



## Joint Policy for Cumbria Partnership Foundation Trust & North Cumbria University Hospital NHS Trust

### Special Leave Policy

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## Data Protection Legislation

The Trust(s) are committed fully to compliance with the requirements of the General Data Protection Regulations (GDPR) 2016 and the Data Protection Act (DPA) 2018. The GDPR and DPA legislation aims to balance the requirements of organisations to collect, store and manage various types of personal data in order to provide their services, with the privacy rights of the individual about whom the data is held.

The GDPR and DPA legislation covers both manual and computerised records in any format, where the record contains details that can identify, directly or indirectly data on a natural person or persons. The DPA sets out principles which must be followed by those who process data; it gives rights to those whose data is being processed.

## Policy On A Page

### **SUMMARY & AIM**

This policy sets out the arrangements to inform all employees of the support and procedures that are available to deal with any situation that may require them to request special paid or unpaid leave.

This policy aims to ensure that employees have sufficient information to support them in balancing the demands of domestic, personal and work responsibilities to support both public duties and including times of urgent and unforeseen need.

The Trust is committed to offering flexible employment practices to assist employees in balancing their responsibilities to the Trust with other commitments.

The policy sets out how employees can apply for an career break.

### **KEY REQUIREMENTS**

1. All employees are covered by this policy.
2. The employee is responsible for completing the Application for Special Leave form unless indicated otherwise.
3. The designated/line manager is responsible for approving/not approving all requests.
4. The designated/line manager is responsible for ensuring that all approved requests are recorded on ESR.
5. Employees are responsible for ensuring they apply for any career break in line with this policy.
6. Employees and Line Managers should keep in touch during the career break.

### **TARGET AUDIENCE:**

All employees

### **TRAINING:**

- Advice on this policy is available from the Human Resources Department.
- People Management training (PMP) is available to line managers.

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## 1. INTRODUCTION

This policy sets out the arrangements to inform all employees of the support and procedures that are available to deal with any situation that may require them to request special paid or unpaid leave and career break. It is based upon Agenda for Change Terms and Conditions, statutory entitlements and local agreements. It is also subject to the needs of the individual care group/service.

There are separate policies and procedures in place that should be referred to for:

- Annual Leave
- Flexible Working
- Partnership Working.
- Time off in Lieu (TOIL)
- Attendance Management(including time off for appointments)
- Maternity/Adoption/Paternity (including time off for ante natal appointments).

## 2. PURPOSE

The purpose of this policy is to:

- Ensure that staff have sufficient information to apply for the appropriate special leave or benefits where their individual circumstances fall within the remit of the policy
- Enable designated/line managers to consider and approve leave for emergency domestic, personal and family matters and other out of work commitments on a fair and equitable basis and in line with the Trust's Equal Opportunities Policy.
- Support the Trust's commitment to helping staff to balance the demands of domestic and work responsibilities.

## 3. POLICY DETAILS

### 3.1 Principles

This policy applies to all staff. Each section of the policy carried guidelines on:

- the types of leave covered (paid and unpaid)
- their purpose
- the amount of leave an employee may request
- what a manager must consider when dealing with a request
- descriptions of leave which are not exhaustive but give an indication of the types of leave available under this policy
- how employee requests should be made and paperwork requirements (manager and employee)
- the time frame for taking types of leave

### 3.2 Applying for Special Leave

All applications for the types of leave referred to in this policy will be considered in conjunction with the particular needs and circumstances of the individual and the needs of the service. All requests must be authorised by the designated/line manager (or nominated deputy).

Applications must be made by completing the Application for Special Leave Form ([Appendix 1](#)) unless indicated otherwise.

It is accepted that in an emergency where leave is required at short notice the employee must contact their manager in person or by telephone as soon as possible or, if the manager (or nominated deputy) is unavailable, another higher level manager to inform them of their inability to attend work and the reasons for this. In some cases the type and amount of leave may have to be discussed and agreed on an employee's return.

ALL approved special leave requests MUST also be recorded on ESR (Electronic Service Record) showing:

- reason for leave
- Whether the leave is PAID or UNPAID
- Start and end dates / hours authorised

Designated/line managers are responsible for checking that ALL requests are recorded accurately and in a timely manner.

### 3.3 Carer/Emergency Leave

#### Legal background – Time off for Dependants

Under the Employment Relations Act 1996 (amended 1999), employees have the right to take a reasonable amount of *unpaid* time off work without notice to deal with certain unexpected emergencies affecting their dependants and make any necessary longer term arrangements e.g. where a dependant falls ill or has been injured, where there is unexpected disruption or breakdown of care arrangements or where a dependant dies.

There is no specific entitlement to paid special leave and employees do not have a right to a particular number of special leave days in a year.

The amount of time off is not specified in the legislation but guidance states that it should be reasonable to allow the employee to deal with the immediate crisis and any arrangements, but not to take a longer period, for example to look after their sick dependant. Leave granted under these arrangements is not intended for long-term domestic and family commitments.

### Time off under Trust provisions – short term emergencies

The Trust supports a compassionate response to the sudden and immediate need to provide care and/or deal with unexpected crises and aims to adopt a sympathetic and helpful response to employees at these times.

The needs covered will be those arising from the many and varied domestic situations which arise from time to time and it is not possible to provide an exhaustive list of circumstances; however, examples may include:

- Emergencies affecting dependants including
  - the need to make alternative arrangements for the care of children and dependants when there is an unexpected breakdown of normal care arrangements (e.g. childminder taken ill, school closed at short notice).
  - making arrangements for longer term coping with a care problem.
  - sudden serious illness of a child, close relative or dependant (this could include the critical admission period to hospital)
- Domestic emergencies such as fire, flood or burglary.

Such leave is not intended to include:

- time off to accompany a dependant attending routine doctor, dental or hospital appointments. It is recognised that there may be other medical appointments which may not be routine and leave may be granted as appropriate in the circumstances such as very short notice emergency appointments
- planned situations (e.g. INSET Days, planned surgery/hospital admission)
- where reasonable notice has been provided in advance e.g. a child minder notifies the employee that they are taking a holiday or terminating the caring arrangement or a school notifies parents of closures (e.g. for training days)

Employees must follow the steps in 3.2 to apply for leave but it is accepted that, in an emergency, leave will have to be applied for verbally and granted at very short notice or retrospectively.

The leave should be essentially short term and with pay. The designated/line manager has the authority to grant an employee an appropriate amount of paid time (i.e. hours) or, in more serious circumstances, time off of between 1 to 5 days, pro rata for part time staff. If necessary additional leave may be granted on an unpaid basis.

The amount of time should be agreed in discussion with the employee and take into account:

- the circumstances of the emergency
- the nature of any caring role
- the time required to make alternative arrangements
- previous time off permitted.

There is no requirement for the leave to be taken in one block. The designated/line manager and employee can agree a pattern of time to enable the problem to be covered appropriately.

If it is not considered appropriate to take carer/emergency leave then annual leave or unpaid leave may be used depending on the needs of the service.

#### Time off under Trust provisions – longer term or planned commitments

In cases where longer term leave is required or caring demands increase, other options should be considered such as:

- flexible working including different hours / working patterns / job share on a temporary or permanent basis
- parental leave
- employment break.

### **3.4 Parental Leave**

The purpose of parental leave is for employees who meet specified conditions to take unpaid leave of absence in order to care for a child. The Trust believes that this scheme will aid the retention of skilled and experienced staff and the recruitment of high quality candidates.

Parental Leave is a period of unpaid leave which is available for both parents of children and adopted children entitling them to take leave for up to 18 weeks for each child up to their 18th birthday.

Parental leave will not affect continuous NHS employment for the purposes of the contract of employment. Employees will have the right to return to the same job if the leave was for a period of four weeks or less; if it was for a longer period then the employee is entitled to return to the same job or if not reasonably practicable a similar job of an equivalent grade.

#### *Eligibility*

Approval of Parental Leave is in consultation with the Head of Department and the Human Resources Department. In exceptional circumstances, the Trust can postpone parental leave (for a maximum of six months) where the needs of the service make this necessary and it is reasonable.

#### *Applicants must:*

- Have been employed in the NHS for a minimum of 12 months by the time the leave is required
- Have a legal responsibility for a child on birth or adoption
- Have or expect to have parental responsibility
- Are not a foster parent (unless they have secured responsibility through the courts)

Managers can ask for proof (e.g. a birth certificate).

#### *Duration of Parental Leave*

The maximum period of unpaid leave allocated is 18 weeks for each child or adopted child up to their 18th birthday.

The limit on how much parental leave each parent can take in a year is 4 weeks for each child. By exception, Managers can agree further time subject to service requirements. Maternity, Paternity, Shared Parental, Adoption Pay and Leave and Parental Leave

Parental leave may be taken in whole weeks and can be taken in single weeks during the course of the year. A 'week' equals the length of time an employee normally works over 7 days.

**Example:** If an employee works 3 days per week, one 'week' equals 3 days.

#### *Applying for Parental Leave*

Employees must give at least 21 days' notice before their intended start date. If they or their partner are having a baby or adopting, it is 21 days before the week the baby or child is expected.

Applications for Parental Leave should be made to the Employee's Line manager. The employee will be notified of the decision; if possible within one working week of an application being made and if any application is rejected a full explanation will be given to the employee.

#### *Abuse of Parental Leave*

Any employee who inappropriately uses or abuses their parental leave entitlement may be subject to disciplinary action.

### **3.5 Bereavement Leave**

The Trust recognises that when there is a death in the family an employee may need to take time off. This will include the bereavement of a near relative considered to be parent (including in laws), son, daughter, brother, sister, grandparent, grandchildren, employee spouse, partner or civil partner.

This may include time off for making funeral arrangements and dealing with matters concerned with the estate of the deceased.

The manager has the authority to grant an employee up to 5 days paid leave, pro rata for part time employees per annum and may authorise additional leave without pay. For cases which are not direct next of kin it is anticipated they would usually require up to one day of leave. Managers are advised to adopt a flexible and understanding approach to the application of this policy. It is accepted that requests for bereavement leave are usually at short notice however notification should be given as soon as possible.

Where more leave is necessary the manager and employee can discuss alternative leave such as taking annual leave, unpaid leave or time off in lieu.

### 3.6 Carer/Emergency and Bereavement Leave – Paid Leave Allowance

A maximum of 5 paid days, pro rata for part time employees, will be granted per annum (1 April to 31 March). For the avoidance of doubt, this applies to all requests made under Carer/Emergency and Bereavement leave.

In the event that the maximum of 5 days have been taken, pro rata for part time employees, and where more Carer/Emergency and/or Bereavement leave is necessary, the manager and employee can discuss alternative leave such as taking annual leave, unpaid leave or time off in lieu.

### 3.7 In Vitro Fertilisation (IVF) Treatment

The Trust assists employees requesting time off to undergo IVF treatment and will support 2 separate courses of treatment.

For each course of treatment up to a total of 3 days (this includes **all** time away from the Trust such as travel, appointments, treatments etc) may be taken, pro rata for part time employees.

These days can be taken as either full or part days depending upon the individual's treatment plan. If more than three days is required, annual leave or unpaid leave must be taken.

Any sickness resulting from such treatment will be treated in accordance with the Trust's Attendance Management Policy.

The employee should provide their manager with relevant documentation (i.e. appointment cards) and all approved time **MUST** be recorded on ESR.

Temporary flexible working requests may also be considered depending on the nature of the treatment being undertaken.

### 3.8 Public Duties

Employees may be granted reasonable leave with pay to perform duties. Information and guidance regarding leave for union activities is provided in the Partnership Agreement.

Examples of public duties for which paid leave maybe given are:

- Attendance at meetings of the Nursing and Midwifery Council
- Attendance at meetings of Standing Advisory Committees (Nursing & Midwifery, Medical, Pharmaceutical and Dental)
- Attendance at meetings of the Staff Council
- Attendance at meetings of Community Health Councils
- Serving as a Justice of the Peace
- Membership of a Local Authority
- Membership of any statutory tribunal
- Membership of a Board of Prison Visitors

- Membership of a National Health Service Trust, a Primary Care Trust or Strategic Health Authority
- Membership of the managing or governing body of an educational establishment maintained by local education authority.
- Membership of the governing body of a grant-maintained school, further or Higher Education Corporation or of a school board or board of management of a college of further education of self-governing school.
- Membership of the Environment Agency (DEFRA)
- Staff Governors

In all cases the amount of leave granted must be reasonable in relation to the public duties in question and the demands of the service. The total amount of leave granted to an employee for any or all of these purposes must not exceed 12 days (taken as half or full days) in any 12 month period. For Magistrates this must not exceed 13 days. For Staff Governors this must not exceed 15 days.

### Allowances

Any allowances received in connection with the performance of public duties will result in a deduction from pay equal to the allowance received but limited to a maximum deduction of the equivalent pay earned for the time of the duty. Employees must therefore provide the Trust with a statement of all allowances received, excluding travel and subsistence.

## **3.9 Jury Service**

Paid time off will be granted to those employees who are summoned to serve on a jury or as a witness in a court case. A copy of the letter requesting staff to undertake jury service should be given by the employee to their manager and attached to the special leave application form.

The Trust will pay full pay during periods of Jury service and will confirm with the court that there will be no loss of earnings to the employee.

Paid leave will be given to an employee who attends court at the request of or on behalf of the Trust.

Paid leave will be authorised for the actual length of the employees' involvement in the court case. Therefore, if the proceedings are concluded earlier than anticipated employees should notify their manager and return to work.

**Note: All leave granted must be recorded on ESR and Court paperwork submitted to Payroll.**

### **3.10 Service with Armed Forces Reserves**

Where an employee wishes to undertake duties with the reserve forces (for example the Army Reserve), 5 days paid leave per annum (1 April to 31 March) will be granted. Any additional time off which may be required may be granted as unpaid leave or taken as annual leave subject to the needs of the service.

The employee should give as much notice as it is possible and must complete an application for each instance of leave.

The Reserve Forces Act 1996 (effective April 1997) was introduced to cover circumstances of volunteer reserves, all reservists may be called out or recalled when national danger is imminent or a great emergency has arisen. There is also a new power of call out for peace keeping, humanitarian or disaster relief operations. Employers will be able to claim payments to offset any additional costs of replacing the effort lost when an employee who is a reservist is called out.

### **3.11 Time off to Attend Job Interviews**

#### ***Internal Interviews***

Leave with pay will be granted to employees to attend internal interview for a post within the Trusts.

#### ***External Interviews***

Unpaid leave may be granted for employees to attend interview with other NHS employing organisations. The employee should provide the manager with the interview letter prior to the interview. Where the number of occasions is thought to be excessive, leave may be refused by the manager. Annual leave or unpaid leave may be granted to allow an employee to attend an interview for a post outside the National Health Service at the discretion of the line manager.

#### ***Redeployment***

Employees on the Redeployment Register will be granted paid time off to attend for interviews (internal or external).

**Note: All paid and unpaid leave granted must be recorded on ESR.**

### **3.12 Adverse Weather**

It is the responsibility of all staff to ensure that they make arrangements to arrive at their place of work by their normal starting time. However, the Trust appreciates that the geographical location of all its hospitals within a rural area where many staff travel long distances to work, may mean that this is difficult during severe weather conditions. In such circumstances the Trust would wish to emphasise that staff safety is imperative.

If severe weather affects the attendance of staff, the following will apply:

- Where a member of staff satisfies their manager that it was not possible to get to work by their normal starting time due to severe weather conditions e.g. snow, floods etc and arrives by 12 noon (for those on normal office hours) or within four hours of the normal starting time (for shift workers), there will be no deductions from pay. Where bad weather may continue, staff should discuss their individual situation with their manager to make appropriate arrangements.

Staff who do not attend for work will not be paid. A number of options can be considered and discussed with their manager including:

- annual leave
- lieu day
- flexi-leave
- unpaid leave
- working an additional shift / hours at a time agreed with their manager.
- working from home (or an alternative base) if appropriate for a short period.
- In exceptional circumstances, managers may allow staff to leave early when weather conditions appear to worsen.
- Where an emergency situation arises as a consequence of the bad weather, emergency leave may be considered in line with Section 3.3.
- Any member of staff unable to get home on account of weather conditions may be provided with overnight accommodation within the hospital.

### 3.13 Career Breaks

A career break is an extended period of unpaid leave which is available for approved purposes and subject to specified conditions. It provides employees with the opportunity to leave their employment on a long-term basis (normally between one and five years), mainly to fulfil domestic commitments. The scheme will enable employees to keep up-to-date during their career break and help them return to work at the end of the break. It demonstrates the Trust's commitment to long-term career development and continued promotion of equal opportunities in the work place.

#### *Eligibility*

A career break will be approved in consultation with the Network Manager/Head of Service and the Human Resources Department.

For Medical and Dental staff this would be approved in consultation with the Medical Director.

Applicants must:

- Hold substantive contracts;
- Have a minimum of twelve months service with the Trust.

Applications will normally be for the purpose of:-

- Caring for a dependant relative, or
- Continuing child care following paid maternity leave, or
- Undergoing further education and training which would benefit the Trust.
- Voluntary Service Overseas in developing countries.

This policy does not apply to staff whose intention it is to leave their post and work/travel abroad for purposes other than identified above.

This Scheme does not replace existing retainer and retraining schemes for medical and dental staff in the training grades.

#### *Duration of Career Break*

The maximum length of the Career Break is five years which may be taken either as a single period or more than one period of absence, with at least one year's service between the two breaks. The minimum length of break should be three months.

The length of any break should balance the needs of the applicant with the needs of the service.

#### *Applying for a Career Break*

Applicants applying for a Career Break must complete the attached application form in conjunction with their manager ([Appendix 2](#)).

Applications must be completed at least three months prior to the proposed start of the Career Break to ensure sufficient time for cover arrangements. Where the proposed Career Break is to follow maternity leave both applications should be submitted at the same time.

The manager should then send the form to their relevant Network Manager/Head of Service with a copy to the Human Resources Department for joint consideration. The employee will be notified of the decision as soon as possible and any decision not to approve a Career Break will be fully explained to the employee

#### Arrangements for Keeping in Touch

##### *Managers Commitment*

- To ensure regular contact is maintained with the employee for the duration of the break. This will include forwarding relevant staff letters, publications and information about the Trust and the NHS and inviting the employee to attend any significant meetings and events.
- To make arrangements with the employee for them to undertake a limited amount of temporary work each year.
- To facilitate the employee's attendance at appropriate training and refresher courses including bringing relevant training to the employee's attention.

- To advise the employee of any relevant changes in service conditions, etc.
- To make annual recommitment to the scheme with the employee.
- To make appropriate budgetary provision for training and periods of paid employment.

#### *Employee Commitment*

- To undertake a limited amount of temporary work for the Trust each year at mutually agreed times. (Voluntary Overseas Workers in developing countries can be excluded from this clause).
- To keep up-to-date in the relevant occupational field. Payment will be made at the appropriate rate if, with the prior agreement of the manager, the employee attends a weekday training course for which paid study leave would normally have been paid. The continuation of further training and the pursuit of professional qualifications is encouraged and requests for assistance with expenses will be considered on an individual basis.
- To undertake no other substantive paid employment during the Career Break. To do so will result in breach of contract and termination of employment. (Voluntary Overseas Work in developing countries can be excluded from this Clause).
- To maintain regular contact with their manager including the notification of holiday commitments and relevant changes in their circumstances.
- To make annual commitment to the Scheme and its terms and conditions.
- To return to work for the Trust for a minimum of twelve months immediately following the Career Break.

#### *Commitment to Voluntary Service Overseas Workers*

- A Mentor to offer professional and career support before and during the overseas contract.

#### *Temporary Work during a Career Break*

The employee is required to undertake 10 days paid work for your employer each year at mutually convenient times. This will normally be a block of two weeks or two separate blocks of one week's duration and may be to provide cover during peak holiday periods. The exact details will be agreed between the employee and their manager and fixed as far in advance as possible.

The duties during the temporary work will be determined by the manager and wherever possible be similar to the work undertaken prior to the Career Break unless a variation is mutually agreed.

Payment during work periods will be at a rate equivalent to the employee's substantive salary.

### *Arrangements for Return to Work*

The employee must give at least three months' notice in writing of their wish to return to work.

To ease the transition back to work the employee may be allowed to work on a part time basis for up to three months before returning to full duties. This must be discussed with the manager at the time of notifying the employee's wish to return to work.

Options such as job sharing, part-time employment, or flexible working hours may be considered where these are appropriate.

If the applicant returns to work within one year the same job will be available as far as is reasonably practical. If the break is longer than one year the applicant may return to a similar job as far as possible according to local job availability and taking into account the employee's experience, achievements and qualifications. Although no guarantee can be given that this will be in the same department or location, every effort will be made to ensure acceptable arrangements are made. The intention is that the employee's career should not be unduly disrupted as a result of the break.

The salary for the new post will normally be paid at the rate equivalent to that received before the break taking national pay reviews occurring during the break into account (not incremental pay).

In the case of a similar post not being available immediately the Trust will endeavour to find alternative duties until a suitable vacancy occurs. During this period the employee will be paid at the salary applicable to their substantive grade for a period of up to three months. After this time the duties will be assessed and the employee will be paid at the correct salary for the post being undertaken.

For those staff doing Voluntary Service Overseas work in developing countries who wish to continue with their membership in the NHS Pension Scheme contact the Trusts Pension department. The following is a link to NHS Pension factsheet and career breaks.

[https://www.nhsbsa.nhs.uk/sites/default/files/2018-03/Authorised%20leave%20career%20breaks%20member%20factsheet-20180322-\(V4\).pdf](https://www.nhsbsa.nhs.uk/sites/default/files/2018-03/Authorised%20leave%20career%20breaks%20member%20factsheet-20180322-(V4).pdf)

### *Appeal process*

If the application is declined, the line manager should notify the employee of the reason in writing, giving the opportunity to appeal. An appeal is through the Joint Grievance Procedure. It should be noted that where it is not possible to grant an employment break, consideration can be given to other flexible working arrangements which may support the employee.

*Redundancy*

In the event of a redundancy situation arising during the period of the employee's career break, redeployment and/or redundancy will be applied to the career breaker in the normal way. The period of the career break does not count as reckonable service for redundancy payments, but should a redundancy situation arise after the employee's return from the career break, service before and after the break will be aggregated.

*Lease Cars*

Employees will be entitled to retain the car for private use until the expiry of the original agreement, or they may choose to return the car to the Trust on commencement of the Career Break. Please refer to the Business Miles Policy for more information on lease cars.

*Protection*

A Career Break falling within an individual's personal protection period will not extend the protection period; the date protection ceases will remain unchanged.

**4. TRAINING AND SUPPORT**

Advice will be provided by the HR Team to managers implementing this policy where required.

**5. PROCESS FOR MONITORING COMPLIANCE**

The process for monitoring compliance with the effectiveness of this policy is as follows:

Aspect being monitored	Monitoring Methodology	Reporting		
		Presented by	Committee	Frequency
The equal opportunity of staff to apply for special leave.	Analysis of the equality profile of applicants for special leave.	Human Resources Department	Equality and Diversity Steering Group	Annually
The compliance to policy when managing Special Leave applications.	Review a sample of 10 Special Leave applications to ensure policy has been followed.	Human Resources Department	Strategic Lead for HR	Annually

Wherever the above monitoring has identified deficiencies, the following must be in place:

- Action plan
- Progress of action plan monitored by the Workforce and OD Group minutes
- Risks will be considered for inclusion in the appropriate risk registers

## 6. REFERENCES

Agenda for Change Terms and Conditions of Employment  
NHS Employers: [www.nhsemployers.org](http://www.nhsemployers.org)

**Agenda for Change Terms and Conditions of Employment Handbook**  
<https://www.nhsemployers.org/tchandbook>

The Work and Families Act 2006: Flexible Working [www.direct.gov.uk/employment](http://www.direct.gov.uk/employment)

**The Work and Families Act 2006: Flexible Working**  
<https://www.legislation.gov.uk/ukpga/2006/18/section/12>

Equality Act 2010: <https://www.gov.uk/guidance/equality-act-2010-guidance>

NHS Pension Scheme: [www.nhsbsa.nhs.uk/pensions](http://www.nhsbsa.nhs.uk/pensions)

Employment Rights Act 1996, London: Stationary Office:  
Available at <https://www.legislation.gov.uk/ukpga/1996/18/contents>

**Employment Rights Act 1996**  
<https://www.legislation.gov.uk/ukpga/1996/18/contents>

Voluntary Services Overseas [www.vso.org.uk/volunteering](http://www.vso.org.uk/volunteering)

Reserve Forces Act 1996 <http://www.legislation.gov.uk/ukpga/1996/14/contents>

## 7. ASSOCIATED DOCUMENTATION

Joint Attendance Management Policy  
Joint Time off in Lieu Policy

### **NCUH and CPFT separate policies**

Annual Leave Policy  
Flexible Working Policy  
Partnership Working Policy  
Maternity/Adoption/Paternity/Parental and Shared Parental Leave Policy  
Equality & Diversity Policy

### **Related Trust Procedures**

Single Equality Scheme re Equality and Human Rights legislation

## 8. DUTIES (ROLES & RESPONSIBILITIES):

### 8.1 Chief Executive / Trust Board Responsibilities:

The Chief Executive and Trust Board jointly have overall responsibility for the strategic and operational management of the Trust, including ensuring that Trust policies comply with all legal, statutory and good practice requirements.

### 8.2 Executive Director Responsibilities – Director of Workforce and Organisational Development

All policies have a designated Executive Director and it is their responsibility to be involved in the development and sign off of the policies, this should ensure that Trust policies meet statutory legislation and guidance where appropriate. They must ensure the policies are kept up to date by the relevant author and approved at the appropriate committee.

### 8.3 Managers Responsibilities:

Managers should ensure that they:

- Are familiar with the provisions of this policy
- Make the policy available to staff
- Deal with all requests for special leave in a fair, confidential and timely manner taking into account individual circumstances;
- Record the leave granted and reasons for the leave, on the appropriate forms and payroll returns.

### 8.4 Staff Responsibilities:

All staff have a responsibility to ensure that they are aware of the contents of this policy and apply for leave where it is appropriate to their individual circumstance.

### 8.5 Joint Partnership Forum Responsibilities:

The Chair of the Joint Partnership Forum will ensure the policy approval is documented in the final section of the Checklist for Policy Changes. The committee will agree the approval of the final draft of the policy.

## 9. ABBREVIATIONS / DEFINITION OF TERMS USED

ABBREVIATION	DEFINITION
ESR	Electronic Service Record
HR	Human Resources

TERM USED	DEFINITION
Dependant	A dependant is someone who is an employee's wife/husband, partner, civil partner, child or parent, or who lives as part of the employee's family or is someone who relies on the employee for assistance in a particular emergency.

**APPENDIX 1 – APPLICATION FOR SPECIAL LEAVE**

Page 1 of 2

*PART A: To be completed by the employee*

Type of leave – please tick

<input type="checkbox"/> Carer/Emergency Leave	<input type="checkbox"/> Jury Service
<input type="checkbox"/> Bereavement Leave	<input type="checkbox"/> Leave for service with Non Regular forces
<input type="checkbox"/> Leave for IVF Treatment	<input type="checkbox"/> Time off to attend job interview
<input type="checkbox"/> Leave for Public Duties	<input type="checkbox"/> Leave for Adverse Weather

Full Name:	
Post Title:	Employee No:
Department:	Site:
Dates of Leave:	No of days requested:
Details in support of application:	
Signed:	Date:

*PART B: To be completed by the Manager*

Manager's Name:	
Post Title:	
No of Days Approved:	(Paid / Unpaid)
Comments:	
Signed:	Date:

*PART C: To be completed by the employee for Equality and Diversity Monitoring*

Age:	Gender:
Current working hours:	
<p>Ethnicity:</p> <p><b>Asian or Asian British:</b></p> <p><input type="checkbox"/> Bangladeshi</p> <p><input type="checkbox"/> Indian</p> <p><input type="checkbox"/> Pakistani</p> <p><input type="checkbox"/> Any other Asian background</p> <p><b>Black or Black British:</b></p> <p><input type="checkbox"/> African</p> <p><input type="checkbox"/> Caribbean</p> <p><input type="checkbox"/> Any other Black background</p> <p><b>Mixed:</b></p> <p><input type="checkbox"/> White and Asian</p> <p><input type="checkbox"/> White and Black African</p> <p><input type="checkbox"/> White and Black Caribbean</p> <p><input type="checkbox"/> Any other mixed background</p> <p><b>White:</b></p> <p><input type="checkbox"/> British</p> <p><input type="checkbox"/> Irish</p> <p><input type="checkbox"/> Any other White background</p> <p><b>Other Ethnic Group:</b></p> <p><input type="checkbox"/> Chinese</p> <p><input type="checkbox"/> Any other ethnic group</p>	
Do you have a disability? Yes / No	

CPFT: Please send the completed form to the HR Department, Maglona House, Kingstown Broadway, Carlisle, CA3 0HA

NCUH: Please send the completed form to the HR Department, Unit 12, Port Road Business Park, Carlisle, CA2 7AF

**APPENDIX 2 – APPLICATION FOR A CAREER BREAK**

PART A: Please complete the form as fully as possible to enable the Trust to consider your request. Where information is not fully complete, your line manager may ask you for clarification and this may delay consideration of your request.

Name:	Department:
Start date with Trust:	Post Title:
Hours of work:	Manager:

Details of Break requested:

Proposed date of commencement:	
Proposed length of break:	
Intended date of return:	
Reason for request: <i>Each application is considered on its merits balanced with the needs of the service and it may help your application if you are able to give detailed reasons for your request.</i>	
I wish to apply for an extended period of unpaid leave under the Career Break Scheme. I understand continued acceptance on the Scheme required me to undertake 10 days paid work within the Trust each year and that I must not carry out any other substantive paid employment during the Career Break (unless doing Voluntary Service Overseas in developing countries). I accept and will abide by the conditions of the Scheme and undertake to return to work for minimum of twelve months at the end of the Career Break. I understand that failure to comply with this will result in termination of employment with the Trust.	
Signed:	Date:

*PART B: To be completed by the Manager*

Manager's Name:
Post Title:
Approved / Not Approved
<i>If Not Approved – An explanation of why the request has been declined:</i>
Signed:
Date:

*Please complete part C on page 2 of the application form.*

*PART C: To be completed by the employee for Equality and Diversity Monitoring*

Age:	Gender:
Current working hours:	
Ethnicity:	
<p><b>Asian or Asian British:</b></p> <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani <input type="checkbox"/> Any other Asian background	<p><b>Mixed:</b></p> <input type="checkbox"/> White and Asian <input type="checkbox"/> White and Black African <input type="checkbox"/> White and Black Caribbean <input type="checkbox"/> Any other mixed background
<p><b>Black or Black British:</b></p> <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other Black background	<p><b>White:</b></p> <input type="checkbox"/> British <input type="checkbox"/> Irish <input type="checkbox"/> Any other White background
	<p><b>Other Ethnic Group:</b></p> <input type="checkbox"/> Chinese <input type="checkbox"/> Any other ethnic group
Do you have a disability? Yes / No	

CPFT: Please send the completed form to the HR Department, Maglona House, Kingstown Broadway, Carlisle, CA3 0HA

NCUH: Please send the completed form to the HR Department, Unit 12, Port Road Business Park, Carlisle, CA2 7AF

**APPENDIX 3 – KEEPING IN TOUCH DAY REQUEST FORM**

<b>Employee Name:</b>				
<b>Assignment Number:</b>				
<b>Trust:</b>				
<b>Department:</b>				
Whilst on Career Break leave, the above member of staff attended for Keeping in Touch day(s) (KIT) on the following date(s):				
<b><u>Date</u></b>	<b><u>Start Time</u></b>	<b><u>Finish Time</u></b>	<b><u>Less</u></b>	<b><u>Total Hours to be Paid</u></b>
<b>Signed:</b>				<b>Employee</b>
<b>Print Name:</b>				<b>Employee</b>
<b>Authorised:</b>				<b>Line Manager</b>
<b>Print Name:</b>				<b>Line Manager</b>

CPFT: Please send the completed form to the HR Department, Maglona House, Kingstown Broadway, Carlisle, CA3 OHA

NCUH: Please send the completed form to the HR Department, Unit 12, Port Road Business Park, Carlisle, CA2 7AF

**DOCUMENT CONTROL**

<b>Equality Impact Assessment Date</b>	2 October 2018
<b>Sub-Committee &amp; Approval Date</b>	25 January 2019
<b>Joint Partnership Forum Approval Date</b>	6 February 2019

**History of previous published versions of this document:**

Trust	Version	Ratified Date	Review Date	Date Published	Disposal Date
CPFT POL/004/016	June 2016	June 2016	May 2018	June 2016	n/a
NCUH REF: HR20	4.00	August 2018	August 2019	August 2018	n/a

**Statement of changes made from previous version – CPFT POL/004/016 and NCUH**

Version	Date	Section & Description of change
1.0	27/02/2019	PMG amendments <ul style="list-style-type: none"> <li>Section 5 bullet points updated with relevant committee name</li> <li>Section 8.5 details of the approving committee responsibilities added</li> <li>Section 9 sorted in alphabetical order</li> <li>Page break amendments in the appendices to ensure ease of printing</li> </ul>
1.0		<ul style="list-style-type: none"> <li>Format changed in line with Joint Policy Template</li> </ul>
CPFT POL/004/016	June 2016	<ul style="list-style-type: none"> <li>GDPR guidance (new) added after first page – IG to confirm correct placement</li> </ul>
		<ul style="list-style-type: none"> <li>Toolkit - new term used for standard letters and How to Guides already in use and available</li> </ul>
		<ul style="list-style-type: none"> <li>Previous section 6.4 Medical/Hospital/Dental Appointments now covered in Joint Attendance Management policy.</li> </ul>
		<ul style="list-style-type: none"> <li>Previous section 6.5 Annual Medical Check Ups covered in Joint Attendance Management policy.</li> </ul>
		<ul style="list-style-type: none"> <li>Order of various leaves changed with Career Break at the end.</li> </ul>
		<ul style="list-style-type: none"> <li>More guidance/clarity included to reflect different circumstances at NCUH and vice versa.</li> </ul>

Version	Date	Section & Description of change
1.0	10/10/18	<ul style="list-style-type: none"> <li>Format changed in line with Joint Policy Template</li> </ul>
NCUH		<ul style="list-style-type: none"> <li>GDPR guidance (new) added after first page – IG to confirm correct placement</li> </ul>
		<ul style="list-style-type: none"> <li>Joint policy (NCUH &amp; CPFT)</li> </ul>
		<ul style="list-style-type: none"> <li>Special leave and Career break policy combined</li> </ul>
		<ul style="list-style-type: none"> <li>Section 1 - Ante natal, parental leave and medical and dental appointments have been removed as in maternity &amp; paternity policy and attendance management policy</li> </ul>
		<ul style="list-style-type: none"> <li>Section 2 &amp; 3 - Purpose and principles updated</li> </ul>
		<ul style="list-style-type: none"> <li>Section 3.3 - Addition of Carer/Emergency leave and bereavement leave paid allowance – a maximum of 5 paid days to be taken pro-rata</li> </ul>
		<ul style="list-style-type: none"> <li>Section 3.4 – addition of parental leave</li> </ul>
		<ul style="list-style-type: none"> <li>Section 3.8 - Examples of public duties given with allowances included</li> </ul>
		<ul style="list-style-type: none"> <li>Section 3.10 – 5 days weeks leave pro-annum</li> </ul>
		<ul style="list-style-type: none"> <li>Section 3.11 – Time off to attend job interviews – internal paid, external unpaid, and redeployment – paid</li> </ul>
		<ul style="list-style-type: none"> <li>Section 3.13 - Career break – employee required to undertake 10 days work each year, addition on KIT days</li> </ul>
		<ul style="list-style-type: none"> <li>Appendix 1, 2 &amp; 3 – forms updated</li> </ul>

### List of Stakeholders who have reviewed the document

Name	Job Title	Date
CPFT Children and Families Care Group	Governance and Network Management Team	Via email during October 2018
CPFT Mental Health Care Group	Senior Management Team	Via email during October 2018
CPFT Corporate Care Group	To all Heads of Services	Via email during October 2018
Community North Care Group	Senior Management Team	Via email during October 2018
CPFT Specialist Care Group	Senior Management Team	Via email during October 2018
NCUH	Senior Management Teams across Care Groups and Corporate functions	Via email during October 2018