

Special Leave Policy

Purpose:	This policy explains the leave that is available for special circumstances where an employee is not required to use annual leave
Region:	UK-wide
Scope:	All employees
Lead Officer:	Head of HR
Responsible Director:	Executive Director, Corporate Services
Key Consultation:	None as is an extract of previous leave policy which has now been split into two separate policies
Approver	Executive Group
Committee review	Not applicable
Last Approval	2022
Approval Cycle	3 years
Next Approval	2025

Introduction

1. Purpose and scope

The purpose of this policy is to set out the circumstances in which employees are able to take leave beyond their annual leave and bank holiday entitlement. There will always be times when an employee needs time off work to deal with personal situations or crises, or to undertake public duties, and we aim to support employees in these circumstances. As such, this policy covers:

- Parental leave
- Jury Service and witness leave
- Domestic/personal emergencies leave
- Compassionate leave
- Sabbatical leave
- Public duties leave, including trade union duties
- Medical/hospital appointments
- Carers Leave

Other types of leave are set out in the relevant policies including Family Friendly, Disability Leave, Sickness Absence and Study Leave (in the Learning and Development policy).

2. Scope

This policy applies to all employees of the MS Society.

3. Special Leave

3.1 Parental leave

Employees who have children under 18 are entitled to take **unpaid parental leave** to look after their child's welfare, examples might include:

- spending more time with their children
- looking at new schools
- settling children into new childcare arrangements
- spending more time with family – e.g. visiting grandparents

To qualify, the employee must:

- have worked for the MS Society for more than one year and
- be named on the child's birth/adoption certificate or have parental responsibility for the child.

The right to parental leave does not apply to foster parents, unless the foster parent has secured parental responsibility through the courts.

Employees may have responsibility for children in different family circumstances and in such situations parental leave may be considered on a case by case basis.

Parental leave is unpaid and is not for emergencies. Parents may take up to a total 18 weeks unpaid parental leave per child to a maximum of four weeks in any one year. Normally parental leave should be taken in blocks of one week.

Parental leave taken with a previous employer will be taken into account in determining eligibility.

All terms and conditions of employment, except pay, continue during a period of parental leave.

Requesting parental leave and giving notice

Employees must request parental leave in writing to their manager, giving at least 21 days' notice and a start and end date. If they or their partner are having a baby or adopting, it is 21 days before the expected week of childbirth or the expected week of placement.

The MS Society may postpone the request for parental leave for significant business reasons, but not alter the amount of parental leave requested. The MS Society may not postpone or delay a parental leave request if:

- there is no 'significant reason',
- it's being taken by the father or partner immediately after the birth or adoption of a child
- it means an employee would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday

If a manager is considering postponement of a parental leave request they must consult HR. The decision to postpone must be given to the employee, in writing, within seven days of their request. The letter must include a proposed alternative start date for the parental leave.

All parental leave requests **must** be sent to HR for processing and updating of personal records and for payroll purposes.

3.2 Special leave for domestic/personal emergencies

Short term paid leave of up to five days over a 12 month rolling period is available for an employee to deal with an unexpected or a sudden domestic problem or the immediate aftermath of a crisis or emergency such as:

- dealing with an unexpected incident involving the employee's child at school
- dealing with unforeseen serious domestic emergencies such as gas leaks, fire, flood, burglary.

Depending on the circumstances managers may use their discretion to consider granting further time off, which would normally include a mix of annual leave, TOIL or further unpaid leave for the duration of the absence.

In cases where an employee is informed an emergency situation relating to a dependant while at work, the employee will be paid for the remainder of that day.

These absences must be booked through iTrent and approved by the manager.

3.3 Compassionate leave

3.3.1 Death of close family member or dependent

Paid compassionate leave may be requested due to the death of a close relative or dependant to allow time to make arrangements and to attend the funeral. Managers should use their discretion when granting such leave, taking into account the specific circumstances of the request and treating each situation sympathetically.

A close relative or dependent is defined as:

- Own or partner's/spouse's child or grandchild
- Spouse or partner

- Parent or parent of spouse/partner
- Sister/brother
- Grandparent
- Next of kin or nominated next of kin

Up to two weeks paid compassionate leave of absence may be granted when the bereavement relates to an immediate family member (e.g. child, spouse/partner, sibling, and parent). These days need not be consecutive.

In cases where attendance at a funeral involves travel abroad, the amount of leave may be extended and would normally be taken as a mix unpaid leave and annual leave.

There is a separate entitlement to parental bereavement leave the details of which are contained within the Family Friendly Policy.

These absences must be booked through iTrent and approved by the manager.

3.3.2 Death of other close relatives or a partners immediate relative

Up to two days' compassionate leave may be granted in the case of other close relatives or a partner's immediate relatives.

In cases where attendance at a funeral involves travel abroad, the amount of leave may be extended and would normally be taken as a mix unpaid leave and annual leave.

These absences must be booked through iTrent and approved by the manager.

3.4 Sabbatical leave

Employees with a minimum of three years' service may request unpaid sabbatical leave for a period of up to three months. Such leave will be taken in one block.

Once you have taken up to three months sabbatical, a further request for up to another three months sabbatical leave may be made after you have completed a further three years' service.

Requests for a longer period of sabbatical leave will be considered after you have completed five years' service.

A request for sabbatical leave must be made to the line manager, in writing, at least three months before the proposed leave would be taken.

All requests will be considered for approval by the line manager and/or appropriate Director, on individual merit taking in to account the operational needs of the MS Society and the special circumstances surrounding the request. All agreed requests **must** be sent to HR in order to process the requested sabbatical leave and ensure all records (including iTrent) are updated.

Failure to return to work on the agreed date will be regarded as a breakdown of mutual trust and confidence and will lead to the immediate termination of the employee's contract.

3.5 Jury Service

If an employee receives notification that they are to undertake Jury Service, a request for time off should be made to the line manager together with a copy of the full supporting documentation. The manager or the employee must email the HR team with the supporting documentation and the dates of the Jury service prior to the Jury Service commencing. The HR team will update iTrent with the relevant information and dates of absence.

The MS Society will pay full pay of employee's salary during Jury Service.

If an employee reports for Jury Service and is not then called upon to serve on that particular day, they are expected to attend work if it is reasonably practicable for them to do so. They will not work unless they are not required in court that day.

If the date an employee is required to attend Court conflicts with the needs of the MS Society, the HR Operations Manager or equivalent will write to the Court on the employee's behalf to request that the jury service be re-scheduled.

3.6 Court Appearance as a Witness

If an employee receives a summons to give evidence a request for time off should be made to the line manager together with a copy of the full supporting documentation. Time taken off work will be paid.

These absences must be booked through iTrent and approved by the manager in the normal way.

3.7 Public Duties

Employees must discuss and agree with their manager the implications and impact of any public duties they are considering. Employees must provide documentation that confirms they have accepted a public duty role and that they are required for specific activities that fall within their MS Society contacted hours.

These absences need to be booked through iTrent and approved by the manager.

3.7.1 Magistrates and Justices of the Peace

Magistrates are entitled to time off by law and will have to be in court at least 13 days, or 26 half-days, a year. The MS Society will allow only unpaid time off. Magistrates are able to claim an allowance from the courts for loss of earnings. All benefits, such as annual leave, continue to be accrued.

These absences must be booked through iTrent and approved by the manager.

3.7.2 Accredited trade union officials and staff representatives

Accredited trade union officials

A reasonable amount of paid time will be granted for trade union activities such as:

- attendance at JNCC meetings/participation in collective bargaining.
- informing members of negotiations/consultations with the MS Society in relation to statutory provisions
- attendance with members at grievance and disciplinary hearings and interviews
- attendance with members at other meetings held under appropriate procedures (e.g. capability), and preparation for those meetings
- discussions with new employees about the union's role
- carrying out the functions of a Trade Union Learning Representative
- carrying out the duties of an appointed/elected member of a National Executive or National/Regional Governing Body of a union.

Up to six paid days per year will be allowed for initial and further training that has been approved by the union and is relevant to carrying out the representative's duties.

All requests for time off should be made in writing to the line manager with a minimum of five days' notice. The time allowed must take into account the operational needs of the MS Society and any other time taken by the employee, for example for public duties.

These absences must be booked through iTrent and approved by the manager.

At least annually, managers need to reach agreement with each accredited official within their responsibility on the amount of time-off that can reasonably be expected taking into account:

- the officials duties

- the operational needs of the organisation
- the amount of time-off taken in the previous year
- the minimum amount of notice for specific types of absence.

3.7.3 Reservists

Employees who are reservists must let their line manager and HR know. Reservists are expected to use their annual leave for any time off required for their training and this should be booked in the usual way.

If a reservist is mobilised the MS Society will no longer pay them or continue contributing to their benefits, as the reservist's pay and benefits are covered by the Services.

The MS Society will claim financial compensation to cover such costs as recruitment and training of a replacement colleague.

Employees must provide HR with the relevant documentation in order for pay and records (including iTrent) to be updated.

3.7.4 Other public duties

The MS Society will give reasonable time off for other public duties such as:

- Charity trustees
- Members of educational governing bodies
- Pension scheme trustees
- Local councillors

Time off for public duties will be paid (when the public duty does not attract an attendance allowance). Normally a maximum of three paid days per annum will be allowed. These absences need to be booked through iTrent and approved by the manager.

The specific amount and frequency of time off which may be granted will depend on:

- the effect on the work of the MS Society
- the amount and frequency of time off required for the particular public duty
- how much time off the employee has already been granted for other public duties.

Each case will be considered on individual merit and managers should seek advice from HR. Managers must ensure that all time off granted for public duties is accurately recorded on iTrent and ensure the maximum is not exceeded.

3.8 Medical/Dental/Hospital appointments

To minimise disruption employees should make routine medical/dental appointments outside of their normal working hours, or at the start/end of the working day. Employees are expected to make up any time lost to such appointments. For more detail, please see our Sickness Absence policy.

Medical/Dental/Hospital appointments must be booked on iTrent in the normal way.

3.9 Unpaid Leave

Employees that wish to take unpaid leave should speak to their manager about the reason for requesting time off. Unpaid leave is only approved in exceptional circumstances, this needs to be recorded on iTrent and will be deducted in the next pay cycle. Unpaid leave can be up to a maximum of 2 weeks per year and this is at the manager's discretion and the needs of the department and organisation.

4 Carers Leave

A carer, for the purposes of this policy, is someone who, without payment, provides help and support to a partner, disabled child, close relative or friend, who could not manage without their help.

- Managers will give sympathetic consideration to requests for support from those with caring responsibilities, balancing this with the need to deliver services for people affected by MS.
- We will treat all requests for support confidentially.
- We will treat all employees fairly and consistently, while taking into account the individual needs of a particular case.

With effect from 1 January 2021, carer's leave of up to ten days' paid leave per annum (January to December) for full time employees, pro rata for part-time employees, January to December, may be requested to allow the employee to deal with short term planned or unexpected care needs e.g.

- a short term, planned or unexpected caring responsibility
- the immediate aftermath of a crisis or emergency
- to attend appointments with the person who is cared for
- to provide short term support following medical treatment

Requests for unpaid leave will be considered on an individual case by case basis.

Requests for carer's leave will be dealt with by the line manager on a case by case basis. The employee should agree the request with the line manager in advance. If necessary, the line manager will discuss the request with their

line manager or HR. The line manager should record the discussion in one to one notes and inform HR. If the request is agreed, this needs to be booked on iTrent.

Depending on the circumstances, managers may use their discretion to consider granting further time off, which would normally include a mix of annual leave, time off in lieu (TOIL) or further unpaid leave for the duration of the absence. If the situation develops and the caring responsibilities become long term, employees are encouraged to consider using our flexible working policy.

In cases where an employee is informed of an emergency situation relating to the person they care for while at work, the employee will be paid for the remainder of that day.

5 Requesting Leave procedure

All leave must be requested and authorised as set out above. This is normally through iTrent. It is important all leave is accurately recorded and approved.

6 Responsibilities and reporting

Managers are responsible for checking the entitlement remaining for the employee prior to approving any "Special Leave" requests on iTrent. If requests are approved without sufficient remaining entitlement being available for the employee, or all the entitlement has been exceeded, this could result in unpaid leave being deducted from an employee so it is important managers are assured adequate entitlement is remaining. Please consult HR if you are unsure of the entitlement available to avoid any confusion.

HR are able to produce reports for teams/departments on all types of leave taken during that year or during prior years if managers require access to them. Requests should be made via the HR in-box.

7 Other support

Management support: your manager will support you by discussing your situation with you and staying in touch with you during any absence. If appropriate, and in agreement with you, your manager will keep team members informed.

Your manager will signpost you to the range of employee benefits and support available.

HR department can provide advice to line managers and employees on the support the MS Society provides

Please refer to our policies and benefits page on AXON for further information on the benefits we offer to all employees and to those that are carers.

Employee Wellbeing Programme (EWP) offers a confidential counselling service as well as practical support and advice.

The EWP is a personal support programme that gives you access to a range of specialist support and information covering:

- Finances – dealing with debt, budgeting, investments
- Relationships – family, work, partners, friends
- Health – fitness, weight, illness, wellbeing
- Legal – consumer issues, housing, insurance claims etc.
- Family care - childcare, schooling, parenting issues, care for the elderly

The EWP service is a UK wide service available to all MS Society employees and their immediate family members, as long as they are over 16 years of age and live in the same household. This includes a partner, siblings, any parent, brother or sister and any legal dependants under the age of 21 years old and in full time education.

The EWP is free, 24/7 and completely confidential. You can call EWP on 0800 072 7 072.

Version control	
Version 1 Policy content extracted from previous Leave Policy 2017 which has now been deleted	September 2021
Reviewed	September 2022
EG approved	December 2022
Next Policy Review	December 2025
Jury Service updated	March 2024