

Committee	Human Resources		
Date paper prepared	18/02/2026	Date of committee meeting	25/02/2026
Subject	UHI North, West and Hebrides Special Leave Policy		
Author	Vicky Ferguson, Director of People and Culture		
Action requested	I. Endorsement sought		
Purpose of the paper	To seek committee endorsement of the UHI North, West and Hebrides Special Leave Policy		
Summary of the paper	<p>UHI North, West & Hebrides recognises the need for employees to balance exceptional personal commitments with work responsibilities. The College is committed to supporting staff through the provision of Special Leave arrangements while maintaining operational efficiency and service delivery.</p> <p>This Policy outlines a consistent, fair, and equitable framework for the consideration, approval and management of Special Leave across the College</p>		
Consultation	This policy will be consulted with recognised Trade Unions, SMT and HR Committee		
Resource implications	No significant direct financial implications are identified. There may be minor indirect resource impacts associated with paid leave and manager time required to administer the policy via the HR system.		
Risk implications	<p>Risk of employment tribunal claims if not applied consistently or if statutory rights are overridden.</p> <p>Risk of inconsistent application by managers leading to employee relations issues.</p> <p>Potential reputational risk where sensitive cases (e.g. domestic abuse or fertility treatment) are not handled appropriately.</p>		

<p>Link with strategy</p>	<p>This policy aligns with the UHI North, West and Hebrides People and Culture Strategy.</p>
<p><u>Equality, Diversity, and Inclusion</u></p>	<p>Ensuring our documents can be read and understood by everyone, including people with disabilities or impairments, is a legal requirement under the Equality Act 2010.</p>
<p>Island Community Impact</p>	<p>Not required in this instance.</p>
<p>Paper status</p>	<p><input checked="" type="checkbox"/> Open – The paper may be circulated to non-members of the committee and published online without restriction.</p> <p><input type="checkbox"/> Restricted – The paper must not be circulated to non-members or published online until after the committee meeting.</p> <p><input type="checkbox"/> Confidential - The paper must not be circulated beyond the committee members and should not be published online. Some information is considered commercially sensitive. [Please note papers may still be subject to Freedom of Information requests – see below].</p>
<p><u>Freedom of information</u></p>	<p>Choose an item. FOISA exemptions Scottish Information Commissioner (itspublicknowledge.info)</p> <p>If closed/ withheld, select date this will become 'open': Enter a date.</p>



Special Leave Policy

POL-NWH-00x

Lead Officer (Post):	Director of People and Culture
Responsible Office/ Department:	Human Resources Department
Responsible Committee:	HR Committee
Review Officer (Post):	Director of People and Culture /Senior HR Advisers
Date policy approved:	
Date policy last reviewed and updated:	New UHI NWH Policy
Date policy due for review:	February 2028
UHI Single Policy / UHI NWH Policy:	UHI NWH Policy
Public face / College internal facing only	College internal facing only
Date of Equality Impact Assessment:	
Has a Data Privacy Impact Assessment been completed:	Will be completed by Compliance Team – Completed / Data Protection Officer has approved that no DPIA is required

Accessible versions of this policy are available upon request. Please contact UHI North, West and Hebrides for more information.

Policy Summary

Overview	UHI North, West & Hebrides recognises the need for employees to balance exceptional personal commitments with work responsibilities. The College is committed to supporting staff through Special Leave arrangements while maintaining operational efficiency.
Purpose	This policy provides a consistent, fair, and equitable framework for managing Special Leave requests while ensuring compliance with employment legislation and supporting employee wellbeing.
Scope	This policy applies to all staff employed by UHI North, West & Hebrides.
Consultation	This policy will be consulted with recognised Trade Unions, SMT and HR Committee.
Implementation and Monitoring	The implementation and monitoring of the policy is the responsibility of the Human Resource department.
Risk Implications	Risk of employment tribunal claims if not applied consistently or if statutory rights are overridden.
Link with Strategy	This policy aligns with UHI North, West and Hebrides People and Culture Strategy.
Impact Assessment	Equality Impact Assessment:
	Privacy Impact Assessment:

1. Policy Statement

UHI North, West & Hebrides recognises the need for employees to balance exceptional personal commitments with work responsibilities. The College is committed to supporting staff through the provision of Special Leave arrangements while maintaining operational efficiency and service delivery.

This Policy outlines a consistent, fair, and equitable framework for the consideration, approval and management of Special Leave across the College.

Special Leave is discretionary and not an automatic entitlement. However, statutory entitlements (e.g., Parental Bereavement Leave, Carer's Leave, Jury Service) must be granted in line with legislation and cannot be overridden by operational needs.

2. Definitions

Special Leave – A period of authorised absence from work, which may be paid or unpaid, granted in exceptional personal circumstances.

Rolling 12-Month Period – A 12-month period calculated by reference to the first date of the current leave request and looking back 12 months.

Dependent – A spouse, partner, child, parent, or someone who lives with the employee as part of their family, or any person who reasonably relies on the employee for care in an emergency.

Dependent and Close Relative (for Bereavement purposes) –

- Spouse/partner (including cohabiting partner)
- Child/stepchild
- Grandchild
- Parent/step-parent/parent-in-law
- Grandparent
- Sibling/step-sibling/brother or sister-in-law

TOIL – Time Off in Lieu.

3. Purpose

The purpose of this Policy is to:

- Provide a clear framework for managing Special Leave requests.
- Ensure a consistent and equitable approach across the College.
- Support employees during exceptional personal circumstances.
- Ensure compliance with relevant employment legislation.
- Balance employee wellbeing with operational requirements.

4. Scope

This policy applies to all employees of UHI North, West & Hebrides.

5 Exceptions

- Special Leave will not normally be granted for transport or travel disruption, except where covered under the Adverse Weather provisions or College closure.
- Cosmetic or elective medical procedures are excluded from paid medical appointment provisions.
- Leave for private court appearances (e.g., personal legal matters) will normally require annual leave or unpaid leave.
- The College reserves the right to refuse Special Leave where operational requirements cannot be met, except where statutory entitlements apply. Any refusal must be reasonable, proportionate, and clearly documented
- While Special Leave is discretionary, employees may challenge decisions they believe are unfair, discriminatory, or inconsistent through the Staff Grievance Policy. Managers should ensure that refusals are documented and justified to comply with Equality Act 2010 obligations.

6. Notification

6.1 Applying for Special Leave

All Special Leave must be requested via the HR Cascade system using the Leave of Absence form.

Where advance notice is not possible (e.g., bereavement or emergency), employees must notify their line manager as soon as possible on the first day of absence. The formal request may be completed retrospectively.

Applications should include:

- Type of leave requested
- Dates and duration
- Reason for leave
- Supporting documentation where applicable

For emergency situations (e.g., bereavement, dependent emergencies), managers should exercise discretion if evidence is delayed or unavailable. Refusal of leave should not be automatic and must be reasonable and proportionate.

7. Roles and Responsibilities

7.1 Employees

Employees must:

- Submit requests in a timely manner.
- Provide appropriate supporting documentation where required.
- Maintain communication with their line manager.
- Return to work as agreed following leave.

Failure to return from Special Leave without authorisation may result in disciplinary action.

7.2 Line Managers

Line managers must:

- Act fairly and consistently.
- Consider individual circumstances and operational needs.
- Consider legislative obligations.
- Ensure equity, diversity and inclusion principles are upheld.
- Record decisions and rationale within HR Cascade.
- Seek HR advice where appropriate.
- Conduct return-to-work meetings following Special Leave.

Managers must apply discretion consistently, ensure statutory leave is granted, and document decisions to demonstrate fairness and compliance with the Equality Act 2010.

7.3 Human Resources

HR will:

- Provide advice and guidance to managers and staff.
- Ensure compliance with legislation.
- Support consistent application of the Policy.

HR must provide support to managers to ensure equitable application of discretionary leave and confirm statutory entitlements are met.

7.4 Senior Management Team

Where applicable, SMT, with advice from Human Resources, may:

- Exercise discretion regarding paid civic/public duties.
- Approve engagement in on-call public service roles.

8. Legislative Framework

This Policy operates in accordance with, but is not limited to:

- Employment Rights Act 1996
- Equality Act 2010
- Parental Bereavement Leave Regulations
- Carer's Leave Act 2023
- Armed Forces Reserve legislation
- Relevant Pension Scheme Regulations
- Juries Act 1974
- Health and Safety at Work legislation

Statutory entitlements will take precedence where applicable.

9. Related Policies, Procedures, Guidelines and Other Resources

- Maternity and Parental Leave Policy and Procedure
- Promoting Attendance Policy and Procedure
- Staff Disciplinary Policy and Procedure
- Staff Grievance Policy and Procedure
- Adverse Weather Procedure
- Staff Code of Conduct
- Equality, Diversity and Inclusion Policy
- GOV.UK Guidance on Carer’s Leave
- GOV.UK Jury Service Guidance

10. Version Control and Change History

Version	Date	Approved by	Amendment(s)	Author
1	February 2026	HR Committee	New UHI North, West and Hebrides Policy	Director of People and Culture/Senior HR Advisor

Appendix 1 – Types of Special Leave

Special leave may be either paid or unpaid depending upon the circumstances. Staff may request leave for a range of different reasons as outlined in the table below, where different pay arrangements and limits may be applied.

Where a limit is specified for special leave, this refers to a period of 12 rolling months.

Paid leave is discretionary. Managers must apply discretion fairly, consistently, and in line with the Equality Act 2010, ensuring that any refusal is documented with the rationale.

Reason for leave	Definition	Paid/Unpaid/Annual Leave/TOIL
Bereavement	Where a member of the employee’s family or a close friend has passed away, where a significant personal relationship can be demonstrated.	Paid (<i>up to 5 days</i>) per instance - Paid leave for bereavement must not be withheld on operational grounds.
Parental Bereavement Leave	Where a member of staff suffers the loss of a child.	Paid (<i>up to 2 weeks</i>) per instance - Paid leave for parental bereavement must not be withheld on operational grounds.
Compassionate	Where a member of staff is dealing with the serious illness or accident of a dependent or close family member..	Paid (<i>up to 5 days</i>)
Emergency (domestic)	Where staff experience an unexpected domestic emergency that requires their attention (e.g. fire, flood, burglary, etc.).	Paid (<i>on first day of emergency</i>) Unpaid/ Annual Leave/ TOIL (<i>on any subsequent days</i>)
Emergency (dependents)	Where parents/ guardians/ carers have no option but to remain at home to care for a dependent in an emergency.	Paid (<i>on first day of emergency</i>) Unpaid/ Annual Leave/ TOIL (<i>on any subsequent days</i>)
Carer’s Leave	Where a member of staff required time off to give or arrange care for a ‘dependent’.	Unpaid (<i>up to 5 days</i>)
Jury duty/ court attendance	Where a member of staff is called upon for jury duty or is requested to attend Court as a witness.	Paid (<i>subject to guidance</i>)
Civic or public duties	Where a member of staff holds a public office or public position and is required to perform essential duties associated with that position.	Paid (<i>subject to guidance</i>), or Unpaid
Reserves (Armed Forces)	Where a member of staff is engaged as a member of the Armed Forces (Territorial Army; Royal Air Force; Navy; Royal Marines) as a Reservist.	Paid (<i>2 weeks basic training</i>) Unpaid (<i>mobilisation/ other</i>)

<p>On-call public services</p>	<p>Where a member of staff is engaged in on-call public services (e.g. fire service; mountain rescue; coastguard) when called to duty.</p>	<p>Unpaid</p>
<p>Medical Appointments</p>	<p>Paid leave for medical appointments is limited to non-elective/specialist care and additional appointments may be taken as unpaid, TOIL, or annual leave. Managers should apply discretion fairly.</p>	<p>Paid leave is limited to up to 3 appointments in a rolling 12-month period for non-elective or specialist care. Appointments exceeding 3.5 hours may be recorded as sickness absence in line with the Absence Management Policy. Routine appointments (e.g. GP, dentist, optician) should normally be taken as TOIL, annual leave, or unpaid leave.</p>
<p>Additional holiday</p>	<p>Where an employee wishes to take an extended holiday beyond leave entitlement.</p>	<p>Unpaid</p>
<p>Fertility Treatment</p>	<p>Where a member of staff is undergoing fertility treatment (either IUI or IVF).</p>	<p><i>Requests for paid leave under this category is discretionary. Decisions must be applied consistently, documented, and made in line with the Equality Act 2010. Employees may raise concerns under the Staff Grievance Policy if they feel decisions are discriminatory.</i></p>
<p>Gender Reassignment</p>	<p>Where a member of staff is undergoing treatment related to gender reassignment.</p>	<p><i>Requests for paid leave under this category is discretionary. Decisions must be applied consistently, documented, and made in line with the Equality Act 2010. Employees may raise concerns under the Staff Grievance Policy if they feel decisions are discriminatory.</i></p>
<p>Domestic Violence</p>	<p>Where a member of staff is experiencing domestic violence or abuse.</p>	<p><i>Requests for paid leave under this category is discretionary. Decisions must be applied consistently, documented, and made in line with the Equality Act 2010. Employees may raise concerns under the Staff Grievance Policy if they feel decisions are discriminatory.</i></p>
<p>Adverse Weather</p>	<p>Where a member of staff is unable to attend work due to adverse weather.</p>	<p>Paid (up to 1 day or subject to guidance), or Unpaid</p>