

## **Time Off for Public Duties Policy and Procedure**

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## 1. Policy

- 1.1 The aim of the University's Public Duties Policy and Procedure is to allow employees appropriate time off to perform public duties without pay, whilst bearing in mind the operational needs of the University.
- 1.2 The University encourages employees to participate in Public Duties and will provide unpaid time off for them to fulfil these commitments.
- 1.3 This is in addition to annual leave, other flexible working options or unpaid leave.

## 2. Scope of the Procedure

- 2.1 This procedure applies to all staff irrespective of length of service.

## 3. Voluntary Public Duties

- 3.1 Where a staff member holds a public office or public position, it is the University's policy to grant a reasonable amount of time off work without pay so that the staff member can perform the duties associated with that position.
- 3.2 Under s.50 of the Employment Rights Act 1996, employees who hold certain public positions have the right to reasonable unpaid time off during working hours.
- 3.3 Those who are covered by this policy include:
  - Justices of the Peace\*
  - Elected members of local authorities or police authorities
  - Prison visitors
  - Members of a statutory tribunal
  - Members of a relevant health body
  - School/college governors
  - Members of the General Teaching Councils for England and Wales
  - Members of the Environment Agency
  - Territorial Army and Reservist training
  - Police Special Constables

(\*The Employment Rights Act 1996 states that employers must permit Justices of the Peace time off during working hours to fulfil their duties. The Department of Constitutional Affairs asks employers to allow Justices of the Peace the equivalent of 13 full days (or 26 half days) per year for this purpose.)

- 3.4 This is not an exhaustive list. Employees who are unsure as to whether an activity may be considered under this policy and procedure should consult Human Resources. Jury Service is supported by a separate policy.
- 3.5 Applications for unpaid additional leave will not be denied unreasonably. The amount of time off that is granted shall be determined by:
  - the amount of time off needed to perform the duties in question
  - the amount of time off that the employee has already taken and the effects of the employee's absence on the operational needs of our University
- 3.6 The staff member will not be required to make up for any such time off by working additional hours at another time
- 3.7 Employees' continuous service will not be broken during any period of time off for public and civic duties.
- 3.8 If the employee's services are not required for any part or whole day that they are absent to undertake public or civic duties, or if the duties end before the expected

date, they should return to work unless otherwise agreed in writing with their line manager.

3.9 For details on how pensions may be affected by any periods of unpaid leave, please email [HRhelpdesk@stmarys.ac.uk](mailto:HRhelpdesk@stmarys.ac.uk).

## 4. Roles and Responsibilities

### Role of the Employee

- 4.1 Employees are required to notify their manager as soon as they are aware that they wish to apply for time off under this policy and procedure.
- 4.2 Employees will normally be asked to provide evidence of their appointment to public or civic duties to their manager
- 4.3 When employees are considering taking up voluntary public duties they should discuss the matter with their manager prior to making any commitments, ensuring disclosure of any conflicts of interest.
- 4.4 To record absence, employees should select "Authorised Unpaid Leave" from the "Other Absence" drop down menu in PeopleNet. Please include a description of the reason for absence. This request will automatically be sent to the line manager for electronic approval and then on to Payroll for processing.

### Role of the Manager

- 4.5 Managers are required to release employees who need to attend court and to provide reasonable time off when requested in order for them to perform public duties, bearing in mind the needs of the service.
- 4.6 Managers are required to properly consider requests and should consult Human Resources when they are unsure as to the application of this policy and procedure.

### Role of Human Resources

- 4.7 Human Resources will provide advice and guidance to managers and employees on the application of this policy and procedure.
- 4.8 Human Resources are responsible for the proper recording and review of time off under this policy and procedure.

## Relevant Policy Headings

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