

Special leave

1. Taking special leave

You can usually take up to five days' paid special leave (domestic or non-domestic) in any 12 month period.

The maximum combined total of paid and unpaid special leave is 90 calendar days in any 12 month period.

Situations where paid special leave is granted vary in nature and complexity, and more than one event may arise in a short period of time. If you believe you have reasonable grounds for a longer period of paid special leave, you should apply for special leave in the usual way. Make sure you clearly set out the reasons for your request.

If you want a longer period of special leave, you can also consider:

- adding unpaid special leave onto your paid special leave
- a career break if you need a longer period of leave for domestic reasons

2. Domestic special leave - eligibility

This policy applies to all employees and references to 'partner' or 'spouse' includes same-sex partners and spouses.

The most common circumstances in which paid domestic special leave may be granted on a short-term basis are given below.

In some circumstances, flexible working may be more appropriate – for example where time off work is likely to be needed on an ongoing basis.

Paid special leave is not available for:

- routine appointments such as dental or medical appointments
- anticipated events

3. Carers' leave

Paid special leave is available to colleagues who have regular and substantial caring responsibilities for someone who has a long-term illness, is very frail or has a disability. It may be granted to let you:

- organise home care or help in the home
- organise special equipment or adaptations to the home
- deal with other agencies (for example GPs, social workers, health visitors)
- arrange respite/short-term care
- accompany dependants to medical appointments

4. Domestic emergency

Paid special leave may be granted in the event of:

- the serious illness or death of a partner or spouse, close relative, dependant or person in an established relationship
- care of a sick child
- the unexpected disruption or breakdown of care arrangements for a dependant

- an unexpected incident at school involving a dependent child
- short-term care at home of a partner or spouse, close relative or dependant
- damage or disruption to property (for example flooding, burglary)

Find out when you may be granted unpaid domestic special leave.

5. Non-domestic special leave - eligibility

You **must** be granted paid non-domestic special leave in certain circumstances.

These include:

- undertaking jury service
- attending court as a witness
- attending any other official body as a witness in an official capacity
- undertaking public duties

In such circumstances, the time required is normally fixed, and you should inform your manager as soon as you are made aware of the dates.

You may also take special leave for:

- volunteering
- attending Reserve Forces training
- undertaking health and safety duties as a health and safety representative

In these circumstances, the dates are not generally fixed. There is an expectation that a request to take paid special leave is approved where possible. However, there may be occasions where specific business reasons mean requests cannot be accommodated. In these circumstances, agreement should be reached on appropriate alternative dates.

Your manager **may** grant paid special leave in certain other non-domestic circumstances, including:

- attending a civil service society meeting
- training with the Cadet Forces
- duty with the Special Constabulary, Auxiliary Coastguard Service or RNLI
- youth leadership
- undertaking a Duke of Edinburgh Gold Award
- participating in major sports events

6. Public duties

You can apply for paid special leave if you're a member of a:

- local authority
- statutory tribunal
- police authority
- board of prison visitors or a prison visiting committee
- relevant health body
- relevant education body
- the Scottish Environment Protection Agency

The special leave should be used to enable you to:

- attend meetings of the body or any of its committees or sub-committees
- perform your duties as an office holder or member of the body

How much paid special leave you get depends on your duties.

Public duties	Normal annual limit in days
Magisterial duties (justice of the peace) - up to 26 attendances (including travel time)	18
Local government work (elected member of a local authority, including provost/chair of council)	18 (or 24 if duties equate to those of a Lord Provost)
Children's Panel (Scotland)	18
Community council	6
NHS Health Board (special or regional) or health authority	6
Board of prison visitors or prison visiting committee	6
Governance/management of educational institution, school/college council or governance of central institution/college of education	3
Attendance at meetings of fee-paying bodies (e.g. industrial tribunals)	3
Lay membership of Education Scotland inspection teams	18

Unpaid special leave will be considered if more time off is needed.

Where you are granted paid special leave, you must not claim or accept attendance fees or any compensation other than for travel and subsistence. For any period of approved absence due to public service, the total of any fees provided by the department, agency or public body must compensate only up to the extent of the your actual loss of earnings.