

TIME OFF FOR PUBLIC DUTIES - HRSP35

1. Purpose and Aim

- 1.1 Middlesex University recognises that from time to time, our employees will have commitments and responsibilities outside of work in order to undertake valued public and civic duties, either in a professional capacity, or on a mandatory or voluntary basis.
- 1.2 This policy sets out how time off for public and civic duties may be managed and how requests for time off will be dealt with. This policy should be read in conjunction with our [Conflict of Interest and Commitment Policy](#). Employees should ensure that they comply with the terms of any Disclosure of Conflict and Declaration of Interest policy prior to accepting and starting, and whilst carrying out, any duties or appointments covered by this policy

2. Scope

- 2.1 This policy applies to all Middlesex employees and employees of Middlesex University Services Ltd (MUSL), regardless of their length of service.

3. General Principles

- 3.1 Employees must give their manager as much notice as possible of any time off work required to undertake public or civic duties. This basic principle should be observed irrespective of whether the employee typically works on campus, from home or in a blended manner combining elements of campus and home based working.
- 3.2 Employees will normally be asked to provide evidence of their appointment to public or civic duties to their manager.
- 3.3 Where time off is unpaid, the employee may be able to claim loss of earnings from the relevant body, subject to their own rules and if permitted. Employees may also choose to use some of their annual leave entitlement, if they wish to do so, subject to the normal annual leave authorisation process through PAFIS.
- 3.4 In situations where employees are entitled to continue to be paid during their time off work, normal salary will be paid less any amounts (other than expenses see 3.5 below) that the employee can claim or otherwise receives from the Court or other relevant body.
- 3.5 Employees may in certain circumstances claim expenses, such as travel expenses, directly from the Court or relevant body in line with their own rules, if permitted.

3.6 Employees' continuous service will not be broken during any period of time off for public and civic duties.

4. Jury Service and Court Attendance

4.1 An employee who receives a summons to serve on a jury shall be granted leave of absence for this purpose.

4.2 Upon request of a summons the individual shall inform his/her line manager and HR without delay of the date of commencement of the jury service.

4.3 The employee will be required to claim the allowance for loss of earnings in accordance with the Juror's Allowance Regulations, by sending the claim form provided by the court to Human Resource Services for completion.

4.4 The employee will be expected to return to work for normal duties for each period of one or more full days that he/she is not required to attend court, where this is an individual's normal working day.

4.5 At the end of the jury service, the individual is required to notify HR of the days of absence and to send to HR a copy of the certificate of payment form, received from the court. (This form is not automatically provided and must be requested from the court.)

4.6 Once payment of the Jury allowance has been received, the amount equivalent to the allowance shall be deducted from the individual's full pay.

4.8 Court Attendance

4.9 Special leave shall be granted to an individual who is required to attend a court, tribunal or other official enquiry as a witness. This shall not necessarily apply in cases of civil or personal litigation.

5. Territorial Army and non-regular forces

5.1 **Summer Camp:** Professional Service staff who attend summer camps, as a volunteer member of the non-regular forces shall be granted the 2 weeks required as paid leave additional to their normal annual leave entitlement. Senior Managers and Academic staff are expected to take the time out of their annual leave.

5.2 **Statutory Training:** Paid leave shall also be granted to members of the non-regular forces/territorial army who are required by statute to undertake training additional to attendance at summer camp, and who are unable to arrange for such training to be on days when they would not normally be working.

5.3 Individuals are required to make every effort to arrange such training to be undertaken during outside of normal working time. Where this is not possible a mutually acceptable date shall be agreed with the line manager.

7. Other Voluntary Public Duties

6.1 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 subject to section 3.3 of this policy. The provisions cover:

- Justices of the Peace (also known as magistrates);
- School Governors;
- independent prison monitors in Scotland;
- members of a local authority;
- members of a statutory tribunal;
- members of a relevant health body;
- members of a relevant education body;
- members of the Environment Agency or the Scottish Environment Protection Agency;
- members of Scottish Water;
- lay observers of conditions in court custody and under escort;
- members of visiting committees of immigration removal centres; and
- members of visiting committees of immigration short-term holding facilities.

6.2 The duties shall normally involve:

- i. attendance at meetings of the body or any of its committees or sub-committees; or
 - ii. other related duties approved by the body, its committees or sub-committees for the purpose of discharging its functions.
- ii. other related duties approved by the body, its committees or sub-committees for the purpose of discharging its functions.

6.3 **Criteria for Reasonable Time Off:** The amount of time off which may be allowed, the occasions on which and any conditions subject to which time may be taken are those that are reasonable in all the circumstances.

6.4 Line managers shall take into account:

- a) how much time off is required for the performance of the public duty as a whole and how much time is required for the particular duty;
- b) how much time off the employee has already been permitted, either for public duties or for trade union duties or activities; and
- c) the operational requirements of the Faculty, Department or Service and the effect the employee's absence will have on this.

6.5 All time off granted for public duties shall be unpaid although an employee may choose to take annual leave to carry out public duties.

Document Control Information			
Author, Job Title/ Area Responsible for the Policy	Human Resource Services	Status	Current version, replaces 2011 version. Changes made to reflect launch of MSL and adoption of Blended Working.
Version	1.2	Date	23 June 2021
Approved by	UET. Changes made are limited to reflecting the launch of MSL in March 2021 and adoption of Blended Working.		
Approved Date	N/A as no contractual changes have been made.	Review Date	22 June 2025
Consulted	No substantive changes made to existing regulations.		
EIA	As part of review.		
e-Location	P:\Shared\HRS-region\HRS Shared Drive\HR Policies, Procedures, Documents interpretation and guidelines		