

This is an extract from the University's Special Leave Policy

## **1. EMERGENCY TIME OFF TO CARE FOR DEPENDANTS**

Employees have the right to take a reasonable amount of unpaid time off to deal with unexpected or sudden emergencies involving care of a dependant. The first 3 days of such leave in a rolling year will be with pay.

The University's policy in relation to this is underpinned by the statutory right (section 57A of the Employment Rights Act 1996, as amended by the Employment Relations Act 1999, which came into effect on 15 December 1999) to take time off to care for a dependant.

### **2.1 Eligibility**

- 2.1.1 Emergency time off to care for dependants applies to all employees, including those on fixed-term and part-time contracts. It does not, however, apply to those who are self-employed e.g. contractors and consultants.
- 2.1.2 Employees do not have to complete a qualifying period in order to be able to take time off in an emergency.
- 2.1.3 The employee must seek approval from the Head of Department or nominated representative at the earliest possible opportunity. In the case of an emergency when it may be impossible to contact the appropriate line-manager, the employee should, notify another member of the department of his or her absence and request that a message is conveyed to the appropriate person.

### **2.2 Definition of unexpected or sudden emergencies**

- 2.2.1 Unexpected or sudden problems may include:
  - a dependant who falls ill or has been injured
  - dealing with an unexpected disruption or breakdown in the normal care arrangements for a dependant e.g. if the child minder or nurse fails to turn up
  - dealing with an unexpected incident involving a dependent
  - comforting or helping a dependent that may have been assaulted but is uninjured
- 2.2.2 The illness or injury need not necessarily be serious or life-threatening, and may be mental or physical.
- 2.2.3 The illness or injury may be a result of a sudden deterioration of an existing condition.
- 2.2.4 Emergency time off to care for dependants does not apply to anticipated or non-urgent situations. If the employee knows in advance that he or she is going to need time off, they should request annual leave in the usual way. Alternatively, if the employee requires leave to care for a child, he or she may be entitled to ['Parental Leave'](#).

## **2.3 The amount of time off**

- 2.3.1 The amount of time required will vary according to the circumstances of the emergency. The Department for Business Enterprise and Regulatory Reform , 'Time Off For Dependents' guidelines [<http://www.berr.gov.uk/files/file41731.pdf>] recommend that, for most cases, one or two days should be sufficient to deal with the immediate care of the dependant, visiting the doctor if necessary, and to make longer term care arrangements. The exact amount of time off will be by agreement with and at the discretion of the Head of Department.
- 2.3.2 Occasionally, a longer-term solution may be required. For a period of leave of one week or more, the employee must discuss the situation with the Head of Department.
- 2.3.3 The policy is intended to cover genuine emergencies, however, no limit has been set on the number of times an employee can be absent from work under this policy.

## **2.4 Notification**

- 2.4.1 The employee must inform his or her supervisor/line-manager/Head Department as soon as practicable with the reason for the absence and his or her expected date of return to work.
- 2.4.2 During the period of absence, it is expected that the employee maintains appropriate contact with his or her line-manager.
- 2.4.3 The employee will be required to complete the attached form upon his or her return to work, in conjunction with his or her appropriate line-manager.

[http://www.aber.ac.uk/en/media/Time\\_Off\\_for\\_Dependants- form\\_ENG.doc](http://www.aber.ac.uk/en/media/Time_Off_for_Dependants- form_ENG.doc)

## **2. EMERGENCY TIME OFF TO DEAL WITH SUDDEN AND/OR UNEXPECTED CIRCUMSTANCES**

- 3.1 There may be certain circumstances where an employee may require to attend to an emergency other than that covered by the emergency time off to care for dependants. In these circumstances, the employee must notify his/her Head of Department or nominee at the earliest possible opportunity detailing the reason for the absence, and his or her expected date of return.
- 3.2 The Head of Department or nominee will decide whether the reason for absence complies with this policy, or whether alternative arrangements for leave should be made.

## **3. DEFINITIONS**

For the purpose of this policy, the following definitions will apply as laid out by the Employment Relations Act 1999:

#### **4.1 Immediate member of the family**

4.1.1 An immediate member of the family may include the employee's:

- Spouse or partner
- Child, step-child, or if the employee has legal guardianship of a child
- Brother or sister
- Parent, step-parent or other person who had immediate responsible for the employee's upbringing.

#### **3.2 Dependant**

4.2.1 A dependant is the husband, wife, partner, child or parent of the employee. It also includes someone who lives in the same household as the employee as a member of the family.

4.2.2 It does not include tenants or boarders living in the family home, or someone who lives in the household as an employee, such as a live-in housekeeper.

4.2.3 In cases of illness or injury, or where care arrangements break down a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency e.g. an elderly neighbour living alone who falls and breaks a leg.

#### **4. POLICY REVIEW**

5.1 The Director of Human Resources will co-ordinate a review of the University's Special Leave Policy on an annual basis (or more frequently as necessary) to maintain compliance with legislation and good practice.

4.2 The review will be undertaken in liaison with the recognised campus trade unions and any proposed amendments will be submitted to Staffing Committee for approval.

5.3 The policy will be Equality Impact Assessed by the Equal Opportunities Advisor in accordance with University procedures.