



Workforce

Special Leave Policy

Aim

To provide a supportive and person-centred response where everyday arrangements break down, or urgent and unforeseen situations arise, such as:

- the sudden and immediate need to provide care to a family member, a dependent, a close friend, or a colleague
- the death or serious illness of a family member, a dependent, a close friend, or a colleague
- emergencies or unexpected domestic situations
- adverse weather that prevents employees from travelling to work

In addition, the policy provides child bereavement leave, planned unpaid carer's leave, and time off to undertake civic and public duties and attend specialist clinical appointments.

Scope

This policy applies to all employees.

This policy complies with current legislation and meets the aims of the [Public Sector Equality Duty](#) of the [Equality Act 2010](#).

Definitions

A **carer** is someone who has responsibility for a family member, partner, friend, or another individual who relies on the employee.

Civic and public duties are activities that contribute to society. Examples of essential civic and public duties that need a statutory entitlement to request planned leave in advance include:

- jury service
- armed forces reservists
- children's hearings

A **domestic emergency** is an unplanned situation in the home, such as a flood or fire.

An **emergency or unexpected situation** is when an employee needs to take unplanned time off. Examples include:

- an employee's child has an accident at school

- a dependent has an accident in a care home

Planned leave is when an employee requests leave in advance, largely for civic and public duties.

Unplanned leave is when an employee requests leave at short notice to respond to an emergency or unexpected situation.

Roles and responsibilities

There is a range of standard expectations which underpin all policies. [Read more about standard roles and responsibilities](#). In addition, the following specific responsibilities apply to this policy.

Manager

The manager should:

- apply the policy in a fair, consistent, and sympathetic way
- always maintain confidentiality and do not place pressure on the employee to share sensitive information
- discuss with the employee if a flexible approach to the working hours or shift length could provide the necessary time off
- record the agreed leave on the appropriate systems

Employee

The employee should:

- advise their manager of the situation as soon as possible
- consider if a flexible approach to the working hours or shift length could provide the necessary time off
- keep in regular contact with their manager during special leave
- attempt to make alternative arrangements, such as when childcare plans break down, to allow the employee to return to work as soon as possible

Procedure

When employees become aware of a situation requiring special leave, they should contact their manager by telephone unless they have agreed to other arrangements. They should also:

- Contact their manager as soon as possible, as the need to request special leave could occur before or during the working day.
- Use a third party to report their absence only in exceptional circumstances where it is not possible for them to do so themselves.
- Keep in touch with their manager during the period of absence.

In these circumstances, the manager and employee should discuss the following:

- reason for requesting special leave
- likely duration of absence
- expected return to work date
- arrangements for keeping in contact during the absence

The manager should also:

- plan to cover the work of the employee as necessary
- update the appropriate systems
- keep in touch with the employee during the period of absence

Entitlement to special leave

Situations where the manager may grant paid special leave and the considerations to be made in relation to the amount of leave to be given are detailed in the following documents:

- [Guide for managers](#)
- [Guide for employees](#)

These must be read prior to the awarding of leave to determine the level of entitlement.

In most situations, paid or unpaid special leave can be granted for each occurrence.

Serious illness

Generally, up to one working week of paid leave. This can be extended up to 2 weeks, either paid or unpaid.

Bereavement

This applies to employees who have experienced a bereavement, including employees and their partners who have experienced a miscarriage.

Generally, up to one working week of paid leave, which can be extended up to 2 weeks, either paid or unpaid.

Child bereavement

All bereaved parents are eligible to receive 2 weeks' bereavement leave with occupational bereavement pay. This includes any entitlement to statutory parental bereavement pay. Parents who experience a stillbirth from the 24th week of pregnancy are also eligible for child bereavement leave.

Domestic emergencies

Generally up to one working week of paid leave. This can be extended up to 2 weeks in cases of extreme difficulty, either paid or unpaid.

Adverse weather

Paid special leave should be made available in line with provisions in the NHSScotland interim national arrangements for adverse weather if an employee is:

- prevented from travelling to work due to adverse weather
- unable to work from home due to their role

[Download NHSScotland interim national arrangements for adverse weather \[PDF\]](#).

Carer's leave

Generally, up to one working week of paid leave for an emergency or unexpected situation. This can be extended up to 2 weeks, either paid or unpaid.

In addition, there is a statutory entitlement to unpaid planned leave for employees who need to give or arrange care for a dependant who has:

- A physical or mental illness or injury that means they need care for more than 3 months.

- A disability as defined by the Equality Act 2010.
- Care needs because of their old age.

Entitlement is up to a week every 12 months for unpaid planned leave.

To access unpaid planned leave, as much notice as possible should be given, but no less than 3 days.

Civil and public duties

Generally up to one working week of paid leave. This can be extended up to 2 weeks, either paid or unpaid. Specific detail on entitlement under civil and public duties is contained within the following guides:

- [Guide for managers](#)
- [Guide for employees](#)

Specialist clinical appointments

The time required for the appointment and reasonable travel to and from the appointment.

Time off for other purposes

There may be exceptional situations where the manager considers it reasonable to offer time off for other purposes. The manager should consider the reason for the employee's leave request while ensuring fairness and consistency with other employees. A manager should not unreasonably refuse an employee's request for special leave.

Resolution of disagreements

Should a disagreement arise, the employee has the right to raise matters under the [Grievance Policy](#). It may be appropriate for either party to seek advice on resolving the matter from HR colleagues or a trade union representative. They should seek early resolution wherever possible.

Related policies

The following policies are related to the Special Leave Policy:

- [Flexible Work Pattern](#)
- [Career Break](#)

- [Parental Leave](#)
- [NHSScotland interim national arrangements for adverse weather \[PDF\]](#).