



PKAVS
*Improving Wellbeing,
Empowering Communities*

Special Leave Policy and Procedure

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1. PURPOSE AND CONTEXT

PKAVS recognises that our people are our most valuable asset, and indeed are community assets too. We recognise that our employees may encounter situations requiring time away from work beyond the standard leave entitlements. We aim to prioritise health and wellbeing within our organisation, and this policy provides additional leave options for specific circumstances that are not covered under your annual leave or sick leave allowance.

2. SCOPE

Absence from work has many different reasons, so we differentiate between the following types of absences:

1. Annual Leave: the details of your annual leave entitlement can be found in your written statement of employment.
2. Sickness absence: details can be found in our Sick Leave Policy and Procedure.
 - a. Short-term,
 - b. Long-term,
3. Unauthorised absence: detailed in this policy below.
4. Maternity/Paternity/Adoption leave: Detailed in the Maternity/Paternity/Adoption Leave Policy.
5. Other special leave: detailed in this policy.
 - a. Carers' leave,
 - b. Compassionate leave,
 - c. Extended leave,
 - d. Leave for medical or health care appointment,
 - e. Leave for public duties – including jury service,
 - f. Parental bereavement leave,
 - g. Parental leave,
 - h. Time off for dependent.

3. PRINCIPLES

This policy applies to all our employees.

Each request will be considered against a background of unique circumstances which need to be considered when deciding how your absence is treated.

Where you are required to make contact with your Line Manager throughout this policy and associated procedure, if your Line Manager is not available you should contact:

- Your next in Line Manager, or if unavailable
- A member of the HR Team.

If you are absent, you should expect to be contacted from time to time by your Line Manager to discuss your wellbeing, expected length of continued absence from work, and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

If you have any concerns while absent, whether about the reason for your absence or your ability to return to work, you should feel free to contact your Line Manager and/or the HR Team at any time.

We are aware that absence may result from a disability. A disability is defined in the Equality Act 2010 as 'a physical or mental impairment which has a substantial and long-term adverse effect on someone's ability to carry out normal day-to-day activities'. 'Long-term' means likely to last for twelve months or more. 'Day-to-day activities' may include:

- Mobility,
- Doing something with your hands,
- Physical coordination,
- Continence (controlling your bladder and bowels),
- Ability to lift, carry or move everyday objects,
- Speech, hearing or eyesight,
- Memory or ability to concentrate, learn or understand, or
- Perception of the risk of physical danger.

Where appropriate, consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work. All reasonable adjustments will be considered on a case-by-case basis.

If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform your Line Manager at the earliest opportunity.

During induction, you will be asked to complete a Confidential Health Form to allow us to support your health, safety and wellbeing at work. You must ensure that the information is up to date and inform your Line Manager and the HR Team of any changes as soon as they occur.

A special leave application form (available on the [Intranet](#)) must be completed by you and submitted to your Line Manager no later than the notice periods as detailed in this policy, OR in urgent cases, one month after the event to confirm:

- The type of leave you are requesting,
- The dates you are requesting,
- Any other evidence to support your application if applicable,
- You have read and understood the policy and are aware your application may not be fully granted with pay.

4. THE ROLE OF THE HR TEAM

The HR Team will:

- Give advice and interpretation to you and your Line Manager on any aspect of this policy.
- Ensure as far as is possible that all requests are dealt with consistently and fairly in accordance with legislation.
- Co-ordinate requests in line with this policy and ensure the Special Leave Procedure is applied.

- Ensure that you are advised of the outcome of your application and that any necessary deductions are made from your next available salary.

Although the HR Team can guide and advise the relevant manager on individual cases, it is the relevant manager's responsibility to make appropriate decisions in relation to this policy and the outcome of your special leave application

5. CARERS LEAVE

We're committed to support our employees who have *long term* caring responsibilities for *dependents*, and who may need additional support to manage their work life balance as a result. This policy will be applied fairly and consistently to ensure all eligible employees have the same opportunities for support.

A 'dependent' includes:

- An employee's husband, wife, civil partner or partner,
- An employee's child,
- Parent,
- A person who lives in the employee's household (not tenants, lodgers or employees),
- A person who relies on the employees for care, such as an elderly neighbour.

A dependant has a long-term care need if they have any of the following:

- a disability as defined under the Equality Act 2010,
- an illness or injury that is likely to need care for at least 3 months,
- a care need related to old age.

Where an employee has immediate or short-term caring responsibilities, needs short term emergency leave, or another type of support, they should consider other options using Time off for dependents.

You can take Carers Leave from your first day of employment. You can take up to one week of carer's leave every 12 months. You are entitled to a period of leave that is equal to your usual working week. For example, if someone works three days a week, they can take three days of carer's leave.

You can choose to take leave as:

- half days – this is the minimum you can take,
- full days, or
- a whole week.

The Carers Leave available is the same irrespective of how many dependents you have, i.e., employees don't get double the leave if there are two dependents.

If more leave is required, further support may be available including annual leave, parental leave, or through an informal or formal flexible working arrangement (please refer to our Flexible Working Policy and Procedure available on the [Intranet](#)).

You should provide as much notice as possible for planned occasions of Carers Leave. Ideally the minimum notice when requesting leave is:

- Twice the duration of the leave required, prior to the first day of leave, or
- Three days' notice, prior to the first day of leave.

We do understand Carers Leave can be required as an emergency/short notice or can be unplanned due to circumstances and so line managers should consider all circumstances when considering a Carers Leave request.

We reserve the right to postpone your Carers Leave request if we reasonable consider that the operation of our services would be unduly disrupted if it were approved.

If you wish to take off Carers Leave, please complete our special leave application form (available on the [Intranet](#)) and submit it to your Line Manager no later than the notice periods as detailed above.

It is the Line Manager's responsibility to notify the HR Team about any Carers Leave to make any payroll arrangements.

6. COMPASSIONATE LEAVE

We recognise that there may be circumstances such as bereavement or serious illness when you require time off for compassionate reasons. It may be a difficult and emotional time for you, and we understand that your circumstances vary greatly. However, it is essential that when requesting compassionate leave, you ensure that you provide enough detail on the form so that your manager fully understands the situation when reviewing your case and in coming to the most appropriate decision in relation to how the leave is treated, e.g. paid, unpaid or a combination.

Any of the following factors may be taken into consideration by management in cases of bereavement or serious illness of someone close:

- Consideration of the closeness of your relationship not merely by reference of blood ties, but in real terms, and with relation to any religious or cultural beliefs.
- Whether you are appointed executor or are responsible for the administration of funeral arrangements.
- The distance you must travel to attend the funeral.
- Circumstances surrounding the request.
- Availability of other support.
- Whether another arrangement such as flexible working can be put in place.

Time off with pay will normally be considered in circumstances involving a partner, dependant and an immediate or close relative.

Time off without pay will normally be considered in all other circumstances, i.e. friends, neighbours, colleagues, distant relatives etc.

Normally paid leave up to a maximum of one week's contracted hours (or average weekly hours for staff on monthly contracts) may be granted at any one time. A subsequent period of absence as a result of bereavement or other compassionate reasons may be covered by annual leave or, where appropriate, a Statement of Fitness for Work obtained from your doctor, and this will be managed under our Sick Leave Policy and Procedure.

7. EXTENDED LEAVE

You may require an extended period of time off work, a period of weeks or months, to allow you to sufficiently attend to your personal circumstances, to undertake a specific requirement or project/task out with work, perhaps travel or take an extended holiday or for some other personal reason.

Where extended leave has been granted, this will normally be unpaid.

As much notice as possible must be given by you in order for management to fully consider the implications of your request, including arrangements for covering your post. Such requests will be considered on an individual basis.

We reserve the right to refuse an application for extended special leave if it is necessary to maintain appropriate levels of service or unreasonable notice has been given by you.

During your period of unpaid leave your continuity of employment will not normally be affected. However, you should note that your terms and conditions of employment may be affected in any of the following ways:

- You may cease to accrue any entitlement to annual leave during the unpaid period.
- There may be a change of your location of work upon your return to work, where your existing contract states that you are required to work and operate at any of our services/offices to meet the Service needs.
- Any incremental rises and/or cost of living increases awarded may be delayed.
- If applicable, contributions to your pension scheme may be reduced.

8. LEAVE FOR MEDICAL OR HEALTH CARE APPOINTMENTS

You should arrange medical/healthcare appointments wherever possible out with working hours. Where this is not possible you must obtain permission from your line manager before taking any time off and aim to arrange appointments at a time of minimum disruption to the service.

Reasonable time off to attend medical/healthcare appointments will be paid.

If you are absent from work due to an elective cosmetic procedure, including surgery (whether carried out in the UK or abroad) this absence will not usually qualify for our company sick pay. With prior agreement, you may use annual leave or take unpaid leave. The only exception to this may be if an illness results from the surgery/treatment or if the treatment is carried out by the NHS due to underlying medical reasons.

If you are undergoing procedures relating to IVF, this should be done wherever possible out with your working hours, however where this is not possible, reasonable paid time off will be granted by your service manager. Any health issues as a result of the treatment will be treated as sickness absence.

If you wish to donate blood this should be done wherever possible out with your working hours. Where this is not possible, reasonable paid time off may be granted by your service manager.

9. LEAVE FOR PUBLIC DUTIES

Jury Duty

You should tell your line manager as soon as you are summoned for jury service and provide a copy of your summons if requested.

We will give you time off to attend court as a juror although we won't be able to pay you for the time you are at court. If the amount of your court expenses is less than what you would have been paid, had you been at work, then we will top-up your loss-of earnings allowance you will claim from the court up to the level of your basic pay. It is your responsibility to ensure that any paperwork to be filled out or signed by our HR Team or Finance Team and is submitted with plenty of notice.

Attendance at Court for a case related to work

We will give you reasonable paid time off to attend court as a witness for a case related to work with PKAVS. It is your responsibility to inform your Line Manager in advance of any planned court case.

Attendance at Court for a case unrelated to work and time off for public duties

We will not pay you if you are required to attend court as a witness for a case unrelated to work and you will be expected to use your own time for the period of time you are at court.

You may have statutory rights to reasonable unpaid time off for the performance of duties, including if you are one of the following:

- a magistrate (also known as a justice of the peace),
- a local Councillor,
- a school governor,
- a member of any statutory tribunal (for example an employment tribunal),
- a member of the managing or governing body of an educational establishment,
- a member of a health authority,
- a member of a school council or board in Scotland,
- a member of the Environment Agency or the Scottish Environment Protection agency,
- a member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland),
- a member of Scottish Water or a Water Customer Consultation Panel,
- a trade union member (for trade union duties).

This list is as noted on the government website, which may change from time to time.

As soon as you are aware that you will require time off for performance of a public service you should notify your Line Manager in writing, providing full details of the time off that is being requested and the reasons for your request. In order that arrangements can be made to cover your duties in your absence you should make your request in good time.

10. PARENTAL BEREAVEMENT LEAVE

This paragraph sets out the arrangements for parental bereavement leave, which is a type of bereavement leave intended to help employees deal with the death of a child or a stillbirth after at least 24 weeks of pregnancy.

You are entitled to parental bereavement leave (PBL) from the first day of your employment, if a child has died or been stillborn after 24 weeks of pregnancy, and you or your partner:

- Are the birth parent,
- Are the natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the child),
- Are the adoptive parent, if the child was living with you,
- Are the person who lived with the child and had responsibility for them, for at least 4 weeks before they died,
- Are the 'intended parent' – due to become the legal parent through surrogacy,
- Are the partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship.

Parental bereavement leave can be one week, two consecutive weeks, or two separate weeks.

Further unpaid compassionate leave may be available at our discretion. Please speak to your Line Manager if you require further time off in addition to parental bereavement leave.

Parental bereavement pay

You may qualify for statutory parental bereavement pay (SPBP) during parental bereavement leave if:

- your child dies under the age of 18 or is stillborn after 24 weeks of pregnancy,
- you had worked for PKAVS for at least 26 weeks, on the Saturday before the child's death,
- you earn on average at least £123 per week, before tax.

The Statutory Parental Bereavement Pay is set by the government each tax year.

You must ask for statutory parental bereavement pay within 28 days of taking statutory parental bereavement leave, starting from the first day of the week you are claiming the payment for. Please contact our HR Team if you wish to apply for Statutory Parental Bereavement Pay!

Leave in the first eight weeks

In the first eight weeks after a child has died, there is no need to give advance notice to take parental bereavement leave. Please notify your line manager as soon as you can on the day you want your leave to start, preferably before the time you would normally start work, where possible. Someone can do this on your behalf if necessary.

If you have already started work, then your parental bereavement leave period will start on the following day.

You can cancel any planned parental bereavement leave in the first eight weeks by telling us at any time before the leave starts, and no later than the time you would normally start work on the first day of the leave period. You cannot cancel leave once it has started.

Leave after more than eight weeks

To take parental bereavement leave more than eight weeks after the child has died, please give your line manager at least a week's written notice.

Parental bereavement leave can be cancelled with a week's written notice, and can be re-booked by giving a week's written notice.

Written confirmation

We will ask you to complete the Special Leave Request Form (available on the Intranet) and to confirm the following information in writing within 28 days of starting any period of parental bereavement leave:

- your name;
- the date the child died or was stillborn.
- the dates of paid or unpaid parental bereavement leave taken; and
- your relationship to the child.

Stillbirths, neonatal deaths, adoptions and surrogacy

Entitlement to maternity leave and pay (see our Maternity Leave Policy) is not affected if your child has died or been stillborn. You can take maternity leave in addition to parental bereavement leave.

You may be entitled to adoption leave and pay as a result of a child being placed with you for adoption, or because you are an intended parent under a surrogacy arrangement (see our Adoption Leave Policy). If the child has died or been stillborn, adoption leave entitlement runs for another eight weeks from the end of the week in which the child died (unless it would already have ended sooner). This is in addition to your right to parental bereavement leave.

You may be entitled to paternity leave and pay as a result of the birth of a child (including a birth to a surrogate mother), or the placement of a child with you for adoption (see our Paternity Leave Policy). If your child has died or been stillborn you can take paternity leave in addition to parental bereavement leave.

11. PARENTAL LEAVE

Parental leave is a legal right to take time off from work to look after a child or make arrangements for a child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.

Parental leave may be used for reasons such as spending more time with your child, looking at new schools, settling your child into new childcare arrangements, accompanying your child during a stay in hospital, spending more time with the family (such as visiting grandparents). This list is not exhaustive.

Parental leave is unpaid.

Eligibility for Parental Leave

To be eligible to apply for Parental Leave you must meet the following criteria:

- You have been continuously employed with us for more than a year,
- You are named on the child's birth or adoption certificate or have or expect to have parental responsibility,

- You are not a foster parent (unless you have secured parental responsibility through the courts),
- Your child is under the age of 18.

When making your first request for parental leave, you may be asked to provide documentary evidence such as a copy of the child's birth/adoption certificate.

Entitlement to Parental Leave

You are entitled to 18 weeks' leave for each child and adopted child, up to their 18th birthday.

The limit on how much parental leave each parent can take in a year is 4 weeks for each child. You must take parental leave as whole weeks (e.g. 1 week or 2 weeks) rather than individual days, unless you receive a disability living allowance or personal independence payment for your child.

A 'week' is defined as your standard working week (i.e. the length of time you normally work over 7 days).

Requesting Parental Leave

You must provide us with 21 days' notice before your intended parental leave start date, informing us of the start and end date of your requested leave.

If you or your partner are having a baby, you are required to provide us with 21 days' notice before the expected week of childbirth.

Leave should be requested using our 'Special Leave Application Form' (available on the [Intranet](#)).

In the event where 21 days' notice is not feasible, you should refer to the Time off for dependants section in this policy, which allows you to manage emergency situations within your immediate family.

Returning to Work after Parental Leave

Your employment rights (like the right to pay reviews and increments, holidays and returning to a job) are protected during parental leave. Your holiday entitlement will continue to accrue during periods of parental leave.

Postponing Parental Leave

We reserve the right to postpone the leave for up to 6 months where we have a significant reason to do so (e.g. if your leave would result in a substantial disruption to the services we provide).

We will not postpone leave where the leave is booked by the father or partner immediately after the birth or adoption of a child, or if it means that you would no longer qualify for parental leave e.g. postponing it until after your child's 18th birthday.

Where we postpone your parental leave, we will:

- Write to you explaining why within 7 days of your request,
- Suggest a new start date – this will be within 6 months of your requested start date,
- Not change the amount of leave you have requested to take.

12. TIME OFF FOR DEPENDENT

Time off for dependants is a statutory right allowing you to take a reasonable amount of unpaid time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer-term arrangement.

The emergency must involve a dependant. For the purposes of the statutory provisions the following counts as a dependant:

- Your husband, wife, child or parent,
- This does not include pets,
- Is someone who lives in the same household as you. For example, this could be a partner, or an elderly aunt/uncle or grandparent who lives in the household. It does not include tenants, boarders or live-in child minders or housekeepers etc,
- In cases of illness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on you for assistance. Where you are the primary carer or you are the only person who can help in an emergency. For example, an aunt who lives nearby who you look after outside work falls ill unexpectedly, or an elderly neighbour living alone who falls and breaks a leg, where you're the closest on hand at the time of the fall.

The circumstances under which unpaid time off for dependants can be taken under the statutory provisions are listed below:

- If a dependant falls ill or has been injured or assaulted – this does not need to be serious or life threatening, it may be mental or physical or it may be a deterioration of an existing condition.
- When a dependant is having a baby (you may also wish to refer to our Paternity Policy)
 - you can take time off to assist a dependant when she is having a baby but does not include taking time off after the birth to care for the child.
- To make longer term care arrangements for a dependant who is ill or injured – this may be to make arrangements to employ a temporary carer or taking a sick child to stay with relatives to allow you to return to work.
- To deal with the death of a dependant – this is time off to make funeral arrangements as well as attend a funeral. If overseas, agreement on reasonable time off will be made.
- To deal with the unexpected disruption or breakdown of care arrangements for a dependant – this is where the normal carer of the dependant is unexpectedly absent or where a nursery/nursing home may have closed unexpectedly.
- To deal with an unexpected incident involving your dependant during school hours – this could be your dependant having a serious incident, being injured, distressed or suspended from school.

There may be occasions when both parents request to take the same time off work for the same reason and depending on the circumstance this may be necessary. For example, both parents may need to take time off when their child has had a serious accident but both parents would not need to cover when a childminder fails to turn up.

13. OTHER SPECIAL CIRCUMSTANCES

We also recognise that there may be occasions when you need to take time off to deal with domestic, family or personal matters and may also wish to apply for leave. This may include attending to a burst boiler at home, problems with a pet or in the event of a fire, flood or break in at home.

Leave may be provided in a number of ways; unpaid leave (authorised absence), annual leave, time off in lieu, or a combination of these, dependant on the circumstances.

SPECIAL LEAVE APPLICATION FORM

(Available to download from the [Intranet](#))

Section A: To be completed by the Employee

Name:	
Job Title:	
Service:	
Line Manager:	

The type of leave I am requesting is:

(please cross (X) appropriate box. Please see the details in our Special Leave Policy.)

- ☐ Carers Leave,
- ☐ Compassionate Leave,
- ☐ Extended Leave,
- ☐ Leave for a medical appointment,
- ☐ Leave for public duties,
- ☐ Parental bereavement leave,
- ☐ Parental leave (planned),
- ☐ Time off for dependents (emergencies),

Did you request any of the above special leaves in the last 12 months? ☐ Yes ☐ No

If yes, when did you request it?

The date(s) and total amount of time off I am requesting is:

Date From: (first day)	Date To: (last day)	Number of Working Days/Weeks/Months:	Total Working Hours Off:

I provide the following additional information to support my application. This will allow the appropriate manager to fully understand my circumstances and consider my request. (Please refer to the Special Leave Policy and Procedure for details of the level of information required for the type of leave you are requesting.)

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I can confirm that I have discussed with my Line Manager the possible financial implications of this leave. I understand that the period of my leave might be unpaid and that appropriate adjustments might be made to my salary to reflect this.

I confirm that I have read the Special Leave Policy and Procedure and understand that my request may not be fully granted and may not necessarily be with pay. I agree to discuss with my manager how any time not granted will be otherwise taken.

Signed: _____

Date: _____

Next steps:

Please complete and return this form to your Line Manager no later than the required notice period for your chosen leave (see notice periods in the Special Leave Policy and Procedure).

Note for Line Manager! Please make sure that the HR Team is notified about the special leave in order to make the necessary payroll arrangement!