

THE UNIVERSITY OF SUSSEX

GUIDE LINES TO SECTION HEADS ON LEAVE AND ABSENCE FROM WORK (NON-FACULTY STAFF)

Members of staff are required to work during office hours or during the hours specified in accordance with their conditions of service. Times when they are not at work should fall into one of the following categories:-

1 HOLIDAYS

Holidays are taken in accordance with the member's conditions of service. Note that:-

- a) The dates of the holidays are at the discretion of Section and Unit Heads and must be arranged in advance. Holidays may be taken in units of half days, and may only be carried forward with permission for up to one year.
- b) Section Heads should keep holiday charts for each member showing the balance of working days due at any time.
- c) On leaving the University the member should take all leave before the date of leaving unless the Section Head considers that the work-load necessitates working to the last day and receiving payment in lieu of holidays after leaving. (See document E.56 for method of calculating date of leaving, holidays and payments due.)

2 SICKNESS

See the various documents, i.e.

- a) Conditions of Service of the member of staff.
- b) Sickness Benefit Scheme relating to the member (E49A Manual and Ancillary Staffs; E49B Clerical and Related Staffs; E49C Technical and Computer Operator Staffs).

If a Section Head notices that the pattern and amount of absence through sickness of a member of staff is considerably above the normal the reasons should be discussed with the member and if necessary with the HR Adviser. If an employee is continually absent sick for three days or less, the Section Head can require a medical certificate for any absence however short without which salary payment will not be made.

3 MATERNITY AND PATERNITY LEAVE

See the Maternity Guide at <http://www.sussex.ac.uk/humanresources/documents/e48.pdf> and the Guide to Paternity Leave and Pay at <http://www.sussex.ac.uk/humanresources/documents/patguide.pdf>

4 SPECIAL LEAVE WITH PAY

The following notes constitute general guidance to the special leave with pay which Section/Unit Heads may give to members of staff. It is important, for trade union and other reasons, that members of staff in different parts of the University are treated alike, and Section Heads should consult the HR Adviser before taking action other than in accordance with this guidance. Leave without pay may be granted (see paragraph 5

below) in addition to any special leave granted:

a) Visits to doctor and dentist

Time-off for visits to the member's doctor and dentist for personal treatment may be (and normally should be) granted on request although members of staff are expected whenever possible to arrange the timing of such visits so as to minimise lost working time. If it appears that the number of such visits or hours-off is becoming excessive the HR Adviser should be consulted.

b) House-moving on first appointment

On request, it is normal to grant one day (or possibly two days) when the contents of a house or flat are being moved in order to take up an appointment at the University (but not for moving in other circumstances).

c) Jury Service and witnesses in court cases

In very special cases it is possible for the University to write to the Court seeking exemption from jury service for the member of staff, but it is most unusual to do so. Leave for jury staff is granted on request (members of staff are expected to claim "loss of earnings" which are then deducted from salary – members of staff gain the tax). Similar leave is granted when an employee is summoned as a court witness.

d) Training

Section heads may choose to grant time off with or without pay to undertake work related training activities.

e) Volunteer Reserve Forces

Details of the University's policy towards requests for special leave for summer training camps are available on request.

f) Public duties

Public duties include JP, member of local authority or statutory tribunal, or Regional or Area Health Authority or governing body or a local authority educational establishment. Each case should be referred to the Personnel Officer.

The allowances receivable from other authorities are taken into account in deciding what form of leave to give.

g) Trade Union activities

Leave with pay may be granted at Human Resources' discretion to trade union representatives who ask for leave of absence in relation to their industrial relations duties. The amount of time off will be the hours necessary, and the University may require the hours to be made up by work at some other time. The leave is granted only with the agreement of Human Resources and is arranged between Human Resources and the trade union officers after the Section Head has been consulted. Leave without pay for these purposes may also be granted provided the member can be spared from work.

This special leave is separate from "time-off" arrangements which may be reached between the University and a trade union whereby one or more specified officers may have a specified amount of time-off each week to attend to trade union

activities.

h) **Compassionate reasons**

Compassionate leave is given for compelling reasons when the member of staff could not be expected to carry out normal work and where it would be unreasonable to expect the member of staff to bear the expense of leave without pay. Examples of such compelling reasons would be the death of a close relative, the serious illness of a member of the family, or the illness of a dependant such as to require the presence at home of the member of staff. However, in the case of a person whose child is suffering from the sort of illness that is to be expected in a child, e.g. a cold or chicken pox, the member of staff would normally be given leave without pay. Routine domestic responsibilities would not be considered as examples of such compelling reasons (see 7 below).

It is not possible to itemise how much leave should be granted in particular cases, but it is normal to grant up to three days, or even up to five days in some cases, e.g. for the death of a close relative. A HR Adviser should be consulted before granting more than five days.

If the reaction of a member of staff to a personal catastrophe is such as to prevent the person from working after the period of compassionate leave, sickness absence might be appropriate if supported by a GP's sickness certificate.

5. LEAVE WITHOUT PAY

Leave without pay may be granted for good reason by a Section Head in addition to the leave with pay mentioned in the four previous paragraphs. It is normally granted liberally, on request, provided only that the member can be spared or that other suitable arrangements can be made to cover work. A formal letter, copied to the Payroll and Pensions Office must be written to the employee by Human Resources. Special arrangements for superannuation and for holidays apply if the leave is for one month or more.

With the permitted exceptions of long-term sickness absence and maternity, adoption, paternity leave, please note that Tier 2 and Tier 5 sponsored visa-holders are permitted to take a maximum total of 4 weeks of unpaid leave per each calendar year whilst they are sponsored by the University. Should a sponsored employee take in excess of the 4 week restriction the University would be required to end their sponsorship and inform the Home Office (UKVI) within 10 working days.

6. PARENTAL LEAVE

Special arrangements exist for parental leave and details are available at <http://www.sussex.ac.uk/humanresources/documents/parleave.pdf>

7. TIME OFF TO CARE FOR DEPENDANTS

Special arrangements exist for time off to care for dependants and details are available at <http://www.sussex.ac.uk/humanresources/documents/depend.pdf>

8. UNAUTHORISED ABSENCE

Absence that has not been notified according to the above procedures should be treated as unauthorised absence, unless a reason is subsequently given which the manager considers to be acceptable. If a member of staff does not report for work and has not informed their immediate line manager or other senior member of staff why they have not

attended, their line manager should make all reasonable efforts to contact them, e.g. by telephone, by writing to them or by visiting them (if appropriate) and should record any actions taken.

The HR Adviser for the Unit and the HR Compliance Office HRCompliance@sussex.ac.uk should be informed as soon as possible once an unauthorised absence is identified. In the event of an unauthorised absence of a Tier 2 or Tier 5 sponsored visa-holder, it is a requirement of the University sponsorship licence(s) that we must report any unauthorised absence to the Home Office (UKVI) within 10 working days of the 10th day of absence.

In any event, the manager should not take measures to instigate any formal action, e.g. to discipline or dismiss them, prior to contacting the HR Adviser and HR Compliance Officer who will advise on the most suitable procedure to follow, taking into account any legal implications.

Where any responsibility for the notification and/or record-keeping of any of the leave categories detailed above have been delegated to another member of staff (e.g. an administrator for the Unit), it is essential that the line manager of the employee is informed promptly of planned and/or unplanned absence.

This will allow the line manager to have full oversight of when their employee(s) should be present at work, and to identify any unauthorised absence promptly. Following this policy will ensure that any appropriate steps are taken by the line manager and Human Resources in a timely manner. Additionally, this will ensure that the Home Office (UKVI) reporting obligations are met by the University, as required by our sponsorship licence(s).

Any system of granting and controlling absence from work depends on the reasonableness and good sense of all those involved. Problems usually only arise in cases where the normal system is being abused by the Section Head or by the employee – in such cases repercussions can be wide and it is the aim of the trade unions and of the University to avoid them.

Users are asked to refer any problems that appear to fall outside this guide to the HR Adviser for their unit.

E50
Human Resources Division
September 2017