

Special Leave – Compassionate, Dependant, Domestic and Personal Emergency Policy

Human Resources Department

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*(An Equality Impact Assessment has been carried out on this policy and has been approved.)*

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# **1 Introduction**

1.1 The University recognises that there may be occasions when members of staff will need to request special leave/ time off work to deal with domestic emergencies or events of a sensitive or distressing nature, such as bereavement and serious illness amongst a close family member or dependant. The University is keen to provide its staff with support, to enable them to balance the demands of work and family life where possible. Although there is no legal requirement for any period of leave to be paid, all staff have the right to request a reasonable amount of time off to deal with unforeseen matters and emergencies involving a dependant.

1.2 This policy outlines the arrangements by which the University shall give consideration and approval of requests for leave to deal with an unexpected or sudden problem concerning dependants and the provisions of this policy go beyond the requirements of employment legislation. The University will act sensitively and sympathetically in such circumstances and acknowledge the benefits to both the University and its staff by applying this policy in a fair and reasonable manner. This policy applies to all staff irrespective of their length of service.

1.3 The provisions within this policy are not exhaustive and if any requests for special leave fall outside this document, managers or employees should consult the appropriate Area HR Team with responsibility for advising the Department/School.

1.4 This policy does not replace the current [Research Leave Policy](https://www.liverpool.ac.uk/intranet/media/intranet/humanresources/2014/myhr/policiesandprocedures/Research%2CLeave%2CPolicy.pdf) for academic staff which should be used for periods of leave directly related to the pursuit of academic activities.

# **2 Definition of a Dependant**

 2.1 Dependants are defined as persons who depend on the member of staff for help and include husband, wife or partner, child, step-child, parent, step-parent, grandparent, grandchild, or someone living with the member of staff as part of their family who is dependent on them. It may also include close relatives or other persons who live separately but who rely on the member of staff for care or help in an emergency. It does not include tenants or boarders who live in the family home.

 2.2 Heads of Department/Managers should take into account the particular relationship and responsibility for the relative or dependant in addition to the direct relationships set out above.

# **3 Circumstances where Special Leave may apply / guidelines for reasonable time off**

3.0.1 Special Leave is granted to provide a short-term solution to help members of staff to balance the demands of their personal, work and home responsibilities. A member of staff is therefore entitled to request a reasonable amount of time off, depending on the circumstances.

3.0.2 In most cases, the amount of leave will be one or two days paid leave, but this will depend on individual circumstances.

3.0.3 In cases of bereavement or the serious life threatening illness of a dependant, Heads of Department/Managers can use their discretion to determine what is a reasonable amount of time depending on the individual’s circumstances and relationship to the dependent.

3.0.4 It is not possible to categorically state what constitutes a reasonable period of paid (or unpaid) leave since this will vary according to circumstances of each individual case.

3.0.5 The following provides some guidance on what considerations will be taken into account when determining reasonable time off.

3.0.6 All staff regardless of their length of service may need to take a reasonable period of time off work/special leave in the event of:

# **3.1 Compassionate Leave**

3.1.1 The aim of such leave is to provide a compassionate response when staff may have to deal with either of the following:

 3.1.2Bereavement

* The death of a dependant.
* To make arrangements for the funeral of a dependant.
* To attend the funeral of a close family member or friend/a person with whom the member of staff has had a close continuing relationship.

The University will allow between one to five days paid leave and discretion to extend this by up to a further five days of paid or unpaid leave, depending on individual circumstances. In considering bereavements and the amount of time off work, the following should be taken into consideration and used as a guide;

**Up to 10 day’s leave -** Death of spouse, partner, child, step-child, parents, step-parents, grandparents, brother, sister, partner’s parents or partner’s child, dependant.

\* In the case of bereavement of a child under the age of 18, or in the case of stillbirth or miscarriage from 24 weeks of pregnancy, there is specific statutory provision for time off for bereaved parents.  This provides for 2 weeks leave for bereaved parents in respect of each child who dies, which may be taken either as a single period of 2 weeks or in two separate blocks of one week, but must be taken within 56 days of the child’s death (or, in the case of stillbirth, the child’s birth).  The University intends leave taken in these circumstances to be on the basis of full-pay during the statutory two week period, with the normal scope for management discretion to be applied for further leave and pay beyond this.

**1 day’s leave -** Death of other immediate relative, partner’s immediate relative or close friend.

These above provisions are not meant to limit the manager’s discretion as each request for such leave will need to be judged on the circumstances of each case. The amount of leave approved should be dependent on factors such as;

• The relationship between the relative or friend.

• The level of responsibility to be taken on by the member of staff for the funeral arrangements or for either tasks arising from the death of the partner or relative.

• The distance required to be travelled to deal with arrangements and to attend a funeral.

• The availability of other members of the family to contribute towards arrangements.

The University recognises that circumstances, the nature of relationships and the required observances of different religions, cultures and beliefs vary. In circumstances where extensive travel or long periods of mourning are required, requests for additional leave will be given full and sympathetic consideration, and managers should consider an extended period of paid or unpaid leave.

If a member of staff needs to be able to take an extended period of leave, they should investigate the other leave arrangements provided by the University (annual leave, unpaid leave of absence) with their manager and Area HR Business Partner.

3.1.3 Serious/Life Threatening Illness

• Where a dependant has to attend hospital suddenly

• Where a dependant is required to provide immediate care

Where a dependent has to attend hospital unexpectedly, or requires total care at home, a reasonable amount of time off with pay will be given, to enable alternative arrangements to be made and immediate domestic affairs to be managed. In most cases the amount of leave will be one or two days paid leave.

# **3.2 Dependant Emergency**

3.2.1 The aim of such leave is to allow members of staff to provide a caring response to an emergency need. Leave is intended to cover sudden unforeseen illness, not routine medical appointments and minor ailments. Certain unexpected and sudden events involving people who depend on them requiring absence for a short duration may include:

* Where a dependant has to attend hospital suddenly
* To assist a dependant who falls ill or is injured
* To make arrangements for the provision of care
* To assist a dependant who gives birth suddenly
* To deal with an unexpected disruption or breakdown of arrangements for the care of a dependant, e.g. closure of a nursery
* To deal with an unexpected incident involving the staff member’s child during school hours
* Leave for other personal reasons

3.2.2 In most cases the amount of leave will be one or two days paid leave which should be sufficient to deal with the immediate problem e.g. to provide the dependant with immediate care, to seek medical advice, to make suitable arrangements for the dependant’s ongoing care. However, an extended period of leave may be approved due to a serious illness of a close relative/dependant. Managers will use their discretion when deciding whether the period of paid (or unpaid) leave should be extended beyond two days or if it would be more appropriate to assist in other ways such as granting annual leave at short notice.

3.2.3 Separate provision is made in respect of leave for parents who may need to take time off in order to deal with matters that can be foreseen. Details are available within the [Parental Leave](https://www.liverpool.ac.uk/intranet/hr/my-hr/information/policies/leave/parental/) [Policy](http://www.liv.ac.uk/media/livacuk/hr-migrated/policies/Parental%2CLeave%2CPolicy.pdf).

# **3.3 Domestic Emergency**

3.3.1 Leave is available to support members of staff in the case of urgent domestic distress. This leave is intended to cover genuine emergencies.

If a member of staff knows in advance that they are going to need time off for a domestic issue e.g. in the case of a delivery of goods to the member of staff’s home or the servicing of a central heating boiler, they should ask for annual leave in the normal way.

3.3.2 Unforeseen domestic emergencies of a substantial nature may be considered as:

• Household fire/flood

• Vehicle theft

• Burglary

• Other similar circumstances

3.3.3 In determining whether a request for leave should be granted the following factors should be taken into consideration:

• The nature and extent of the emergency

• The availability of others to deal with the emergency

• The likely impact of the emergency on the member of staff

3.3.4 In most cases the amount of leave will be one or two days paid leave which should be sufficient to deal with the immediate problem e.g. to make the home safe and secure or to make necessary arrangements to address any damage that requires immediate attention. Managers will use their discretion when deciding to what extent the circumstances meet this criteria, or whether it would be more appropriate to assist in other ways such as granting annual leave at short notice.

# **3.4 Personal Emergency**

3.4.1 Special Leave can also be considered for other cases of sudden and serious personal difficulties which cannot be anticipated and are extremely stressful.

3.4.2 In most cases the amount of leave will be one or two days paid leave which should be sufficient to deal with the immediate problem. Managers should deal with requests for such leave with discretion as each case will need to be judged on the individual circumstances.

# **4.0 Frequency of Special Leave**

4.1 Repeated instances of Special Leave which add up to more than five days in a twelve month period will be subject to review by line managers.

# **5.0 Notification Arrangements**

5.1 Members of staff must notify their manager as soon as reasonably practicable of the reason for their absence and how long they expect to be away from work.

5.2 Requests for leave under this policy should be requested on Core using the ‘Special Leave’ category.

5.3 Additionally, for instances of unpaid leave, the [Application for Unpaid Leave of Absence for Compassionate, Dependent, Domestic or Personal Reasons](https://www.liverpool.ac.uk/intranet/media/intranet/humanresources/2014/myhr/formstore/leave/Compassionate%2C%2CDependant%2C%2CDomestic%2C%26%2CPersonal%2CEmergency%2CLeave%2CForm.docx) form must be completed and forwarded to the HR Department’s Payroll Section to enable the appropriate salary deduction to be made.

5.4 A copy of the completed form should be retained by the member of staff.

# **6.0 Contractual Status During and After the Leave Period**

6.1 During the period of Special Leave, the member of staff is entitled to the benefit of all those contractual terms that they would have enjoyed had they not been absent, with the exception of remuneration in the case of periods of unpaid leave.

6.2 During the period of unpaid Special Leave superannuation contributions will be based on normal earnings so that pension benefits are not affected.

# **7.0 Abuse of the Leave Arrangements**

7.1 If a member of staff is alleged to have abused the Leave arrangements for Parental, Compassionate, Domestic and Personal Reasons, the matter will be dealt with in accordance with the relevant University procedures.

# **8.0 Return to Work following Special Leave**

8.1 Where a member of staff has taken leave under this policy, the manager should meet with the member of staff on their return to discuss if any support arrangements are required.

# **9.0 Support for Employees**

9.1 The university recognises the above times may cause stress and upset. Staff areencouraged to use the Employee Assistance programme which is a confidential counselling and information service available to assist you with personal or work-related problems that may be affecting your health and wellbeing. They are also able to advise on legal, debt and welfare issues.  For more information please refer to the [Employee Assistance Programme](https://staff.liverpool.ac.uk/our-workplace-and-community/support-and-development/employee-assistance-programme)