

Special Leave Policy

The Department recognises that things happen in life that require our people to take time off from work, and sometimes it is not reasonable for them to use their annual or flexi leave to cover all or some of that time off. These events are unusual and often unexpected or simply sudden and distressing. The Department therefore allows managers the discretion (in line with policy, procedures and guidance) to use Special Leave to provide additional, practicable help.

Such special occasions usually fall within one of these five areas:

- It would be impossible for anyone to use Annual Leave or Flexi Leave to cover the absence – e.g. a six-months' Career Break cannot be managed from Annual Leave;
- It would be uncaring of the Department not to provide some additional support in a distressing situation – e.g. during the period immediately following bereavement;
- No person could reasonably foresee and reserve Annual or Flexi Leave as a contingency – e.g. when a serious personal problem or unexpected emergency arises;
- A contribution of additional help would promote civic / community participation – e.g. to support Armed Forces Reservists, school governors and magistrate activity;
- There is a legal reason to allow additional time off – e.g. to enable employees to meet their obligation as citizens to sit on juries.

The categories of Special Leave that might be applied for are:

- Ante-Natal and Pre-Adoption Leave
- Armed Forces Reservists (training and mobilisation) Leave
- Attending Court as a witness for the Department
- Attending an Award Ceremony resulting from departmental Nomination
- Bereavement Leave
- Cadet Forces Training
- Career Breaks
- Civil Service Societies
- Compassionate Leave
- Disability and Health Related Leave
- Emergency Leave - Domestic
- Emergency Leave - Dependents
- Foster Carers' Leave
- Holiday Leave
- Jury Service
- Major Disruption to Travel
- Public Duties Leave
- Redundancy Leave
- Relocation Leave
- Sports and Social Events
- Study Leave
- Volunteering Leave

In administering this policy, employees and their managers are expected always to discuss whether it is appropriate to use Annual Leave or Flexi Leave for all or part of the absence before considering Special Leave.

When deciding applications for Special Leave, managers are also required to take into account the following underpinning principles:

- The Department is committed to diversity and inclusion and created Special Leave as one of a number of tools available to help managers promote this – managers have a duty to make reasonable adjustments and/or provide support so that employees with disabilities are not put at a disadvantage compared to colleagues who are not disabled:
- Special Leave will not be treated as equivalent to Annual Leave or Flexi Leave - it was created as a discretionary alternative in the special circumstances described in this policy:
- Whilst in most cases there is no statutory entitlement to special leave and allowing time off is discretionary, decisions on applications must always be reasonable, sensitive and explained; reflecting an understanding of the Special Leave policy, procedures and advice, and the HR Decision Makers Guide. The needs of the business must always be taken into account in decision making, although there may be occasions when a period of Special Leave might reasonably be authorised to support relatively higher priority needs of the employee:
- Excluding Career Breaks, the amount of Special Leave awarded will not prevent employees spending the vast majority of their contracted hours carrying out their normal role;
- The amount of Special Leave awarded for any category of absence will take into account the guide amounts or comply with the maximums stated in the procedures;

The amount of Special Leave awarded in the previous 12 months' rolling period will be taken into account to ensure the cumulative Special Leave is not excessive. The only exceptions to this will be statutory absences (e.g. Jury Service, Reservist mobilisation and Career Breaks). Managers should consult their HR Expert for advice in cases of doubt.