



Procedures

Applying for Emergency Dependant's Leave Part of Supporting Family Life Overarching Policy (UK Campuses only)

June 2015 refreshed October 2021

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1.	INTRODUCTION
	This Procedure, which is part of the proposed Supporting Family Life suite of procedures, recognises the right for employees to take a reasonable amount of unpaid time off work to deal with unexpected or sudden emergencies involving a dependant and to make any necessary longer-term arrangements, as set out in the Employment Relations Act 1999.
2.	ELIGIBILITY
	This policy applies to all categories of University staff and includes full-time, part-time, permanent and fixed-term employees in UK Campuses only. A 'dependant' is the husband, wife, civil partner, partner, child or parent of the employee. It also includes someone who lives in the same household as the employee. For example, this could be an elderly aunt or grandparent who lives in the household. 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. 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; for example, an aunt who lives nearby who the employee looks after outside work falls ill unexpectedly, or an elderly neighbour living alone who falls and breaks a leg, where the employee is closest on hand at the time of the fall.
3.	ENTITLEMENT
	The amount of time off that you are entitled to will vary according to the circumstances of the particular emergency. It may be for a small proportion of the working day or for the whole day. In most cases, the amount of time off will not exceed one or two days. You may wish to make the time up later or to use some of your annual leave. If you have already previously worked in excess of your contracted hours without being paid then it would be reasonable to allow paid time off. Line managers should use discretion and common sense in these situations. If none of the options outlined are possible then the time off to deal with the emergency is unpaid. Typical circumstances that may require emergency leave may include situations where you have to deal with (this list is not exhaustive): • Unexpected disruption or breakdown of care arrangements for a dependent, (for example, the nurse who comes to take care of an elderly relative fails to turn up as arranged). • A dependant who has fallen ill, is injured or assaulted (for example, the employee's child is injured while at school or in after school care). • A dependant who has gone into labour The entitlement and amount of time off will depend on the circumstances, but is usually as much time as is necessary to allow you to deal with the immediate emergency and to make any necessary longer-term arrangements for the dependant's care.

	If you become part of that arrangement for longer term care (i.e. you cannot arrange for anyone else to help and the responsibility falls on you) and you have registered with HR as a Registered Carer, you may also apply for leave under the Carers' Policy, which is on the HR Policy Page under Family Friendly Policies, along with the Carers Registration Form. For example, if your child falls ill then you are entitled to take emergency leave to allow time to take the sick child to stay with relatives. However, if you decide instead to care for the child yourself, or there is no- one else to take the child to, and you are registered as a Carer, then you may take Carers' Leave and/or annual leave in agreement with your line manager. Other University Procedures also have provision for leave to care for dependants in non-emergency situations. For example, • if your partner suddenly goes into labour then you are entitled to emergency leave under the terms of this policy. However, time off after the birth to care for the child is covered by the University's Paternity Leave Procedure. • if a dependant takes ill and/or is injured then you are entitled to take emergency leave under the terms of this policy. If the dependant subsequently dies, then you are entitled to take paid Compassionate Leave. The precise amount of paid Compassionate Leave is at the discretion of line managers although university guidelines suggest 3-5 days for a close relative/friend.
4.	PROCEDURE
	Line managers should exercise sensitivity and common sense in responding to employees who find themselves in a position where they have to deal with an unexpected emergency situation that may be distressing for them and their dependant. If the emergency occurs before the start of the working day, then you should, where possible, advise your line manager before 10:00 a.m. or two hours prior to the commencement of shift (in line with the normal procedures for notification of absence). However, by definition this policy applies to circumstances which are unforeseen and can happen at any time; therefore the minimum requirement and expectation is that you notify your line manager as soon as is reasonably practicable of the reason for your absence and how long you expect to be away from work. If the emergency occurs while you are at work, then wherever possible you should notify your line manager before leaving the workplace. If the specific circumstances of the emergency means you have to leave but then return to work before it were possible to contact your line manager, then you must tell your line manager the reason for your absence and how long you have been away immediately upon your return to work. During the period of absence, if circumstances should change, for example, if you realise that you are not going to be able to return to work when you originally indicated you should make contact with your line manager to update him/her on your situation. You should record your leave in Cloud ERP under Unpaid Leave – Emergency Leave.

4.2	ABUSE OF THIS RIGHT		
	An example of this may be where you claim that there is an emergency situation with a dependant and take emergency leave but this turns out to be completely untrue. Another example would be where the situation was, from the very outset, obviously <i>not</i> an emergency and could have been dealt with out of working hours without taking time away from work. Once again, common sense and sensitivity on the part of the line manager is required in dealing with such situations but any employee found to be deliberately abusing the right to take emergency leave from work may be subject to disciplinary action.		
5.	FURTHER HELP AND ADVICE		
	Please raise a ticket with the HR helpdesk if you have a query. For further help and guidance on using Cloud ERP visit: https://heriotwatt.sharepoint.com/sites/CloudERP		
6.	PROCEDURES VERSION AND HISTORY		
	Version No	Date of Approval	Approving Authority
	V. 6	08.06.2015 refreshed Oct 21	Global Director of HR
			Brief Description of Amendment
			Updated Procedure to reflect legislation and to link with new Supporting Family Life Overarching Policy Refreshed Oct 2021 to update HR system links