

SPECIAL LEAVE POLICY

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| REFERENCE NUMBER | DPOD 15 | | |
| AUTHOR | Associate Director of HR | | |
| LEAD DIRECTOR | NAME | SIGNATURE | |
| Director of People and Strategic Development | Sally Black | <i>Sally Black</i> | |
| CONSULTATION PROCESS – list the groups/committees that this policy been to and commented by Please provide dates | PNCF – November 2010 Corporate Policy Group – November 2010 | | |
| EQUALITY IMPACT ASSESSMENT | YES | | |
| ENVIRONMENTAL IMPACT ASSESSMENT | | NO | |
| BRIEF SUMMARY OF THE POLICY | The aim of this policy is to provide staff with special leave arrangements with a view to assisting with the achievement of a satisfactory work life balance. June 2012 - Policy updated to take account of legislative changes. | | |
| FINANCIAL RISK | | NO | COMMENTS |
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| REPUTATIONAL RISK | | NO | COMMENTS |
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| WORKFORCE IMPLICATIONS | | Yes | COMMENTS |
| | | | This policy applies to all staff employed under a contract of employment with the PCT. |
| APPROVING COMMITTEE(S) | Executive Committee | | |
| RATIFICATION DATE | June 2012 | | |
| REVIEW DATE | March 2013 | | |

NHS Central Lancashire is committed to ensuring that, as far as it is reasonably practicable, the way we provide services to the public and the way we treat our staff reflects their individual needs and does not discriminate against individuals or groups on the basis of their age, disability, gender, race, religion/belief or sexual orientation.

Should a member of staff or any other person require access to this policy in another language or format (such as Braille or large print) they can do so by contacting the communications department or the relevant policy holder. NHS Central Lancashire will do its utmost to support and develop equitable access to all policies.

Managers are responsible for ensuring staff within their area of responsibility are aware of NHS Central Lancashire policies and that staff adhere to them.

Managers are responsible for ensuring that a system is in place for their area of responsibility that keeps staff up to date with new policy changes.

Staff are responsible for ensuring they are familiar with policies, know where to locate the documents on the NHS Central Lancashire's website, and seek out every opportunity to keep up to date with them

Independent contractors are expected to identify a lead person to be responsible for ensuring staff employed within their practice are aware of NHS Central Lancashire policies.

This policy is individual to NHS Central Lancashire. NHS Central Lancashire does not accept any liability to any third party that adopts or amends this policy.

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1. INTRODUCTION

It is the policy of NHS Central Lancashire to recognise(s) the importance and value of assisting staff to achieve a balance between their work and home life responsibilities.

This policy relates to all employees of NHS Central Lancashire. Entitlements contained within this policy relate to full time staff. Entitlements for staff working part time will be pro-rata to their contract hours.

2. SPECIAL LEAVE POLICY

The aim of this policy is to provide staff with special leave arrangements with a view to assisting with the achievement of a satisfactory work life balance.

3. IMPLEMENTATION

It is acknowledged that certain types of leave cannot be planned for, and therefore where urgent requests for leave are made, Managers are expected to deal with these flexibly.

Absences that can be planned should be discussed with the relevant Manager at the earliest opportunity, and within timescales given within the policy.

All requests for special leave, the decisions made and the actual leave taken must be recorded by the Manager and retained on the employee's personal file, using the form shown in Appendix 1. Leave granted should be recorded on the Staff Attendance Record (SAR) on a monthly basis.

All periods of special leave whether paid or unpaid will not constitute a break in service.

Where staff take unpaid leave, Managers must remind them of the effect on annual leave and pension entitlements. However, staff also have a responsibility to seek advice from HR and Payroll Departments on such matters before commencing unpaid leave. As an alternative to unpaid leave, staff may wish to take annual leave where their entitlement permits.

The Manager is encouraged to seek HR Advice on the implementation of this policy as appropriate.

3.1 Appeals

Any employee who wishes to appeal against the decision of a Manager regarding the allocation of special leave has recourse to the Grievance Policy & Procedure.

3.2 Review and Monitoring Arrangements

This policy will be reviewed on a two yearly basis.

| Type of leave | Eligibility | Paid Entitlement | Unpaid entitlement | Guidance Notes |
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| Leave for urgent domestic reasons | <p>All staff irrespective of length of service. Cases of urgent domestic stress where alternative arrangements cannot be made in the short term.</p> <p>Urgent domestic reasons include:</p> <ul style="list-style-type: none"> • Unexpected breakdown in carer arrangements for a dependent • Arranging for care of a dependent who is ill or injured. • Providing assistance for a dependent who is taken ill or injured. • Dealing with flood, fire, burglary at home. <p>A dependant could be a spouse, partner, child parent, or someone who depends on an employee for care.</p> <p>This list is not exhaustive and each situation should be considered on an individual basis.</p> | Up to 1 working week in a 12 month period | At discretion of manager | <p>When approving paid carer leave, managers should take account of the following:</p> <ul style="list-style-type: none"> • outstanding annual leave in current leave year • flexibility in working arrangements, e.g. flexi-time system, rearrangement of part time hours • amount of carer leave already taken |
| Maternity Leave | | 39 weeks – See Maternity Policy | 13 weeks – See Maternity Policy | Full details of the arrangements for maternity leave are set out in the PCT'S Maternity Policy. |

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| <p>Partner/Paternity Leave</p> | <p>Available to biological and adoptive fathers, nominated carers and same sex partners who –</p> <ul style="list-style-type: none"> • have or expect to have responsibility for the child's upbringing • in the case of adoption, the adopters spouse or partner • have 12 months continuous service with one or more NHS employers at the beginning of the week when the baby is due. | <p>2 weeks</p> | <p>As reasonably required for partners to continue to support mother and baby</p> | <ul style="list-style-type: none"> • The earliest paternity leave can begin is the date of the baby's birth/adoption. • Paternity leave must be completed within 56 days of the baby's birth/adoption • Only one period of paternity leave can be taken in relation to one pregnancy/ adoption, even if more than one baby is born/ adopted. • Paternity leave is not transferable and cannot be divided into individual days or weeks except in the case of premature births when the leave may be taken in two parts, one around the date of the birth and the other when the child leaves hospital. <p>Requests must be made on the attached form (Appendix 2).</p> |
| <p>Additional Paternity Leave</p> | <p>Additional Paternity Leave (APL) and pay (ASPP)_may be available if:</p> <ul style="list-style-type: none"> • you are the father of a child due on or after 3 April 2011 • your wife, partner or civil partner is pregnant and due to give birth to a child on or after 3 April 2011 • you and your partner receive notification that you are matched with a child for adoption on or after 3 April 2011 • your wife, partner or civil partner is adopting a child from overseas and the child enters Great Britain on or after 3 April 2011 • the child's mother is entitled to | <p>Up to 26 weeks paid Additional Statutory Paternity Pay (ASPP).</p> | <p>See parental leave below</p> | <p>More information relating to Additional Paternity Leave and Pay can be found on the direct.gov website: http://www.direct.gov.uk/en/Parents/Moneyandworkentitlements/WorkAndFamilies/Paternityrightsintheworkplace/DG_190788</p> |

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| | <p>statutory maternity leave, maternity pay or allowance or statutory adoption leave or pay.</p> <p>ASPP will only be paid where the mother has returned to work before her paid period of maternity leave expires.</p> | | | |
| <p>Adoption leave</p> | <p>Staff wishing to adopt children, provided they:</p> <ul style="list-style-type: none"> • are newly matched with a child for adoption by the adoption agency. Adoption leave pay is not available where child is not newly matched eg adoption by a step-parent • have worked for the PCT for 26 weeks ending with the week in which they are notified of being matched <p>Where both parents are employed by the PCT, only one may take adoption leave and pay, the other may take paternity/partner leave.</p> | <p>In line with maternity provisions</p> | <p>In line with maternity provisions</p> | <p>Adopters must inform the PCT of their intention to take adoption leave within 7 days of being notified by the adoption agency that they are being matched. Adopters can choose to start their leave</p> <ul style="list-style-type: none"> • from the date of the child's first placement • from a fixed date which can be up to 14 days before the expected date of placement <p>Only one period of leave is available, irrespective of the number of children being adopted together.</p> <p>Evidence of the adoption, e.g. matching certificate will be required by the PCT in order to qualify for leave.</p> |

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| <p>Parental leave</p> | <p>Entitlements apply to employees who have responsibility for a child born on or after 15 December 1999 and who have completed one year's service with the PCT.</p> | <p>N/A</p> | <p>13 weeks for each child 18 weeks leave if the child is entitled to a disability living allowance. Employees can choose to take parental leave any time:</p> <ul style="list-style-type: none"> • up to the child's 5th birthday or 5th anniversary of placement in the case of adoption • parents of disabled children can take leave up to their child's 18th birthday. <p>Parental leave is cumulative and not specifically related to Central Lancashire PCT. Parental leave taken prior to commencing with CLPCT will therefore count towards entitlements.</p> <ul style="list-style-type: none"> • In the case of a child with a disability, born on | <p>For the purposes of parental leave, a disabled child is one for whom disability living allowance is awarded.</p> <p>No more than 4 weeks leave may be taken in respect of each child in a period of 12 months. Within this 4 week maximum, leave may be taken on a flexible basis, e.g. from single days up to the 4 weeks limit per annum or alternatively on a reduced hours basis. Leave must be taken in connection with caring for the child. Evidence of eligibility may be requested by the PCT e.g. birth certificate, disability allowance award etc.</p> <p>At least 4 weeks written notice must be given of intended leave to the manager specifying the dates on which the leave will begin and end. Managers are asked to give sympathetic consideration to requests for leave at shorter notice, particularly where the leave requested is of one week's duration or less. Where circumstances justify it, e.g. staff shortages, managers may postpone the leave, by up to 6 months, providing written notice is provided to the employee stating the reason and specifying, after consultation with the employee, when the leave may be taken. This must be done within 7 days of the request.</p> <p>Entitlement to parental leave is transferable between employers (including non-NHS employment). Entitlement is dependent on 12 months continuous employment. Managers are entitled to information about parental leave taken</p> |
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| | | | or after 15 December 1981, up until the child's 18th birthday(for the purposes of parental leave, a disabled child is one for whom disability living allowance has been awarded). | with previous employers. Staff have the right to cancel or postpone leave already booked, unless the manager has already arranged a temporary replacement. The employer may ask for the production of evidence that the employee is the parent or person legally responsible for the child. These guidance notes reflect the information contained within section 35.5 of the Agenda for Change Handbook. |
| Compassionate leave | <p>All staff irrespective of length of service. Compassionate leave should be granted where it applies to a close relative, partner or significant other close person. Circumstances for compassionate leave are:</p> <ul style="list-style-type: none"> • Serious illness or where death is imminent • Immediately following bereavement or the funeral • Attendance at an inquest <p>Other circumstances should be considered on an individual basis.</p> | <p>Up to one working week.</p> <p>In exceptional circumstances further leave may be granted at the Manager's discretion.</p> | As considered reasonable by Manager. | |
| Hospital, Dental and GP appointments | All staff irrespective of length of service. | Through flexible working – time off in lieu, annual leave | | <p>Dental and GP appointments should be made outside working hours. Time off for appointments during working hours will be authorised only at the discretion of the manager, subject to the needs of the service. Evidence of the appointment should be provided in advance of the appointment.</p> <p>Managers should ask staff to produce an</p> |

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| | | | | <p>appointment letter or similar to verify the requirement to attend.</p> <p>Reference must be made to the Maternity Policy when dealing with requests from Pregnant Staff.</p> |
| Religious holidays and holy days | All staff irrespective of length of service. | Annual leave | At Manager's discretion | The PCT will respect, wherever possible, requests for variation of work arrangements and/or leave requests which call for the observance of religious festivals, where specific requests are made. |
| Informal visits for jobs within the NHS | | Manager's discretion | Manager's discretion | Job Advert/Recruitment Information |
| Job interviews within the NHS | | As required | N/A | Interview letter |
| Informal visits for jobs outside the NHS | | Annual leave | Manager's discretion | Job advert/Recruitment Information |
| Job interviews outside the NHS | | Annual leave | Manager's discretion | Interview letter |
| Seeking work, job interviews, training where employee has been declared redundant | | Reasonable time off as required in accordance with statute | N/A | Redundancy Notice |
| Jury Service, Witness at Court | | As required, however a deduction equivalent to that which is able to be claimed through loss of earnings as a juror/or a day's salary (whichever | N/A | Letter from Court Subpoena or other relevant document |

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| | | is the least) will be deducted from salary for each day. | | |
| Attendance as a witness/appellant at NHS Appeal Hearings, Employment Tribunal | | As required | N/A | Letter or other relevant document. Attendance at Court by medical & dental staff as a medical or dental witness is subject to the separate provisions set out in their terms and conditions. |
| Membership of a managing/governing body of an educational establishment | | N/A | Manager's discretion | Any evidence which demonstrates membership, election or appointment. |
| Absence following contact with a notifiable disease | | As required until medically cleared for resuming work | N/A | Letter/Medical Certificate or similar |
| Membership of any NHS/Health related Professional Councils or Committees | | Discretionary | N/A | Letter of invitation to meetings or letter of appointment to committee. |
| Training with the Reserve and Cadet Forces | Approval of TA membership on appointment required | N/A | Two weeks | Camp booking form/letter |
| Leave as a Professional Examiner | | Discretionary | N/A | Letter confirming role/duties as Examiner |

Time off for public duties:

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| Justice of the Peace | <p>Discretionary entitlement of up to a maximum of one working week paid leave for each duty per calendar year subject to an overall maximum of 20 working days for any combination of duties.</p> <p>Any further requirements should be offered as unpaid leave.</p> |
| Member of a Local Authority | |
| Member of a Statutory Tribunal (employment/mental health tribunal) | |
| Member of an NHS Statutory Body | |
| Member of the National Rivers Authority | |
| Member of a Board of Visitors for a prison, remand centre or young offenders institution | |
| Member of the Teaching Councils for England and Wales | |
| Member of Councils | |
| Magisterial Duties | |
| Parliamentary Candidate | |

4. REFERENCE DOCUMENTS

- Maternity Policy
- Annual leave and bank Holiday Entitlement Policy
- Grievance Procedure
- Agenda for Change Handbook

5. GLOSSARY

None.

APPENDIX 1

Central Lancashire Primary Care Trust

SPECIAL LEAVE REQUEST

Name Job Title

Type of leave requested and reason:

Paid leave:

From To

Unpaid leave:

From To

Actual leave approved:

Paid leave:

From To

Unpaid leave:

From To

Where the full leave request has not been approved, give reasons why:-

.....
.....
.....
.....

Signed (Manager)

Date

This form must be retained on the employee's file

APPENDIX 2

Central Lancashire Primary Care Trust

APPLICATION FOR PATERNITY LEAVE

This form must be submitted by the 15th week prior to the date the baby is due/ adoption takes place.

Name

Address

.....

Job title Dept/Location

Contracted hours per week

Date of commencement with Central Lancashire PCT

- The baby is due/adoption takes place on
- I wish to take one/two* weeks paternity leave commencing on
(If after giving notice you wish to change the date of commencement of your leave you must give at least 28 days notice)
- I attach a copy of my partners MATBI certificate/adoption matching papers for confirmation
- I declare that I am the baby's adoptive or biological father OR married to the mother OR the spouse/partner of the biological/adoptive parent AND have responsibility for the child's upbringing.

Signature of applicant Date

Name/Job title of Manager

Signature of Manager Date

*delete as appropriate

Once completed and signed by your manager, please forward to the Human Resources Department, Jubilee House, Lancashire Business Park, Leyland, PR26 6TR. The original will be sent to Salaries and Wages and a copy retained in the personal file.

APPENDIX 3

Central Lancashire Primary Care Trust

APPLICATION FOR PARENTAL LEAVE

This form must be completed and discussed with your manager at least 28 (4 weeks) days prior to your intended parental leave.

Name

Date of application

Address

Department Location

Job Title

Date of birth of child

Total number of days requested (in week blocks, maximum 4 weeks)

From To

Supporting information

Parental leave already taken since birth of child (no. of days including any leave taken in a previous organisation)

Signature of applicant Date

Total number of days agreed

Date from (inclusive) date to (inclusive)

Agreed/Refused (Give reasons for refusal)

Signature Line Manager Date

Name/Title of Line Manager

APPENDIX 4

Central Lancashire Primary Care Trust

APPLICATION FOR ADOPTION LEAVE

This form must be completed and returned to the Human Resources Department within 7 days of being notified by your adoption agency that you are being matched with a child. Applicant should complete Section A and forward to their Line Manager for completion of the declaration.

A. TO BE COMPLETED BY THE EMPLOYEE CONCERNED

Name

Address

Job title Contracted Hours per week

Dept Grade

Date of commencement of continuous NHS employment

Date of commencement with Central Lancashire PCT

Expected date of commencement of adoption leave

I agree to return to work for a minimum period of 12 weeks after the expiry of adoption leave.

I will return to work no later than

*Please ensure that you attach a copy of the written confirmation of the adoption arrangements.

B. DECLARATION TO BE COMPLETED BY THE LINE MANAGER

The employment details above are correct and I have seen written confirmation of adoption arrangements.

Signed Date

Designation

C. TO BE COMPLETED BY THE HUMAN RESOURCES DEPARTMENT

Application for adoption leave with pay is approved for the period

Paid leave from To

Unpaid leave from To

Signed Date