

LEAVE OF ABSENCE

UK Campuses

Overarching Policy

Agreed October 2018

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HERIOT-WATT UNIVERSITY
LEAVE OF ABSENCE OVERARCHING POLICY

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1. INTRODUCTION AND PURPOSE

Heriot-Watt University is committed to providing, creating, and maintaining a supportive environment which promotes equality of opportunity across our University Community. We recognise that our colleagues have busy and varied lives both at work and out of work and wish to encourage and support colleagues who are, or who wish to contribute to society, develop and add value to the community. The University recognises the value to colleagues of undertaking such activities in supporting and developing their career.

The purpose of this overarching policy is to set out the entitlement to the following types of leave and payment:

- Career Breaks
- Elective Surgery
- Gender Reassignment
- Hospital Appointments
- IVF
- Jury Duty
- Public Duties
- Reservists
- Sabbaticals
- Severe Weather and Disruption to Public Transport
- Study Leave
- Trade Union Duties
- Volunteering

There is a separate Procedure for each of the above types of leave of absence, all linked to this overarching Policy.

The University has other related leave policies available. [HR Policies](#)

2. KEY PRINCIPLES

It is a key principle that our Leave of Absence Policy and Procedures apply equally to all colleagues, regardless of their gender, or any other protected characteristics with which they may identify. Leave of Absence can be taken for a wide range of reasons. For this reason, the procedures should be considered guidance with each case being considered on its own merits at the discretion of the University.

The implementation and application of the Policies and Procedures which make up this overarching Leave of Absence Policy reflect the [Heriot-Watt Values](#)

3. SCOPE

This overarching policy applies to all staff employed by the University in our UK Campuses. Staff not based in the UK should contact their local Human Resources Team for advice about whether or not the policies and procedures linked to this overarching policy are applicable at their Campus.

There are variations in qualifying period, whether leave is paid or unpaid and the possible length of leave. These are summarised in the table below.

Reason for time off	Service requirement	Employment status	Paid/Unpaid	Length of leave permitted
Career Breaks	3 years continuous service	employee	Unpaid	Between 3 months and 1 year. Shorter or longer cases may be considered exceptionally.

Elective Surgery	None	employee	Unpaid	Considered on a case-by-case basis. (If subsequently certified unfit to work they would move to sickness absence in line with their contractual entitlement.)
Gender Reassignment	None	employee	Unpaid.	Considered on a case-by-case basis. (If subsequently certified unfit to work they would move to sickness absence in line with their contractual entitlement.)
Medical/dental Appointments	None	Employee	Unpaid/option of making up time for shorter appointments. Some appointments may automatically be sick leave – see procedure.	Considered on a case-by-case basis. (If subsequently certified unfit to work they would move to sickness absence in line with their contractual entitlement.)
IVF	None	employee	Unpaid.	Considered on a case-by-case basis. (If subsequently certified unfit to work they would move to sickness absence in line with their contractual entitlement.)
Jury Duty/Attending Court as a Witness/Victim	None	employee	Normal pay less any compensation received from the court. Payment for cases resulting in a long-term commitment as a witness will be considered on a case-by-case basis.	Time off for jury membership is paid. Time off for cases resulting in a long-term commitment as a witness will be considered on a case-by-case basis.
Public Duties	None	employee	Unpaid, but may be able to claim an attendance allowance from the public body	Time off for to take part in public duties is unpaid or annual leave can be used.
Reservists	None	employee	Normal pay for up to 10 days training per annum	Up to 10 days paid leave may be available for training per annum. Annual leave or unpaid leave may also be used if further leave is required.
Sabbatical Leave (Academic Staff)	3 years continuous service	employee	Normal pay or unpaid if paid by the hosting organisation	2 blocks of 6 months 1 January – 30 June and or 1 July – 31 December
Severe Weather /Disruption to	None	employee	If unable to attend or carry out work unpaid leave may	Up to one week unpaid, depending on the severity of the weather and the

Public transport/Road Network			be granted.	impact on travel. Annual leave may be used or arrangements under the Emergency Dependents' Leave Procedure, e.g. for childcare resulting from the closure of schools. If the University declares a closure employees will receive full pay.
Study Leave	A minimum of 26 weeks	employee	Normally unpaid leave depending on the relevance to the role	Reasonable within the requirements of the business
Trade Union Training or Representative Duties	None	employee	Paid	Reasonable time off based on membership numbers. See facility time agreement
Volunteering	One Year Full Service	employee	Up to 4 days paid leave per annum matched by the employee taking the equivalent amount as annual leave	Up to 4 days paid leave per annum matched by the employee taking the equivalent amount as annual leave then unpaid or further annual leave.

Colleagues should refer to each individual procedure for further information. In exceptional circumstances, cases will be considered outside of what is prescribed in this policy, based on a case being made, taking account of the individual's circumstances, at the discretion of their manager and in line with the needs of the business area.

4. PROCEDURES FORMING PART OF THIS OVERARCHING POLICY

For each of the types of leave set out in Section 3 above, there is a supporting procedure, which sets out details of how to apply, lines of responsibility, how leave is calculated and paid and any other action required. Some procedures have a form to complete to request the leave and they are included as appendices to this Overarching Policy.

5. MONITORING AND EVALUATION

This Overarching Policy and related Procedures will be reviewed five years from the date of implementation or earlier if legislation dictates. Any amendments will be notified to employees through the normal communication channels and/or e-mail. The Policy and Procedure will be maintained on the Human Resources Website and/or Intranet pages.

Records

Records and information obtained under this Policy and the related Procedures will be kept held and reported on in line with the Data Protection Act 2018, the University's Records Retention Policy and in line with the Staff Privacy Notice.

General statistics are maintained and reported for equal opportunities monitoring, Athena SWAN and other accrediting bodies, Freedom of Information requests and key performance indicator purposes.

Any reports produced using this information will be kept securely and confidentially with personal data removed in accordance with the Data Protection Act 2018 and the University's Records Retention Policy.

6. RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE

The University has a range of policies and procedures relating to other types of leave which are not restricted to parents or carers on the [HR Policy Web Page](#) and which are identified as Global or UK, Dubai or Malaysia specific. Some examples are:

Policies, Procedures and Guidance

Supporting Family Life Overarching Policy and associated Procedures
Flexible Working Policy and Procedure
Annual Leave Policy
Maximising Attendance Policy
Global Secondment Policy
Any other absence types

Further reference

For information about Athena Swan Charter and Principles and the University's Action Plans: [Athena Swan](#)

Information about booking leave on ERP is available at <https://heriotwatt.sharepoint.com/sites/CloudERP>

You can book and approved leave here [Cloud ERP](#)

7. FURTHER HELP AND ADVICE

Human Resources Team <https://heriotwatt.sharepoint.com/sites/hr/SitePages/Help-and-Support.aspx>

[HR helpdesk](#) for queries regarding statutory payments, additional payments, and pension scheme contributions during leave.

8. POLICY VERSION AND HISTORY

Version No	Date of Approval	Approving Authority	Brief Description of Amendment
V.1.2	23 October 2018 Refreshed Dec 21 and Dec 22	UE	New policy and procedure Updated links and references to HR System: enhanced leave for Reservists approved Dec 22



Procedures

Supporting the Overarching Leave of Absence Policy

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Procedures relating to:	Leave of Absence Overarching Policy
Approving authority:	UE
Consultation via:	PSLB, CJNCC
Approval date:	23 October 2018
Effective date:	October 2018
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PROCEDURES SUPPORTING THE OVERARCHING LEAVE OF ABSENCE POLICY

1.	INTRODUCTION AND PURPOSE
	Heriot-Watt University is committed to providing, creating, and maintaining a supportive environment which promotes equality of opportunity across our University Community. We recognise that our colleagues have busy and varied lives both at work and out of work. We want to encourage and support colleagues to balance their commitments both in and out of work and to support career development for everyone who seeks to progress.
2.	KEY PRINCIPLES
	It is a key principle that our procedures supporting leave of absence apply equally to all colleagues, regardless of gender or other protected characteristic. Leave of absence can be for a wide range of reasons. For this reason, the procedures should be considered guidance with each case being considered on its own merits at the discretion of the University. The implementation and application of these procedures reflects the Heriot-Watt Values
3.	SCOPE
	This overarching policy applies to all staff employed by the University in our UK Campuses. Staff not based in the UK should contact their local Human Resources Team for advice about whether or not these procedures are applicable at their Campus.

POLICY

4. CAREER BREAK PROCEDURE

1. SCOPE	
	This procedure is open to all staff employed by the University in our UK Campuses with a minimum of three years continuous service however a career break is not a contractual entitlement. Staff not based in the UK should contact Human Resources for advice about any local procedures relating to Career Breaks at their campus.
2. CAREER BREAK AND THE APPROVAL PROCESS	
	A career break is an extended period away from the University, normally between 3 months to 1 year. In exceptional cases, and where practicable, a career break of less than three months or more than one year may be considered. A career break could be granted for several reasons including, self-development, for childcare or family responsibilities or for travel or other similar reasons. All employees with a minimum period of three years continuous service with the University are entitled to apply for leave under this procedure. Employees are normally expected to have a good performance and absence record for the previous 12 months (although this may be relaxed if the break is to resolve a personal matter). Applications for a career break will be considered on a case-by-case basis taking account of the individual's circumstances, at the discretion of their manager and in line with the needs of the business area. A request may be refused on one or more of the following grounds: • the burden of additional costs • detrimental effect on ability to meet customer demand • inability to re-organise work among existing staff or recruit additional staff • detrimental impact on quality or performance • planned structural changes Employees should be aware that this period of leave is unpaid. However, it will count towards their continuity of service with their total service reduced by their period of absence. All other contractual terms will be put on hold during the period of absence. Employees should discuss the possibility of a career break with their line manager and/or HR Consultant in the first instance. Employees requesting a career break should do so at least 3 months prior to the date they wish to commence their career break. If they decide that they wish to apply for a career break then they should complete the form at HR Policies and Forms and Appendix 1a.
3. ARRANGEMENTS DURING CAREER BREAK	
	<u>Pay and Continuity of Service</u> Career breaks are unpaid. Employees who are granted an unpaid career break should be aware that their continuity of employment will be frozen at the beginning of the career break and that (after they return to work) this will have an effect on any statutory rights and contractual benefits that are linked to length of service. There will be an impact on the employee's occupational pension scheme benefits and any other statutory or contractual rights that are dependent on length of service. The employee's period of continuous service will begin again once he/she is re-employed at the end of the career break. Incremental progression will be frozen during the leave of absence and will recommence on return to work, however nationally agreed pay awards will be recognised. Requests to take career breaks can be made only by employees who have a minimum of three years continuous service. A career break request is not the same as a flexible working request which is a statutory right for employees who have a minimum of 26 weeks' continuous service. A career break is time away from work where a flexible working request is a request to change working pattern. Employees wishing to request this should refer to the University's policy on Flexible Working found here HR Policy Web Page, which sets out who is eligible and how requests can be made.

	An employee requesting a career break must be prepared to commit to an agreement to return to work on a specified date at the end of the career break. Providing that this and the other conditions for career breaks are met, at the end of the career break, the University would expect the employee to return to the post they vacated. However if, during the period of the career break, there is an organisational change or restructure or any change to the role, then the individual on the career break should be consulted and informed in the same way as any other individuals who are involved. If the original job is no longer available or it is not reasonably practicable from the University's perspective to offer the same job, the employee would return to another job on terms and conditions no less favourable. A meeting with the employee and the line manager should be arranged at least one month before the end of the career break to discuss return arrangements. <u>Pensions</u> During a career break employees in the LGPS, USS or any other pension scheme paid via Payroll will have their membership suspended for the duration of the career break. For some schemes, an employee may be able to maintain death in service and ill-health entitlements by paying a special contribution and should discuss the details of this with a member of the University Payroll Team via HR helpdesk <u>Annual Leave</u> Whilst there is no requirement to resign before taking a career break and continuity of service is frozen the University requires an employee taking a career break to forfeit the accrual of contractual annual leave as a condition of granting the career break. <u>Sick Pay</u> The nature of a career break means that there is no requirement to work therefore there is no entitlement to occupational sick pay or requirement to report sickness absence during a career break. <u>PDR</u> Before the career break starts, a PDR will be carried out for the part of the year the employee has been working; and a performance rating provisionally agreed. <u>Keeping in contact</u> There is no requirement for the employee to keep in contact with their manager during a career break, however prior to any career break the manager should agree with their employee if and how they would like to be kept up to date with developments in the workplace and whether or not they would like to be invited to events such as development events, team away days, etc. These days would not be paid.
4. END OF THE CAREER BREAK	<u>Returning to Work</u> A return-to-work meeting with the employee and the line manager should be arranged ideally at least one month before the end of the career break to discuss return arrangements. On return from their career break the employee should receive an induction, training in any new procedures and systems, reorientation and career coaching if required. The scale of this support will vary depending on the length of the career break and the volume of change occurring during the period of absence. In addition following the return to work the manager and employee should meet to agree a forward job plan, provide an update on work objectives and handover any work from others. <u>Extensions</u> Any extension to the original career break would need to be agreed by the University and the employee. In exceptional circumstances, there may be a request for a career break to be extended beyond one year. <u>Notice periods</u> If an employee wishes to return at a date earlier than expected from a career break, they should contact their manager asap to discuss this. The employee must provide at least eight weeks' notice of the date of early return, preferably in writing. If they fail to do so, the University may postpone the return to such a date as will give the University eight weeks' notice, provided that this is not later than

	the expected return date. If an employee on a career break wishes to leave Heriot-Watt's employment completely during their career break they should give notice of resignation in writing as soon as possible in accordance with the notice period in their contract of employment. If the notice period would expire after the leave of absence ended, the University may require the employee to return to work for the remainder of the notice period.
5.	FURTHER HELP AND ADVICE
	Human Resources for queries regarding this and other linked Procedures. HR Policies

6. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	26 October 2018	UE	New policy and procedure

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5. ELECTIVE SURGERY – TIME OFF

1. SCOPE	This procedure is open to all staff employed by the University in our UK Campuses regardless of their length of service. There is no legal requirement to paid time off, for elective surgery of any kind, but consideration will be given to unpaid time off.
2. APPROVAL PROCESS	Elective surgery is surgery that is not considered to be medically necessary. This includes cosmetic surgery, which is concerned with the enhancement of appearance through surgical and medical techniques, e.g. face-lifts. It also includes other medical procedures such as laser eye treatment, the removal of warts, etc. Requests for time off to undergo elective surgery or to attend appointments before or after elective surgery will be considered on a case-by-case basis taking account of the individual's circumstances, at the discretion of their manager and in line with the needs of the business area needs. Employees should discuss the possibility of unpaid time off for elective surgery their line manager and/or HR Consultant in the first instance. Following any procedure the organisation will ensure that the employee, on their return to work, is treated with sensitivity and dignity, in accordance with the University's Values and Respect Agenda.
3. ARRANGEMENTS TIME OFF FOR ELECTIVE SURGERY	A formal request for time off for elective surgery should be made in writing to your manager. Your manager will arrange for any approved unpaid leave to be recorded in ERP by contacting HR helpdesk The employee should provide a statement from a qualified medical practitioner that elective surgery has been recommended and approved. Any information provided to the manager will be maintained in strict confidence. The reason for the absence will be disclosed only on a "need-to-know" basis and in consultation with the employee. Time off for consultations and assessments for elective surgery should either be unpaid or annual leave can be requested in the normal way. If an employee is subsequently certified unfit to work as a result of this they should report this to their manager as sickness absence in the normal way and pay would be made in line their contractual entitlement. The period of sick leave should be logged in iHR in the normal way. Further information regarding attendance at work is available at HR Policies under Occupational health and Welfare.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	New policy and procedure

6. GENDER REASSIGNMENT – TIME OFF

1. SCOPE	
	This procedure is open to all staff employed by the University in our UK Campuses regardless of their length of service. There is no legal requirement to paid time off to undergo gender reassignment, but consideration will be given to unpaid time off.
2. APPROVAL PROCESS	
	The University is committed to welcoming and supporting transgender employees and providing a working environment that is free from discrimination, harassment, or victimisation because of gender identity. Requests for time off to undergo gender reassignment or to attend appointments before, during or after the process of gender reassignment will be considered on a case-by-case basis taking account of the individual's circumstances, at the discretion of their manager and in line with the needs of the business area needs. Employees should discuss the possibility of unpaid time off to undergo gender reassignment with their line manager and/or a member of the HR Team in the first instance.
3. ARRANGEMENTS TIME OFF TO UNDERGO GENDER REASSIGNMENT	
	A formal request for time off to undergo gender reassignment should be made on the leave of absence form. (Appendix 1). Your manager will arrange for any approved unpaid leave to be recorded in ERP by contacting HR helpdesk Any information provided to the manager will be maintained in strict confidence. The reason for the absence will be disclosed only on a "need-to-know" basis and in consultation with the employee If an employee is subsequently certified unfit to work as a result of this they should report this to their manager as sickness absence in the normal way and pay would be made in line their contractual entitlement. The period of sick leave should be logged in ERP in the normal way. Further information regarding attendance at work is available at HR Policies under Occupational health and welfare.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	New policy and procedure

7. HOSPITAL/MEDICAL/DENTAL APPOINTMENTS – TIME OFF

1. SCOPE	
	This procedure is open to all staff employed by the University in our UK Campuses regardless of their length of service. There is no legal requirement to paid time off, to attend hospital appointments, but consideration will be given to, paid time off, unpaid time off or actual sickness absence.
2. APPROVAL PROCESS	
	Requests for time off to attend hospital appointments will be considered on a case-by-case basis taking account of the individual's circumstances, at the discretion of their manager and in line with the needs of the business area needs. Short duration routine appointments It is expected that whenever possible, employees make doctor and dentist appointments outside of normal working hours, or at least ensure appointments are made at either the beginning or the end of the working day/shift so as to minimise disruption at work. Staff who take time off during working hours to attend a medical (e.g. doctor, hospital, or dental appointment), are expected to make up the time lost. How this time is made up is at the line manager's discretion, e.g. staff may make up the time working for a short time over several days or a longer time in one day, or may have already accrued the time due to routinely working over their standard hours or hours as necessary contract
3. ARRANGEMENTS TIME OFF FOR HOSPITAL/MEDICAL/DENTAL APPOINTMENTS	
	One day or longer medical or dental treatment Medical or dental treatment including hospital treatment (in-patient or day patient) requiring time off work of at least one day/shift, falls within the remit of sickness absence. Where employees prefer not to book sickness absence (e.g. for pay purposes) they may wish to request annual leave or request to make the time up, in agreement with their line manager. Whichever route is agreed, time off must be accounted for. Sickness absence and Annual leave requests must be submitted Cloud ERP for line manager approval. Sickness absence categories are: • Sickness absence – Day Surgery • Sickness absence – Hospital in-patient/treatment/medical appointment Employees should discuss the possibility of time off to attend a hospital appointment with their line manager in the first instance. Where time off is required, for example, to undergo regular treatment such as hospital treatment (e.g. dialysis, chemotherapy, operations, physiotherapy); or to attend for assessments, tests, or out-patient appointments; or to recover from treatment such as blood transfusion, cancer treatments or dialysis, this will be discounted as sickness absence leave when reviewing formal attendance information. If the employee is subsequently certified unfit to work as a result of a hospital or dental appointment the absence should be reported to their manager as sickness absence in the normal way and pay would be made in line with contractual entitlement. This should be logged as sickness absence in Cloud ERP in the normal way. Further information regarding attendance at work is available at HR Policies under Occupational health and welfare.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	Confirmed policy and procedure

POLICY

8. IVF TREATMENT – TIME OFF

1. SCOPE	
	This procedure is open to all staff employed by the University in our UK Campuses regardless of their length of service. There is no legal requirement to paid time off, for IVF treatment, but consideration will be given to unpaid time off.
2. APPROVAL PROCESS	
	Requests for time of to undergo IVF treatment or to attend appointments before or after IVF treatment will be considered on a case-by-case basis taking account of the individual's circumstances, at the discretion of their manager and in line with the needs of the business area needs. Employees should discuss the possibility of unpaid time off for IVF treatment their line manager and/or member of the HR Team in the first instance
3. ARRANGEMENTS TIME OFF FOR IVF TREATMENT	
	A formal request for time off for IVF treatment should be made on the leave of absence form. (Appendix 1) Your manager will arrange for any approved unpaid leave to be recorded in Cloud ERP. The employee should provide a statement from a qualified medical practitioner that fertility treatment has been recommended and approved. Any information provided to the manager will be maintained in strict confidence. The reason for the absence will be disclosed only on a "need-to-know" basis and in consultation with the employee A woman is deemed to be pregnant from the point of implantation of fertilised ova. An employee is therefore entitled to time off for antenatal appointments from this stage. A pregnancy test can usually confirm if the implantation has been successful within two weeks. If an employee is subsequently certified unfit to work as a result of this they should report this to their manager as sickness absence in the normal way and pay would be made in line their contractual entitlement. The period of sick leave should be logged in Cloud ERP in the normal way. Further information regarding attendance at work is available at HR Policies under Occupational health and welfare.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	New policy and procedure

9. JURY DUTY/ATTENDING COURT AS A WITNESS/VICTIM – TIME OFF

1. SCOPE	This procedure is open to all staff employed by the University in our UK Campuses regardless of their length of service however paid time off is not a contractual entitlement. Staff not based in the UK should contact their local Human Resources Team for advice about any local procedures at their campus.
2. JURY DUTY/ATTENDING COURT AS A WITNESS/VICTIM – THE APPROVAL PROCESS	Any employee could be called to serve on a jury. In such an event, the employee should inform their line manager immediately, showing them a copy of the court summons along with any other relevant documents. The form should be submitted directly to the Payroll Team via HR help.desk and the absence recorded in Cloud ERP If the employee's manager believes their attendance at jury service will cause substantial detriment to its operations, the employee will be asked to make an application for excusal or deferral. In such situations the manager of the employee will provide a letter to support the application for deferral/excusal.
3. ARRANGEMENTS DURING JURY DUTY/ATTENDING COURT AS A WITNESS/VICTIM	The employee will continue to be paid while on jury duty at the normal rate of pay less any payments received from the court. The employee is expected to complete the Certificate of Loss of Earnings or Benefit form and reimburse the University. The HM Courts and Tribunal Service should provide this information to you on the first day you are called to attend. The University will pay the employee as normal until the reimbursement has been processed. The employee is obliged to present the University with the receipt for the reimbursement. The University will then make the appropriate deduction from the employee's pay. Any forms relating to payment for jury duty should be submitted directly to Payroll. Further information about jury service is available at https://www.gov.uk/jury-service/overview If an employee is asked to attend court as a witness, whilst there is no legal requirement for the University to provide paid time off, the University will treat this in the same way as an employee attending court for jury service above. The University is not required to pay you for time off when you appear as a witness in court, however the University will pay for reasonable time off to attend court as a witness. Time off for cases resulting in a long-term commitment as a witness will considered on a case-by-case basis. Further information about attending court as a witness or victim is available at https://www.gov.uk/going-to-court-victim-witness Time off relating to jury service or attending court as a witness on should be recorded on Cloud ERP with the manager approving the leave as paid or unpaid. NOTE Whilst you may be called for jury service, you may not be selected for jury service that day. You may also be able to return to work but still have to go back to the court in case you are required the following day. Because of the nature of jury service you should agree in advance with your manager how you are going to let them know if you will be at work or if you are required to return to court the following day.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	Confirmed policy and procedure

10. PUBLIC DUTIES – TIME OFF

1.	SCOPE This procedure is open to all staff employed by the University in our UK Campuses. Under s.50 of the Employment Rights Act 1996, employees who hold certain public roles have a right to reasonable time off during working hours. The following roles are included but the list is not exhaustive: • Justice of the Peace (magistrate) • Member of a local authority • Member of a police authority • Member of a statutory tribunal • Member of a relevant education body • Member of the Environment Agency • Member of a board of prison visitors or a prison visiting committee • Member of a relevant health body • Member of the Service Authority for the National Criminal Intelligence Service or Service Authority for the National Crime Squad • Member of the Environment Agency, the Scottish Environment Protection Agency or a relevant Scottish water and sewerage authority
2.	TIME OFF FOR PUBLIC DUTIES – APPROVAL PROCESS Any employee wishing to take up a public duty should obtain the written agreement of the University to ensure it can be balanced with the requirements of their job. Employees are entitled to reasonable unpaid time off in order to fully perform their function. Alternatively they can request annual leave. Time off may only be granted for attendance at, and travel to and from meetings/sittings etc, not for any preparatory work that needs to be undertaken. The norm is that unpaid time off for public duties should be granted unless there is a very strong business reason not to grant it. If an employee wishes to request time off for Public Duties they should discuss the proposed time off with their manager. This should include: • How much time off is generally required for the performance of the office in question and how much is likely on each particular occasion. • Whether they wish to take this as annual leave or unpaid leave • The maximum amount of unpaid leave considered reasonable • The effect of the absence on the operational requirements of their Directorate/School • How much time off has previously been granted to them for public duties or other activities • The effect of their absence on running the University Once agreed the employee should set this out in writing so that there is a record of the conversation and that expectations are managed. Time off for public duties should therefore be taken either as unpaid leave or the individual should make a request to use their annual leave entitlement. A formal request for unpaid time off to undertake public duties should be made on the Leave of Absence Form. (Appendix 1). You and your manager should record the absence in Cloud ERP.
3.	ARRANGEMENTS DURING LEAVE FOR PUBLIC DUTIES Should the amount of time off that the employee requires for public duties becomes excessive, or begins to cause operational difficulties for the University, the manager has the right to refuse the employee further time off in the immediate future. Employees must inform the University of any payments they receive in the course of performing these public duties so that appropriate adjustments to their salary can be made. Failure to do so will be classed as misconduct and lead to investigation under the Disciplinary Policy and Procedure.

Further useful information:

The Edinburgh City Council provide guidance for their potential Councillors
<https://www.edinburgh.gov.uk/councillors-committees/become-councillor/1>

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	New policy and procedure

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11. RESERVISTS/MOBILISATION – TIME OFF

1.	SCOPE This procedure applies to any member of staff who is a member of the Reserve Forces. If an employee wishes to become a member of the Volunteer Reserves (i.e. the Royal Naval Reserve, the Royal Marine Reserve, the Army Reserve, or the Royal Auxiliary Air Force), they should discuss this with their line manager, in the first instance, to ensure there would be no conflicts with their job.
2.	TIME OFF FOR RESERVIST TRAINING/MOBILISATION – APPROVAL PROCESS Volunteer Reservist Training: Employees who need time off for activities or training as volunteer reservists will receive up to an additional 10 days paid leave per year to help them achieve their commitments to the reserve forces (pro rata for part time staff). Employees may also use annual leave or unpaid leave in addition to the 10 days paid leave. Whilst every effort will be made by the University to accommodate time off for training requests, they cannot always be guaranteed. As a result, it is recommended that employees request their leave as soon as possible after they are informed that they need time off. Mobilisation – Military Service: If an employee is called up for compulsory military service under the Reserve Forces Act (1996), they must immediately notify their line manager, providing their mobilisation papers. In addition, employers will be sent a pack about their rights and responsibilities, including the support which is available to cover any vacancy arising. Reservists will be sent a call out notice if they are being mobilised for full time military service. They will normally be given 28 days' notice; however this could be less should they be required urgently. The University cannot prevent an employee who has been called up for military service from mobilising, however, the University can appeal the decision if they feel the employee's absence would be detrimental to the University. Time off should be agreed with managers and when mobilised a formal request for time off should be made on the leave of absence form (Appendix 1). You and your manager should record and approve the leave via Cloud ERP. Select Paid Leave UK and choose the appropriate option.
3.	ARRANGEMENTS DURING TIME OFF FOR RESERVIST TRAINING/MOBILISATION Mobilisation does not break continuity of employment (s.127 (a) Employment Rights Act 1996) and therefore the employee will not be issued with a P45. This is in line with HMRC guidance for mobilised services of less than 12 months. The employee's ERP record will show that they are on a period of "special leave." The period of mobilisation does not count towards reckonable service periods. The University is not required to pay the employee/reservists salary during the period of mobilisation, as they should receive a salary for being a reservist. <u>Pension during mobilisation</u> If the Reservist is a member of one of the University's pension schemes, and chooses to remain in it, under the Financial Assistance regulations, if the employer suspends or withdraws their employer contributions then the MoD will make the employer contributions for the period of mobilisation, as long as the Reservist continues to make their personal contributions. Under the Armed Forces Pension Scheme 2015, the reservist will need to 'Opt Out' of this pension scheme if they intend to apply for the MOD to pay the employer contributions into their occupational pension scheme. For further information on the impact on University pensions the employee should contact the Payroll Team via HR helpdesk <u>Annual Leave</u> Where possible employees should try to take any accrued annual leave before mobilisation. Employees will not accrue annual leave during the period of mobilisation; however as a reservist they will accrue annual leave with the MoD whilst they are in full time service. This is

factored into the mobilisation period and taken before the last day in mobilised service.

Returning from mobilisation

Following the period of mobilisation, the employee will be re-employed by the University within 6 months of their demobilisation for at least a minimum period after the end of their military service as follows:

Weeks of employment before mobilisation	Number of weeks reservist must be re-employed for
Up to 13	At least 13
Between 13 and 51	At least 26
52 weeks or more	At least 52

The University would expect the employee to return to the post they vacated and on the same terms and conditions as before mobilisation. However, if, during the period of mobilisation, there is an organisational change or restructure or any change to the role, then where possible, the individual should be consulted and informed in the same way as any other individuals who are involved. If the original job is no longer available or it is not reasonably practicable from the University's perspective to offer the same job, the employee would return to another job on terms and conditions no less favourable.

The University will develop a return-to-work plan to ease the transition back to work for the employee.

There is useful employer and employee information available on the UK Government website at <https://www.gov.uk/employee-reservist>

The employer toolkit is at <https://www.gov.uk/government/publications/reservist-employers-toolkit/reservist-employer-toolkit>

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 2.0	23 October 2018 and 13 December 2022	UE	New policy and procedure; enhanced Reservists Procedures to meet Gold Covenant Requirements

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12. SABBATICAL LEAVE PROCEDURE

1.	SCOPE
	This procedure is open to all staff employed by the University in our UK Campuses with a minimum of three years continuous service however sabbatical leave is not a contractual entitlement. Staff not based in the UK should contact their local Human Resources Team for advice about any local procedures relating to Sabbatical Leave at their campus.
2.	SABBATICAL LEAVE APPROVAL PROCESS
	The purpose of sabbatical leave is to allow employees' personal development outside the confines of their job, which will allow them to return to the University with enhanced skills and new ideas. Sabbaticals could be approved for research or academic development purposes or continuing professional development. Employees who have at least three years in post at the University are eligible to apply under this policy. However, it should be noted that employees who have taken a sabbatical in the three years prior to their application would not be considered a priority. Sabbaticals at the University normally consist of two blocks of six calendar months – 1st January to 30th June and 1st July to 31st December. Employees are entitled to apply to only one block at a time. Sabbaticals will be paid in full. However, because of this, the number offered each year may vary due to a number of factors, including budgetary constraints.
3.	ARRANGEMENTS DURING SABBATICAL LEAVE
	Tbc

13. SEVERE WEATHER/DISRUPTION TO PUBLIC TRANSPORT/ROAD NETWORK PROCEDURE

1. SCOPE	This policy applies to all employees currently working at the University's UK campuses. Staff not based in the UK should contact their Human Resources Team for advice about any local procedures relating to this at their campus. This Procedure also applies in the event of either a severe weather warning at campus locations or at the employees' home locations. The key principle is to ensure the safety of employees travelling to and from their workplace.
2. THE APPROVAL PROCESS	The University does not expect employees to put their safety at risk when trying to attend work, however, there is an expectation that all reasonable efforts will be made by employees to attend work if required or work from home if they are able to carry out their normal duties from home. If an individual is required and able to attend work but arrives late as a result of the conditions, or if the University declares a closure (whether for a full day or an early closure), the employee will receive full pay for the day or shift if they work a shift pattern. Where the absence as a result of adverse weather/disruption to public transport or road network is of a short-term nature, (less than one 7-day week), the employee will not be entitled to pay. If the adverse weather/disruption to public transport or road network continues beyond the short term, (over one 7-day week), or the impact of the weather on roads and disruption to public transport or road network is longer term, an appropriate solution will be sought by the Head of School/Service. This will include working from home where it is possible to do so and/or, if the work cannot be carried out at home, paid time off to be made up at a later date, taking annual, emergency dependents or other unpaid leave to cover the absence or a combination of options. Arrangements for those employees who work in areas deemed essential – e.g. Safeguarding, Residences, Hospitality etc – will be confirmed by managers of these individual sections on a case-by-case basis depending on the reason for the disruption.
3. ARRANGEMENTS DURING SEVERE WEATHER DISRUPTION	The employee should • Contact the line manager to inform them as soon as possible. • Keep in touch with their manager regarding the situation. • Look at the Heriot-Watt website or other Heriot-Watt Social Media outlets for updates should weather conditions/the situation deteriorate. If an employee is able to work from home they must inform their manager so that the University knows that the employee is safe. Time off as a result of severe weather disruption should be recorded in Cloud ERP.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	Confirmed policy and procedure

14. STUDY LEAVE PROCEDURE

1. SCOPE	This procedure is open to all staff employed by the University in our UK Campuses with a minimum of twenty-six weeks continuous service. Staff not based in the UK should contact their local Human Resources Team for advice about any local procedures relating to study leave at their campus.
2. STUDY LEAVE APPROVAL PROCESS	Any employee who has at least 26 weeks' continuous service is eligible to request time off for study under Section 63D of the Employment Rights Act 1996. Only one request can be made each year. An employee may submit a request in relation to any type of study or training, provided they can reasonably demonstrate the study or training is likely to lead to an improvement in their effectiveness at work, and consequently an improvement in the performance of the business. Formal requests for time off for study should be in writing to your manager and include • the date • the subject matter of the study or training • where and when it would take place • who will be providing the training • the name of the qualification you could get - if any • why you believe the study or training will help you do your job better and help the University • if a request has been made previously and when The manager has 28 days to accept the request and hold a meeting to discuss this with the individual. The individual can request the attendance of a Trade Union representative at this meeting. A decision must be made within 14 days of the meeting unless the employee agrees in writing to extend this period. However, there is no guarantee that time off will be granted and each case will be considered on an individual basis, in line with business needs and with due consideration given to the relevance of the course being undertaken, in terms of the employee's job with the University. The manager can turn down the request for training if: • the training wouldn't benefit their business • they would run up extra costs for the business • they wouldn't be able to meet customer demands • they can't re-organise the work among other members of staff • they can't recruit extra staff • it would damage quality and business performance • there wouldn't be enough work for the employee to do at the times they intend to work • it conflicts with planned structural changes The University does not require to agree to pay for any fees but can choose to pay all or some of the fees if they believe it will benefit the University. Time off will normally be unpaid; however, the University may agree that the employee can work flexibly to make up the time. If a request for time off for study is declined the employee can appeal this within 14 days of the original outcome. The appeal must be in writing, setting out the grounds for appeal. The appeal should be sent to the Director of HRD or their nominee. They must arrange for an appeal hearing within 14 days of receipt then follow up in writing within 14 days of the appeal meeting.
3. ARRANGEMENTS DURING STUDY LEAVE	A formal request for time off as study leave should be requested on the leave of absence form. Appendix 1 and recorded in Cloud ERP Further information relating to Career and Development may be found here

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	Confirmed policy and procedure

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15. TRADE UNION DUTIES AND ACTIVITIES – TIME OFF

1. SCOPE	This procedure is open to all staff employed by the University in our UK Campuses. Staff not based in the UK should contact Human Resources for advice about any local procedures relating to employee relations at their campus.
2. TIME OFF FOR TRADE UNIONS DUTIES AND ACTIVITIES – PROCESS	Heriot-Watt University recognises 4 trade unions for representation purposes – UCU, UNITE, UNISON and EIS. Representatives of these trade unions are entitled to reasonable paid time off to receive training and do their work as representatives (shop stewards, health and safety or union learning reps or other trade union officials). Examples of trade union duties representatives have the right to paid time off for are: • negotiating pay, terms, and conditions • case work and personal representation • training and conference attendance, including H&S training and HERA training • HERA evaluations (including consistency checking and appeals as per policies) • going with union members to meetings with their line manager to discuss flexible working requests • discussing issues that affect union members like redundancies or the sale of the business Union learning reps have the right to paid time off to: • analyse the learning or training needs of union members • give information and advice about learning or training • arrange or encourage learning or training • discuss their activities as a learning representative with their employer • train as a learning representative Trade Union representatives are not allowed paid time off to attend union meetings or go to meetings with union officials. Instead, employers should allow unpaid time off for these activities. Trade Union representatives are not entitled to payment to attend union meetings occur during non-working time. There is no legal definition of reasonable time off therefore, when making the decision the manager should take into account: • the kind of work the business or organisation does • individual workloads • the needs of line managers and co-workers (e.g. if more than one trade union representative in the same area it may not be possible to allow them both time off) • the importance of health and safety at work • the amount of time reps have already had off for trade union work Employees who have become a representative for their trade union and wish time off to carry out the above activities should discuss the time off with their line managers and come to an agreement about it. Reasonable notice should be given to attend training, deal with casework, attend meetings, etc. A formal request for time off to carry out trade unions duties should be recorded by the employee and approved via Cloud ERP
3. ARRANGEMENTS WHEN TAKING PART IN INDUSTRIAL ACTION	This is subject to change depending on the nature of the industrial action. Further information may be found here.

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018	UE	New policy and procedure

POLICY

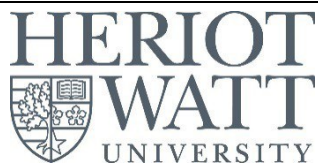
16. VOLUNTEERING – TIME OFF

1. SCOPE	This procedure is open to all staff employed by the University in our UK Campuses with a minimum of one year's service however time off for volunteering is not a contractual entitlement. Staff not based in the UK should contact Human Resources for advice about any local procedures relating to time off for volunteering.
2. VOLUNTEERING – THE APPROVAL PROCESS	Volunteering not only has a meaningful, positive impact on our community, it can also have many benefits for the individual too and supports the Heriot-Watt values. The University supports employees who wish to do volunteer work within the community or for charitable institutions. Supporting volunteers helps the University organisation to build relationships with the local community and improve how it is perceived within it. Employees who do volunteer work can use the skills that they have developed at work to help the community; learn new skills including, for example, leadership qualities; and improve their morale, physical health, and work-life balance. The University supports employees who are undertaking community or charitable activities, including: community care work; environmental work and conservation projects; fundraising for community projects or charities; and the administration of public events. The types of volunteering that will be supported are entirely at the discretion of the University. An employee wishing to request time off to carry out volunteering should discuss this with their manager as early as possible. There is no legal entitlement to time off for volunteering and a request may be turned down on one or more of the following grounds: the burden of additional costs, detrimental effect on ability to meet customer demand, inability to re-organise work among existing staff, detrimental impact on quality or performance. Once agreed the employee should make a formal request for time off to volunteer on Oracle ERP Oracle Fusion ERP - Home. The time off should be requested via the 'Add Absence' function within 'Time and Absences'. Those wishing to apply for leave under this policy may request up to a maximum of 4 additional days paid leave (pro-rated to their work pattern). It is expected that employees will 'match' the time taken with the equivalent days/hours from their annual leave entitlement. Therefore, the employee should request half of the volunteering time as 'Paid Leave UK' and the remaining half as 'UK Annual Leave'. Any approved volunteering leave must be used in the annual leave year it occurs and cannot be carried into the following leave year.
3. ARRANGEMENTS DURING VOLUNTEERING	Those wishing to apply for leave under this policy may request up to a maximum of 4 additional days paid leave (pro-rated to their work pattern). It is expected that employees will 'match' the time taken with the equivalent days/hours from their annual leave entitlement. Any approved volunteering leave must be used in the annual leave year it occurs and cannot be carried into the following leave year. A formal request for time off to volunteer should be recorded in Cloud ERP

4. PROCEDURES VERSION AND HISTORY

Version No	Date of Approval	Approving Authority or responsible officer, as appropriate	Brief Description of Amendment
V. 1.0	23 October 2018. Refreshed March 2025	UE	Confirmed policy and procedure. Updated links and references to HR System: volunteer requests via ERP approved March 2025

Appendix 1

**APPLICATION FORM FOR LEAVE OF ABSENCE**

This Form should be completed for absences of over two weeks or which are likely to total over two weeks. Guidelines are available at [HR Policies](#)

Full Name (including title)				
School/Directorate				
Position				
Employee id (from Cloud ERP or your payslip)				
Contact details (telephone/email)				
Date of Appointment at University				
Type of Leave (Type of Leave selected is referred to as 'Leave' throughout the form).				
Dates of Proposed Leave	From		To	
Have you previously undertaken leave of absence? If so, please give details of dates etc.				
Purpose of Leave (Please give a brief description in the space provided, including details of the discussion with your line manager).				

POLICY

(Cont'd from previous page)

What provision is to be made for your duties during the period of Leave? (Please specify).

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Salary and Superannuation Arrangements

Arrangements for salary, superannuation and NI contributions during leave should be detailed below and agreed with the Head of School/Directorate, and the School/Directorate Finance Manager and a member of the HR Team

Please provide details of any income receivable as a result of this leave.

Are you applying for leave with salary? If a proportion of salary is being paid please express as %.

Yes

No

Is the Leave full-time or part-time? If a proportion please indicate %.

Full-time

Part-time

(If part-time please specify approximate proportion per week).

Superannuation

Salary and all non-cash benefits, including pension contributions, will normally be suspended for the full duration of any period of unpaid leave which lasts for more than two weeks.

Longer terms of special leave may also impact upon pension contributions and where unpaid leave is granted for a period of over two weeks, pension contributions may not be maintained by the University.

Temporary absence from a pension scheme during a period of unpaid leave can also mean temporary suspension of life cover, not just loss of pensionable service, unless payments continue to be paid.

It is recommended that all issues relating to superannuation are discussed with the Payroll Team via [HR helpdesk](#) to discuss any superannuation implications prior to finalising any leave of absence.

If you are applying for unpaid leave do you wish to continue to pay your superannuation contributions?

Yes

No

To be completed by member of staff

Heriot-Watt is committed to equality of opportunity for all. Please highlight circumstances, e.g. illness, caring responsibilities etc. you believe are relevant to your application for leave of absence, to allow for consideration in relation to metrics.

Please add your comments here:

Signature of Applicant

Date

All applications should be subject to a risk assessment.

Signature of School/Directorate Finance Partner

Date

Signature of Head of School/Directorate

Date

A member of the HR and Payroll Teams should be consulted with regard to any financial or contractual arrangements and should be advised once leave has been granted.

<https://heriotwatt.sharepoint.com/sites/hr/SitePages/Help-and-Support.aspx>

You will receive confirmation in writing from HR of any paid/unpaid leave of absence.

