

Public Service Leave Policy

1 Introduction

- 1.1 This policy sets out the provision for time off to support staff engaged in voluntary public service roles. Social responsibility is at the heart of the University's strategic vision. We support and encourage staff to contribute their skills and knowledge to make a difference in our local communities and wider society.

2 Scope

- 2.1 This policy is applicable to all staff at the University who wish to carry out a voluntary public service role, regardless of length of service. If a member of staff is unsure whether a public service which they perform is covered by this policy, they should contact HRServices@manchester.ac.uk.
- 2.2 This policy does not form part of any contract of employment and may be amended at any time.

3 Roles and Responsibilities

- 3.1 It is the responsibility of staff to apply for public service leave in accordance with this policy and where required, provide the relevant supporting information.
- 3.2 It is the responsibility of managers to consider and approve leave in accordance with this policy, recording public service leave, as well to addressing any relevant operational implications of the leave.

4 Time off for Voluntary Public Service roles

- 4.1 Staff have a statutory right to a reasonable amount of unpaid leave to undertake the public duties listed within this section.

4.2 Time off is given to enable attendance at meetings of the body or its committees or sub-committees to a member of staff who is a:

- Magistrate / Justice of the Peace
- member of a local authority/ local councillor
- member of a statutory tribunal (e.g. an employment tribunal)
- member of a health authority
- member of the managing or governing body of an educational establishment (see separate guidance for School Governors).
- member of the Environment Agency
- member of a Prison Independent Monitoring Board
- member of a Water Customer Consultation Panel
- a trade union member for trade union duties (the University also has a separate facilities agreement in relation to time off for trade union duties).
- member of such other bodies as may be approved by the President and Vice-Chancellor.

4.3 Time off will only be granted for attendance at and travel to and from meetings, not for any preparatory work that needs to be undertaken. Staff may be required to produce relevant documentation verifying their public duty appointment.

4.4 Expenses relating to travel and/or subsistence will not be paid by the University.

4.5 Staff cannot claim time off in lieu or payment from the University for any public duties performed out of normal working hours.

4.6 Whilst there is no legal obligation to grant paid leave for these purposes, the University recognises the value of such work and will provide a reasonable amount of this leave with pay. However:

- where a public duty attracts a fee or an allowance the member of staff must declare this. Where the fee paid is equal to or greater than a days' pay, unpaid leave will be given in relation to the public duty; where the fee is less than a days' pay, salary will be reduced accordingly.

- whenever possible staff should claim reimbursements for loss of earnings and salary will be reduced accordingly.
- 4.7 Staff wishing to undertake a role covered by this policy should initially discuss this with their manager, provide an estimate of the amount of time off required per year to undertake the role and complete a pro-forma in accordance with the Policy on Outside Work and Consultancy (apart from trade union roles where this is not required) to ensure that due consideration is given to potential conflicts of interest.
- 4.8 After discussion, the manager will confirm the maximum amount of leave which may be taken during the year and the maximum amount of that leave that will be paid. This will depend on the requirements for the performance of the duties involved, the time off already permitted to an individual, and the effect of such absence on the effective running of the School/other organisational unit concerned, whilst recognising that staff have a statutory right to a reasonable amount of unpaid leave in these circumstances. The maximum amount of time off work for such public service (paid or unpaid) will not normally exceed 18 days in any rolling 12 month period. In many cases the leave required will be much less, for example School Governors will be given a maximum of 4 or 5 days paid leave (see separate School Governor Guidance.)
- 4.9 Staff wishing to take further time off for such duties will be required to use their normal annual leave.
- 4.10 Staff who are standing for election as a local councillor are expected to take any time spent campaigning leading up to an election as annual leave.
- 4.11 All public service leave allocations will be pro rata for part-time staff.
- 4.12 Staff must give as much notice as possible of leave requests, and all requests must be agreed in advance by their manager, noting that such agreement will not be unreasonably withheld.
- 4.13 Managers should keep a local record of leave requests and outcomes. There is provision for this to be recorded within absence and annual leave records.
- 4.14 Where unpaid leave is granted the manager must inform HR Services who will write to the member of staff to confirm the deduction of pay and will adjust their pay accordingly.

5 UK Volunteer Reserve Armed Forces

- 5.1 The following only applies to staff who are members of the UK Reserve Forces (the Territorial Army, Royal Navy Reserve, Royal Marines Reserve or Royal Auxiliary Air Force). The University understands that such staff may be called up at any time to be deployed on full-time operations, and are expected to attend regular training.
- 5.2 Most reserved forces training takes place in the evenings and at weekends, however volunteers are usually expected to attend an annual camp. In order to support staff to undertake this, the University will provide 2 weeks paid leave in addition to normal annual leave. However, as Reservists are paid by the Ministry of Defence (MoD) for all training, staff must declare their pay and provide supporting documentation to HR Services. Where the MoD pay is equal to or greater than their normal pay, unpaid leave will be given and where the MoD pay is less than their normal pay, salary will be reduced accordingly.
- 5.3 Should the Reservist be mobilised (i.e. called up for active service) they must give the University as much notice as possible. It is possible for the University to apply to delay or cancel mobilisation if it would seriously harm the business. Details can be found at: <https://www.gov.uk/employee-reservist/mobilisation>.
- 5.4 During any period of mobilisation Reservists will be paid by and be given a period of annual leave by the MoD. They will therefore be on unpaid leave from the University and will not accrue annual leave or continuous service, although the period before and after the mobilisation will be joined together and treated as continuous.
- 5.5 Annual leave accrued prior to going on a combat tour should wherever possible be taken during the same holiday year, either prior to or after the individual's mobilisation. If it is not possible for a member of staff to take all of their accrued leave within the holiday year, they can, by agreement with their manager, carry over up to 5 days (one week) untaken leave into the next holiday year. In exceptional cases, for example, if called up at extremely short notice, the University will allow the member of staff to carry over all untaken leave into the next holiday year.
- 5.6 Employer pension contributions will be paid by the MoD and the individual's contributions will be deducted from salary paid by the MoD.

- 5.7 Financial assistance is available to help the University with replacement costs. Further details can be found at : <https://www.gov.uk/employee-reservist/financial-support-for-employers>
- 5.8 After mobilisation, the member of staff must notify their manager in writing as soon as they know when they can return to work. This must be no later than the third Monday after their last day of service. The University must re-employ them as soon as it is able to.
- 5.9 The member of staff has a right to return to their previous post. If this is not possible they will be redeployed to an alternative role on terms and conditions no less favourable than if they had not been absent.
- 5.10 On return to work after mobilisation, a return to work interview should be held by the manager with the member of staff, using the checklist provided in appendix 1.

6 Time-off for Jury Service

- 6.1 Jury service is usually for a period of 2 weeks (although this can vary).
- 6.2 When a member of staff is called for jury service they must notify their manager. In exceptional circumstances the manager can ask the individual to try to delay their jury service if their absence would seriously harm the University. The member of staff would need a letter from the manager explaining why. The member of staff can only delay jury service once in a 12-month period, and must say on the jury summons when they'll be available.
- 6.3 After the member of staff has responded to the initial notification from the court, they will receive confirmation of the details of their jury service. They must complete form JS1 - Notice of Jury Service and either take or send this together with the confirmation letter from the Courts Service and the certificate of loss of earnings to HR Services. This should be done at the earliest opportunity.
- 6.4 HR Services will complete and return the certificate of loss of earnings. The individual's pay will be reduced for each day of jury service by the amount which the member of staff can claim from the court for loss of earnings. In order to alleviate financial difficulties, upon request, the

University will provide a temporary loan to cover loss of earnings which will be repayable as soon as the jury service has finished. Details can be found in form JS1.

- 6.5 Staff must attend work on any whole days that they are not required in court and inform HR Services. Staff are not required to return to work if the court sends them home during the day. The member of staff must inform HR Services when their jury service is complete and they return to work using form JS2.

Further information on jury service is available at: <https://www.gov.uk/jury-service/overview>

7 Attending Magistrate or Crown Courts as a witness

- 7.1 Staff will be given time off to carry out their public duty when summoned to attend a Magistrate or Crown court as a witness to criminal proceedings (this does not include attendance at Employment Tribunals or Family Courts). They must notify their manager and either take or send the papers received from the Courts Service to HR Services. This should be done at the earliest opportunity.
- 7.2 The individual's pay will be reduced by the amount which can be claimed by the member of staff from the courts for loss of earnings.
- 7.3 Staff attending court as a witness in the course of their duties for the University will receive normal pay.

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Related procedures:	
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Related information:	
Policy owner:	Director of Human Resources
Lead contact:	Policy Manager

Appendix 1 – Summary of leave types and payments

Leave Type	Amount	Paid or Unpaid
Armed Forces Volunteer Reserve	2 weeks leave for annual training	Paid
Armed Forces Volunteer Reserve (when called up)	As determined by the mobilisation.	Unpaid. Staff are paid by the MoD.
Jury Service	2 weeks (but may vary depending on cases allocated)	Paid – pay is reduced by the amount that can be claimed from the court for loss of earnings.
Attending court as a witness	As necessary by the case.	Paid – pay is reduced by the amount that can be claimed from the court for loss of earnings.
Public Service roles (as listed in 4.2 of the Policy)	Reasonable leave provided. Should not exceed 18 days in rolling 12 months. Must be agreed with manager.	Paid.
Standing for election (campaigning)	None. Staff must take annual leave.	N/A

Return to Work Interview Checklist for Volunteer Reserve Forces – Appendix 1

Following a period of mobilisation it is important to ensure that the member of staff is supported back into work. They may have experienced traumatic and disturbing situations and may find it difficult to adjust. The purpose of such an interview is to ensure their safety and help them to settle back into their role as smoothly and quickly as possible.

Please discuss the following issues. Agree and note down any further steps which should be taken. If the employee does have any health problems they should be treated as they would if they were returning from sickness absence in terms of support and adjustments in the workplace.

How long have you been away from work?	
Have you suffered any injury / illness / stress whilst away?	
Is there any condition which is still causing concern?	
Do you need to be referred to Occupational Health, the Counselling Service or the Disability Support Office?	
Are any adjustments in the workplace required?	
Update the member of staff on any changes which have occurred in the workplace during their absence (for example – introduce them to any new staff; explain any changes in structure, procedures, etc.)	
Update the member of staff on their role, any work that has been undertaken in their absence and what current work is required.	
Is any training required to bring you up to speed?	
Employee name	Manager name
Employee number (on payslip)	Manager signature
Employee signature	Date completed

Please send a scanned copy of the completed form to HR Services, for employee records.

Form JS1 - Notice of Jury Service

Please complete this form and send to HR Services, 2nd Floor, Simon Building, together with your confirmation letter and certificate of loss of earnings from the Courts Service.

Your details			
Surname:			
First name(s):			
Post Title:			
Organisational Unit:			
Contact Telephone Number (at work):			
Employee Number (on pay slip):			
Your work pattern			
Please state your normal working hours (e.g. Monday 9am – 5pm)			
Monday		Thursday	
Tuesday		Friday	
Wednesday		Saturday	
		Sunday	
Your Line Managers details			
Name:			
Post Title:			
Contact Telephone Number (at work):			

Jury Service details	
Dates (notified in your letter from the Court Service)	
Loss of earnings during Jury Service (see also Financial hardship loan application overleaf)	
<p>£64.95 per day loss of earnings <u>will be deducted</u> from your salary whilst you are on jury service. <u>These deductions will continue until you confirm your return to work.</u></p> <p>Therefore, you must inform HR Services as soon as your jury service ends:</p> <ul style="list-style-type: none"> - If you returned to work for any days when you were expected to be on jury service, - The date your jury service ended, and confirm your return to work date. <p>Please use Form JS2 to do this</p>	
Employee declaration – MUST BE COMPLETED BY ALL EMPLOYEES	
<p>I understand that £64.95 per day will be deducted from my salary for each day that I am on jury service. However, I understand that I can claim this back from the Court Service.</p> <p>I accept that I must complete and return Form JS2 to HR Services as soon as possible to:</p> <ul style="list-style-type: none"> - inform HR Services of any days which I returned to work as I was not needed by the court, during my period of jury service - confirm my return to work date 	

I accept that I must keep my manager informed of my expected return to work	
Signature:	
Date:	
Financial hardship - loan application	
<p>In order to alleviate financial difficulties during your jury service, the University will make a loan payment to you of £64.95 per day for each day that you are absent from work on jury service. Loss of earnings will still be deducted from your pay (as stated above), but the University will loan you the same amount back so that you will not be out of pocket during the jury service period. You must repay the full amount loaned at the end of your jury service. <u>Repayment will automatically be taken out of your salary the month following the completion of your jury service.</u> For example: Jury service for 2 weeks during August, repayment of loan will be taken from your salary in September.</p> <p>Please note - the loan repayment will automatically be taken out of your salary irrespective of whether you have claimed or received this money from the Court Service</p>	
Employee declaration – OPTIONAL IF YOU WISH TO APPLY FOR A LOAN	
<p>I confirm that I wish to receive a loan from the University of £64.95 per day whilst I am on jury service and I authorise the repayment of the full sum of this loan from my salary in the month following the completion of my jury service.</p> <p>I accept that I must complete and return Form JS2 to HR Services as soon as possible to:</p> <ul style="list-style-type: none"> - inform HR Services of any days which I returned to work as I was not needed by the court during my period of jury service - confirm my return to work date <p>I accept that I must keep my manager informed of my expected return to work</p>	
Signature:	
Date:	

Form JS2 - Completion of Jury Service confirmation

Please complete this form and send to HR Services, 2nd Floor, Simon Building, as soon as possible on completion of your jury service.

It is important as loss of earnings will be deducted from your pay until HR Services receive this form.

Your details	
Surname:	
First name(s):	
Post Title:	
Organisational Unit:	
Contact Telephone Number (at work):	
Employee Number (on pay slip):	
Your Line Managers details	
Name:	
Post Title:	
Contact Telephone Number (at work):	
Jury Service details	
Please list any dates which you were <u>not</u> required to attend court and came to work instead: (your salary will be adjusted to repay any loss of earnings deducted for these days)	
First day of jury service	
Last day of jury service:	
Return to work date:	
Signature:	
Date:	