



# ***Special Leave Policy***

1<sup>st</sup> Draft: June 2024  
Next Review: June 2027

## **1 INTRODUCTION**

- 1.1 Rosehill recognises that on occasion employees need access to leave arrangements which support them in balancing their work responsibilities with personal commitments. This form of leave covers a range of need from genuine domestic emergencies through to bereavement.
- 1.2 This policy and procedure must be used consistently and fairly, ensuring that no employee will be disadvantaged by conditions or requirements which cannot be shown to be justified.

## **2 PURPOSE**

- 2.1 This policy incorporates the principles of relevant employment legislation and the types of leave as detailed in the terms and conditions of service.
- 2.2 This policy provides a framework in which support may be offered to employees, and sets out the circumstances when special leave, either with or without pay, may be granted for absences not covered by any of Rosehill's other leave policies.
- 2.3 This policy aims to ensure that all employees are dealt with consistently and fairly in relation to balancing work and personal responsibilities.
- 2.4 Rosehill is committed to providing a fair and timely procedure which supports staff in having leave arrangements which assist them in balancing their work responsibilities with their personal commitments. This policy and procedure are the means by which a request for special leave will be addressed.

## **3 SCOPE OF POLICY**

- 3.1 This policy and procedure applies to all staff employed by Rosehill.
- 3.2 Categories within this policy include:

Social Purposes  
Bereavement  
Domestic Stress  
Medical Treatment  
Moving Home  
Jury and Witness Service  
Leave for Public Duties  
Other Family or Domestic Arrangements  
Carers Leave

3.3 The policy defines different types of absence which may attract special leave but is not intended to be an exhaustive list of all the circumstances in which it can be used.

### 3.4 Definitions

#### 3.4.1 Social Purposes

Duties of an honorary, charitable or philanthropic nature. Normally, this leave will not last for more than one day.

#### 3.4.2 Bereavement

We will normally grant the following leave with pay for a bereavement:

- If you are responsible for making funeral arrangements - five days' leave.
- Close Relatives (for example, a son/daughter over the age of 18, parents, partner) - at least three days' leave
- Other relatives - up to one day's leave
- Other cases - the necessary time off to go to the funeral service.

#### Parental Bereavement Leave

Employees are entitled to two weeks' Parental Bereavement Leave following:

- The death of a child under the age of 18.
- A child who is stillborn after 24 weeks' pregnancy.
- An abortion after 24 weeks' pregnancy.

Employees have the right to take Parental Bereavement Leave, and receive bereavement pay from day one employment.

This right applies to the:

- Birth parent.
- 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).
- Adoptive parent, if the child was living with them.
- A person who lived with the child and had responsibility for them, for at least 4 weeks before they died.
- Intended parent (due to become the legal parent through surrogacy).
- Partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship.

We may also consider allowing leave without pay to extend these periods if necessary.

We will use our discretion and act sensitively when considering requests for bereavement leave.

### **3.4.3 Domestic Stress**

Employees who need to make special domestic arrangements as a result of an unexpected situation, will normally be granted leave with pay for one day. We may extend this on a paid or unpaid basis according to the circumstances, and by agreement with the Director.

### **3.4.4 Medical treatment**

Employees should make every effort to arrange medical and other related appointments out with core working hours. If your manager is satisfied that this is not possible, we may grant time off with pay. Medical cards / evidence of appointments must be provided.

Where appointments are out with core working hours but within the remit of our flexi-leave policy (8.30am – 10.00am and 4.00 – 5.30pm; 4.30pm on a Friday), it will be expected that employees use flexi time to attend these appointments. For example, if an employee has an appointment at 2.00pm and has to leave work at 1.30pm to attend this appointment, flexi time will be required to be used from 1.30pm to 2.00pm. Special leave will then be granted from 2.00pm until 4.00pm. Should the appointment run beyond 4pm, flexi time will be utilised once more from 4pm until the appointment ends.

### **3.4.5 Moving home**

We will grant one day's leave with pay to employees who are moving home. This will be awarded no more frequently than once in a twelve- month period.

### **3.4.6 Jury and Witness service**

Jury duty

- Employees who receive a summons to serve on a jury, should report this to their relevant line manager. We will grant leave, unless an exemption is secured. This leave will be with pay, after deducting any allowances for loss of earnings awarded from the court.

Witness Citations

- Any employees who act as a witness on behalf of Rosehill will be granted time off with pay. Any pay given to the employee will be on the understanding that we will deduct any witness fees received from the court (excluding travel and subsistence expenses).
- In other cases, we will grant leave without pay. Employees will be responsible for reclaiming any loss of earnings from the individual who requested that the employee attend as a witness.

### **3.4.7 Leave for public duties**

#### **Council Duties**

- Any employees who also act as a local authority councillor, will be granted unpaid leave, as and when required, to carry out approved duties with the authority concerned.

#### **Advisory Roles**

- Any employees who undertake unpaid advisory roles, as previously agreed with Rosehill, will be granted paid leave to carry out these duties.

#### **Positions of Public Responsibility**

- Employees may be appointed to a position of responsibility where no fees or allowances are paid for loss of earnings (for example, a justice of the peace or member of a children's panel). We will grant paid leave to carry out associated duties. This will be limited in the first instance to twelve half days per year. A decision will then be taken as to whether any other paid leave can be granted.

### **3.4.8 Other Family of Domestic Emergencies**

When asking for time off to deal with other emergency situations involving dependants which is not otherwise covered under Domestic Stress, employees will normally be given reasonable unpaid time off to make arrangements to deal with the emergency.

Examples of these situations are as follows.

- To provide support if the employees dependant falls ill, gives birth or is injured or assaulted.
- To make arrangements for the provision of care for a dependant who is ill or injured.
- If there is an unexpected disruption to caring arrangements for a dependant.
- To deal with an incident which involves the employee's child, and which happens unexpectedly when the child is at school or in care.

Rosehill will not extend leave beyond the period which is necessary to deal with the emergency.

### **3.4.9 Carers Leave**

Employees are entitled to Carers Leave if they are required to provide care, or make caring arrangements, for a dependant with a long-term care need. We will grant one week of unpaid carers leave in any twelve-month rolling period. One week equates to one working week, for example, if an employee works a three-day week, they will be entitled to three days carers leave in a rolling twelve month. Employees can decide whether to

take this leave in one block or to split the days up throughout the twelve months.

## **4 DUTIES AND RESPONSIBILITIES**

### **4.1 Employees**

- To abide by the policy regarding special leave.
- To not make advanced arrangements regarding any special leave (with the exception of leave for emergency domestic/family situations, or bereavement) until approval has been granted by the Corporate Services & HR Manager (or Director in the case of Managers). In the absence of the Corporate Service & HR Manager, all requests must be made to the Director.
- To ensure that all requests for special leave are made by completing the Special Leave Request Form contained in Appendix 1.
- In situations requiring leave for domestic/family reasons and bereavement leave, employees should make every effort to contact their manager as soon as possible to ensure that such leave will be granted by the Corporate Services & HR Manager or the Director. Contact should normally be made within 1 hour of the start of the shift time. Failure to notify the line manager of the absence will be regarded as unauthorised absence and treated accordingly.

### **4.2 Managers / Director**

- To ensure their staff are aware of the process to be followed regarding the arrangements for special leave and to ensure that any request for special leave is considered appropriately.
- To ensure that employees are treated consistently and fairly, with no pre-judging of any request, being mindful of the needs of the organisation as well as that of the individual.
- To ensure all approved applications for special leave are notified to the appropriate personnel (Management Team, Payroll, Customer Services Team).

### **4.3 Corporate Services and HR Manager**

- To provide professional, impartial advice and support to both managers and employees when dealing with the impact of special leave requests.
- To provide consistent advice to managers and employees on the application of this policy.
- To consider all requests for special leave, up to management level.

#### **4.4 Procedure and responsibilities for a special leave application and approval**

- 4.4.1 Authorisation must be obtained from the Corporate Services & HR Manager (or Director in the case of Managers and in the absence of the Corporate Services & HR Manager) prior to the start of each episode of special leave absence, or as early as reasonably possible in the case of leave for domestic/family reasons or bereavement.
- 4.4.2 Applications for leave under this policy must be made by the employee completing the Special Leave Request Form, and providing any accompanying evidence required within the category requested. Completion of the application form may be made retrospectively in the case of leave for domestic reasons and bereavement leave, subject to verbal contact being made with the Corporate Services & HR Manager (or Director in the case of Managers). at the earliest opportunity (normally within one hour of the start of normal hours of working). Failure to notify a line manager will be regarded as unauthorised absence and will be treated accordingly.
- 4.4.3 The Corporate Services & HR Manager (or Director in the case of Managers). will carefully consider any request for special leave.
- 4.4.4 The Corporate Services & HR Manager (or Director in the case of Managers). will complete the approval section of the Special Leave Request Form and return to the employee, copying in relevant personnel.
- 4.4.5 Where special leave is not approved, and no alternative leave arrangements are agreed, any absence will be considered as unauthorised absence.
- 4.4.6 Where special leave is not approved, employees will receive an explanation as to the reason for declining the request.
- 4.4.7 Where the special leave is for a longer period, there must be a clear indication in writing as to how the special leave will be managed and any 'keep in touch' scheme that will be put in place to support such an absence and to facilitate an employee's return.
- 4.4.8 With the exception of bereavement leave, and some areas relating to domestic stress/family emergencies, Rosehill reserves the right to refuse or to modify any request for special leave in the interests of service provision.
- 4.4.9 Special leave arrangements will be as flexible as possible but will be subject to the needs of the service. Postponement of special leave by the Corporate Services & HR Manager (or Director in the case of Managers). once granted will only be in exceptional circumstances and with explanation.

4.4.10 Employees may request postponement or cancellation of special leave that has been agreed in exceptional circumstances (e.g. postponement of a children's panel hearing). Authorisation for this must be sought by the Corporate Services & HR Manager (or Director in the case of Managers).

4.4.11 Rosehill accepts no responsibility for any arrangements that an individual may enter into prior to their special leave request being authorised. This includes any associated costs or other liabilities which remain with the individual employee.

4.4.12 Requests made, and subsequent information provided by the employee which are found to be dishonest, may be deemed to be fraudulent, and will be investigated in line with Rosehill's Disciplinary Policy and Procedure.

4.4.13 Where an employee falls sick whilst on special leave, the absence will be classed as sick leave subject to the production of a Fit Note signed by an appropriate medical professional.

#### **4.5 Records**

Completed request forms will be recorded and kept on the employee's personal file.

#### **5. Date of Review**

Review of this policy will take place every 3 years, or sooner, to reflect any changes to Employment Legislation or Terms and Conditions of Service.







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Scottish Housing Regulator (Number HAC174).

### ***Request for Special Leave/Time Off***

Before completing this form staff are advised to refer to the Conditions of Service, Section A9 – Special Leave/Time Off for guidance as to what types of leave may be considered. Please remember that the information in this section only serves as a guide, with particular reference to paragraphs 1 and 4, and it is for Rosehill to decide if any requests will be granted.

The discretionary granting of leave may be agreed in special circumstances. However such leave is always subject to the current work demands of Rosehill and the nature of the individual case.

Name: \_\_\_\_\_

Section: \_\_\_\_\_

Reason for Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date/Time  
Amount of Leave  
Required: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Leave Granted:            Yes   /   No

Basis of Leave:

Comments

Signature:

Date: \_\_\_\_\_

