to assist employees who have caring responsibilities. This leave will normally be planned/requested in advance of taking the leave. To be eligible, employees are required to opt-in to the University's Carer Register located in [HR Self-Service](#) (under My Forms).

6.2.2 Important information regarding carer leave

- The maximum number of days/hours that an employee can take (per rolling year) is 5 days/36.25 hours. It is not per dependant.
- Any carer leave requested must honour the caring responsibilities/duties as outlined in section 6.2.3.
- Carer leave can be taken as one block (e.g. to transition an elderly parent into care) or taken as intermittent days/hours (e.g. to attend regular meetings regarding the care).
- There may be exceptional situations where the line manager may have to refuse a request for carer leave due to operational demands. Where requests to take carer leave are declined, the line manager must confirm to the employee the reason for declining the request and allow the employee to take the leave at an alternative time that is suitable for the employee and the School/Unit.
- Carer leave is provided in addition to other leave types mentioned in this policy.

6.2.3 Definition of a carer

6.2.3.1 The University defines a carer as anyone caring for a spouse, civil partner, child, parent or other dependant¹ who needs care because of a disability, old age or any illness or injury. The activities that carers undertake are wide ranging and can include (but not limited to):

- Helping with personal care
- Helping with mobility
- Managing medication
- Carrying out practical household tasks
- Assisting with financial matters/administration
- Organising care arrangements e.g., to enable the individual to continue living at home
- Providing emotional support
- Accompanying someone who reasonably relies on them for care to a planned medical appointment. (For clarity, this leave will cover pre-planned healthcare appointments for dependants).

6.2.4 Carers register

6.2.4.1 The University is required to maintain a Carers Register in line with the criteria of the [Carer Positive Award](#) in order to gauge and measure the extent of the University's carer population.

6.2.4.2 Employees who meet the definition of a carer, and who wish to access this entitlement should disclose this to the University via the Carers Register located in [HR Self-Service](#) (under My Forms). The register is maintained securely and confidentially within HR Self-Service.

6.2.4.3 Some of the details collected will be anonymised so the University can produce statistics for use to monitoring the effectiveness of University policy and services available to staff who undertake caring responsibilities. Some statistics and/or statistical analysis will be shared with third parties who conduct external review of our policies and procedures (e.g., Athena Swan). At no stage will staff be identified or those who receive care.

¹ A person is generally a dependant if they are a spouse, partner, child, or parent, or someone who depends on your care or can reasonably rely on the employee providing or arranging care.

6.2.5 Request to be removed from the carer register

6.2.5.1 If circumstances change, and the employee no longer meets the carer definition or does not wish to access carers leave, they should request to be removed from the carer register. To do this, the employee should complete the “Instruction to be removed from the carer register” form via [HR Self-Service](#) (under My Forms). This will instruct HR to remove the employee from the register.

6.2.6 Disclosure to line manager

6.2.6.1 In order to discuss carer needs and approve paid carer leave, employees must notify their line manager that they are on the Carer Register. If an employee does not wish for their line manager to be notified, they should discuss this with their [HR Business Partner](#).

6.2.7 Further support

6.2.7.1 Further support for carers can be accessed via the University’s [carers webpage](#), including external carer support. In addition, employees who are carers can join the [Staff Parents and Carers Network](#).

6.2.7.2 Employees can request a formal change to their working pattern to support their caring responsibilities via the [Flexible Working Policy](#).

6.3 Leave to deal with a critical domestic emergency (unplanned)

6.3.1 The University will be sympathetic to reasonable requests to deal with critical domestic emergencies (not involving dependants) which are not covered by other types of leave. This may include fire, flood or theft at home.

6.3.2 The University provides paid emergency leave of up to **3 days/21.75 hours*** (per rolling year) to take necessary action to deal with the unexpected or sudden emergency. The time taken should be enough to deal with, manage and respond to the emergency and/or make longer term arrangements. The line manager, in discussion with their HRBP may decide to extend this by up to a further week of paid or unpaid leave, depending on the circumstances.

6.4 Neonatal Care Leave

6.4.1 Employees who have a child that meets the definition of neonatal care as outlined in the [Neonatal Care Leave policy](#) will be eligible to request neonatal leave. This may be paid or unpaid depending on whether the employee met the eligibility criteria to receive the University’s occupational/enhanced package for the child (as outlined in the relevant policy e.g. maternity/paternity).

6.5 Parental bereavement leave

6.5.1 The University recognises the sensitive and often very distressing nature of bereavement and that the death of a child is among the most devastating events that anyone will ever face. The University is committed to supporting bereaved parents through their grief by ensuring they can take parental bereavement leave. This entitlement includes not only birth parents, but also the partner of the child’s parent, surrogacy and adoptive parents.

- 6.5.2 As per the [Parental Bereavement \(Leave & Pay\) Act 2018](#), and the Parental Bereavement Leave Regulations 2020, parents who suffer the loss of a child (under 18) are entitled to up to 2 weeks leave. The University goes further than the legislation offers and ensures that this leave is paid and covers all children, regardless of age, which includes individuals who suffer a stillbirth after 24 weeks of pregnancy.
- 6.5.3 An employee has a separate entitlement to parental bereavement leave for each child if they have lost more than one. This leave may be taken as one block, or as two non-consecutive one-week blocks, at any time during the 56 weeks following the death of the child/stillbirth. This leave cannot be taken as individual days.
- 6.5.4 The employee must notify their line manager of the date of the child's death and the date on which they want the leave to begin. If the employee wants to take this leave after 8 weeks of the child's death/stillbirth, they must provide their line manager with at least 1 weeks' notice of the request.
- 6.5.5 Employees who suffer the loss of a stillbirth (from 24 weeks of pregnancy) retain their entitlement to maternity, adoption and paternity leave (and pay if eligible). Employees should refer to the relevant policy for guidance.
- 6.5.6 All other compassionate leave is covered in the section below.

6.6 Compassionate leave

- 6.6.1 The University recognises that employees may be faced with difficult personal circumstances involving the serious illness or death of a dependant (e.g. a partner/spouse, parent, child or someone else who relies on the employee). Parents who suffer the loss of a child should refer to [Parental bereavement leave](#). The University understands that, during these situations, employees may need to take time away from work and may require additional support. The University also appreciates that employees may also require time off for a bereavement for someone who is not a dependant (e.g. a close friend, colleague, or family member).
- 6.6.2 Individual circumstances, the nature of relationships and the required observances of different religions may vary. Therefore, rather than being prescriptive on the situations under which compassionate leave is available, each case should be assessed individually by the line manager or Head of School/Unit who should take the following into consideration:
- The relationship between the individual and the employee
 - The nature and extent of any illness
 - Whether the employee is involved in making funeral arrangements
 - Whether there may be a requirement to travel to attend a funeral
- 6.6.3 Line managers have the discretion to grant up to two weeks paid compassionate leave to employees who need to care for a dependent who is seriously ill, or following the death of a dependant. Thereafter, depending on circumstances, the line manager may agree a period of annual or unpaid leave.
- 6.6.4 Time off will vary depending on the circumstances and taking into account the nature of the relationship as outlined in section 6.6.2 but will normally follow the guidelines below:

- Death of a dependant, or responsibility for arranging a funeral, normally up to two weeks.
- Death of someone who is not a dependant, normally up to one day to attend the funeral.

6.6.5 Employees may be able to claim a Bereavement Support Payment if their partner has died. When the partner died, the employee must have been either married, in a registered civil partnership or living together as though they were married. Further information on eligibility and how to claim, can be read at GOV.UK: <https://www.gov.uk/bereavement-support-payment>.

6.7 Safe Leave

6.7.1 Anyone can report instances of violence, assault or abuse to the University and access support at any time via [Report and Support](#).

6.7.2 Employees who are victims of violence, assault or abuse of any kind, including victims of identity-based hate crime, may be granted up to 10 days paid safe leave* for the purposes of protecting themselves (and their family) and make necessary arrangements. It is recognised that this leave may be planned or unplanned and will vary depending on the situation. Reasons include (but are not limited to):

- Attending medical appointments or counselling relating to the violence, assault or abuse
- Attending legal proceedings such as court/police appointments
- Seeking protection e.g. safe housing
- Visiting legal advisors or support agencies (e.g., for re-housing or re-organising childcare, or for other relevant/specialised services relating to the violence, assault or abuse)

6.7.3 Safe leave may be taken as a block of up to 10 days or as intermittent periods of absence; this will be determined based on the needs of the employee. The University reserves the right to request supporting documentation, such as from a healthcare professional, the police and/or relevant support agencies, as appropriate.

6.7.4 Employees who require safe leave should raise this with their line manager or email hrconfidential@st-andrews.ac.uk. Alternatively, the employee can request to speak with an appropriate adviser via [Report & Support](#). Requests for safe leave and information disclosed will be handled in the strictest confidence.

6.8 Fertility Leave

6.8.1 The University recognises that fertility treatment is a stressful and emotionally demanding process and aims to support its employees and those employees with partners who are going through this process.

6.8.2 Employees who are receiving and recovering from fertility treatment are entitled to up to 5-days paid leave/36.25 hours*, per cycle of treatment, limited to one cycle in 12-months (no more than 3 cycles in total). The leave is specifically associated with the fertility cycle (i.e. consultant appointments, monitoring and collection of eggs and embryo transfer). This includes employees with same-sex partners and single persons.

- 6.8.3 Supporting partners can take up to 2-days paid leave/14.5 hours* to cover any treatment and to provide support to their partner undergoing fertility treatment, per cycle of treatment, limited to one cycle in 12-months (no more than 3 cycles in total).
- 6.8.4 Employees who require leave for fertility treatment should discuss this with their line manager and/or approach a member of the [HRBP team](#). All requests for fertility treatment leave will be treated in the strictest confidence.
- 6.8.5 If an employee requires additional time off, they should discuss this with their line manager (i.e. the taking of annual leave, unpaid leave, sick leave, flexible working, home working).

6.9 Hospital/clinic appointments

- 6.9.1 Wherever possible, employees should attempt to make medical/dental appointments out with work time, or as near as possible to the beginning or the end of the working day in order to minimise disruption.
- 6.9.2 Reasonable paid time off will be granted to allow employees to attend these appointments however it is advised that, wherever possible, reasonable advanced notice is provided. On occasion, employees should make arrangements with their manager to work the time back, or take annual leave if a longer appointment is required.
- 6.9.3 In line with the [Policy and guidance on trans staff and students](#), Trans staff are able to attend clinic appointments and have time off for surgery and recovery.

6.10 Jury Service/Witness representation at Court

- 6.10.1 If an employee is summoned for Jury Service, or is requested to appear as a witness in Court, they should report this to their line manager as soon as possible so that preparations for their absence can be made in advance.
- 6.10.2 Employees will be granted leave to attend. The University will pay the employee as normal for the first 10 days required at court and is therefore not required to complete a Certificate of Loss of Earnings for the first 10 days.
- 6.10.3 If the requirement to attend Jury Service/witness at Court lasts longer than 10 days, the employee will be required to claim an allowance for loss of earnings from the Court. A Certificate of Loss of Earnings is usually sent directly to the employee once they have confirmed their availability to the Court, however the employee can also download this form from the [Scottish Court website](#). The Certificate of Loss of Earnings must be sent to [Pay and Pensions](#) so that it can be completed and signed on behalf of the University. The employee is then required to provide this document to the Court for accurate payment. The employee will receive a payment breakdown from the Court which should then be provided to Pay and Pensions in order to deduct the payment received from the Court from the employee's salary.

6.11 Members of the Reserve Forces

- 6.11.1 Employees who are members of the Volunteer Reserve Forces (Royal Naval Reserve, Royal Marines Reserve, Territorial Army or Royal Auxiliary Air Force) will normally be granted two week's additional paid leave per year. Reservists will be required to inform their line manager and provide copies of any documentation prior to the leave being

approved. Existing reservists are also expected to inform the University of their next re-engagement.

6.11.2 Recruits to the volunteer reserve forces are required to inform the University of their status as reservists to ensure that the University is better informed as to its obligations to employees, also, to enable managers to plan adequately for their absence and ultimate return.

6.12 Trade Union duties

6.12.1 Reasonable time off with pay during working hours will be granted for trade union officials for the purpose of carrying out trade union duties or undertaking training in relation to trade union duties for a trade union recognised by the University.

6.12.2 Reasonable time off with pay during working hours will be granted for Union Learning Representatives for the purpose of carrying out related duties or undertaking relevant training for a trade union recognised by the University.

6.12.3 Further details can found within the [Trade Union agreement](#).

6.12.4 Employees who are TU members and wish to attend meetings during work time should request approval for the time off from their line manager. This time will be unpaid or should be worked back subject to the agreement of the line manager. A degree of flexibility, from both parties, will be required here as it is not always possible to have meetings during lunchtime for various reasons.

6.13 Essential Civic or Public Duties

6.13.1 There are other types of leave available where employees are required to perform essential civic or public duties. The legislative requirement for this is contained within the Employment Rights Act 1996.

6.13.2 All employees will be allowed reasonable paid time off work to undertake public duties on a case by case basis. The line manager will consider the amount of time off required, time already granted for this purpose and the business continuity of the service.

6.13.3 The public duties that are covered by the existing legislative provisions are as follows (source direct.gov.uk):

- a magistrate, sometimes known as a justice of the peace
- a local councillor
- a school governor
- a member of a policy authority
- a member of any statutory tribunal (e.g. an Employment Tribunal)
- a member of the managing or governing body of an educational establishment
- a member of a school council or board in Scotland
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency or the Scottish Environment Protection agency
- in England and Wales, a member of the prison independent monitoring boards or in Scotland, a member of the prison visiting committees
- a member of Scottish Water or a Water Customer Consultation Panel

6.13.4 Where 'no loss of earnings' compensation is offered by the relevant public body, the employee must notify [Pay and Pensions](#) and their salary will be adjusted accordingly (i.e. this will be classed as unpaid time off).

6.13.5 Employees should advise both [Human Resources](#) and their line manager before first entering into such commitments and discuss the extent of the commitment and the implications for their work.

6.14 Organisational change

6.14.1 Reasonable time off with pay during working hours will be granted in situations of organisational change where the employee has been displaced, in order that they can attend for interview both internally and out with the University.

6.14.2 Further information about redeployment and redundancy can be downloaded from the respective policies on the [HR policy webpage](#).

6.15 Adverse weather conditions

6.15.1 Employees may be granted reasonable unpaid time off when they are prevented from attending work due to adverse weather conditions. Various options are available for this situation and further guidance can be read in the [Adverse weather policy](#).

6.16 Miscellaneous

6.16.1 It is recognised there may be exceptional situations where the University requests that employees do not attend work for a specified, or sometimes unspecified, period (e.g. for health and safety reasons or in situations requiring business closure such as a pandemic flu outbreak). In such situations, employees will be expected to attend work unless the University announces a closure and ensuing contingency plans. Employees will be notified accordingly, and possible alternative working arrangements will be discussed and considered where appropriate. Payment will depend on the circumstances, but employees should note that the adverse weather guidance will be followed in the first instance if employees are unable to attend work.

7. Other options

7.1 The use of special leave does not preclude the use of alternatives to taking unpaid leave and employees may consider using one or more of the following options when taking leave:

- Annual leave (e.g. where time off is half a day or more).
- Career Break Policy.
- Flexible working or arranging to work up additional hours (e.g. where time off is less than half a day).
- Changing working patterns or arrangements on a short-term basis such as swapping shifts, or working from home where possible.

8. Support

8.1 Any questions employees have about matters raised in this policy should be raised with their [HRBP](#). Any work-related issues should be addressed directly with their line manager.

In addition, employees and line manager can access further information about Special Leave on the [Special Leave webpage](#).

9. Version control

9.1 This document will be reviewed periodically in conjunction with the University's recognised Trade Unions. Any feedback on the policy content should be directed in the first instance to the [HRBP team](#) or via the [HR Feedback Form](#).

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone	Published	Lisa Stewart Human Resources	11/06/2019
1.1	Section 3 added due to the new employment legislation on parental bereavement leave. Special leave form also updated.	Published	Lisa Stewart Human Resources	06/04/2020
1.2	Section 6 added: Introduction of Time off for fertility treatment	Published	Lisa Stewart HR	19/08/2020
1.3	Minor change to working in Section 4 (Compassionate Leave)	Published	Lisa Stewart HR	26/03/2021
1.4	Attending Court as a Witness/Jury Duty: Change of process.	Published	Lisa Stewart HR	21/04/2021
1.5	<ul style="list-style-type: none"> • New section 6: Safe Leave. • Enhanced compassionate leave provision. • Tweaks to section 3: Parental Bereavement Leave wording. • Added examples to Appendix A. 	Published	Lisa Stewart HR	15/12/2021
1.6	New paragraph added at 1.5.	Published	Lisa Stewart HR	24/08/2022
1.7	Link to Government bereavement support payment (4.5)	Published	Lisa Stewart HR	17/11/2022

2.0	<ul style="list-style-type: none"> • Update to introduce Carer Leave. • Update to emergency leave to care for a dependant provision • Paid fertility leave now a day one entitlement. • Update to introduce neonatal leave. • New section to inform staff how to notify/record a special leave absence. 	Published	Lisa Stewart HR	11/09/2023
2.1	<ul style="list-style-type: none"> • Amendment to the Pay and Pension email address to submit completed notification forms to. 	Published	Lisa Stewart HR	06/02/2024

Appendix A: Special leave scenarios

This list is not intended to be exclusive.

Scenarios	Special Leave	Family Leave	Unpaid Leave	Annual Leave	Sick Leave
You have to attend hospital for a surgical operation which involves an inpatient stay.					<input checked="" type="checkbox"/>
Your child's school or nursery is closed because of the weather.	<input checked="" type="checkbox"/>				
Your child is unwell and unable to attend school/nursery/childminder.	<input checked="" type="checkbox"/>				
One of your pipes have burst and there is a flood in your home.	<input checked="" type="checkbox"/>				
You are moving house.				<input checked="" type="checkbox"/>	
You have severe back pain following a clinic appointment the day before.					<input checked="" type="checkbox"/>
You have no annual leave left and wish to attend a wedding abroad.			<input checked="" type="checkbox"/>		
You have been off sick and wish to extend your phased return over 4 weeks.				<input checked="" type="checkbox"/>	
You have to take a parent to hospital as they do not drive.	<input checked="" type="checkbox"/>				
Your child develops an illness overnight which requires hospital admission.	<input checked="" type="checkbox"/>				
There has been a burglary at your home.	<input checked="" type="checkbox"/>				
You have suffered the loss of a child before 24 weeks pregnancy.					<input checked="" type="checkbox"/>
You have suffered the loss of a child after 24 weeks of pregnancy. (2 options)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
You do not meet the eligibility to take paternity leave. (2 options)			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
You have to take your child to a pre-planned medical appointment	<input checked="" type="checkbox"/>				
You would like to attend the funeral of an acquaintance.				<input checked="" type="checkbox"/>	
You are a victim of assault and need to attend legal proceedings e.g. police appointment.	<input checked="" type="checkbox"/>				
You will be attending the funeral of a relative.	<input checked="" type="checkbox"/>				
You are undergoing fertility treatment.	<input checked="" type="checkbox"/>				
You have a hospital appointment.	<input checked="" type="checkbox"/>				
You have been called for jury duty.	<input checked="" type="checkbox"/>				
You are a reservist.	<input checked="" type="checkbox"/>				
You are a trade union official and have to attend a training day.	<input checked="" type="checkbox"/>				
You are at risk of redundancy and have an interview to attend at another organisation.	<input checked="" type="checkbox"/>				
You are having cosmetic surgery (including laser eye surgery) – not medically required.				<input checked="" type="checkbox"/>	
You have a dentist appointment or GP appointment.*	<input checked="" type="checkbox"/>				

*Dentist and GP appointments should be made at the start or end of the day where possible. On occasion, employees should make arrangements with their line manager to make this time up if a longer appointment is required.