

Royal Northern College of Music

Leave of Absence

Policy & Procedure

Department: Human Resources

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RNCM
ROYAL NORTHERN
COLLEGE of MUSIC

1. **Introduction**

This policy explains how the Royal Northern College of Music intends to deal with situations where it may be necessary to allow employees time away from the workplace. It will also specify which type of absence will be paid and which will be unpaid.

- i) The procedure has been drawn up taking into account current RNCM practice, recommended good practice in other institutions and the latest legislation covering this area.
- ii) The procedures that cover maternity, paternity, and adoption leave are, given the complexity of the issues involved, the subject of separate documents.
- iii) Types of leave covered in this policy are:
 - Dependant Leave
 - Carer's Leave
 - Parental Bereavement Leave
 - Emergency Leave
 - Court Appearances
- iv) In all cases leave requests must be submitted through the College employee self-service portal MyView.

This policy relates to all categories of RNCM staff including academic and professional services staff who are employed under permanent or fixed term contracts, irrespective of length of service.

2. **Definitions**

2.1 **Definition of a Dependant**

A dependant is the partner, child or parent of the employee, or someone who lives with the employee as part of their family. 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, for example, a live-in housekeeper.

In cases of illness, 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.

2.2 **Definition of a Carer**

A carer is anyone who cares, unpaid, for a family member or friend (a person who reasonably relies on the employee for care) who due to illness, disability, a mental health problem or an addiction cannot cope without their support.

You may provide a range of support such as:

- helping someone cope with or seek help for a mental health problem
- cooking and cleaning

- providing personal care like washing and going to the toilet
- budgeting and looking after finances
- supporting them to live alongside other people in your household
- giving medicine or providing medical care
- going to appointments with them and advocating on their behalf – this means helping them express their views and wishes.

3. Dependant Leave

The College recognises that staff may need to take short periods of time off to deal with family or other domestic emergencies. Such instances may include:

A dependant falls ill or has been involved in an accident or assaulted, including where the victim is hurt or distressed rather than injured physically;

- To make longer term care arrangements for a dependant who is ill or injured;
- To deal with the death of a dependant; for example, to make funeral arrangements or to attend a funeral (the length of Compassionate Leave in this case would normally extend to one working week);
- To deal with unexpected disruption or breakdown in care arrangements for a dependant; for example, when the childminder or nurse fails to turn up;
- To deal with an incident involving the employee's child during school hours; for example, if the child has been involved in a fight or is being suspended from school, or unexpected school closures.

3.1 Length of Dependent Leave

There is no set limit to the amount of time off which can be taken, it should be reasonable in all the circumstances and sufficient to deal with the immediate problem and make longer term arrangements. It is envisaged in most cases the amount of leave will be one or two days at the most but will depend on individual circumstances.

Dependant leave is intended to cover unforeseen matters. If staff know in advance that they need to take longer time off, they should make arrangements to take annual leave or if the need for leave relates to one of their children, they should apply for unpaid parental leave.

4. Carer's leave

Employees will be entitled to leave to give or arrange care for a 'dependant' who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months
- a disability (as defined in the Equality Act 2010)
- care needs because of their old age

The dependant does not have to be a family member, it can be anyone who reasonably relies on them for care.

Employees can take up to one week of leave every 12 months with a 'week' being the length of time they usually work over 7 days. Time can be taken as a whole week, or individual days or half days throughout the year.

If an employee needs to care for more than one person, they cannot take a week of carer's leave for each dependant but can use the one week of leave on more than one dependant within the 12 month period.

If an employee is a parent, they can take up to 18 weeks' unpaid parental leave to look after their child up to their 18th birthday. This is parental leave and is separate to carer's leave.

Employees must give notice before they wish the leave to start, if the request is for more than one day then the notice period must be at least twice as long as the requested leave (e.g. if the request is for two days' leave, the notice period must be at least four days. If the request is for one week, the notice period must be at least two weeks).

If the employee's absence would cause serious disruption to the organisation the College may ask for the leave to be taken at another time, in such circumstances the College would:

- agree another date within one month of the requested date for the leave.
- put the reason for the delay and new date in writing to the employee within 7 days of the original request, and before the requested start date of the leave.

5. Emergency Leave

The College recognises that staff may need to take short periods of time off to deal with family and other domestic emergencies.

In the event of domestic 'crises' such as a burglary or burst water pipes or similar situations, staff will be entitled to the equivalent of up to one week's paid leave per annum to deal with issues which fall into any of the categories above.

Emergency leave is intended to be just that. Requests for emergency leave to deal with issues such as the repair of a domestic appliance or to attend routine appointments will be refused.

By its very nature, it is unlikely that staff will be able to apply for emergency leave in advance. In 'emergency' situations staff should make contact with their line manager at the earliest opportunity to advise that person that they are unable to attend work, together with the reason(s) why. If an individual's emergency continues for more than one day, the member of staff should contact their line manager each day to update them of the situation. The leave of absence form must be completed at the earliest opportunity.

Staff will be allowed to take emergency leave in single days or blocks of days up to the maximum of one week.

6. **Parental Bereavement Leave**

Parental Bereavement Leave is a statutory entitlement eligible to an employee who has suffered the loss of a child (i.e. under the age of 18) and also applies to parents who suffer a stillbirth after 24 weeks of pregnancy.

There is no qualifying period for Parental Bereavement Leave and the College will continue to pay normal pay during Parental Bereavement Leave.

An employee is eligible for Parental Bereavement Leave if they are the:

- Parent of a child who has passed away.
- Partner of the child's parent, who live in an enduring family relationship with the child who has passed away and their parent.
- "Parent in fact" of a child who has passed away, which means that for a continuous period of at least four weeks before the loss of the child, the employee had been living with the child and had "day-to-day responsibility" for the child (but was not paid to look after the child).
- "Intended parent" of a child who has passed away i.e. a parent using a surrogate.
- "Natural parent" of a child who has passed away who is named in a court order, i.e. where a court orders some contact for an adopted child's birth parent.
- Adopter of a child who has passed away.

Parental Bereavement Leave can be taken at any time within 56 weeks of the date of bereavement and the statutory entitlement for Parental Bereavement Leave is two weeks', which can be taken as follows:

- A single block of two weeks.
- Two separate blocks of one week at different times.

The Line Manager of the employee and the Human Resources Department will work with the employee to agree a suitable arrangement for their Parental Bereavement Leave, along with other means of support.

7. **Court Appearances**

The College recognises that there may occasions when an employee will, by law, be required to attend court. This could be as a member of a jury, as a witness or as the defendant or plaintiff in a case.

In all cases the College will, on production of relevant documentation, grant paid time off from work for employees to attend court if required to do so. Where possible the College will seek compensation from the court under normal court procedures to cover the direct financial loss of the employee's absence.

The College does, in certain circumstances, reserve the right to ask the court for an employee to be excused from an appearance in court, if that employee's absence will have a serious effect on College business.

8. **Payment**

Whilst there is no statutory obligation on the part of the College to pay staff whilst on Dependant Leave or Carer's Leave, the College will provide the equivalent of one week's paid leave per annum to deal with issues falling into any of the categories above.

We understand that, by its very nature, it is unlikely that staff will be able to apply for emergency leave in advance. In 'emergency' situations staff should make contact with their line manager at the earliest opportunity to advise that person that they are unable to attend work, together with the reason(s) why.

If an individual's emergency continues for more than one day, the member of staff should contact their line manager each day to update them of the situation.

The leave of absence form must be completed at the earliest opportunity.

9. **Employment Status during leave of absence**

Staff who take up any kind of leave of absence detailed in this procedure will maintain all the terms and conditions that they would normally enjoy if they were at work. This includes continuous service employment rights, entitlement to annual leave and maternity rights and benefits.

In situations where leave is unpaid, staff will obviously lose pay for the period absent. In addition if the member of staff normally contributes to one of the College's occupational pension schemes they will also lose the corresponding number of days' pensionable service.

10. **Notification**

Applications for leave of absence should be made by completing a leave of absence form through the employee self-service portal MyView. Where, due to the sudden nature of the reason for which leave is sought, it is not possible to complete a form in advance of taking leave of absence, a form should be completed retrospectively for monitoring purposes.

11. **Documentation**

To support applications for leave under this procedure, staff should be prepared to produce copies of any relevant documentation.

Leave of Absence application forms will be stored in an individual's personnel file.

12. **False applications for leave of absence**

The College would consider a false application/claim for leave of absence to be a serious offence that would warrant full investigation. If proven such an offence could lead to disciplinary action being taken against the individual up to and including dismissal.

13. Discretion

The College reserves the right to exercise discretion to extend periods of paid or unpaid leave relating to any part of this procedure. This discretion will be exercised dependant on the circumstances of each case.

The College reserves the right to define the circumstances that will qualify for paid emergency leave.

RELATED POLICIES

- Maternity Leave
- Paternity Leave
- Ordinary Parental Leave
- Adoption Leave
- Flexible Working Policy
- Sickness Absence Management Policy

RELATED RESOURCES

[Health Assured](#) – RNCM Employee Assistance Programme

[ACAS](#) – Time off for dependants