

Policy Guidance – Q&A

Title: Time Off For Domestic Incidents & Compassionate Leave

From: HR/ER

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Q: What rights does an employee have to unpaid time off for domestic incidents?

A: An employee has a statutory right to be allowed unpaid time off to deal with an emergency involving a dependant. A dependant could be a spouse, partner, child, grandchild, parent, or someone who depends on the employee for care.

The amount of time an employee can take off is as long as it takes to deal with the immediate emergency. For example, if their child falls ill they can take enough time off to deal with its' initial needs, such as taking them to the doctor and arranging for their care. But an employee will need to make other arrangements if they want to stay off work longer to care for them themselves. In most cases, time off work will amount to one or two days but of course may be longer depending on the specific situation.

Although there is no right for this domestic leave to be paid, the University's Policy provides up to 4 days paid leave, in any one leave year. If additional time is needed it may be possible to take annual or unpaid leave by agreement. Managers may wish to consult with Ask HR where the circumstances do not fall clearly within policy.

Q: What counts as an emergency?

A: An emergency could be any unexpected or sudden problems involving someone who depends on the employee's help or care. The right to time off for dependants could apply to a wide range of different circumstances but below are examples of some situations where an employee could be entitled to take time off:

- **If a dependant falls ill** – In this situation the illness or injury doesn't necessarily have to be serious or life-threatening, and may be mental or physical. It can include a deterioration of an existing mental or physical condition. For example, a dependant may have a mental health condition and may not need full-time care, but there could be occasions when their condition deteriorates and the employee needs to take unexpected time off work.
- **If a dependant has been injured or is a victim of a crime** – The right to take time off would be available if a dependant is a victim of a crime even if they have not been physically hurt but where the employee needs to take time off work to support them.
- **When a dependant is having a baby** – This does not include taking time off after the birth to care for the child as the employee could be entitled to paternity or parental leave for this purpose.
- **To deal with an unexpected disruption or breakdown of care arrangements for a dependant** – For example, if a child-minder or carer fails to turn up as arranged, or the nursery or nursing home has to close unexpectedly.
- **To deal with an unexpected incident involving your child during school hours** – For example, if the employee's child has been involved in a fight, is distressed, has been injured or is being suspended from school.
- **To deal with the death of a dependant** – For example, to make funeral arrangements or to attend a funeral.

Q: What notice does an employee need to provide?

A: Employees need to inform their line manager as soon as practicable about their absence, the reasons for it and how long they expect to be away from work.

Q: What about other domestic crises or personal emergencies?

A: At times, employees may experience personal difficulties which can be extremely stressful, e.g. relationship breakup, re-possession of home, bankruptcy, redundancy of a partner etc. Managers should deal with requests for such leave with discretion as each case will need to be judged on the individual circumstances, however the employee may be asked to use their annual leave entitlement or take unpaid leave. Further guidance can be provided by Ask HR.

Q: What happens when the employee knows about the problem in advance?

A: This guidance covers emergency situations. If the employee knows about the event in advance, for example, if they need time off to take their child to a pre-planned hospital appointment they may be able to take parental, annual or unpaid leave.