

WELSH GOVERNMENT HR POLICIES

SPECIAL LEAVE

It is the Welsh Government's policy to apply discretion to grant special leave with or without pay in circumstances where this is considered to be necessary or justified. Due consideration will be given to all requests for special leave and with regard to individual circumstances, levels of annual and flexi leave available, working patterns, flexible working possibilities, what is reasonable in particular circumstances and the budgetary implications. Special leave is separate to statutory leave types which are covered in other relevant policies.

Please note that all of our policies are fully inclusive of all staff regardless of age, marriage (including equal/same sex marriage) and civil partnership, disability, sex, sexual orientation, pregnancy and maternity, race, religion or belief, gender identity or gender expression.

[Guidance and Procedures to support the implementation of this policy can be access by clicking here.](#)

WELSH GOVERNMENT HR GUIDANCE AND PROCEDURES

SPECIAL LEAVE

The Policy

ROLES AND RESPONSIBILITIES

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Linked Policies

[Disability Special Leave](#) Policy
[External Qualifications Policy](#)
[Attendance Management Policy](#)

ROLES AND RESPONSIBILITIES

NOTE: The [special leave e-form](#) can be completed by a colleague or line manager on behalf of an employee in certain circumstances, such as at times of bereavement or illness of a close relative or a domestic crisis.

Employees are responsible for:

- Considering whether an application for special leave is appropriate taking into account the reason for the request, the amount of annual leave or flexi credit they may have available and whether the application should be for paid or unpaid special leave.
- Discussing their application for special leave with their line manager before submitting the [special leave e-form](#).
- Completing the [special leave e-form](#), in advance where possible.
- If applying for special leave for volunteer work, as well as completing the [special leave e-form](#) there are additional forms that require completion. Please see the [Volunteering pages](#) of the intranet for more information.

Line Managers are responsible for:

- Considering whether an application for special leave should be approved taking into account the reason for the request, discussing and agreeing the application with the employee.
- Seeking verbal agreement from Head of Branch (EB1 or 2) or next level of line management.
- Monitoring applications from employees to ensure applications are compliant and appropriate.

- Being aware of the Working Time Directive if they have employees who may be affected when volunteering for another organisation.
- Keeping in touch arrangements as appropriate

Heads of Branch are responsible for:

(note: the Head of Branch must be at least EB2 level. If not, the next level of management seniority should authorise)

- Considering whether an application for special leave should be approved taking into account the reason for the request, the amount of annual leave or flexi credit the applicant has available and whether paid or unpaid special leave should be granted.
- Monitoring applications from employees to ensure applications are compliant and appropriate.
- Discussing any applications with the line manager and authorising via the e-form system (email is automatically sent to the HOB to authorise once e-form is submitted)
- Approving applications for unpaid special leave of up to 3 months

Corporate Shared Service Centre (CSSC) is responsible for:

- Processing all applications
- Reviewing applications to assess compliance with the Special Leave Policy and this guidance including complex queries and those that do not appear to comply
- Recalculating annual leave entitlements where necessary
- Stopping pay in the case of unpaid special leave

Head of HR Policy and Head of Pay and Reward

- Considering and advising on all applications for compassionate leave

Guidance and Procedures

To access the Policy click [here](#)

1. Principles

- 1.1 Employees have statutory rights to maternity, paternity, adoptive & fostering leave and to time off for caring emergencies. Apart from these types of leave, and absence due to contact with infectious diseases, employees do not have an entitlement to special leave. However, the Welsh Government (WG) exercises the discretion to grant special leave (SL) with or without pay in other circumstances where this is considered to be necessary or justified.
- 1.2 Employee's working patterns must be borne in mind in considering applications for SL. Pro-rating may be necessary where an employee does not work every day.
- 1.3 Line managers and Heads of Branch considering applications should take into account the reason for the request to ensure compliance with the policy and this guidance. Even if an application is compliant, where the reason is for domestic reasons or time off for a dependent (see 6.2 and 6.3 below) or for certain school governor duties (see 6.12.3 below), they should also consider whether it may be more appropriate for the applicant to use annual leave or flexi leave to cover their absence or for unpaid rather than paid special leave to be granted.
- 1.4 The CSSC reserves the right to overturn a decision on a special leave application which does not comply with the provisions of the policy and this guidance or exceeds the allowances available.

2. Types of special leave

- 2.1 The purposes for which special leave may be granted are:
 - Unpaid special leave
 - Domestic reasons including bereavement and illness of a near relative
 - Time off for Dependants
 - Career breaks
 - Parental Leave
 - Leave for adoptive purposes
 - Leave for Fostering Purposes
 - Attendance at up to two ante-natal appointments
 - Transfer & resettlement
 - Time off for safety representatives
 - Civil Service Societies
 - Local Government activities, school governing bodies and unpaid voluntary public service
 - Training courses - voluntary public sector
 - Participation in Voluntary Organisations
 - Participation in Sports Events
 - Duke of Edinburgh's Gold Award

- Training Courses - Youth Leadership
- Full-time work outside the Civil Service
- Parliamentary elections
- Attendance at legal proceedings including jury service
- Civil Service examinations and adult further education
- Study and sabbatical leave
- Armed Forces Training
- Reserve Forces training
- Cadet forces training
- Retained Duty Firefighters and Lifeboat Crew
- Mountain Rescue and Mine Rescue
- Trade Union Activities

2.2 Special leave with pay is not available for other purposes such as getting married (including same and different sex marriage) moving house, taking a driving test or for the care, veterinary appointments or death of a pet. If employees do not have enough annual leave, they may apply to their Head of Branch for unpaid leave

2.3 The conditions on which special leave may be granted for the above purposes are set out below. These provisions do not affect the WG's discretion to decide whether a particular period of special leave requested is necessary or justified. Where specific allowances of special leave are laid down, they must not be exceeded without the approval of the CSSC.

3. Making an application for special leave

3.1 An employee can apply as many times as they need for special leave. All applications (apart from compassionate leave) for paid or unpaid special leave should be made on the ['Application for Special Leave e-form'](#) . The person completing the e-form must verify whether the use of annual leave, flexi leave or unpaid special leave has been considered. This point should be discussed between the employee and line manager prior to submitting the e-form.

3.2 Whenever possible an application should be submitted in advance. In certain circumstances (e.g. bereavement, domestic crisis), it may not always be possible for the employee to seek prior approval and, in such cases, retrospective applications can be made or a colleague can make the application on someone's behalf. Line management should be informed of the reason for absence from the office as soon as possible.

3.3 In considering applications, both operational requirements and the needs of the individual must be taken into account. Whilst the main regard may be the effect of such leave on the discharge of public business, all applications will be sympathetically considered wherever possible.

3.4 Heads of Branch have the authority to grant special leave with pay to their employees if the request is within the limits of the policy and this guidance. In addition, they have discretion to approve unpaid special leave of up to 3

months.

- 3.5 Heads of Branch or more senior employees who themselves need to take special leave should consult their respective Director (or DPS/Health DG as appropriate) and the Corporate Shared Service Centre.

4. Attendance Fees

- 4.1 Employees who are granted special leave with pay may not claim or accept attendance fees or any other compensation other than travel or subsistence for any duties performed during the period of special leave. For any periods of unpaid special leave for public service the total of any fees paid by the public body in question must only compensate to the extent, if any, of the employee's actual loss of earnings from the WG.

5. Pension

- 5.1 Special leave with pay is reckonable for pension purposes. Special leave without pay is not reckonable for pension purposes except under the following circumstances:

- training in one of the reserve forces;
- service in the reserve forces under the Reserve Forces Act 1980.

6. Special Leave Provisions:

6.1 Unpaid special leave

- 6.1.1 Heads of Branch can allow up to 3 months unpaid special leave in any 12 month period. The unpaid special leave can be granted for any purpose except participation in elections or other political activity, where central consultation with the CSSC is required. (See [Political Activities](#))
- 6.1.2 Special leave without pay does not amount to termination of employment. Pay will not be given for any public or privilege holidays or Saturdays and Sundays that occur during a period of unpaid special leave. Annual leave does not accrue and cannot be taken during a period of unpaid special leave, and employees who fall sick during this (unpaid) absence, will not be entitled to receive statutory sick pay.

6.2 Domestic reasons

- 6.2.1 Special leave may be granted to enable an officer to deal with short-term domestic problems. Special leave with pay for domestic reasons will not normally exceed 5 days (pro-rated for part-timers who do not work every day) but special leave without pay may be granted for longer periods according to the circumstances. In determining whether special leave should be allowed line managers, the HoB and the Corporate Shared Service Centre, will take account of the particular circumstances of the case including the degree of distress suffered by the officer concerned or

the nature of the domestic problem and the amount of annual leave or flexi credit the individual has at the time of the absence.

6.2.2 The nature of the relationship of the sick or deceased relative or dependant will be a major consideration and in most cases the relative will be closely related to the officer by blood, same or different sex marriage or civil partnership. The definition of closely related does not normally include aunts, uncles or cousins or spouse/partner's grandparents. The granting of special leave need not, however, be confined only to cases where a relative by blood, same or different sex marriage or civil partnership is involved, since equal distress may be suffered in other circumstances where, for example, a stable relationship exists, especially between two individuals who reside together though they are related neither by same or different sex marriage or civil partnership nor blood.

6.2.3 The paragraphs below outline some of the most common domestic circumstances in which special leave may be granted.

6.2.4 In the case of **bereavement**, special leave with pay will be allowed to an officer on the death of a close relative or dependent as defined above. The amount of leave awarded will depend on the nature of the bereavement and the immediate responsibilities (funeral arrangements, etc) of the officer, for example:

- where the officer has responsibility for the funeral arrangements and/or the deceased was a close relative or dependent as defined above, special leave may commence from the date of death to the date of the funeral, usually up to a maximum of 10 working days (pro-rated for part-timers who do not work every day);
- where the officer has no immediate responsibilities and the deceased was not a close relative, special leave may only be granted for attendance at the funeral.

6.2.5 Exceptionally, where the deceased was a close relative or dependent and/or an officer has responsibility for the funeral arrangements, one extra days¹ special leave with pay may be allowed after the funeral where the officer has a particularly long journey home and it would be unreasonable for them to travel home on the day of the funeral.

6.2.6 Paid special leave for bereavement reasons does **not** include:

- attendance at a colleague's funeral; or
- time for activities resulting from a death, such as acting as an executor of a will, meeting solicitors, making arrangements for clearing or disposing of a property or arranging home moves for surviving relatives, or any other related activities.

¹ Normally within the maximum of 10 working days and pro-rated for a part-time officer who does not work every day.

- 6.2.7 In the case of an **illness of a close relative or dependent** (as outlined above) **where it is necessary for an employee to remain at home** to care for that relative or dependent, special leave with pay for up to 5 days (pro-rated for part-timers who do not work every day) may be granted. This period may be extended if medical evidence is provided to confirm that it is essential for the officer to continue to remain at home to care for that relative. Paid special leave may be granted where the close relative or dependent has undergone an emergency unplanned operation or treatment but not where they have undergone a planned operation where the need to provide care is predictable and can be planned for by using annual leave or unpaid special leave.
- 6.2.8 Special leave with pay may also be granted where **severe damage or disruption to property** necessitates the officer's presence at home. This includes circumstances such as a home burglary or flood, etc but does not include dealing with the theft of a car.
- 6.2.9 Officers who are unable to make arrangements for the care of their children during the **school holidays** may seek unpaid leave for part of the period. During the summer holidays some annual leave must be taken as well. Alternatively, the possibility of short-term, part-time working can be considered.

6.3 Time off for dependants

- 6.3.1 This is a statutory right allowing employees to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and to make necessary longer term arrangements. The circumstances under which time off can be taken under this right are:
- if a dependant falls ill, or has been injured or assaulted;
 - when a dependant is having a baby;
 - to make longer term care arrangements for a dependant who is ill or injured;
 - to deal with the death of a dependant;
 - to deal with an unexpected disruption or breakdown of care arrangements for a dependant and make alternative arrangements (but not to provide the care themselves except in the very short term);
 - to deal with an unexpected incident involving the employee's child during school hours.
- 6.3.2 The emergency must involve a dependant of the employee and the time off can be paid or unpaid. Each request will be considered individually and a decision made based on the circumstances involved.

6.4 Career breaks

- 6.4.1 Career breaks are available for employees to take up to five years unpaid leave, subject to approval, for a host of reasons including travel, study or domestic responsibilities i.e. caring for an elderly relative or young children. Employees may wish to combine the career break with

maternity leave (See Maternity and Adoption Leave Policy). The scheme, however, is a discretionary provision. There may be cases where despite satisfying the criteria, you cannot be granted a career break. For more details see [Career Break Policy](#).

6.5 Parental leave

6.5.1 There is provision for parental leave (see [Parental Leave and the Right to Work Flexibly Policy](#)).

6.6 Leave for adoptive purposes

6.6.1 Special leave may be granted to adoptive parents within certain limits. (see Maternity and Adoption Policy section 7).

6.7 Leave for fostering purposes

6.7.1 Special leave may be granted for fostering purposes ([Fostering Policy](#))

6.8 Leave to accompany a partner to ante-natal appointments

6.8.1 A permanent employee who is the expectant father, spouse or partner in an enduring relationship (including same sex marriage and civil partnership) of someone who is expecting a baby is entitled to take unpaid time off work to attend up to two ante-natal appointments. Qualifying relationships apply (see [Paternity and Co-Parental leave policy for details](#)).

6.9 Transfer and resettlement

6.9.1 Provided that financial assistance is granted by the WG, special leave with pay, within the limits shown in the table at Annex A, may be granted to an officer who is being transferred in the interest of the WG, and to their partner if both are officers within the WG and being permanently transferred together.

6.9.2 On reconnaissance visits to a new office, the same leave should be granted to the officer and partner who are both working in the Civil Service whether or not they both are being transferred in the interests of the WG. The limits are shown in the table at Annex A.

6.9.3 For officers returning to this country from an overseas posting, 5 days special leave with pay for resettlement may be granted immediately after their return (pro-rated for part-timers who do not work every day) Resettlement leave is additional to any other paid special leave the officer may be allowed. See also [Travel and Subsistence](#).

6.10 Time off for Safety Representatives

6.10.1 The WG will, under the Safety Representative and Safety Committee Regulations 1977 grant safety representatives special leave with pay as necessary to enable them to:

- perform their functions properly;
- attend meetings of safety committees; and
- attend training courses that are approved by the appropriate trade union.

See the [TUS pages](#) on the intranet.

No special leave request form is necessary for performing safety representative functions.

6.10.2 Applications to take special leave with pay to attend training courses which may be organised by staff associations or the Trade Union Congress should be submitted by safety representatives via their line manager and Head of Branch to the Corporate Shared Service Centre via the [e-form system](#).

6.11 Civil Service Societies

6.11.1 Details of special leave with pay and time off which may be allowed for meetings and conferences, together with a list of the societies involved are set out in Annex B

6.12 Local Government Activities, School Governing Bodies Unpaid Voluntary Public Service

6.12.1 The WG must allow an employee special leave for certain public duties in line with Section 50 of the Employment Rights Act 1996. The list of qualifying duties are set out in Annex C along with the amounts of special leave with pay allowed. Where more than the maximum amount is required, unpaid leave may be allowed. In agreeing the amounts of special leave, the CSSC will take into account the requirements of the voluntary public service in question, the operational needs of the WG and the specific needs of the officer concerned.

6.12.2 However, employees must have gained the necessary permission from their line management and the CSSC before taking up any such duties. For further details see [Financial Dealings and Conflicts of Interest Policy](#).

6.12.3 Where an application is in relation to membership of a school governing body, paid special leave may be granted for activities directly related to the governance of the school, e.g. business meetings, interviews or participation in a sub-committee, but not for attendance at carol concerts, school eisteddfodau, prize giving days, etc.

6.12.4 Applications may also be made for special paid leave for participation in the activities of other voluntary aid bodies or for voluntary public services not included in Annex C. Approval will be at the WG's discretion but sympathetic consideration will be given to applications where the activities of the organisations have some link with the work of the WG or where the

applicant has a particular job-related expertise which can usefully be passed on to the voluntary sector. A maximum of 5 days special leave per year (pro-rated for part-timers who do not work every day) will normally apply.

6.13 Training courses – Voluntary Public Sector

- 6.13.1 Five days special leave with pay may be granted for an initial training course to members of the Special Constabulary, the Coastguard Rescue Service and the RN Lifeboat Institution.

6.14 Volunteering – Paid Special Leave

- 6.14.1 Employees are allowed up to 5 days paid special leave per year for volunteering, which includes individual or community volunteering (pro-rated for part-timers who do not work every day). There are additional forms to be completed when applying for volunteering paid special leave - please refer to the [Volunteering policy](#) for more information and the appropriate forms.

6.15 Voluntary Participation in Public Sector Organisations (unpaid)

- 6.15.1 In addition to the current arrangements of up to 5 days paid special leave for volunteering per year (pro-rated for part-timers who do not work every day). Unpaid special leave may be granted for employees to volunteer in public sector organisations (to include leave for training - up to a maximum of 2 weeks per year) *such as lifeboat crew, mountain rescue teams and special constables*. Unpaid special leave for volunteering in these circumstances will be at the discretion of the individual employee's Head of Branch.

6.16 Participation in Sports Events

- 6.16.1 Special leave with pay may be granted to employees representing the WG or participating in individual or team Civil Service sports championships and qualifying events. The leave can cover time necessarily spent in travelling to and from the event, and competing in it. Special leave with pay may also be granted for participation in international sports events including the Olympics and Commonwealth games.

6.17 Duke of Edinburgh's Gold Award

- 6.17.1 Special leave with pay may be granted to young officers to enable them to be presented with the Duke of Edinburgh's Gold Award.

6.18 Training Courses – Youth Leadership

- 6.18.1 Employees who are part-time Youth Leaders or Assistant Youth Leaders may be allowed 5 days special leave with pay (pro-rated for part-timers who do not work every day) for the purpose of attending a training course run by a National Voluntary Organisation. Special leave with pay should not normally be granted more frequently than once every 3 years for this

purpose. Special leave with pay cannot be solely for accompanying young people to camp or on an excursion.

6.19 Full-Time work outside the Civil Service

- 6.19.1 Special leave without pay may be granted at the discretion of the WG to enable an officer to undertake full-time work outside the Civil Service for personal reasons for a limited period, normally not exceeding 2 years. The work in question should be in the public interest in a wide sense e.g. voluntary service in a developing country or service of a vocational nature which will broaden an officer's background knowledge and experience or develop their personality/character and ability to exercise initiative.

6.20 Parliamentary Elections

- 6.20.1 An officer who is free from any restriction on political activities or who, in the 'intermediate group' has permission to take part in national political activities (see [Political Activities Policy](#)) may be allowed up to 6 weeks' special leave without pay to serve as a political agent to a candidate or to a bona fide prospective candidate in a National Assembly for Wales, UK Parliamentary or European Parliamentary election.
- 6.20.2 Officers who are free to stand for the National Assembly for Wales, the UK Parliament or the European Parliament may be granted one month's special leave with pay prior to their nomination as a candidate. At that date they must resign from the service in accordance with the rules outlined in [Political Activities Policy](#).

6.21 Attendance at legal proceedings

- 6.21.1 For employees who appear in court in an unofficial capacity, the following provisions apply:
- a) Special leave with pay may be granted to employees appearing as witnesses for the prosecution or the defence in criminal proceedings or as witnesses in coroners' courts and to those necessarily absent for jury service. In these circumstances an officer may retain any travelling or subsistence allowances received from the court, but should not claim from the court, or accept, any compensation for loss of earnings that have in fact not been lost.
 - b) Special leave without pay or annual leave may be granted to employees appearing as witnesses in civil proceedings. Travelling and subsistence allowances will not be paid by the WG. The officer may claim and retain any travelling and subsistence expenses and any compensation for loss of earnings or other sums payable by the court or a party of the action.
 - c) Employees should, without fail, inform the Head of Branch as soon as possible if they have been summoned for jury service unless they are

clearly ineligible or disqualified (as explained in the summons) and have notified the summoning officer. The summoning letter should be viewed by the line manager but retained by the employee, and the relevant dates confirmed to the HoB prior to the e-form being submitted.

6.22 Civil Service examinations and adult further education

6.22.1 Special leave with pay may be granted:

- a. for attendance at a Civil Service test/examination or a GCE/GCSE examination and for any necessary travelling time. Employees are also entitled to special leave with pay to attend a Civil Service interview;
- b. for postgraduate degree courses i.e. MSc and courses of equivalent length and rigour, up to a total of 15 days and not more than 10 days in the final year (pro-rated for part-timers who do not work every day).
- c. for degree courses and courses of equivalent length and rigour:
 - up to a total of 20 days provided that no more than 10 of these days are taken in the last year of the course (pro-rated for part-timers who do not work every day);
 - up to 4 additional days in any year to cover the excess, if the number of days required for examinations in any one year exceeds 5; (pro-rated for part-timers who do not work every day)
 - up to 10 additional days if the limits above would make it impossible for the officer to complete the course, including those assessed by assignment rather than by formal examination; (pro-rated for part-timers who do not work every day)
- d. for Higher National Certificate (HNC) and equivalent courses up to a total of 15 days may be granted and not more than 10 in the final year (pro-rated for part-timers who do not work every day).
- e. for GCSE "A" level and equivalent courses:
 - up to a total of 10 days, provided that not more than 5 of these days are taken in any one year of the course; (pro-rated for part-timers who do not work every day)
 - up to 4 additional days in any year to cover the excess if the number of days required for examinations in any year exceeds two and a half; (pro-rated for part-timers who do not work every day)
- f. for GCSE level and equivalent course:
 - up to a total of 5 days; (pro-rated for part-timers who do not work every day)

- up to 4 additional days to cover the excess if the number of days required for examinations in any one year exceeds two and a half. (pro-rated for part-timers who do not work every day)
- g. for summer or weekend schools or short general interest courses in the United Kingdom of not more than 4 weeks' duration, including further education and courses of the Outward Bound and City Challenge types:
- up to half the period of the course, the remainder being taken as annual leave;
- 6.22.2 time off without pay may be granted to enable officers to travel to evening classes or to attend occasional day-time tutorials pre-examination revision and other examinations, not referred to in the above paragraphs.

(The allowances in e. and f. are exclusive of any special leave allowance under a.)

6.23 Study and sabbatical leave

- 6.23.1 Should the WG wish to commission studies of particular relevance to its functions suitable employees may be authorised to undertake the studies on official duty terms. In such cases the initiative will normally be taken by the WG.
- 6.23.2 The initiative in applying for sabbatical leave will normally be taken by the individual officer, although it may be suggested by a senior officer. It is open to all employees holding or likely to hold positions of high responsibility. Normally sabbatical leave should be allowed only once in a career, and granted on full pay.
- 6.23.3 Special leave without pay may be granted for other full-time courses of study of recognised educational value, but should not normally be allowed more than once and will not be allowed when the purpose of the course is to qualify the officer for a post outside the Civil Service.
- 6.23.4 If an employee is granted sabbatical or study leave and the absence will total more than a year, the WG will normally require the officer to sign a statement of intention to return to the WG. In certain cases the WG may also require such an officer to sign an undertaking to repay the whole or part of the amount it has expended in respect of the studies, if the officer fails to complete them. The WG may also require the individual to sign an undertaking to remain in the WG for at least 2 years after their completion of studies.

6.24 Armed forces Training

- 6.24.1 For periods of training, special leave with pay may be granted to all permanent employees and staff on fixed term appointments, who are members of the Reserve Forces and Cadet Forces. Special leave with pay may be granted to part-time employees but the amount received during the period of training should not exceed the pay due for the equivalent period of part-time employment.

6.25 Reserve Forces Training

- 6.25.1 The majority of Reservist employees are required to undertake an annual, mandatory 16 (calendar) day continuous training period, often referred to as "Annual Camp". For attendance at annual camp, 12 days paid special leave may be granted. If a Reservist employee is part of a specialist unit or has undertaken certain training, voluntary operations or mobilisation, they may not be required to attend Annual Camp. In these circumstances, they may use the 12 days paid special leave to undertake additional training or other voluntary operations. The Reservist employee must ensure that the Special Leave application form clearly states the purpose for which the leave is being used.
- 6.25.2 Where Reservist employees volunteer for extra training courses or other voluntary operations, they will be eligible to apply for up to 5 days further paid special leave under the Employee Volunteering policy. Any additional leave requested should be applied for using annual leave, flexi leave, special leave without pay or any combination of these. Approval of the request is discretionary taking into account business requirements and the amount of annual leave or flexible working hours credit the individual has at the time of the absence.
- 6.25.3 Reservists who wish to volunteer for additional training or operational duties may also, with the agreement of their line manager for a temporary period, carry forward more than the maximum credit or increase the deficit allowed under the Flexible Working Hours Arrangements.
- 6.25.4 Reservist employees who normally work Saturdays (including those on a 10½ days fortnight and those who work regularly on a Saturday but less frequently than every other Saturday) and are required to attend weekend training may receive special leave with pay on up to nine Saturdays a year. Any special leave with pay granted for additional training or activities (excluding attendance at annual camp) count against the nine Saturdays.

6.26 Cadet Forces Training

- 6.26.1 Cadet Forces Adult Volunteers officers and instructors may be allowed up to a maximum of 10 days special leave with pay in any 12 month period for attendance at either annual camp or special instructional courses held by the naval, army or air forces.
- 6.26.2 Commissioned Cadet Forces Officers who are required to undergo further training in addition to attending annual cadet camp may be allowed up to a maximum of 12 days paid special leave in total in any 12 month period to attend both activities.
- 6.26.3 It is expected that any further leave requests to undertake additional training by members, officers or instructors should be met by using annual, flexi leave or unpaid special leave.

6.27 Retained Duty Firefighters and Lifeboat Crew

6.27.1 In addition to the current arrangements of up to 5 days paid special leave (pro-rated for part-timers who do not work every day) for volunteering per year, employees who volunteer to participate as Retained Duty Firefighters or lifeboat crew will be also be allowed unpaid special leave to undertake their call out duties (to include leave for training - up to a maximum of 2 weeks per year).

6.27.2 In accordance with the WG policy on Working Hours, we require the employee to declare that they are working for another employer and to provide assurance that the total working hours of the employee for WG and the Fire and Rescue Service or Royal National Lifeboat Institution did not breach the 48 hours average week permitted under the Working Time Regulations. Line managers also need to be aware of the rest periods set out in the Working Time Regulations.

6.27.3 Retained Duty firefighters normally provide services on weekends and would not usually be asked to be on call for more than 8 hours during the working week. Lifeboat crew can be on call at any time of the day to respond to an emergency situation. Where a call out did occur during working hours, or the employee had been on call out on a night prior to working for WG, line managers need to be aware so that they ensure the employee was able to carry out their normal duties for WG.

6.28 Mountain Rescue and Cave/Mine Rescue

6.28.1 In addition to the current arrangements of up to 5 days paid special leave (pro-rated for part-timers who do not work every day) for volunteering per year, employees who volunteer to participate as Mountain Rescue teams or Cave/Mines Rescue teams will be also be allowed unpaid special leave to undertake their call out duties (to include leave for training - up to a maximum of 2 weeks per year).

6.28.2 Employees who attend a mountain or cave/mine rescue will be allowed a maximum of 2 days paid special leave per incident. If more than 2 days absence per incident is needed, it can be taken as a combination of unpaid special leave, annual leave and flexitime.

6.28.2 In accordance with the WG policy on Working Hours, we require the employee to declare that they are working for another organisation and to provide assurance that the total working hours of the employee for WG and the mountain or cave/mine rescue organisation did not breach the 48 hours average week permitted under the Working Time Regulations. Line managers also need to be aware of the rest periods set out in the Working Time Regulations.

6.28.3 Where a call out did occur during working hours, or the employee had been on call out on a night prior to working for WG, line managers need to be aware so that they ensure the employee was able to carry out their normal duties for WG.

6.29 Trade Union Activities

6.29.1 Paid special leave up to 25 days may be granted within the limit for each leave year for the activities listed in 6.29.3. This increases to 40 days for members of National Executive Committees and Councils.

6.29.2 When considering requests for special leave with pay for these purposes, management will bear in mind the need to avoid disruption of official work and to maintain services to the public, though proper requests will not be unreasonably refused. Additionally unpaid special leave may be allowed in exceptional circumstances for activities like those in 6.29.3.

6.29.3 Trade union activities are defined as:

- a) Taking part as a representative in meetings of official policy making bodies of the recognised union (such as National Executive or section Executive Committees), meetings of the Trade Union Side, or meetings of Branch/Group/Section Executive Committees.
- b) Attendance at a Conference of a recognised trade union in the Civil Service, whether as a delegate or as a trainee delegate.
- c) Representing the union on external bodies, relevant to employment in the Civil Service, e.g. at Trade Union Congress meetings.
- d) Duty as Organiser or Treasurer.

7. Extended Special Leave on Compassionate Grounds

7.1 The WG places a high value on the wellbeing of its employees and is committed to ensuring that this is given a high priority. We recognise there are times where an employee needs to be absent from work but the absence cannot be directly covered by Occupational Sick Pay or the preceding sections of the Special Leave policy. This is because the need arises due to an illness, condition or accident relating to a close relative or dependant (as defined in paragraph 6.2.2) or, in certain circumstances, due to bereavement. Such circumstances are the sudden unexpected death, accidental or due to illness, of a relative who had joint caring responsibilities for dependents with the employee.

7.2 In such circumstances, we may operate Extended Special Leave on Compassionate Grounds that is consistent, fair, non-discriminatory, robust and flexible.

7.3 Extended Special Leave on Compassionate Grounds, where granted, will be paid and will be permitted for a maximum of three months.

7.4 Employees whose circumstances do not qualify for Extended Special Leave on Compassionate Grounds or whose request is not granted should discuss with their line managers how the range of other Welsh Government flexible working policies and practices could help meet their needs. Changes to working patterns and/or other arrangements could be put in place on a temporary or permanent basis depending on the situation.

7.5 The circumstances where Extended Special Leave on Compassionate Grounds may be granted

7.5.1 Extended special leave on compassionate grounds may be granted when:

- a close relative or dependant needs 24 hour care at home and the employee provides that care during non-working hours (i.e. the relative or dependant isn't being cared for in hospital or some other care facility at this point for reasons that have been fully discussed and agreed with medical or other care professionals), or;
- a bereavement in the circumstances outlined in paragraph 7.1 arises.

7.5.2 Extended special leave on compassionate grounds is not available for other purposes such as routine hospital appointments unrelated to the circumstances above. Annual or flexi leave should be used to accompany someone in these circumstances. It is also not available for reasons which are covered by other provisions within the policy and this guidance (such as career breaks) or other policies, such as maternity, adoptive, shared parental, fostering or co-parental leave.

7.5.3 Extended special leave on compassionate grounds cannot be granted for absences which cover part of a week, such as absence for e.g. two or three days a week, as these circumstances can be accommodated by other flexible working arrangements. Applications will only be considered where absence would be for the whole of the applicant's normal contracted weekly working hours.

7.5.4 The conditions on which extended special leave on compassionate grounds may be granted are set out below. These provisions do not affect the WG's discretion to decide whether a particular period of extended special leave on compassionate grounds is necessary or justified.

7.5.5 The provisions of the policy and this guidance are in addition to those of the Attendance Management policy. Each absence should be assessed carefully and the appropriate policy/guidance used.

7.5.6 Extended special leave on compassionate grounds following bereavement will only be allowed in the circumstances at paragraph 7.1. Where an employee is otherwise unable to attend work following bereavement and the provisions in paragraph 6.2.4 to 6.2.6 of this guidance have been exhausted, this should be recorded as sickness absence.

7.6 Making an application for Extended Special Leave on Compassionate Grounds

7.6.1 An employee can apply as many times as is appropriate for extended special leave on compassionate grounds but only one period of leave may be approved in each rolling twelve month period. All applications should be made in the form of a minute, setting out the reasons for the request and enclosing confirmation from the GP of, or other medical professional caring for, the close relative or dependant of the nature of their condition and that they require 24 hour care. Applications not accompanied by such confirmation will

not be considered. In the case of bereavement, written confirmation will not be required.

- 7.6.2 Whenever possible an application should be submitted in advance. In certain circumstances it may not always be possible for the employee to seek prior approval and, in such cases, retrospective applications can be made. Line management should be informed of the reason for being absent from work as soon as possible and preferably on the first day of absence, or as soon as possible thereafter if circumstances dictate. All applications must include proposed start and end dates for the leave period.
- 7.6.3 In considering applications, both operational requirements and the needs of the individual must be taken into account. Applications will be considered sympathetically wherever possible, but employees should not assume that all applications will be granted.
- 7.6.4 Applications for extended special leave on compassionate grounds should be submitted via line managers through Branch Heads/EB2s (endorsement must be at least at EB2 level) to the Head of HR Policy and Head of Pay and Reward.
- 7.6.5 Employees at Head of Branch level or above who themselves need to take extended special leave on compassionate grounds should consult their respective Deputy Director, Director or Deputy Permanent Secretary/Director General as appropriate, then submit the minute to the Head of HR Policy and Head of Pay and Reward as indicated above.
- 7.6.6 When the Head of HR Policy and the Head of Pay and Reward have considered applications, they will reply to the individual and line manager to notify them of the outcome and copy in the Corporate Shared Service Centre (SSC).
- 7.6.7 For approved applications, the line manager must agree keeping in touch arrangements with the applicant which will apply during the period of absence. These should include what to do regarding any change in contact details, such as temporary change of address, and whether the individual wishes to receive information issued to staff on career breaks or secondments out of Welsh Government.
- 7.6.8 Employees whose application for extended special leave on compassionate grounds is declined may appeal the decision by writing either to the Deputy Director, Expert Services and People, if they are TS to Executive Band, or the Director, Corporate Services, OFMCO if they are SCS.

7.7 Phased Returns from Compassionate Leave

- 7.7.1 Where the duration of extended special leave on compassionate grounds has been longer than four weeks, the employee and/or line manager may propose that the employee should return to work on a staged basis before returning to their normal working pattern. If so, the case should be referred to Occupational Health and they will advise whether a Phased Return can be arranged. A fully paid phased return will last for no more than 4 weeks.

7.7.2 The pattern of working hours during the phased return will be determined by Occupational Health, and the Line Manager and employee will agree the work to be undertaken during the phased return and the pattern of working. If it takes longer than 4 weeks to reach normal working hours, the employee can opt to use annual leave or flexi leave to cover the balance, although is not compelled to do so. If this is not an option the days off should be reported as authorised absence with the appropriate rate of pay (full/half/nil) applying. Such absences will not be counted towards Attendance Management trigger points and do not constitute a phased return under the Attendance Management Procedures. Alternatively, the employee can request to temporarily but formally reduce their working hours with a consequent reduction in salary.

7.8 What if the circumstances change?

7.8.1 If the employee wishes to return to work earlier than the end of the period of extended special leave on compassionate grounds, they should get in touch with the line manager so that appropriate arrangements can be made.

7.8.2 If the person they are caring for should die, they should notify the line manager as the period of extended special leave on compassionate grounds ceases at this point and special leave for bereavement begins. The employee should return to work at the end of the period of special leave for bereavement, as the provision in paragraph 7.1 for extended special leave on compassionate grounds following bereavement will not apply. Should the employee become ill at this time, they will need to submit a fit note and the absence will fall under the provisions of the Attendance Management policy.

7.8.3 Should the employee become ill during a period of extended leave on compassionate grounds, this will not count as sickness absence, unless the sickness period extends beyond the agreed period of extended leave. They should notify the line manager if they are sick at the point at which they should return to work and a fit note must be provided. This additional absence will fall under the provisions of the Attendance Management policy and guidance.

7.7.4 Should the employee's contact details change permanently during the period of extended leave on compassionate grounds, e.g. the home address, they must notify the CSSC immediately.

SPECIAL LEAVE FOR TRANSFER AND RESETTLEMENT

Special leave with pay within the limits shown below may be granted to an officer who satisfies the qualifications.

PURPOSE**LIMIT OF SPECIAL LEAVE WITH PAY**

Preliminary visit to the new office at any convenient time within 3 months of the expected date of transfer, to obtain accommodation.

5 days (pro-rated for part-timers who do not work every day)

To search for accommodation after transfer to the new office when no preliminary visit has been made. Reasonable evidence is required that the leave is used for this purpose.

5 days (pro-rated for part-timers who do not work every day)

Return visit to supervise removal.

2 days
Plus a third day if justified
(eg by reason of the distance between the old and new offices)

To supervise removal and for the journey to the new office.

1 day
Plus a second day if justified
(eg by reason of the distance between the old and new offices)

Reconnaissance visits to new location.

1 day

Plus a second day if the distance justifies an overnight stay.

NB: When voluntary transfer involves removal of the officer's home, up to 3 days special leave without pay may be granted.

ANNEX B

SPECIAL LEAVE FOR ATTENDANCE AT MEETINGS OF CIVIL SERVICE SOCIETIES

1. Special leave with pay for meetings of the following:-

- a. Civil Service Council for Further Education;
- b. Council and Committee of Management of the Civil Service Benevolent Fund;
- c. Council and Committee of Management of the Civil Service Retirement Fellowship;
- d. Committee of Management of the Post Office and Civil Service Sanatorium Society;
- e. Management Committee of Civil Service Sports Council.

2. Special leave with pay for the quarterly meetings of the following:-

- a. Local Committees of the Civil Service Benevolent Fund and the Civil Service Retirement Fellowship;
- b. Departmental Committees of the Post Office and Civil Service Sanatorium Society;
- c. Regional Councils and Executive Committee of the Civil Service Sports Council.

3. Up to 2 days' special leave with pay, plus a third day if the time spent in travelling necessitates an absence of 3 days from the office, for conferences of: -

The Post Office and Civil Service Sanatorium Society

ANNEX C

SPECIAL LEAVE ALLOWANCES FOR AN OFFICER TO PERFORM DUTIES OF ANY BODY LISTED IN SECTION 50 OF THE EMPLOYMENT RIGHTS ACT 1996

1. The WG will allow an officer special leave (the amount listed in paragraph 3 below) to perform either:-
 - i. duties in the office listed below; or
 - ii. duties as a member of a body listed below;
 - a. a justice of the peace/magistrate
(**From November 05:** In addition to the 18 days statutory entitlement for the service listed in paragraph 3 below, newly appointed Magistrates may take a further 5 days paid special leave for training purposes, not pro-rated where the training falls on working days) ***Employees wishing to become magistrates do not have to seek HR Expert Services approval.***
 - b. a local authority;
(A local authority is a county council, a district, borough or city council, a unitary authority, London Borough Council or the Common Council of the City of London)
 - bb. the Broads Authority;
 - bc. a police authority appointed under Schedule 1B to the Police Act 1964;
 - c. any statutory tribunal;
 - cc. a board of visitors appointed under s6(2) of the Prison Act 1952;
 - d. the National health Service:

a Regional Health Authority, Area Health Authority, a District Health Authority or a Family Practitioners Committee (these are as defined in the National Health Service Act 1977);

a Health Authority established under section 8 of the National Health Service Act 1977;

a Special Health Authority established under section 11 of the National Health Service Act 1977;
 - e. the managing or governing body of an educational establishment maintained by a local education authority;

(A local education authority means the authority designated by section 192(1) of the Local Government Act 1972);

- ee. the governing body of a foundation, voluntary aided or foundation special school;
- ef. the governing body of a further education corporation or higher education authority;

a school board or the board of management of a self-governing school;
- eg. the board of management of a college or further education;
- f. the Environment Agency Wales.

2. The duties of a member of a body referred to in paragraphs b. to f. above are:-
 - a. attendance at a meeting of the body or any of its committees or sub-committees;
 - b. the doing of any other thing approved by the body, or anything of a class so approved, for the purpose of the discharge of the functions of the body or any of its committees or sub-committees.
3. The following annual limits of special leave with pay will apply for those bodies listed in paragraph 1 a-f above.
 - a. 18 days; ***(Trainee magistrates/JPs are also allowed an additional 5 days paid special leave for training)***
 - b. 18 days increasing to 24 days where the duties equate to those of Lord Mayor;

bb-f 6 days
(pro-rated for part-timers who do not work every day)
4. The WG seeks to encourage employees to engage in voluntary public service. Employees who are interested in bodies not listed or who can demonstrate a need for increased leave should contact the Corporate Shared Service Centre.