

Yateley Town Council

# Emergency and Compassionate Leave Policy



## 1.0 Introduction

1.1 Yateley Town Council (YTC) recognises that staff may require time off to deal with emergencies or compassionate circumstances. This policy sets out the statutory rights and discretionary arrangements relating to emergency and compassionate leave.

## 2.0 Basic Statutory Entitlements – Time off for dependants

2.1 Employees are entitled to take time off to deal with an unexpected emergency involving a dependant in accordance with the Employment Rights Act 1996. A dependant is defined in section 5.1 of this policy.

2.2 Employees are entitled to a reasonable amount of unpaid time off to deal with the immediate situation and to make any necessary short-term arrangements. There is no set limit on the amount of time off, as this will depend on individual circumstances.

There is no statutory entitlement to pay if you do take time off for an emergency.

Employees now also have a statutory right to 1 week unpaid Carer's Leave effective April 2024;

- The Equality Act 2010 protects employees with protected characteristics and therefore YTC will ensure that all requests are treated equally and that we do not treat employees less favourably than others.

## 3.0 Emergency Leave

3.1 An emergency is defined in the government advice by the following examples – you may request unpaid time off when a dependant is involved in the following emergencies:

- Illness, injury or assault (of a dependant) – this includes mental or physical illnesses and it does not need to be life threatening. It could be that they have an existing health condition that has got worse. You can also take time off to arrange longer term care for a dependant;
- The failure of a normal carer to turn up for work;
- An incident with your child at school;
- The dependant is having a baby - you can also take time off if a dependant goes into labour if you are the person they are relying on to take them to hospital. If you are the child's parent you can take time off after the birth as you will be entitled to paternity or maternity leave.
- Bereavement of a dependant also counts as an emergency.

## 4.0 Situations that do not qualify for statutory time off for dependants

4.1 The following situations do **not** qualify for statutory time off for dependants:

- Home emergencies including fire, flooding, burglary or broken boiler;
- Planned medical or dental appointments;
- Pet emergencies;
- Personal crises (such as relationship breakdown).

These situations do **not** qualify for paid leave.

Employees may request **unpaid leave** or use annual leave.

Approval of leave in these situations is **at the discretion of the Town Clerk** (or the Leader if the Town Clerk is unavailable), but this discretion applies **only to authorising unpaid time off**, not to awarding paid leave.

## 5.0 Compassionate Leave

### 5.1 Definition of a dependant

For the purposes of this policy, a *dependant* is defined as:

- their spouse, civil partner or partner
- their child
- their parent
- a person living in the employee's household (not tenants or lodgers)
- a person for whom the employee has primary caring responsibility

### 5.2 Paid compassionate leave (dependant bereavement)

Although there is no legal right to paid compassionate leave, Yateley Town Council will provide up to **5 days' paid compassionate leave** following the bereavement of a dependant. This is a fixed entitlement and is not subject to managerial discretion.

### 5.3 Other bereavements and exceptional circumstances

Where the bereavement does **not** meet the definition of a dependant (for example in-laws, extended relatives, or close friends), the employee may request compassionate leave.

The Town Clerk (or Leader, if appropriate) may grant **unpaid compassionate leave** or the employee may use annual leave.

### 5.4 Additional time off

Where more than 5 days is required — whether for dependants or non-dependants — the additional period will be granted as **unpaid leave** or annual leave, subject to operational requirements.

### 5.5 Statutory bereavement leave (from April 2026)

From April 2026, employees will also have a statutory right to **1 week of unpaid bereavement leave**, available from day one of employment.

## Amendment Record

Version 1: Agreed September 2018

Version 2: Agreed May 2020

Version 3: Agreed February 2023

Version 4: Agreed 23.02.26

**Due for Review:** February 2029