



SPECIAL LEAVE POLICY

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Destroy All Previous Issues

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Contents

- 1 INTRODUCTION.....1
- 2 GENERAL PRINCIPLES.....1
- 3 TIME OFF IN LIEU.....1
- 4 COMPASSIONATE LEAVE1
- 5 DOMESTIC AND CRISIS LEAVE1
- 6 PATERNITY LEAVE1
- 7 PARENTAL LEAVE and SPECIAL PARENTAL LEAVE (UNPAID)2
- 8 ADOPTION LEAVE.....2
- 9 LEAVE FOR BLOOD DONATION, DENTAL, DOCTOR, OPTICIAN OR OTHER HEALTH RELATED APPOINTMENTS.....2
- 10 LEAVE TO UNDERTAKE PUBLIC DUTIES2
- 10.1 LEAVE FOR JURY SERVICE.....2
- 10.2 LEAVE TO ATTEND COURT AS A WITNESS.....3
- 11 UNPAID LEAVE.....3
- 12 TIME OFF FOR RESERVISTS3
- 13 OTHER LEAVE5
- 14 GENERAL GUIDANCE5
- 15 CONFIDENTIALITY5

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Glossary

Term	Description

1 INTRODUCTION

This policy provides guidance for all managers and employees in dealing with the need for special leave for domestic or personal reasons. It also covers paid leave for 'Other Reasons' such as medical / dental appointments and to undertake public duties. Under no circumstances should employees be absent from work without permission.

Badger has separate arrangements for leave for family reasons (Paternity, Adoption, Special Parental leave, Dependency leave) which can be found in Badger's Family Leave Policy.

2 GENERAL PRINCIPLES

The decision to grant special leave should be taken by the line manager. Where necessary, managers and employees should seek advice from the Human Resources department.

Each request for special leave will be considered sympathetically and according to the needs of the service and on its own merits. Decisions should aim to be consistent but will not set precedents as in each case the decision will be based on specific circumstances.

Paid annual leave should be used before initiating unpaid leave. Granting unpaid leave is at the discretion of the line manager who should consult with a member of the Human Resources department. Any lieu time that may be outstanding should also be taken before requesting unpaid leave.

Special Leave is a short-term measure, which is not applicable to long term domestic or personal needs.

Special leave must, along with all other absence, be recorded on the leave record.

The policy applies to all employees of Badger and shall apply equally to part-time staff on a pro-rata basis.

3 TIME OFF IN LIEU

The arrangements for Time off in Lieu are set out in Badger's Time of in Lieu policy.

4 COMPASSIONATE LEAVE

The arrangements for Compassionate Leave are set out in Badger's Compassionate Leave policy.

5 DOMESTIC AND CRISIS LEAVE

Up to five days unpaid leave per year (pro rata for part time staff) may be granted to attend to an urgent domestic crisis such as burglary, fire, flood, serious accident of a pet .

Unpaid leave to deal with urgent unforeseen domestic events should always be considered by managers.

It is expected that members of staff will have made reasonable arrangements to cover care arrangements for their dependents. Where arrangements for dependents has broken down please refer to the HR Department.

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6 PATERNITY LEAVE

The arrangements for Paternity Leave are set out in Badger's Paternity Leave policy.

An employee can choose to take either one week or two consecutive weeks' paternity leave. It cannot be taken as odd days or as two separate weeks.

7 PARENTAL LEAVE and SPECIAL PARENTAL LEAVE (UNPAID)

The arrangements for Paternity Leave are set out in Badger's Parental Leave policy.

8 ADOPTION LEAVE

The arrangements for Adoption Leave are set out in Badger's Adoption Leave policy.

Employees who adopt a child may have the right to paid Adoption Leave. Employees may also have the right to a further period of unpaid leave.

9 LEAVE FOR BLOOD DONATION, DENTAL, DOCTOR, OPTICIAN OR OTHER HEALTH RELATED APPOINTMENTS

Staff wishing to donate blood to the Blood Transfusion Service will be given reasonable time off with pay, subject to the needs of the business.

Where possible, appointments for dentists, doctors, opticians and other health related matters should be made outside normal working hours. If this is not possible, the line manager may grant reasonable time off with pay or lieu time may be used. Evidence of appointments will usually be required.

10 LEAVE TO UNDERTAKE PUBLIC DUTIES

Badger shall grant leave with pay to staff required to be absent from work for essential civic and public duties of the kinds listed in Section 29 of the Employment Protection (Consolidation) Act 1978 and as required by other legislation.

In determining the maximum amount of such paid leave, reference will be made to existing practice as informed by Section 29(4) of the Employment Protection (Consolidation) Act 1978.

Examples of the public duties for which special leave shall be given under the terms of Section 29 of the Employment Protection (Consolidation) Act 1978 are as follows:

- serving as a justice of the peace
- jury service (see 10.1 below)
- membership of a local authority
- membership of any statutory tribunal
- membership of a board of prison visitors
- membership of the managing or governing body of an educational establishment maintained by a local education authority

10.1 LEAVE FOR JURY SERVICE

Staff called for jury service must advise their line manager in the first instance, and pass to them the official communication from the Clerk of the Court. The manager must complete the section re requirements to report for work if not needed for jury service, and then forward the form promptly to the Human Resources department for processing.

The documentation will be returned to the employee prior to the start of jury service. The employee must note whether, during the period of jury service, they are required to return to work on the days / half days they are not required by the Court.

Any leave granted for the purpose of undertaking jury service is on the understanding that Court fees in respect of reimbursement of salary (but not expenses) are repaid to Badger.

10.2 LEAVE TO ATTEND COURT AS A WITNESS

Any member of staff required to attend Court as a witness (where they are not a defendant), either with the consent of Badger, or on a subpoena or witness summons, shall be granted special paid leave on the understanding that the witness fee claimed in respect of reimbursement of salary (but not expenses) is, on receipt, repaid to Badger. Staff are required to notify their line manager of the relevant circumstances.

11 UNPAID LEAVE

Unpaid leave for any reason not covered above is at the discretion of the line manager who must consult with the HR department prior to agreeing unpaid leave.

12 TIME OFF FOR RESERVISTS

This policy sets out how the organisation supports staff who are reservists. The reserve forces include the Army Reserve, Royal Naval Reserve, Royal Marines Reserve and Royal Auxiliary Air Force.

The organisation recognises that many of the skills that reservists gain during their training are transferable to the workplace. The organisation will assist reservists as far as possible, for example by taking into account unusual leave requirements or the need to amend working patterns.

Informing the organisation that you are a reservist

So that we can support reservists, the organisation asks that new recruits who are already reservists or existing staff who become reservists inform their line manager as soon as possible that they are, or intend to become, reservists. This request is made purely to allow us to deal with the practical implications and reservists who do this will not be disadvantaged in any way.

Time off for activities in the reserve forces

Employees who need time off for activities as reservists are expected to use days out of their normal holiday entitlement. While the organisation will do its best to accommodate any request for leave for activities in the reserve forces, it cannot guarantee that reservists' holiday requests will be given priority. To avoid reservists being unable to take time off when needed, they should apply for holiday as soon as possible after they are informed that they need to take time off.

Each leave year, reservists will be given five days' extra unpaid leave to help them to meet their commitments to the reserve forces. The reservist should make the request to his/her line manager in the same way as normal annual leave is requested, tagging the request "Military reserve leave". While the organisation will do its best to accommodate any requests to use this extra leave, the organisation cannot guarantee that reservists' extra leave requests will be given priority. To avoid reservists being unable to take time off when needed, they should apply for this extra leave as soon as possible after they are informed that they need to take time off.

This offer is available only to employees who provide evidence that they need to take the time off as a reservist (for example, a letter from their commanding officer or SABRE) at the time when they are booking holiday for the purpose of doing the reservist activities. The offer cannot be used for days when the reservist is not undertaking reservist activities (for example, to recover from the physical demands of a weekend away with the reserve forces).]

All holiday/leave dates must be approved in advance by the reservist's line manager. It is important that reservists follow the usual procedure for requesting holiday, which is IN ACCORDANCE WITH Badger's Holiday policy. The organisation will endeavour to agree to such requests, but reserves the right to turn down requests if it gives the reservist notice that is equivalent to the period of leave requested.

Carry-over of holiday

Reservists seeking to balance their permitted leave with their commitments to the reserve forces should be aware that they also have the option of carrying over holiday to the following leave year.

The organisation allows a maximum of five days' holiday to be carried over from one holiday year to the next, with the prior written approval of the employee's line manager.

Flexible working

Reservists should refer to the organisation's separate policy on requesting flexible working the Work-life Balance Policy and can also contact the employee's line manager or the HR department for more information.

Unauthorised absence

The organisation will treat any instances of unauthorised leave as a serious disciplinary matter that could result in disciplinary action, up to and including dismissal. Employees should be aware that, if they take a period of leave that has not been approved, they will be subject to disciplinary action on their return to work.

Reservists' call-outs

Reservists may be called out for military operations, with notice typically given 28 days before mobilisation, which can last up to 12 months.

On being called out, the reservist should present his/her mobilisation papers, typically together with a letter from the Ministry of Defence (MOD) to the organisation, outlining the date, and possible duration, of his/her mobilisation. The MOD may also contact the organisation independently.

The organisation recognises that, under the Reserve Forces (Safeguard of Employment) Act 1985, if it believes that the employee's absence on military service is likely to do "serious harm" to it, it may apply for an exemption, deferral or revocation of mobilisation. The organisation recognises that the criteria for exemption, deferral or revocation are strict and will seek an exemption, deferral or revocation only in exceptional circumstances.

The organisation's application must be submitted to the relevant adjudication officer within the period of seven days immediately following the date of the employee's receipt of the mobilisation notice.

Badger will seek financial assistance (with support from SaBRE) available to the organisation from the MOD when a reservist is called up.

Reservists' rights during mobilisation

There is no requirement for the organisation to pay the reservist during his/her absence on military operations. During this period the reservist receives service pay from the MOD, along with a standard award to make up any difference (up to the statutory limit) between his/her service pay and normal average weekly earnings.

The MOD also pays the organisation's contributions to the reservist's occupational pension scheme (as long as the reservist gives an undertaking to continue paying his/her own contributions to the scheme

Reservists' demobilisation

Regardless of the length of the military action, the mobilised reservist has the right to be reinstated in his/her former job within six months of demobilisation, on terms and conditions that are no less favourable to him/her than those that would have been in place but for the enforced absence from the organisation.

If it is not reasonably practicable to reinstate the reservist to his/her former job, the organisation must re-engage him/her in the most favourable occupation and on the most favourable terms and conditions that are reasonable and practicable in the circumstances.

To exercise the right to be reinstated, the reservist must write to the organisation no later than the third Monday after demobilisation confirming his/her intention to return to work within the following 13 weeks. The initial 13-week period may be renewed for a further 13 weeks if circumstances such as illness or injury prevent the reservist's return during the initial period. However, the reservist forfeits his/her right to return to work with the organisation if he/she fails to do so within 26 weeks of demobilisation.

Once the reservist has been reinstated, the organisation will continue to employ him/her in that same occupation (and on the same terms and conditions) for:

- the following 26 weeks;
- 52 weeks if the reservist had been employed for a consecutive period of at least 52 weeks at the time he/she was called up for military operations; or
- a minimum of 13 weeks if the employee was employed for fewer than 13 weeks immediately prior to mobilisation.

Continuity of employment

The continuity of the reservist's period of employment is not broken by a period of mobilisation, if he/she is reinstated to his/her former employment within six months of demobilisation.

However, when calculating the employee's total period of continuous employment, Badger will discount the number of days falling in the period between the date on which the reservist is called up for military operations and the day immediately preceding the day on which he/she returns to work.

13 OTHER LEAVE

For details on entitlement for other types of leave e.g. Career break, Maternity leave, Study Leave, please refer to the relevant Badger policies or contact the HR department.

14 GENERAL GUIDANCE

Generally applications for special leave should be made in writing and should state fully the circumstances in which the request is being made. Where it is not practicable to give prior notice, then verbal agreement must be obtained as soon as possible.

Where leave is requested that is not covered by any of the above, the manager and / or employee should consult the HR department for guidance.

15 CONFIDENTIALITY

During the course of making an application for special leave, details of a personal nature may be disclosed to the line manager. In such cases, members of staff can be confident that their personal details will be respected.

HR – F- 031 – Special Leave Request Form



SPECIAL LEAVE REQUEST FORM PRIVATE & CONFIDENTIAL

Where possible this form should be completed in advance. It is understood that this may not always be appropriate in some circumstances, and where these apply, the form should be completed immediately on return to work.

Employee Details		
Name:	
Job Title:	
Full time <input type="checkbox"/>	Part time <input type="checkbox"/>	Hours worked per week:

Type of Leave Requested

Please tick appropriate box and provide brief details of the circumstances on the second page of this form:

- Compassionate Leave
- Caregiver, Domestic & Crisis Leave
- Paternity Leave
- Time off for Dependants Leave
- Adoption Leave
- Public Duty Leave
- Parental Leave
- Special leave
- Health Related Leave
- Unpaid Leave
- Study Leave
- Special Leave not otherwise stipulated



TO BE COMPLETED BY THE MANAGER AND INDIVIDUAL TOGETHER

Period of Leave Requested/Taken:

First day of absence:

Last day of absence:

Expected date/ date of return to work:

Reason for request, please give details:

Approval	
Approval is given for the above request:	<input type="checkbox"/>
Signed by Manager authorising the request:
Date:
Paid <input type="checkbox"/>	Unpaid <input type="checkbox"/>
Part Paid <input type="checkbox"/>	
No. Of Days Paid:	From: to:
I understand that if I provide inaccurate or false information about my absence, this may lead to disciplinary action being taken against me.	
Signed by member of staff requesting the special leave	
.....	Date:

Non Approval	
This request is not approved:	<input type="checkbox"/>
Reason(s) for the request not being approved:
Signed by manager making the decision
Date:
Signed by member of staff confirming acknowledgement of above decision
Date:



Special Leave Return to work discussion

It may be necessary for a return to work meeting to be conducted by the line manager to ensure the circumstances that lead to special leave being granted have been resolved.

Return to work interview notes:	
Is Occupational Health involvement required	Yes / No
If yes has an appointment been arranged	Yes / No Date of appointment:
Back to work interview held	Yes / No
Any further action to be taken	Yes / No

For Office Use Only:	
Date Received by HR:	By Whom:
Date Given to Payroll:	To be Signed by Finance: