

Special Leave Policy

Contents

Introduction	3
Paid time off under this policy	3
Public duties.....	4
Magistrates (Justice of the Peace)	5
Jury Service.....	5
Attendance at court as a witness.....	5
Attendance at De Montfort University Involvement Groups	5
Volunteering.....	6
Fundraising	6
Reserve forces leave	6
Donating blood.....	7
Religious observance leave	7
Extended unpaid leave	8
Travel Disruption / Severe Weather	12
Compassionate Leave	13
Bereavement.....	13
Family emergencies / dependant care leave	14
Longer-term dependant care leave	16
Domestic emergencies	16
Returning to work following compassionate leave.....	17
Medical and dental appointments	17
Planned hospital stays / appointments	18
Fertility treatment (e.g. IVF).....	19
Leave for elective surgery	19
Medical screening	20
Disabled employees	20
Research Leave (Academic Staff Only).....	20
Appendix A: Matrix – Summary of Special Leave Provisions.....	22

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 off that managers might receive and how such requests should be dealt with.
- 1.2 There may be instances where an employee requests time off for reasons not covered by this policy and employees and managers are reminded to consider the full range of policies available at De Montfort University. Other university policies may be more appropriate, e.g. annual leave, parental leave, or the **Flexible Working Policy**.
- 1.3 This policy is designed to support employees where they need to take time off from their work duties balanced against the need for the university to minimise any disruption to its business and the impact on students that employee absence will create. The policy operates on the basis of mutual trust and co-operation. Any abuse of the policy may lead to disciplinary action up to and including dismissal.
- 1.4 It is not permissible for an employee to request, or for a manager to require an employee, to take sick leave in any circumstances other than when an employee is genuinely unfit to attend work.
- 1.5 This policy applies to all employees of De Montfort University.

2 Paid time off under this policy

- 2.1 Time off under this policy may be paid or unpaid depending on the nature and the duration of the time off granted. Where time off is unpaid, employees should 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.
- 2.2 Where an employee is approved to take a period of paid time off under this policy, they will receive pay at their normal basic rate of pay. This will not include any shift or unsocial hours premium payments that the employee might normally be entitled to receive had they been in work.
- 2.3 Where an employee is approved to take paid time off under this policy this will be subject to the deduction of any monies received from the relevant authority in respect of the duties performed, or for loss of earnings, which the employee must declare.

3 **Public duties**

- 3.1 Where an employee holds a public office or public position, it is the university's policy to grant a reasonable amount of time off work so that the employee can perform the duties associated with that position. The employee will not be required to make up any such time off by working additional hours at another time.
- 3.2 Where, however, the amount of time off that the employee requires for public duties becomes excessive, or begins to cause operational difficulties for the university, the university has the right to refuse the employee further time off in the immediate future. Alternatively, the employee may be permitted to take time off out of their annual leave entitlement for this purpose.
- 3.3 Employees appointed to public office should notify their manager in writing at the earliest opportunity giving as accurate an estimate as possible of the periods of absence and frequency they are likely to require to fulfil the duties of that office. Proof of need for time off may be requested.
- 3.4 Employees should notify their manager via MyLeave of any dates on which they wish to take time off work for public duties. This notification should be provided as far in advance as possible.
- 3.5 Unless specified to the contrary, time off for public duties will be unpaid. Where paid time off is granted, it will be in accordance with the relevant provision of this policy and subject to paragraphs 2.2 and 2.3.
- 3.6 In considering requests for time off for public duties the manager will consider:
- how much time off is generally required for the performance of the office in question, and how much time off is required for the performance of the particular duty on the particular occasion;
 - how much time off has already been granted to the employee for public duties or for other reasons (for example trade union facility time);
 - the effect of the employee's absence on the service and the impact on students.
- 3.7 The public duties provisions of this policy cover membership of the following public bodies:
- a local authority (e.g. a local councillor)¹;
 - a statutory tribunal (e.g. an Employment Tribunal);
 - an independent monitoring board for a prison¹;
 - a relevant health body¹;
 - a relevant education body (e.g. a member of the managing or governing body of an educational establishment or General Teaching Council)¹;

¹ As defined in section 50 of the Employment Rights Act 1996

- 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 leave is related to the employee's membership of the Territorial Army/reserve forces. The employee should make an application for such leave via MyLeave, stating the reasons for and period of leave requested and giving as much notice as reasonably possible. The university will consider all applications for leave but any leave will be granted entirely at the university's discretion and with such qualifications and conditions as the university sees fit. The university reserves the right to require employees to take reserve forces leave from their annual leave entitlement. It is advised that employees

Speak to their manager about their needs at the earliest opportunity before formally making a leave request via MyLeave.

- 7.2 During any agreed period of reserve forces leave the university will maintain the employee's basic salary for up to five days (pro rata), subject to the deduction of any remuneration the employee is able to claim from the Ministry of Defence (MoD) which the employee must declare. If a period of leave of more than five days is agreed, the balance will be unpaid.

Pension implications for members of the LGPS from 1 April 2014

- 7.3 If an employee is on reserve forces leave they must continue to pay contributions to the LGPS, but the contributions will be payable on the employee's Assumed Pensionable Pay (APP). The university will calculate the APP in accordance with the rules of the LGPS, and this will be used as the basis on which the employee will continue to earn pension as if they were still at work.
- 7.4 There is no employer contribution payable by the university to the pension fund on the APP during reserve forces leave. The university would notify the reservist and the MoD of both the APP figure and the employee and employer contribution rate due on that amount. The MoD would deduct the employee contribution from the reservist and pay that, together with the employer contribution, directly over to the pension fund administering authority.
- 7.5 If the university continues to pay the reservist some pay while they are on reserve forces service leave in accordance with 7.2 above, neither employee nor employer pension contributions are payable on that pay (because that pay is non-pensionable and contributions are payable on the APP figure only).

Employees should contact payroll and pensions for further advice before requesting time off for this purpose.

8 Donating blood

Up to one hour's paid leave of absence will be granted in a rolling four month period to enable employees to donate blood during normal working hours, subject to prior approval by the employee's manager.

9 Religious observance leave

- 9.1 De Montfort University is supportive of employees who wish to take time off work for the purpose of religious observance. Subject to reasonable notice being given of leave dates requested, employees will normally be able to use their annual leave entitlement for this purpose.

- 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.

10 **Extended unpaid leave**

- 10.1 The purpose of this provision is to enable employees to request an extended period of unpaid leave. It therefore applies to periods of continuous unpaid leave of more than four weeks duration. Managers have discretion to approve shorter periods of unpaid special leave as set out within this policy, i.e. for periods of less than four weeks duration.

NB If a migrant worker employed on a Certificate of Sponsorship (CoS) is on unpaid leave for one calendar month or more during any 12 month period from 1 January to 31 December (whether over a single period, or multiple periods), there are implications for their continued sponsorship and therefore any such request in respect of a sponsored employee must be discussed with HR before approval can be granted. See the university's guidelines on **Immigration and Preventing Illegal Working.**

- 10.2 Employees may request a period of extended unpaid leave for the purposes of:
- Caring for relatives
 - Extended foreign travel
 - Education or training
 - Voluntary/community work
 - Any other purpose that the Dean/Director considers reasonable and appropriate.
- 10.3 Unpaid leave will not normally be granted for the purpose of the employee taking up other paid employment.

Application for Unpaid Leave

- 10.4 Employees with at least one year's continuous service with De Montfort University may request extended unpaid leave of up to one year. (The requirement for one year's continuous service may be waived in exceptional circumstances).
- 10.5 The application must be made in writing at least three months' before the start of the unpaid leave. (The relevant Dean/Director may waive this requirement in exceptional circumstances).
- 10.6 Before making a request, employees should consider whether their needs can be better met by an alternative work/life balance or flexible working scheme operated within the university. Their HR adviser will be able to advise accordingly.

Approval Process

- 10.7 The relevant Dean/Director is responsible for considering requests for extended unpaid leave and may seek advice from their HR adviser before confirming their decision to the employee.

Before confirming a decision, Deans/Directors should take into account:

- The likely impact on the service, including impact on students;
 - The likely impact on the workload of other team members;
 - The ability to cover the employee's absence (where required);
 - The financial implications of the request (including possible costs of covering the employee's work during their absence where cover is required).
- 10.8 Where a request is agreed, the employee should formally request the leave in MyLeave and the manager must separately notify HR of the arrangement so that the correct contractual variation correspondence can be issued. HR will write to the employee to confirm the details of the arrangement and temporary variations to their contract of employment.

Terms and Conditions of the Scheme

- 10.9 Employees on extended unpaid leave must not undertake any paid work without the prior approval of their Dean/Director.
- 10.10 An employee is normally required to take their entitlement to statutory paid leave within the relevant leave year. Employees should, wherever possible, consider how they can use their leave entitlement when requesting extended unpaid leave and Deans/Directors should take this into account when considering applications. Where an employee is approved to take one year's unpaid leave, they must still take their statutory holidays within that leave

year; the practical effect is that a proportion of the year's extended leave will be paid to ensure that the employee takes their pro rata entitlement to statutory paid leave in the leave year in which it accrues. Employees are entitled to 28 days' statutory paid leave in any one leave year which is inclusive of public holidays and pro rata for part time workers.

- 10.11 An employee on extended unpaid leave is expected to maintain contact with their department/faculty as required by their manager wherever possible. Agreement should be reached on the appropriate means of keeping in touch before the unpaid leave starts.
- 10.12 If an employee has any outstanding loans or overpayments of salary at the time they intend to start unpaid leave, they will need to agree with Payroll arrangements to continue repayment of the loan/overpayment of salary, or arrange for the amount to be paid in full before unpaid leave starts.
- 10.13 Where the employee has a salary sacrifice agreement in place, they will need to contact HR to inform them of the start date of the unpaid leave. Childcare vouchers will cease but may be reinstated once the employee returns to work, subject to the terms of the scheme in operation at the time.

Temporary Variations to Contract while on Unpaid Leave

- 10.14 Employees will continue to be employed by the university while on extended unpaid leave although pay and most contractual benefits will be suspended for the duration of the unpaid leave. An employee will be required to confirm their written acceptance of the temporary variation to their contract of employment before the start of unpaid leave.
- 10.15 Contractual annual leave (over and above the statutory minimum an employee is entitled to under the Working Time Regulations see 10.10 above) will not accrue during unpaid leave and will be pro rata to the number of complete calendar months service the employee works during the relevant leave year. Subject to 10.10, there is no entitlement to be paid for public holidays that fall within the unpaid leave period. Managers will be expected to amend the leave entitlement accordingly taking advice from HR.
- 10.16 There is no entitlement to sick pay while an employee is on unpaid leave.
- 10.17 During unpaid leave an employee's salary and any other allowances or payments that form part of the employee's terms and conditions of employment will not be paid.
- 10.18 An employee's date of continuous service with De Montfort University will be unaffected by the period of unpaid leave, regardless of its duration and therefore the unpaid leave period will not count as a break in service. However, any continuous period of unpaid leave of more than three months' duration will not count in terms of an employee's accrual of entitlement to

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 expected date, they are required to give at least one month's notice (or as much notice as is reasonably practicable).

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 their normal place of work or at another location, if instructed to do so by their manager. Consideration must be given to using alternative travel arrangements, including walking if the employee lives within a reasonable distance, is physically able to do so and this would not compromise their personal safety.
- 11.3 For temporary delays and disruptions, the employee should make every effort to attend work later in the day and report any absence or anticipated late arrival to their manager in advance of their normal start time.
- 11.4 Managers should consider whether it is feasible for the employee to work from home or from an alternative location if it is not reasonably practicable for the employee to attend their normal place of work.
- 11.5 Where working from home is not possible, and the employee is unable to attend work, the manager may approve the employee to take paid annual leave (from their normal annual leave entitlement), unpaid leave, or require that the employee makes up for the time at a later date.
- 11.6 Where an employee is approved to make up lost time at a later date this should be made up as near to the day of disruption as possible, and in any event, within three months. This may be facilitated by working longer hours over an agreed period.
- 11.7 Where employees present themselves for work at their normal or an alternative work location after their usual starting time, payment will not be unreasonably withheld and the employee will be credited with their normal contracted hours for that day if the manager is satisfied that their arrival time is realistic taking account of:
- The distance they live from their workplace and their normal mode of transport;
 - The prevailing travel / weather conditions; and
 - The physical ability and state of health of the employee.
- 11.8 Where employees are granted permission to leave work early under managerial discretion due to known severe travel disruptions, payment will not be unreasonably withheld and employees will be credited with their normal contracted hours for that day.

Disability and Reasonable Adjustments

- 11.9 Travel disruption and severe weather conditions can create additional barriers for disabled employees trying to attend work. For example, snow and ice may not only cause additional difficulties for employees with mobility difficulties, but also for those who are visually impaired.
- 11.10 Managers need to be mindful of making reasonable adjustments when assessing the range of factors impacting upon an employee's ability to attend work. This might include:
- Allowing a later start time or earlier finishing time than an employee who is not disabled;
 - Provision of a car-parking space close to their place of work (if this is reasonably practicable);
 - Allowing the employee to work from a different location, if this is more accessible to them, or from home if feasible; and
 - Allowing the authorisation of paid special leave to ensure the individual does not have to use more annual leave for a reason relating to their disability.

12 **Compassionate Leave**

The following provisions of this policy operate subject to a maximum aggregate amount of **10 days paid time off per year (pro rata)**, although managers will have discretion in exceptional cases:

- 12.1 [Bereavement](#)
- 12.2 [Family emergencies / dependant care leave](#)
- 12.4 [Domestic emergencies](#)
- 13.9 [Fertility treatment \(e.g. IVF\)](#)
- 13.12 [Leave for elective surgery](#)

12.1 **Bereavement**

- 12.1.1 An employee will be granted a period of paid compassionate leave for the death of a spouse or partner (including same sex) or other immediate family member. The employee's manager will have discretion to award a period of compassionate leave for other close personal relationships that do not fall into the above categories.
- 12.1.2 Subject to [paragraph 12](#), the employee's manager is able to approve up to five days' (pro rata) paid compassionate leave under this policy to be taken at the time of the death including the day of the funeral.

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 (including same sex), child, parent or someone who lives with the employee as part of their family. It does not include tenants, boarders or employees living in an employee's family home. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on an employee for assistance. This may be where the employee is the primary carer or the only person who can help in an emergency.

12.2.4 These examples are illustrative rather than exhaustive. However, for the avoidance of doubt, the circumstances that might trigger a right to such leave must be unforeseen and/or emergency situations.

12.2.5 If an employee knows that time off will be needed, they should speak to their manager about the possibility of taking such time as part of annual leave or, where applicable, parental leave entitlement and make a request via MyLeave.

Requesting family emergency/dependant care leave

12.2.6 An employee who needs to request family emergency/dependant care leave should contact their manager at the earliest opportunity. If the employee becomes aware of an emergency situation while at work, they should immediately seek the permission of their manager to leave work early. The employee must explain:

- the nature of the emergency;
- the reason for the absence; and
- how long they expect to be absent from work.

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 their normal start time. In any event, the employee must also give the manager an estimate of the amount of time off that they believe will be required. If the employee's manager is unavailable, the employee must seek permission from an equivalent or more senior manager.

12.2.8 If the emergency is ongoing, the employee must report to the manager on a daily basis and at least within one hour of their normal start time. At every contact, the employee must update the manager regarding the reason for ongoing absence and how long it is expected to continue. The employee must inform the manager as soon as possible of any change in the anticipated date of their return to work.

How much family emergency/dependant care leave can be taken

12.2.9 Time off granted under this policy will be in respect of the time needed for the employee to deal with the immediate situation and to make longer term arrangements for the care of the dependant where necessary.

12.2.10 The university envisages that the amount of leave that will be taken will, in most cases, be one or two days, but depending on circumstances, may only be a few hours. The employee must actively seek alternative longer-term arrangements for the care of a dependant as soon as possible after the emergency occurs.

12.2.11 If the employee is unable to make alternative arrangements and the emergency is ongoing, they must contact the manager and explain why further absence is required. Any additional family emergency/dependant care leave granted will be unpaid. Failure to return from a period of such leave may be treated as a disciplinary matter.

Pay during family emergency/dependant care leave

12.2.12 Subject to [paragraph 12](#), the university will pay employees for any time off on such leave up to a maximum of 5 days (pro rata), in any one leave year. Any additional time off required will be unpaid, although managers will have discretion to approve paid annual leave at short notice.

Records

12.2.13 The university reserves the right to ask an employee who is requesting to take or has taken family emergency/dependant care leave to provide supporting evidence of the family emergency on their return to work.

12.2.14 Time off taken by employees for family emergency/dependant care will be recorded by the employee's manager via MyAttendance.

12.3 Longer-term dependant care leave

- 12.3.1 Where an employee is the primary carer for a dependant who is suffering from a long term or terminal illness and they need to take a period of leave to care for that dependant, the employee's manager may, at their discretion, grant a period of longer-term dependant care leave.
- 12.3.2 The time off that may be granted will be dependent on the individual circumstances and the manager will need to discuss the employee's needs with them and how their needs can be accommodated. This might be by agreeing a period of [extended unpaid leave](#), or agreeing temporary variations to the employee's working arrangements under the **Flexible Working Policy**. Managers may seek further advice from HR on the range of options available.
- 12.3.3 Time off in these circumstances will be unpaid. However, it may be possible for the employee to 'stagger' the unpaid period by agreeing to a pro rata reduction in pay over a longer extended period. Again, the employee's manager may discuss with HR how the employee's needs can be best accommodated so the employee is as supported as possible.

12.4 Domestic emergencies

- 12.4.1 The university recognises that employees will from time to time experience emergencies at home, such as a burst pipe, gas leak, flood, fire or burglary. This provision is intended to allow those who experience genuine domestic emergencies to take a reasonable amount of time off work to deal with the emergency. The policy does not apply to planned events such as domestic repairs, refurbishment, building or trades work, installation of appliances, home deliveries, etc. As with the provisions for family emergencies/dependant care leave, it is the sudden and unforeseen nature of the event that qualifies it for consideration under this policy.
- 12.4.2 In the event of a domestic emergency arising, the employee should notify their manager as soon as it is reasonably practicable (either face-to-face if the employee is at work or otherwise by telephone), explaining the nature of the emergency and how much time off work the employee thinks they will need. The manager will record the time off taken for this purpose within MyAttendance.
- 12.4.3 Subject to [paragraph 12](#), an employee will be paid at their normal rate of basic pay when they are absent from work as a direct result of a genuine domestic emergency normally up to one day per year (pro rata) but exceptionally up to a maximum of two days per year (pro rata) subject to the discretion of the employee's manager. Furthermore, pay will only be maintained provided that:

- the employee notifies their line manager of the emergency as soon as it is reasonably practicable to do so; and
- the amount of time off work taken is only that necessary to resolve the immediate emergency (this would normally be no more than one day and in many cases would be less than one day).

12.4.4 Paid time off under this policy is intended to be for the employee to deal with domestic emergencies. Once the immediate emergency has been taken care of, the employee is expected to return to work.

12.4.5 If the employee requires a longer period of time off to deal with the situation, this may be accommodated by agreeing a period of annual or unpaid leave, or agreeing temporary variations to the employee's working arrangements under the **Flexible Working Policy**. Managers may seek further advice from HR on the options available.

12.4.6 If an employee takes frequent or regular time off on account of domestic problems, 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.

12.5 **Returning to work following compassionate leave**

Where an employee is returning to work from a period of compassionate leave of more than three days' duration (e.g. in the case of bereavement), it is good practice for the manager to arrange to meet with the employee on an informal basis to discuss with the employee any additional support they might need and to advise them of the support available through the university's [Employee Assistance Programme](#).

13 **Medical and dental appointments**

13.1 The university recognises that employees will from time to time need to attend medical, hospital, dental, optician and other similar appointments (including counselling appointments following medical referral, and medical appointments for people transitioning). Whenever it is possible to do so, employees (both full time and part time) should endeavour to arrange such appointments in their own time or, if this is not possible, then at times that will cause the minimum amount of absence from work or inconvenience to the university.

13.2 However, because the university accepts that it is not always possible or practical to arrange medical and other similar appointments outside working hours, the employee's manager may permit reasonable time off work for such appointments.

- 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.
- 13.5 Employees may be granted a limited amount of unpaid time off work, by prior arrangement with their manager, to accompany a dependant relative where they are the primary carer for a dependant and the employee needs to accompany them to a medical / hospital appointment that cannot reasonably be arranged outside of normal working hours. Managers may wish to take into account the employee's remaining leave entitlement before authorising time off for this purpose. Alternatively, the manager may require that time off in these circumstances is made up at a later date.
- 13.6 Employees requiring time off either to attend or to accompany a pregnant woman to an antenatal appointment, or to attend an adoption appointment, should refer to the separate provisions in the university's **Maternity, Adoption and Paternity Leave Policy**.

Planned hospital stays / appointments

- 13.7 Where an employee is scheduled to undergo a necessary medical operation/procedure that will require a stay in hospital and period of convalescence, the day of the operation/procedure itself will qualify for paid time off at the employee's normal basic rate of pay. They will not be expected to use their annual leave for this purpose. If the employee knows in advance that they will require a period of convalescence this will be treated as sickness absence in accordance with existing university's policies; however, the employee may choose to book a period of annual leave to cover the period they know in advance that they will require as convalescence.
- 13.8 Time off for employees to undergo [elective surgery / procedures](#) is covered in a separate section of this policy.

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:
- inform their manager as soon as their plans to undergo fertility treatment have been confirmed;
 - provide a statement from a qualified medical practitioner that fertility treatment has been recommended and approved;
 - (at the request of their line manager) produce an appointment card for each occasion on which time off is requested;
 - try to arrange appointments at times that will cause the minimum amount of inconvenience to the university;
 - give as much notice as possible of the days on which time off is required.
- 13.11 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.

Leave for elective surgery

- 13.12 For the purposes of this policy, elective surgery is surgery that is not considered to be medically necessary or surgery for non-medical reasons. Examples might include vasectomies, the removal of bunions and the removal of warts. This provision is not intended to extend to surgical or non-surgical procedures that are concerned solely with the enhancement of physical appearance (e.g. face lifts, breast enlargements, facial peels, teeth whitening, dental veneers, etc.) but the university acknowledges that there may be circumstances where a manager wishes to exercise their discretion to allow time off under this policy depending on the individual circumstances (e.g. for transgender transition-related circumstances). Where a manager is in doubt as to whether they should exercise their discretion in any given instance, they should discuss the request and the underlying circumstances with their HR adviser before confirming the time off request to the employee.
- 13.13 Subject to [paragraph 12](#), it is the policy of the university to grant up to one day's paid leave in any one year (pro rata) for an employee to undergo elective surgery.

- 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
Ante-natal appointments (women)	✓ Request in MyLeave		Refer to Maternity, Adoption and Paternity Leave Policy		
Blood donation	✓ Request in MyLeave		Up to one hour in a rolling four month period	Paid	
* Bereavement leave (compassionate leave)	✓ (where practicable) Request in MyLeave (eg compassionate leave) Where it's not possible, the manager will record via MyAttendance (as compassionate leave)	✓	Up to 5 days (pro rata) including day of funeral (close family / partners, etc.)	Paid	
Carer's Leave (long term)	✓Request in MyLeave		Managers have discretion to agree a period of unpaid leave, or temporary variations to the working arrangements under the Flexible Working Policy .		

DECEMBER 2011

Last updated: February 2017; October 2018; September 2021

	(eg unpaid leave/extended 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
* Domestic emergencies	Manager to record in MyAttendance	✓	As required to deal with immediate situation.	1 day per year paid (exceptionally up to 2 days per year) (pro rata).	<ul style="list-style-type: none"> • Annual leave • Unpaid leave • Flexible Working Options • Make up time at another time
* Elective surgery/procedures	✓ Request in MyLeave (Medical/dental appointments)		Up to 1 day (pro rata)	Paid	<ul style="list-style-type: none"> • Annual leave • Unpaid leave
* Family emergency / dependant care leave	Manager to record in MyAttendance	✓	As required to deal with immediate situation and to make longer term arrangements	Paid (up to a maximum of 5 days per year (pro rata))	<ul style="list-style-type: none"> • Annual leave • Parental leave • Flexible Working Options • Unpaid leave
* Fertility treatment (IVF)	✓ Request in MyLeave (Medical/dental appointments)		Up to 2 days (pro rata)	Paid	<ul style="list-style-type: none"> • Annual leave • Unpaid leave • Temporary flexible working

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
Hospital appointments / stays	✓ Request in MyLeave (Medical/dental appointments)		Time off for the appointment / medical procedure	Paid	Any period of convalescence will be sick leave or annual leave
Involvement Groups (e.g. LGBT, BME and Disabled Staff Groups)	✓		Time off to attend approved meetings of the groups Up to 1 day per month (pro rata) for the Secretary and Chair to these groups	Paid	
Jury Service	✓ Request in MyLeave		As directed by the courts	Paid subject to deduction of monies received in respect of claim for loss of earnings from courts	

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
Magistrates (Justice of the Peace)	✓ 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"> • Annual leave • Unpaid leave
Medical appointments (routine)	✓ 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"> • Make up time at another time • Unpaid leave
Medical screening	✓ Request in MyLeave (Medical/dental appointments)		Time off for the appointment	Paid	
Public duties	✓ 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
Religious observance	✓ Request in MyLeave (Annual leave / unpaid leave)		<ul style="list-style-type: none"> • Annual leave • Unpaid leave (if annual leave not sufficient) 		
Territorial Army / Reservists	✓ Request in MyLeave		Up to 5 days (pro rata)	Paid subject to deduction of monies received in respect of the performance of the duties	Annual leave
Travel disruption/severe weather		✓	Annual leave, flexible working options, unpaid leave or make time up at another time. Reasonable adjustments for disabled employees – see policy.		
Unpaid leave	✓ (where practicable) Request in MyLeave	✓ (where unavoidable)	Up to one year		
Volunteering	✓ Request in MyLeave		Up to 3 days (pro rata) for DMU-related and approved activities	Paid	<ul style="list-style-type: none"> • Annual leave • Unpaid leave for non-DMU-related/approved volunteering activities

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
Witness – attendance at court (Court summons)	✓ 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	
Witness – attendance at court on own account	✓ Request in MyLeave (Annual leave or unpaid leave)		Annual leave		