

## SPECIAL LEAVE

The rules set out below covering the circumstances where special leave may be agreed for university employees. These rules apply to all University employees regardless of the employee's gender identity or the gender identity of their dependant.

Subject to the operational requirements of the University and at the discretion of the Pro Vice-Chancellor or Executive Director, special leave of absence will normally be granted in accordance with the following schedule:

**Figure 1 – Special Leave**

	<b>Purpose</b>	<b>Amount of Special Leave</b>
a	Serious illness of partner, parent, child, sibling grandparent or grandchild; or other person to whom the employee stands in that relation.	Up to three days with pay.
b	Death of partner, parent, child, sibling grandparent or grandchild; or other person to whom the employee stands in that relation.	Up to three days with pay.
c	Funeral of person specified in b) above	One day with pay, or if the funeral takes place at more than half a day's journey from the workplace, not more than three days with pay.
d	Wedding or civil partnership of employee, parent, child, sibling.	One day with pay if the wedding or civil partnership takes place on one of the employee's normal working days.
e	Attendance at examination of an academic nature directly connected with the work of the employee.	Period reasonably necessary for attendance with pay.
f	Household removal of employee	One day with pay.
g	Attendance as witness either on subpoena, other direction from a court or other authorised body, or at the request of the police or other parties.	Period of attendance with pay*.
h	Study Leave (Please refer to the Partial Fee Exemption Policy)	Up to five days with pay in the month preceding the assessments.

## **MAJOR/ADVERSE EVENTS**

Where major or adverse events occur, the university will issue appropriate guidance at the time of such major or adverse event.

## **TIME OFF TO CARE FOR FAMILY AND DEPENDANTS\* (IN AN EMERGENCY)**

In addition to the provisions for paid time off set out above, employees have a legal right to take a reasonable amount of unpaid time off to deal with an emergency involving a dependant\*, for example:

- to assist them when they fall ill, are injured, or assaulted.
- to make arrangements for the care of an ill or injured dependant.
- when they go into labour unexpectedly and they rely on you to take them to hospital.
- When care arrangements are unexpectedly disrupted or terminated.
- When an employee's child is involved in an unexpected incident during school time.

Time off to care for family and dependants is not applicable if the employee knew about the situation beforehand.

Wherever possible employees must notify their line manager (or relevant individual) as soon as they know they will need to take time off to care for a dependant, giving an indication of how long they expect to be absent. Where the circumstances fall within the provisions set out in Figure 1 – Special Leave, paid time off may be granted at the discretion of the PVC or Executive Director.

Where an employee does not qualify for paid time off (see Figure 1 – Special Leave), reasonable unpaid leave should be agreed with the individual by the line manager. The line manager should notify the People Directorate in writing as soon as possible so that an adjustment to pay can be made.

The University accepts that in the case of an emergency an employee may not be able to give advance notice of their absence. In such circumstances they should not be penalised for this provided they take reasonable steps to give proper notification to their line manager as soon as is practicable.

### **\*WHO IS A DEPENDANT?**

A 'dependant' in this context means spouse or civil partner, regardless of their gender identity, child or parent of the employee, any member of the employee's household who is not their employee, tenant, lodger, or border', or a person with long-term mental or physical health needs who reasonably relies on the employee for care

## **CARERS LEAVE**

Carer's Leave allows employees to take unpaid time off for planned and foreseen caring commitments, to help balance work with their caring responsibilities. Employees are entitled to take one week of unpaid leave within a 12-month rolling period, which can be taken flexibly as half or full days, up to and including taking a block of a whole week of leave at once. A whole week of leave is defined as the same number of days that an employee normally works in a week.

The employee does not need to provide evidence of how the leave is used or who it will be used for, however the person for whom they are providing care must be:

- A dependant with a long-term illness or injury that is likely to require care for three months or more, or
- A dependant with a disability as defined under the Equality Act 2010, or
- A dependant who requires care for a reason connected with old age.

Employees are required to provide the same number of days' notice as the number of days to be taken e.g. 3 days' notice to take 3 days carer's leave.

## **STATUTORY PARENTAL BEREAVEMENT LEAVE**

An employee is entitled to take statutory parental bereavement leave if they are the bereaved parent of a child who dies under the age of 18.

The legislation covers:

- birth parents.
- adoptive parents.
- intended parents under a surrogacy arrangement.
- the partner of a bereaved parent; and
- "Parents in fact".

A "parent in fact", is defined as someone who had day-to day responsibility for the child's care and in whose home the child lived, for a continuous period of at least four weeks up to the day they died.

Parents who suffer a stillbirth at 24 weeks or more into pregnancy will also be entitled to take parental bereavement leave.

Parental bereavement leave is a "day one" right, meaning that employees do not require a minimum period of service to qualify for it. However, there is a qualifying service requirement to be eligible for statutory parental bereavement pay.

To be eligible for statutory parental bereavement pay, an employee must have at least 26 weeks' continuous employment ending with the week in which their child dies. Additionally, employees must have normal weekly earnings of no less than the lower earnings limit for national insurance purposes in the eight weeks prior to the week before the child's death.

Statutory parental bereavement pay is payable for a maximum of two weeks, at the statutory rate, or 90% of the employee's average weekly earnings, where this figure is less than the statutory rate.

#### **FLEXIBLE WORKING**

Please see the Flexible Working Policy and Procedure.

#### **PENSION IMPLICATIONS**

If an employee takes a period of authorised unpaid leave, this period is not pensionable, therefore, the employee will not receive pension contributions for this period of authorised time. However, if the employee wishes to, they can choose to cover this period of absence for pension purposes by paying an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the period of unauthorised unpaid leave of absence. The employee should refer to their pension provider for further details on how to do this.

Contact details for the university's pension providers:

For Professional Services pensions contact the [LPFA \(London Pensions Fund Authority\)](#)

For Teaching staff pension contact the [TPS \(Teachers' Pension Scheme\)](#)

#### **FURTHER ADVICE**

Pro Vice-Chancellors/Executive Directors and line managers may obtain further advice from the People Directorate on the interpretation of these provisions.

<b>Version No.</b>	<b>Purpose/Change</b>	<b>Author</b>	<b>Approved By</b>	<b>Date</b>
2.0	Changes to legislation.	Vanessa Roots Senior Workforce Policy Officer	JNC	13 March 2024