

### **3.08 Special Leave**

This policy is about approved time away from work that is not covered by annual leave or sickness absence. It can be a concession at the discretion of management or an entitlement if covered by legislation.

- Typical reasons for special leave include situations such as the death of close relative, training of safety representatives and meetings of safety committees, business of civil service societies, study and development leave, reserve and cadet forces training or Court attendance as a witness or juror. You can find a fuller list of examples within [Section 2.8 Reasons for Special Leave](#).
- Within each section of the policy you will find guidance as to whether that type of leave is normally paid or unpaid.
- In some cases the amount of special leave you will be granted will be at the discretion of your manager.
- There are some types of special leave where the law gives you the right to time off. Some of these cases are paid, other unpaid. Examples include Service in the reserve forces - [Section 7 Reserve and Cadet Forces Training](#)
- An outline of the arrangements to keep in touch with you if you take special leave are given in [Sections 2.10-2.14 Keeping in Touch while on Special Leave](#)

**The following terms within this policy are defined in the glossary:**

Mark-time, dispersal locations

**You may also be interested in the following policies:**

3.03 Paternity Leave, 3.05 Adoption Leave, 3.07 Annual Leave, 3.11 Hours and Attendance and 3.10 Alternative Working Patterns

This policy is version 3.0

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This homepage is only a guide to the policy, not the policy itself. In the event of any discrepancy between the content of this homepage and the associated policy, the wording of the policy shall apply.

## 3.08 SPECIAL LEAVE

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## **3.08 SPECIAL LEAVE**

### **1 Introduction**

**1.1** The most common purposes for which special (paid or unpaid) leave may be granted and the conditions under which it may be granted are set out in the following sections. These provisions do not affect line managers' responsibility to decide whether a particular period of special leave requested falls under a statutory entitlement or, if not, is necessary or justified. Where specific maximum allowances of special leave with pay are laid down, they must not be exceeded without the authority of Corporate Human Resource (Corporate HR).

### **2 Principles**

**2.1** Where no statutory entitlement to time off exists, special leave should not be regarded as a right. While applications should be treated sympathetically, when considering requests account should be taken of the effect such leave will have on the discharge of public business. In addition, in cases of special leave with pay, consideration will also be given to whether the circumstances justify such a concession. A record must be kept of all periods of special leave allowed.

**2.2** Special leave may be granted:

- a.** retrospectively if an application is made on return to duty;
- b.** in advance, for example career breaks or marriage leave; and
- c.** before annual leave is exhausted since the main purpose of annual leave is to give staff a break from work and enjoy regular periods of rest and recuperation.

**2.3** While there is no objection in principle to an individual seeking to cover a continuous period of absence by a mixture of annual leave, flexi leave and special leave, the latter must be taken in a continuous block.

#### **Effect of Special Leave**

**2.4** Taking special leave may have implications for other areas of your conditions of service. For the effects of special leave on pay, pensions, annual leave, sickness absence and so on, you should refer to the relevant parts of the HR Handbook, or contact your line manager for further advice.

**2.5** Special leave without pay does not count towards the period of probation or trial service, nor is it reckonable for pension purposes.

### **Calculation of Special Leave**

**2.6** As in the case of annual leave, Saturdays, Sundays or bank, public and privilege holidays falling within a period of special leave with pay will be paid for, but they will not count towards the number of days authorised as special leave with pay.

**2.7** Where special leave without pay is granted, Saturdays, Sundays or bank, public and privilege holidays occurring at the beginning or end of the period will not reckon towards the permitted limit and will therefore be paid for. However, such days (excluding non-working days for part-time staff) falling within the period of special leave without pay will count towards the number of days authorised as special leave without pay and will therefore not be paid for nor will time off in lieu be granted for these days.

### **Reasons for Special Leave**

**2.8** The main circumstances for which special leave (either with or without pay) may be granted are shown below:

- a.** domestic reasons for special leave (sections 3.1.1 - 3.2.4);
- b.** training of safety representatives and meetings of safety committees (sections 3.3.1 - 3.3.5)
- c.** business of Civil Service Societies (sections 4.1 – 4.2);
- d.** transfer (sections 5.1 - 5.2);
- e.** study and development leave (sections 6.1 - 6.11);
- f.** reserve and cadet forces training (sections 7.1 - 7.23);
- g.** emergency and voluntary rescue services (sections 8.1 – 8.4)
- h.** training courses in youth leadership (section 9.1);
- i.** attendance at the Duke of Edinburgh's gold award (section 10.1);
- j.** participation in national and international events (section 11.1);
- k.** attendance at investitures (section 12.1);
- l.** attendance in court as a witness or juror (sections 13.1 - 13.3);
- m.** voluntary public service (sections 14.1 - 14.12);
- n.** overseas voluntary schemes (section 15.1);
- o.** political agents (section 16.1);

- p. career breaks (sections 17.1 - 17.32).

**2.9** As well as the circumstances covered in this section, special leave for other specific domestic reasons can be applied for such as Paternity Leave (see policy [3.03 Paternity Leave](#)), Adoption Leave (see policy [3.05 Adoption Leave](#)) and Parental Leave (see policy [3.04 Parental Leave](#)).

### **Keeping in Touch while on Special Leave**

**2.10** If you are on special leave, whether with or without pay, you must ensure that HRConnect has an up-to-date contact address at all times. The address must be such as to ensure that any correspondence requiring action by you can be actioned and received back with HRConnect within three weeks of the date of issue. It follows that you must also notify HRConnect immediately of any change of address.

**2.11** HRConnect will ensure that while on special leave you are made aware of essential documents, in other words amendments to the HR Handbook and relevant information issued during the period of special leave. Departmental HR will also keep in contact with you on special leave lasting for more than one year.

**2.12** The services of the Welfare Officers and the Employee Assistance Programme will continue to be available to you. Details on accessing these services can be found in the HR Handbook (see policy [7.02 Staff Welfare](#)).

**2.13** If you are required to travel to attend an interview as part of the keeping in touch arrangements, mileage allowance will be paid at public transport rate (within Northern Ireland).

**2.14** Where you fail to keep in contact and do not respond to communication from HRConnect you will be deemed to have resigned on the date on which your special leave was due to end.

### **Promotion**

**2.15** If you are on special leave you are eligible to apply for promotion boards, trawl notices, interest circulars and lateral movement opportunities. The arrangements detailed in the HR Handbook will apply to you while on special leave and to any officer who is successful on promotion subsequent to going on special leave (see policy [1.05 Career Opportunities and Promotion](#)).

**2.16** HRConnect will issue information about forthcoming opportunities to the address supplied by you while on special leave. It is your responsibility while on leave to ensure that the address remains up to date and viable at all times (see section 2.10).

**2.17** While on special leave, if your name remains on a promotion list, or subsequently appears on a reserve supplementary list, you will be offered your promotion at the appropriate time in accordance with the merit principles. If you accept the offer you will be expected to return to work within two months of the date when the offer was made.

### **Trawls**

**2.18** Where you apply for a trawl (including interest notices) opportunity, prior to or while on special leave you must be prepared and able to return to work, if successful, within two months of the date of the published list. If you are not prepared to return, your name will be removed from the list and the post will be offered to the next candidate.

### **Lateral Movement**

**2.19** The time limits stipulated in section 2.18 will apply to you while on special leave if you apply for these transfers.

### **Performance Appraisal/Line Manager's Assessment (LMA)**

**2.20** An appraisal report will be completed on a non-industrial member of staff who is going to be on special leave for at least six months, shortly before they begin their special leave, provided that more than six months has passed since their last report. The current promotion arrangements, as set out in the HR Handbook (see policy [1.05 Careers Opportunities and Promotion](#)), require an LMA to be completed for many promotion competitions. In order to ensure that you have equal access to promotion opportunities while on special leave, an LMA must be completed before any period of special leave, which will last six months or more, begins.

## **3 Domestic Reasons for Special Leave**

### **3.1 Time Off for Dependants – Statutory Entitlement**

#### **Introduction**

**3.1.1** The statutory right to time off for dependants was introduced by the Employment Relations (NI) Order 1999 on 15 December 1999. The right allows you to take a reasonable amount of time off to deal with certain unexpected emergencies and to make any necessary longer term arrangements. The emergency must involve a dependant of yours. Although, the entitlement is to unpaid time off, special leave with pay in the circumstances described below may be granted at line manager's discretion.

### **Circumstances under which Time Off can be Taken**

**3.1.2** You have the right to take a reasonable amount of time off (see section 3.1.6) during working hours to:

- a. provide assistance if a dependant falls ill, gives birth or is injured or assaulted;
- b. make longer term care arrangements for a dependant who is ill or injured;
- c. deal with the death of a dependant;
- d. deal with an unexpected disruption or breakdown of care arrangements for a dependant; or
- e. deal with an unexpected incident involving an officer's child during school hours.

### **Definition of a 'Dependant'**

**3.1.3** A dependant is defined as your:

- a. spouse;
- b. child;
- c. parent;
- d. a person who lives in the same household as you other than an employee, tenant, lodger, or boarder; or
- e. any person who reasonably relies on you to make arrangements for the provision of care;
  - i. for assistance on an occasion when the person would fall ill or is injured or assaulted.
  - ii. to make arrangements for the provision of care in the event of illness or injury.

### **Notifying your Line Manager**

**3.1.4** You must tell your line manager as soon as practicable, the reason for your absence and how long you expect to be away from work.

**3.1.5** There may be exceptional circumstances where you return to work before it is possible to contact your line manager but you must still tell your line manager the reason for the absence on your return.

### **Amount of Time Off**

**3.1.6** Although there is no set limit on the amount of time off which can be taken under these arrangements, it is envisaged that one or two days should be sufficient to deal with the problem, but this will depend on individual circumstances. For example, if a child is ill, this would be sufficient to help you cope with the crisis, visit the doctor if necessary, and organise alternative care arrangements. The right to take time off for dependants is intended to cover genuine emergencies involving an individual. It does not extend to incidents such as a burst boiler, which may fall under non-statutory special leave provisions (see below). No limit on the number of times you can be absent from work under this right has been set. If you know in advance that you are going to need time off you may be able to arrange annual or flexi leave or parental leave.

## **3.2 Special Leave - Non-Statutory Provisions**

**3.2.1** This section outlines the contractual arrangements for special leave for domestic reasons. Anyone can apply for special leave for the reasons outlined below. As well as the circumstances covered in this section, special leave for other specific domestic reasons can be applied for such as Paternity Leave (see policy [3.03 Paternity Leave](#)), Adoption Leave (see policy [3.05 Adoption Leave](#)) and Parental Leave (see policy [3.04 Parental Leave](#)).

### **Domestic Crises**

**3.2.2** The term “domestic crises” covers a wide variety of circumstances which may be unplanned, for example sudden serious illness of a close relative or dependant, or severe damage or disruption to your property which requires you to be at home to make longer term plans. It can also cover known events such as the birth of a child when the presence of the father may be required at home in order to care for other children.

**3.2.3** Normally, in cases of domestic crises one day’s special leave with pay will allow such longer term plans to be put in place. Up to five working days special leave with pay may be granted at the line manager’s discretion. This discretion will be exercised as widely as possible in order to ease strain on you and your family or to deal with stress which is likely to lead to domestic distress. Special leave without pay for domestic reasons not covered by the legislation may also be granted at line managers’ discretion (see sections 3.2.8 - 3.2.12).

**3.2.4** The limit of five working days does not apply where you request special leave to care for sick children. In such circumstances line managers have discretion to decide on the appropriate amount of special leave with pay to allow in each case.

### **Marriage/Civil Partnership Leave**

**3.2.5** Marriage/Civil Partnership leave is limited to those who have an annual leave allowance of less than 30 days, if they entered the NI Civil Service before 1 September 1990 and have not already been granted a period of marriage/civil partnership leave. In such cases you may be allowed five days' special leave with pay, provided Departmental HR are satisfied that you intend remaining in the Civil Service after marriage.

### **Death of a Close Relative**

**3.2.6** Up to five working days' special leave with pay will be allowed in the case of the death of a partner, child, parent, brother or sister. This will also be given in the case of the death of a more remote relative where special circumstances exist, such as the necessity of taking charge of funeral arrangements or where the deceased was a member of your household. Consideration may also be given where a stable relationship exists, especially between two unrelated individuals who reside together.

### **Hospital/Doctors'/Dentists' Appointments etc**

**3.2.7** Paid time off will be allowed for attendance at medical appointments. You should, where possible, arrange appointments for the beginning or end of the working day. In exceptional circumstances (for example, attending a hospital considerable distance from home), a maximum of one day's special leave with pay may be granted to enable you to attend appointments.

### **Special Leave Without Pay**

**3.2.8** Special leave without pay may be granted at line manager's discretion for domestic reasons. These may include to:-

- a.** help you cope with your parental responsibilities (see sections 3.2.9 - 3.2.10 and Parental Leave (see policy [3.04 Parental Leave](#));
- b.** accompany your partner on transfer of employment to a new area;
- c.** provide longer term care for elderly or infirm relatives or dependants;
- d.** provide a break after long service when heavy domestic responsibilities have been borne for a long period;
- e.** further assist you dealing with domestic crisis.

**3.2.9** While maternity leave is completed once a woman returns to work any untaken maternity leave may be taken into account should she later apply for unpaid leave to look after her child/children. Similarly, where both parents are Civil Servants, even in different departments and the father applies for unpaid leave, account may be taken of how much maternity leave the mother has left untaken. Information on Maternity Leave provisions is contained in the HR Handbook (see policy [3.02 Maternity Leave](#)).

**3.2.10** You can be granted special leave without pay in order to look after children during school holidays (see also Annex 4 of policy [3.11 Hours and Attendance](#), of the HR Handbook regarding Term Time Working).

**3.2.11** Special leave without pay may also be granted for other personal reasons not covered above. In addition, the opportunity to work reduced hours may be granted as an alternative to special leave without pay if that is preferable to both you and your line manager

**3.2.12** The rules governing special leave without pay for career breaks are set out in sections ([17.1 - 17.34](#)).

### **3.3 Training of Safety Representatives and Meetings of Safety Committee**

**3.3.1** Under the Safety Representative and Safety Committees Regulations (NI) 1979, employers are required to release safety representatives with pay to undergo appropriate training.

**3.3.2** Guidance on the nature and duration of training for safety representatives will be subject to agreement between Departmental HR and trade union sides at Departmental level and will be compatible with any advice or guidance published by the Health and Safety Executive.

**3.3.3** Basic training of safety representatives will be arranged by their respective unions. The 10-day training course organised by the Irish Congress of Trade Unions is recognised for this purpose. Direct costs of this training, including travelling and subsistence, will be met by the unions. Departments are encouraged to make available accommodation and so on, for training courses where possible.

**3.3.4** Specialised training of safety representatives as may be necessary in certain departments for the effective and safe performance of the Department's functions in particular establishments or premises will be provided by those Departments. In these circumstances the appropriate conditions of service in respect of attendance at internal or external training courses will apply.

**3.3.5** Time off with pay as is necessary, and with prior agreement of management, should be granted to safety representatives to enable them to perform their functions properly and to attend training courses that are approved by the appropriate trade union. Time off with pay as is necessary for the attendance at meetings of safety committees should also be permitted.

## 4 Business of Civil Service Societies

4.1 Special leave with pay may be granted for attendance at meetings or conferences of Civil Service societies as follows:

CIVIL SERVICE SOCIETY	LIMIT OF SPECIAL LEAVE WITH PAY
1. Northern Ireland Civil Service Branch Committee of the Benenden Healthcare Society, Northern Ireland Civil Service Sports Association Council or Executive Committees.	1. Meetings and Annual Conferences.
2. Northern Ireland Committee of the Civil Service Benevolent Fund.	2. Quarterly Meetings.

4.2 Other special leave granted for the business of these societies should be without pay.

## 5 Transfer

5.1 Provided that you are being transferred in the interest of the Service and that assistance is allowed under the terms of the policy within the HR Handbook (see policy [9.14 General Removal Expenses](#)) special leave with pay, within the limits shown in the table below, may be granted to you if you have dependants, are a single householder or if you and your partner are both Civil Servants and are being permanently transferred together. A partner who is a Civil Servant qualifies for this leave whether the tasks are undertaken by both of you together or individually. On reconnaissance visits to dispersal locations the same leave should be granted to you and your partner, whether or not you are both being compulsorily dispersed.

<p>a. Preliminary visit to the new station, at any convenient time within three months of the expected date of transfer to obtain furnished or unfurnished accommodation (see Handbook section referred to above).</p>	<p>up to five days</p>
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<p><b>b.</b> To search for accommodation after transfer to the new station, when no preliminary visit has been made. Reasonable evidence is required that the leave is used for this purpose (see as above).</p>	<p>up to five days</p>
<p><b>c.</b> Return visit to supervise removal taking into account, if need be, the packing and unpacking of furniture (see as above).</p>	<p>up to two days plus a third day if justified (for example by reason of the distance between the old and new stations).</p>
<p><b>d.</b> To supervise removal and for the journey to the new station when you move your family at the time of transfer (see as above).</p>	<p>one day plus a second day if justified (for example by reason of the distance between old and new stations).</p>
<p><b>e.</b> Reconnaissance visits to dispersal locations.</p>	<p>one day plus a second, if the distance justifies an overnight stay.</p>

**5.2** When voluntary transfer involves removal of the family home up to three days' special leave without pay may be granted. Line managers should treat requests as sympathetically as possible.

## 6 Study and Development Leave

### General

**6.1** The main purpose of development leave is to help promising officers to become in the long term better Civil Servants by giving you an opportunity at a suitable stage in your career, to broaden your experience or to be refreshed by a change of environment. It may involve advanced study, or research, either abroad or in this country. You may also acquire new ideas, knowledge or experience of direct benefit to the work of their Department or of the Service - though this is not the primary objective - and you may perform a useful ambassadorial function. (Attachments to industry, secondment to jobs abroad or to local authorities should not be regarded as attracting development leave.)

**6.2** Corporate HR will inform departments of the terms and conditions of certain Fellowships and other awards open to Civil Servants.

**6.3** 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.

**6.4** If you are selected for training or granted development or study leave and your absence will total more than a year, HRConnect will require you to sign a statement of intention to return to the Civil Service. In certain cases HRConnect may also require you to sign an undertaking to repay to the Department the whole or part of the amount it has expended in respect of your studies, if you fail to complete them or to remain in the Civil Service for at least two years after their completion. You must apply as described in the [Leave User Guide](#) in the HR Handbook.

#### **Full-Time Study Commissioned by Departments**

**6.5** Departments wishing to commission studies of particular relevance to their functions and work may authorise suitable staff to undertake the studies on official duty terms. In such cases the initiative will normally be taken by the Department.

#### **Full-Time Study Initiated by the Officer**

**6.6** The initiative in applying for development leave will normally be taken by you, although it may also be suggested by a senior officer. It is open to everyone holding or likely to hold positions of high responsibility. Normally development leave should be allowed only once in a career, and granted on full pay.

#### **External Training Courses**

**6.7** Time spent on external training courses is regarded as official duty and does not therefore require a grant of special leave.

#### **Adult Further Education**

**6.8** Departments may give assistance to you if you wish to undertake an approved course of further education, these provisions can be found in the HR Handbook (see policy [5.01 Assistance to Study – Adult Further Education](#)).

#### **Civil Service and European Union (EU) Examinations**

**6.9** With the prior approval of the Department special leave with pay will be granted for attendance at a Northern Ireland Civil Service examination or other examinations, success in which would, in the line manager's opinion, improve your status or enhance your usefulness to your Department.

**6.10** Annual leave, or special leave without pay, may be granted to you if you sit Home Civil Service examinations. Special leave with pay may, however, be granted to you if you sit examinations with the declared objective of securing an appointment in the Northern Ireland Civil Service.

**6.11** Special leave with pay may be granted for attendance at an EU interview or examination and for any necessary travelling time. Travelling expenses and subsistence in connection with the EU post will not be borne by the Civil Service but should be claimed from the relevant EU Institution.

## **7 Reserve and Cadet Forces Training**

### **Reserve Forces Membership**

**7.1** If you wish to join any of the Forces or Reserves listed in Annex 1 or seeking to extend an engagement or enter into a fresh one, you must obtain the written consent of Departmental HR through HR Connect before enrolment (except for members of those Reserves whose liability to enrol is a compulsory one following on a period of regular service).

**7.2** Although departments will encourage you to volunteer, Departmental HR will retain the right to consider applications individually and to refuse permission where they are satisfied that it would not be in the national interest for you to be called away from work.

### **Reserve Forces Training**

**7.3** Special leave with pay may be granted for you if you are a member of the Reserve Forces for periods of training. Where the period of training amounts to 15 calendar days or more, special leave with pay may be granted up to a limit of eight working days in the training year. The special leave for you if you are part-time will be the number of working days required to give you the same effective length of time away from your duties as your full-time colleagues.

**7.4** Working days spent on training which exceed this limit should be treated as special leave without pay unless annual leave is taken. Where the annual training falls below 15 days the eight working days allowance should be reduced proportionately.

**7.5** If you have an annual leave allowance of less than 30 days and, in addition to normal annual training, attend special courses or exercises, you may be allowed up to a further one week's special leave with pay in any one leave year but the sum of:

- a.** annual leave;
- b.** special leave with pay granted under section 7.3 (where this is modified under the arrangements for Royal Naval Reserve and Royal Marine Reserve in section 7.6, the reservist should be regarded as carrying out 14 days' normal training in each year);
- c.** special leave with pay granted under this section; and

- d. special leave with pay allowed by Corporate HR on special occasions (for example royal visits) in which members of the Reserve Forces participate should not exceed seven weeks.

### **Royal Naval Reserve and Royal Marine Reserve**

**7.6** Members of the Royal Naval Reserve and the Royal Marine Reserve undertaking the maximum training required by regulations may be granted special leave with pay on the scale set out in section 7.3. The normal eight day limit may however be exceeded in any year in which more than 14 calendar days training is undertaken, provided that in any period of years used to govern the training, the overall total of special leave with pay does not exceed what would ordinarily have been allowed if 14 days' training were to have taken place each year.

### **Royal Irish Regiment**

**7.7** If you wish to join the Royal Irish Regiment you must first obtain the consent of Departmental HR through HRConnect.

**7.8** Special leave will be allowed to you if you are full-time, fixed term (temporary) and regularly employed and work an alternative working pattern. The special leave for you if you work an alternative working pattern will be the number of working days required to give you the same effective length of time away from your duties as your full-time colleagues.

**7.9** Special leave with pay to cover the whole of the training period will be allowed for attendance at annual training camp. Special leave for attendance at other Royal Irish Regiment training courses, for example officers' training courses, may be allowed at the discretion of the line manager, but where this is allowed with pay it will be treated as shown in section 7.10. See also section 7.19 for preliminary training provisions.

**7.10** If you are called up for Royal Irish Regiment duties during your normal working hours, special leave with pay will be allowed as necessary, but in such cases HRConnect will make a deduction from pay for each working day of special leave at the army daily rate of pay, or the Civil Service daily rate of pay, whichever is the lower.

**7.11** For arrangements on attendance after night duty refer to the HR Handbook (see section 8.1 of the policy [3.11 Hours and Attendance](#)).

**7.12** You may apply to Departmental HR through HRConnect to be released for up to two years to undertake full-time service with the Royal Irish Regiment. Departmental HR will consider each case on its merits. When such an absence is approved you will receive any balance of civil pay due calculated on a weekly/monthly basis. The absence will count for pay and pensions purposes.

### **Part-Time Police Service of Northern Ireland**

**7.13** If you wish to join the part-time Police Service of Northern Ireland (PSNI) you must obtain the consent of Departmental HR through HRConnect.

**7.14** Part-time service with the Police Service of Northern Ireland should not normally entail absence from official duties as patrols and training will usually take place outside normal office hours. If in exceptional circumstances you are required to be on duty with the part-time Police Service of Northern Ireland during office hours, special leave with pay will be allowed but in such cases the HRConnect will make a deduction from your pay for each working day of special leave at the police daily rate of payment or the Civil Service daily rate of pay, whichever is the lower. For preliminary training provisions see section 7.19.

**7.15** Where, in the part-time Police Service of Northern Ireland, you are required to attend court as a witness arising out of your police duties you will be given such time off or special leave with pay as may be necessary.

**7.16** The above provisions apply to full-time and fixed-term Civil Servants. Special leave for those who are regularly employed as PSNI Officers who work an alternative working pattern will be the period required to give them the same effective length of time away from their duties as their full-time colleagues.

**7.17** For arrangements on attendance after night duty refer to the HR Handbook (see section 8.1 of the policy [3.11 Hours and Attendance](#)).

### **Territorial and Army Volunteer Reserve**

**7.18** If you are a member of the Territorial and Army Volunteer Reserve required to carry out security duties similar to those undertaken by members of the Royal Irish Regiment and the part-time Police Service of Northern Ireland, you should receive the same time concessions and special leave as are available to members of the Royal Irish Regiment and the part-time Police Service of Northern Ireland (see sections 7.7 to 7.18).

### **Preliminary Training**

**7.19** Not more than five days special paid leave may be granted for an initial training course to members of the Royal National Lifeboat Institution, Auxiliary Coastguard Service, part-time Police Service of Northern Ireland, Royal Irish Regiment or members of Emergency and Voluntary Rescue Services organisations listed in Annex 4.

### **Cadet Forces Training**

**7.20** The cadet forces comprise the Sea Cadet Corps, Combined Cadet Force, The Army Cadet Force and Air Training Corps. Written consent is not necessary for you to join one of these forces (which do not involve a liability for call-up in emergency) but you should notify Departmental HR through HRConnect as soon as possible after taking up duty.

**7.21** Special leave with pay may be granted for cadet forces training to everyone who works full time except those employed on fixed-term appointments who have not completed six months' service, as follows:

- a.** members of, or officers in, the cadet forces may be allowed special leave with pay for up to one week in any leave year for attendance at camp or special instructional courses provided they are held under naval, military or air force auspices;
- b.** commissioned officers of cadet forces who are required to undergo a course in addition to attending annual cadet camp may be allowed special leave for the course within the limits of the permitted allowances for voluntary members of the reserve forces (see section 7.5).

**7.22** If you are regularly employed on a part-time basis, you may also be allowed special leave but Civil Service pay received should not exceed the pay due for the equivalent period of part-time employment.

**7.23** The amount of pay (as distinct from allowances in lieu of accommodation or of rations) received during attendance at a cadet camp or course for which special leave with pay is granted, should be deducted from the civil pay of members (but not instructors or officers) of the cadet forces. Any service pay received during a period of annual leave may be disregarded.

## **8 Emergency and Voluntary Rescue Services**

**8.1** If you wish to join any such organisation you must obtain the consent of Departmental HR through HRConnect. The relevant organisations are listed in Annex 4 of this policy.

**8.2** Service with these organisations should not normally entail absence from official duties. However, if you are called out to attend an emergency situation during office hours, you will be allowed to leave your post to attend. For preliminary training provisions see section 7.19.

**8.3** If payment, other than for reimbursement of expenses, is offered for attending an emergency situation, you should choose to either accept the payment and apply for special leave without pay or decline the payment and apply for special leave with pay. Payment in this circumstance covers any payment, whether as a daily attendance fee, a retainer or any other form of compensation.

**8.4** Where you are called out to attend an emergency during the night, you may be allowed to report to your office later the following day. If exceptionally, your duty is prolonged after 6.30a.m. special arrangements may be made at discretion of your line manager.

## **9 Training Courses in Youth Leadership**

**9.1** One week's special leave with pay (either as a complete week or separate days) may be granted to part-time youth leaders, and assistant youth leaders who undertake courses in youth leadership run by the national voluntary organisations listed in Annex 2 at national or regional centres by local authorities, regional youth leadership training bodies, some University departments, Institutes of Education, Regional Advisory Councils for Further Education and by organisations such as the Central Council for Physical Recreation. The provision of special leave under this section may also be considered for leadership training for other community/voluntary sector organisations such as the University of the Third Age. Normally special leave should not be granted to you more frequently than once in three years, although applications for such leave once every two years may be considered on their merits.

## **10 Presentation of The Duke of Edinburgh's Gold Award**

**10.1** Special leave with pay may be granted to young Civil Servants to enable you to be presented with the Duke of Edinburgh's Gold Award. If you accompany recipients to such ceremonies you are not eligible for paid special leave but may be granted special leave without pay.

## **11 Participation in National and International Events**

**11.1** If you are selected for international events you may be granted special leave as follows, providing that your line manager can release you from official duty.

- a. Olympic Games:** Special leave with pay to cover the entire period spent away from Northern Ireland, including travelling time.
- b. Commonwealth Games:** Special leave with pay to cover the entire period spent away from Northern Ireland, including travelling time.

- c. International Events and World Championships:** Where you are representing a country or province, up to ten days' special leave with pay per annum the remainder being taken as annual leave or unpaid special leave. If you are applying for special leave to represent your country by participating in an International Event or World Championship, you should provide confirmation from the governing body concerned that you are participating at the event and that you are participating as a representative of a country or province.
- d. National Civil Service sports events:** Where you qualify for the final of an individual UK Civil Service sports championship by winning a preliminary NI competition, special leave with pay may be granted, at line manager's discretion. The leave may cover time necessarily spent in travelling to and from the event and competing in it. Special leave may also be granted to represent the NI Civil Service in team events.
- e. Tours:** Where you are representing your country in a tour abroad special paid leave may be granted for three-quarters of the working days within the first tour and one-third of the working days within the second and subsequent tours, any balance to be taken as annual leave or special leave without pay.

**11.2** If payment, other than for reimbursement of expenses, is offered for participating in these events, you should choose to either accept the payment and apply for special leave without pay or decline the payment and apply for special leave with pay. Payment in this circumstance covers any payment, whether as a daily attendance fee, a retainer or any other form of compensation.

## **12 Attendance at Investitures**

**12.1** Special leave with pay will be allowed to the recipient of an honour to cover the time necessarily spent in attending the investiture, for details refer to the HR Handbook (see policy 9.13 Travel and Subsistence).

## **13 Attendance in Court as a Witness or Juror**

**13.1** If you are called upon in your official capacity to:

- a.** give evidence in criminal and civil proceedings and in coroners' courts; or
- b.** attend other outside bodies as witness or in other capacities;

you should be regarded as being on official duty. In addition to normal pay you are entitled to payment for travelling time and travelling and subsistence allowances, any sums recovered from the outside sources being handed over to your employing department.

**13.2** For anyone who appears in court in a private capacity the following provisions apply:

- a.** Special leave with pay may be granted to an officer attending court:
  - i.** as witnesses for the prosecution or the defence in criminal proceedings;
  - ii.** as witnesses in coroners' courts; and
  - iii.** as a juror.

In these circumstances you may retain any travelling or subsistence allowance received from the court.

- b.** Special leave without pay or annual leave may be granted to you if you are appearing as a witness in civil proceedings. Special leave without pay taken in such circumstances will be reckonable as service for pay and pension purposes. Travelling and subsistence allowances should not be paid by the employing department but you may claim and retain any travelling and subsistence expenses and, where special leave without pay is given, any compensation for loss of earnings or other sums payable by the court or a party to the action.

You should not claim from the court, or accept any compensation for loss of earnings that have not in fact been lost.

**13.3** You must inform your line manager as soon as possible, if you have been summoned for jury service unless you are clearly ineligible or disqualified (as explained on the summons) and have notified the summoning officer. Where your partner is called for jury service line managers may, at their discretion allow you paid special leave for the first day of your partner's service where they are satisfied that you are unable to make satisfactory arrangements for the care of young children.

## **14 Voluntary Service**

### **Voluntary Public Service**

**14.1** Articles 78 and 79 of the Employment Rights (Northern Ireland) Order 1996 provide rights to employees to time off for public duties. Within the Northern Ireland Civil Service, special leave with pay may be granted for voluntary public service with the bodies listed at Annex 3. It is for Departmental HR to decide whether it is desirable for you to serve on any of the bodies listed where there is a special relationship between your Department and the body concerned, or where there may be a conflict in the public view between your official function and your unofficial activities. Special leave should not be granted for certain political activities where the terms of appointment restrict your right to participate in them.

**14.2** Line managers have discretion to decide on the appropriate amount of leave to award and suggested limits are set out in Annex 3. Where you are a member of more than one body line managers may allow an aggregate of the leave that applies to each. Special leave without pay may also be granted although the combination of leave with and without pay should, normally, be not more than 36 days in a leave year.

**14.3** Special leave without pay for attendance at meetings of the bodies listed in Annex 3 may be counted as reckonable service for pension purposes.

**14.4** If payment, other than for reimbursement of expenses, is offered by any of the bodies listed in Annex 3, you should choose to either accept the payment and apply for special leave without pay to enable you to carry out the required duties or decline the payment and apply for special leave with pay.

**14.5** Payment in this circumstance covers any payment made by the body, whether as a daily attendance fee, a retainer or any other form of compensation.

#### **Non-Statutory Voluntary Aid Bodies**

**14.6** Special leave (whether with or without pay) will be granted to enable you to participate in the activities of non-statutory voluntary aid bodies. Voluntary activity can be defined as ‘the commitment of time and money for the benefit of the community, the environment, or individuals outside one’s immediate family circle. It is undertaken freely and without concern for financial gain’. Up to a maximum of three days’ special leave will be granted (with the appropriate level determined by the employing department) provided that it is matched with a similar number of days of your own time. This is to facilitate voluntary activity which provides a benefit to the community, involving one-off or ongoing activities.

**14.7** Special leave will not be granted in respect of volunteering on behalf of political groups, or in relation to issues which might be considered politically sensitive.

**14.8** All special leave for voluntary activity will be granted at line manager’s discretion and approval, will only be given when it has been determined that no adverse impact on official business will result and that there will be no conflict of interest.

**14.9** When special leave with pay is granted, it will be on the condition that you contribute an equivalent amount of your own time to the same charity for the purposes of volunteering.

**14.10** Written applications must be submitted to your line manager at least four weeks prior to the intended date of volunteering and include the:

- a.** name of the charity;
- b.** date and time of attendance; and
- c.** nature and location of the activity.

**14.11** If a request is not approved you will be advised of the reason for refusal. If business needs so require, previously approved special leave may be cancelled or postponed.

**14.12** If you have been granted special leave you must, once you return to work, provide a letter from the relevant charity which clearly identifies the location, nature and duration of the voluntary activity and confirm that you attended. These details must cover both the period of special leave and the “own time” element (see section 13.8). Failure to provide these details may result in the withdrawal of approval.

**14.13** Although line managers are expected to be selective about the voluntary aid bodies which they support by allowing you paid special leave, they are encouraged to be sympathetic, particularly, in cases where the activities of the organisation have some link with the work of the Department or where the Department has a particular expertise which it can usefully pass on to the voluntary sector.

## **15 Overseas Voluntary Schemes**

**15.1** Departmental HR may grant special leave without pay for up to two years to enable you to work in voluntary service schemes in a developing country.

## **16 Political Agents**

**16.1** If you are free from any restriction on political activities or, being in the “intermediate group”, have permission to take part in national political activities, refer to Employee Relations in the HR Handbook (see policy [6.01 Standards of Conduct](#)) you may be allowed up to six weeks’ special leave without pay to serve as a political agent to a candidate or bona fide prospective candidate in a Parliamentary election.

## **17 Career Break**

**17.1** The objectives of the career break scheme are to provide new job opportunities in the NICS and to facilitate you, if you wish, to take a break away from work.

## **Purpose**

**17.2** A career break may be granted for most purposes including further education, domestic responsibilities, starting a business, maintaining a family business or to work outside Northern Ireland. A career break will not be granted for the purpose of taking up alternative salaried or wage earning employment within Northern Ireland unless the prior written approval of the Departmental HR through HRConnect has been obtained. Such approval will only be granted in exceptional circumstances. If you are on a career break you are permitted to take up employment during your leisure time.

**17.3** If you are granted a career break for the purpose of further education you will be permitted to take up salaried or wage earning employment on a casual basis during holidays, and so on or to work during a student placement.

## **Eligibility**

**17.4** The granting of a career break is a discretionary matter and not an entitlement. Each application will be considered on its own individual merits and in light of the circumstances which prevail in the particular Branch/Division/business area and in the given grade/specialism to which the applicant belongs. Career breaks may, therefore, have to be refused or delayed where there are overriding business considerations. Reasons for refusal will be given to you.

**17.5** To be eligible to be considered for a career break you must:

- be a permanent Civil Servant;
- have satisfactorily completed their probationary period (this qualifying period may be waived at the discretion of Departmental HR in cases of domestic urgency);
- have a satisfactory record of attendance, performance and conduct; and

**17.6** If you are subject to disciplinary or inefficiency procedures, and have received a Written Warning, you will not normally be permitted to take a career break until your standard of service reaches a satisfactory level.

## **Duration and Number of Career Breaks**

**17.7** Special leave without pay in the form of a career break may be granted for any period ranging from one year to a maximum of five years at the discretion of Departmental HR. Between one and four extensions may be granted to the original period of a career break (depending on the duration of each) provided that the career break does not exceed five years in total.

**17.8** A total of five years without pay in the form of career breaks may be granted during a period of employment, in other words where you take an initial break of one year, up to four additional career breaks (for example four one-year breaks, two two-year breaks, one four-year break and so on) may be granted, provided that the service between career breaks is not less than one year and that the overall total does not exceed five years. This one-year qualifying service period may be waived at the discretion of Departmental HR in cases of domestic urgency.

**17.9** In very exceptional circumstances, Departmental HR may wish to exercise discretion in granting a further period of unpaid leave if requested immediately after the maximum five year career break.

**17.10** A woman who wishes to apply for a career break immediately following a period of maternity leave does not need to return for one month in order to avoid having to repay maternity pay. If, however, she resigns during the course of the career break or fails to return at the end of the period for at least four weeks (or the equivalent if working part-time), she will be expected to repay maternity pay received immediately prior to the commencement of the career break.

### **Applications**

**17.11** At least three months' notice must be given of the prospective start date for a career break, unless circumstances make this impossible. The actual start date of a career break will be a Departmental HR decision taking into account, among other things, the circumstances of the application and the timescale for filling any resultant vacancy.

**17.12** While you are on a career break you should provide HRConnect with, and regularly update, details of a forwarding address.

**17.13** A request for a career break should be to your line manager as described in the Leave User Guide in the HR Handbook.

### **Appeals**

**17.14** If you are not granted a career break you may raise the matter in accordance with the established grievance procedure.

### **Conditions of Service**

**17.15** If you are granted a career break you are required to take whatever annual leave is due to you before the career break begins. Wherever possible, therefore, the last day of attendance should be fixed to take account of any untaken leave. Where you are on sickness absence up to your last day of service before commencing a career break, section 4.1(c) of the policy 3.07 Annual Leave will apply.

**17.16** While you are on a career break you remain subject to the normal rules applying to Civil Servants. In particular, you are reminded that you remain subject to those conditions of service relating to conduct, financial affairs, political activities and outside appointments. You also remain under an obligation to inform HRConnect of any criminal charges brought against you while on a career break. Disciplinary action may be taken, where appropriate.

**17.17** Special leave without pay does not count as reckonable service towards pay progression, pension, sickness absence or annual leave or waiting time on the central transfer list. A 'stop the clock' principle is applied in that unpaid leave does not accrue benefits, but those already accumulated are preserved and built upon when you return to paid employment. You are advised to seek advice from your HRConnect about the implications of a career break on issues such as pay, pension, and so on, before applying for a career break.

**17.18** If you are permitted to take up any form of employment during your career break you must ensure that it does not contravene any of the principles and provisions specified in the HR Handbook.

**17.19** In a redundancy or early severance situation, if you are on a career break you will be considered under the same terms as serving members of staff.

### **Social Security and Inland Revenue Arrangements**

**17.20** If you are permitted to take up any form of employment or are engaged in business while on a career break you should contact your local office of the Inland Revenue.

**17.21** It is your responsibility to contact the Social Security Agency to determine whether you are entitled to any Social Security benefits and to check the position as regards National Insurance contributions.

### **Return**

**17.22** If you are on a career break HRConnect will contact you three months before you are due to return to:

- confirm that you intend to return on the due date; or
- apply for an extension (up to the maximum of five years in total); or
- indicate that you wish to resign.

**17.23** In the event that HRConnect has made reasonable attempts to contact you at the end of your career break with no response, then resignation will be assumed and procedures for 'Leaving the Service' will be implemented.

**17.24** You will not normally be posted back to your former post/location, but to vacancies as and when they arise. This will usually be in your former department or the equivalent department following any restructuring or reorganisation. Every effort will be made to ensure that you return to a post within your substantive grade/pay range, although you may be required to serve in a lower grade post on a temporary basis until a suitable posting in the substantive grade can be found. Pay would relate to the substantive grade initially, but would be on a mark-time basis until a suitable vacancy in the substantive grade is available.

**17.25** Departments will endeavour to reabsorb their own staff. If, exceptionally, this is not possible within a reasonable period of time, Departmental HR may negotiate with any departments that have vacancies.

**17.26** Where a suitable post is not available you may, with the agreement of Departmental HR take up alternative salaried or wage earning employment within Northern Ireland, on a temporary basis, until a suitable post becomes available either in the substantive grade or the lower grade.

**17.27** For details of salary assessment on return to work refer to the HR Handbook (see section 8.23 of the policy Pay on Return from Career Break).

**17.28** A new posting on return to duty will be regarded as a voluntary transfer. Departments will normally only meet expenses incurred where you would have been redeployed or permanently transferred had you remained in work.

**17.29** If you are on unpaid leave and in a mobile grade you continue to be considered as mobile during the period of unpaid leave. If you are part-time you are regarded as non-mobile.

**17.30** If you wish to return early from a career break due to unforeseen circumstances you must give three months' notice. However, there is no guarantee that a post will be available earlier than the date originally agreed.

**17.31** If you seek to return to work on an alternative working pattern you cannot be guaranteed a job on that basis even where you commenced your career break while working under an alternative work pattern. Every effort will be made to secure a work pattern that suits you, but you will be expected to be flexible.

**17.32** Other unpaid leave arrangements as set out in the HR Handbook will continue to apply.

**17.33** If you are returning from a career break and you refuse three reasonable job offers, you may be dismissed in accordance with the Disciplinary procedures laid down in the HR Handbook, policy 6.03 Discipline.

### **Absence Due to Illness After a Career Break**

**17.34** If you are unable to return to work on the due date because of illness, you will be required to produce a medical statement promptly. It is important that the statement covers the whole of the period in which you were ill, after the end of the career break. If you are unable to return due to illness, you will not be entitled to contractual sick pay in respect of that illness. However, you will be subject to the inefficiency procedures (see policy [6.06 Inefficiency Sickness Absence](#)).

## **List of Reserve Forces**

**A.** Membership of the following Reserve Forces normally involves training liabilities:

### **ROYAL NAVY**

Royal Marine Reserve  
Royal Naval Reserve  
Voluntary Aid Detachment (Naval Reserve) for attendance at one week's annual training at a Naval hospital  
Women's Royal Naval Reserve  
Royal Naval Auxiliary Service

### **ARMY**

Territorial and Army Volunteer Reserve (men and women)

### **ROYAL AIR FORCE**

Royal Air Force Reserve Class "E" Category 1,  
Section A and B: compulsory membership  
Royal Air Force Reserve of Officers  
Royal Air Force Volunteer Reserve  
Royal Air Force Volunteer Reserve (Training Branch)  
Royal Auxiliary Air Force  
Royal Observer Corps  
Women's Royal Auxiliary Air Force  
Women's Royal Air Force Volunteer Reserve; voluntary membership

**Standards of Conduct**

**ANNEX 1 (Cont'd)**

**Sections 7.1 - 7.6**

- B.** Membership of the following Reserve Forces does not normally involve training liabilities:

**ROYAL NAVY**

Emergency List of Officers  
Pensioners  
Queen Alexandra's Royal Naval Nursing Service Reserve  
Retired List Officers  
Royal Fleet Reserve

**ARMY**

Regular Army Reserve of Officers (men and women)  
Army Officers Emergency Reserve (men and women)  
Pensioners (men and women)  
Regular Reserve: Sections A, B and D (men)  
Regular Reserve: Sections F and G (women)  
Army General Reserve  
Long Term Reserve

**ROYAL AIR FORCE**

Pensioners  
Princess Mary's Royal Air Force Nursing Service Reserve  
Retired List of:  
Royal Air Force  
Women's Royal Air Force  
Princess Mary's Royal Air Force Nursing Service  
Royal Air Force Reserve, Class "E" Category 11  
Royal Auxiliary Air Force Reserve  
Women's Royal Auxiliary Air Force Reserve

**National Voluntary Youth Organisations offering Training Courses in  
Youth Leadership for Part-time Youth Leaders and Assistants**

Army Cadet Force Association

Baptist Union Young People's Department  
Boys' Brigade  
Boy Scouts Association  
British Council of Churches (Youth Department)  
British Red Cross Society

Church Lads' Brigade/Church Girls' Brigade  
Congregational Union (Youth and Children's Department)  
Co-operative Union Limited (Education)

Duke of Edinburgh's Award scheme

Girls' Brigade  
Girls' Friendly Society  
Girl Guides Association

Methodist Association of Youth Clubs

National Association of Boys Clubs  
National Association of Training Corps for Girls  
National Association of Youth Clubs  
National Federation of Catholic Youth Clubs  
National Federation of Young Farmers Clubs

Outward Bound

St John Ambulance Brigade  
Salvation Army (Youth Department)  
Sea Cadet Corps

Young Christian Workers  
Young Men's Christian Association  
Young Women's Christian Association

**Note: Departments should consider applications for special leave for training from other religious organisations.**

**Voluntary Public Service Organisations**

<b>VOLUNTARY PUBLIC SERVICE</b>		<b>SPECIAL LEAVE WITH PAY - SUGGESTED UPPER LIMIT</b>
<b>a.</b>	Magisterial duties - Justice of the Peace; Lay member of the Juvenile Court Bench; Lay Magistrate	18 days (Plus initial training and reasonable time for travelling, to permit up to 26 attendances)
<b>b.</b>	District Council Work:-	
	Elected member of a District Council including Mayors in the Mayoral year and Chairmen of Councils. This total may be increased to 24 days if the Department is satisfied that the duties equate to those of a Lord Mayor	18 days
	Lord Mayor in Mayoral year	24 days
<b>c.</b>	Member of a Health and Social Services Board	6 days
<b>d.</b>	Member of an Education and Library Board	6 days
<b>e.</b>	Member of any statutory tribunal (attendance at meetings and other essential business)	6 days
<b>f.</b>	Attendance at meetings and other essential business of:-	6 days
	<b>i.</b> Prison Visiting Committees and Boards of Visitors	

**Special Leave**

**ANNEX 3(Cont'd)**

**Sections 14.1 - 14.4**

<b>VOLUNTARY PUBLIC SERVICE</b>		<b>SPECIAL LEAVE WITH PAY - SUGGESTED UPPER LIMIT</b>
	<b>ii.</b> War Pensions Committees	6 days
<b>g.</b>	A Governor of the University of Ulster or a member of the managing or governing body of any of the following (within the meaning of the Education and Libraries (NI) Order 1986) :	6 days
	<b>i.</b> a grant aided school;	
	<b>ii.</b> an institution of further education;	
	<b>iii.</b> an institution which is maintained in pursuance of arrangements made by the Department of Education under Article 66(1) of that Order of 1986, or in respect of which grants are paid by that Department under Article 66(2) of that Order.	
<b>h.</b>	Member of a District Committee for the Health and Personal Social Services.	3 days
<b>i.</b>	Civic Forum	18 days
<b>j.</b>	Member of a Policing Partnership Board	18 days

## **Emergency and Voluntary Rescue Services**

NI Fire and Rescue Service  
Royal National Lifeboat Institution  
Auxiliary Coastguard Service  
Lough Neagh Rescue  
NI Ambulance Service – Voluntary Car Drivers and First Responders  
Foyle Search and Rescue  
Northern Ireland Mountain and Cave Rescue Co-ordinating Committee – this includes:

The PSNI Mountain Rescue Team  
The Mourne Mountain Rescue Team  
The North West Mountain Rescue Team  
The Irish Cave Rescue Organisation