

Emergency Dependants' Leave Policy and Procedure

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1. Introduction

1.1 Employees are legally entitled to reasonable unpaid leave to care for their dependants in emergency situations under S57A of the Employment Rights Act, 1996. This Policy sets out the provisions and procedure for dependants' leave to cover emergencies.

1.2 The School will not unreasonably refuse requests for time-off from work for dependants' leave.

2. Eligibility

2.1 All School employees have a statutory entitlement to unpaid dependants' leave, regardless of length of service, hours of work or staff category.

3 Purpose of emergency dependants' leave

3.1 Staff are entitled to a reasonable amount of unpaid leave during working hours to take necessary action in one of the following circumstances:

- a. to provide assistance when a dependant falls ill, gives birth or is injured or assaulted;
- b. to make arrangements for the provision of care for a dependant who is ill or injured
- c. in consequence of the [death of a dependant](#)*
- d. because of the unexpected disruption or termination of arrangements for the care of a dependant
- e. To deal with an incident involving a child of the employee that occurs unexpectedly during a period when the child is attending School

* Please also see the School's [Bereavement Leave Policy and Procedure](#).

3.2 The amount of time off work required must be reasonable and will vary according to the individual circumstances of the emergency situation. In most cases, staff will only need to take one or two days leave.

3.3 Alternatively, employees may take annual leave or Time off in Lieu "TOIL" (if the annual leave or accrued TOIL is available) to care for their dependants in an emergency situation.

3.4 Or, alternatively, employees may work from home in cases where the manager agrees that there is sufficient work for the employee to undertake at home and the circumstances of the emergency leave allows the employee to undertake that work (e.g. the care of an

older child with a non-life threatening illness).

4. Procedure

4.1 Employees who need to take emergency dependants' leave, should contact their manager as soon as reasonably practical to explain the reason for their absence. Staff should also inform their manager how long they expect they will need time off from work on unpaid dependants' leave and, where possible, discuss the possible alternatives of annual leave, TOIL or working from home.

4.2 The School accepts that in very rare and exceptional cases, it may not be possible for employees to inform their manager of the reason for their absence, until they have returned to work. In such cases, on their return to work, staff should fully explain why it was not possible to contact the School until their return to work..

4.3 Academic Heads of Departments or Faculty Deans/Directors of Professional Services should confirm the details of the unpaid dependants' leave taken (including exact dates of absence) in writing to the employee and send a copy to the Payroll & Pensions Team.

4.4. As statutory dependants' leave is unpaid, staff who are members of the pension scheme, are encouraged to contact the Payroll & Pensions Manager to find out information on their pension options and make any necessary arrangements for the payment of pension contributions.

5. Definitions

In accordance with statutory legislation, a dependant is one of the following:

- a. A spouse
- b. A civil partner
- c. A child
- d. A parent
- e. A person who lives with the employee other than as her/his employee, tenant, lodger or boarder.
- f. Any other person who would reasonably rely on the employee for assistance if she/he feel ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury.

6. Equality and Diversity

6.1 The procedure outlined here should be carried out with due regard to any diversity issues which may have affected either the original situation or the current process. The School's Diversity Adviser and diversity specialists within the Human Resources Directorate are available to support colleagues in this area.

6.2 Where a diversity issue (e.g. a disability including chronic physical or mental health conditions) has been disclosed to the School, whether prior to the situation which triggered this process or during the process, the line manager co-ordinating the process is responsible

for checking with the employee to determine their needs and for making the appropriate arrangements.

6.3 Employees who have not previously disclosed a diversity issue which may be relevant to this process are encouraged to do so, as early as possible, so that it can be taken into account.

7. Approval

This Policy and Procedure was originally agreed with the School recognised trade unions, UCU and UNISON, on 8 April 2011, with amendments agreed on by UCU and UNISON on 7 October 2014 and by Executive Board on 3 November 2014.

HR Directorate
SOAS
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