



# Compassionate Leave

**Note:** This publication is intended to provide general guidance only. It does not constitute legal advice and should not be relied upon as doing so.

**Advisory Officers, at the Employment Relations Service, can offer confidential and free advice on all aspects of employment law and employment relations.**

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## Overview

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### Introduction

Compassionate leave is designed to support staff when emergencies arise.

There is no legal requirement in Guernsey for an employer to provide compassionate leave for an employee, unless there is a contractual right through the written terms and conditions, or through a collective agreement. However, an employer who deals sensitively and sympathetically with requests for compassionate leave may find that this pays dividends in the positive message it sends out, improving morale and the recruitment and retention of staff.

### Formulating a policy

It is advisable to formulate a policy on compassionate leave to provide employees with information on when such leave may be granted and for how long. It will also assist employers in dealing with any request for compassionate leave sensitively rather than giving an 'off the cuff' response at a time when an employee may be very distressed. A policy does not need to be complex but could include:

- in what circumstances compassionate leave will be granted
- specify which relationships qualify for compassionate leave; for instance immediate family only
- allow a set number of days paid or unpaid compassionate leave in addition to annual leave; this may be included in the written terms and conditions of employment
- a qualifying period before an employee is entitled to paid compassionate leave

## Granting Compassionate Leave

Whether or not a policy is in place the following should also be considered:

- the reason for the request e.g. death, accident or serious illness of a family member or partner, marital breakdown, childcare crisis
- how long the absence is likely to last
- could the employee take outstanding annual leave or unpaid leave instead
- is it possible to make the time up at a later date
- make sure any agreement is confirmed in writing to avoid a dispute at a later date

Compassionate leave is intended to cover short term family emergencies. If long term leave is requested there will be further implications for the organisation and this should be considered outside of the policy for compassionate leave.

## Other Publications

Publications can be downloaded from the website on a wide range of employment relations subjects, including local employment legislation and best practice guidance on other employment related matters.

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## Contact Information

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### For further advice

- Check [www.gov.gg/employmentrelations](http://www.gov.gg/employmentrelations)
- Email [employmentrelations@gov.gg](mailto:employmentrelations@gov.gg)
- Contact the **Employment Relations Service**, Edward T Wheadon House, Le Truchot, St Peter Port, GY1 3WH
- Telephone number: **01481 220026**