

# Annual and Other Leave Policy



**Please complete the table below:**

*To be added by corporate team once policy approved and before placing on website*

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<b>Author and Job Title:</b>	HR Manager/HR Business Partner
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**Policy Review Checklist**

	<b>Yes/ No/NA</b>	<b>Supporting information</b>
Has an Equality Impact Assessment Screening been completed?		
Has the review taken account of latest Guidance/Legislation?	Yes	
Has legal advice been sought?		
Has HR been consulted?	Yes	
Have training issues been addressed?		
Are there other HR related issues that need to be considered?		
Has the policy been reviewed by JCC?	No	
Are there financial issues and have they been addressed?		
What engagement has there been with patients/members of		

	<b>Yes/ No/NA</b>	<b>Supporting information</b>
the public in preparing this policy?		
Are there linked policies and procedures?		
Has the lead Executive Director approved the policy?		
Which Committees have assured the policy?		
Has an implementation plan been provided?		
How will the policy be shared with		
Will an audit trail demonstrating receipt of policy by staff be required; how will this be done?		

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# Annual and Other Leave Policy

## 1 INTRODUCTION

The purpose of the Annual and Other Leave Policy is to ensure a uniform and equitable approach by providing guidance on the various types of leave available and when they apply. This will promote consistency and support for employees.

## 2 PURPOSE AND SCOPE

The CCG recognises that from time to time employees will require time-off work for certain matters that require their urgent attention. The CCG is committed to helping employees balance the demands of domestic and work responsibilities by the provision of paid and unpaid leave subject to exigencies of the service.

This policy will be applied to all permanent and fixed term employees within the CCG (this policy does not apply to agency workers or interims). The fair and equitable implementation of this policy will be monitored locally by the CCG and will be regularly checked against legislative requirements and best practice.

For the purpose of this policy, all entitlements will be pro rata for part time employees.

The CCG also recognises that access to other leave arrangements that supports employees in balancing their work responsibilities with their personal commitments is integral to good working practices. The objective of other leave is to help employees balance the demands of domestic and work responsibilities at times of urgent and unforeseen need through the provision of paid and unpaid leave according to circumstances. Other leave will also be applicable to other situations such as voluntary public duties, court, jury service and military service and call-out. In consideration of special leave requests managers must be mindful that individual circumstances may vary.

Provisions for Maternity, Paternity, Adoption and Shared Parental leave are outlined in the relevant Maternity, Paternity, Adoption and Shared Parental Leave Policy.

## 3 DUTIES AND RESPONSIBILITIES

Good working relations are vital for the organisation to operate successfully and provide services. There is a joint responsibility for management, trade unions and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.

### Employees

It is the responsibility of employees to ensure that:

- Annual leave is planned throughout the leave year in consultation with the team, in agreement with the line manager and with the service needs in mind.

Authorisation must be sought from the line manager prior to commencing or booking holidays.

- Requests for special leave are appropriately made under the guidance of the policy.

### Line Managers

It is the responsibility of line managers to ensure that:

- This policy and procedure is disseminated effectively and observed by all employees, acting in a fair and consistent manner when considering requests.
- They calculate the correct annual leave entitlement for their employees, checking evidence of previous NHS service.
- They monitor and ensure employees take their annual leave as planned and agreed, ensuring appropriate cover arrangements assure service needs.
- The authorisation process is followed, accurate records are kept and monitoring of leave is undertaken.

### Human Resources

The HR Manager will provide advice and support on all aspects of this policy to ensure application and support.

## 4 DEFINITIONS/EXPLANATIONS OF TERMS USED

For the purpose of this policy, the definitions are as follows:

‘Dependant’	is someone who is married to, is a civil partner, or a partner (whether opposite or same sex) or is a child, a parent or a person who lives at the same house as the employee (other than a lodger, tenant, boarder or employee) or could be someone who would reasonably rely on the employee for assistance, or arrangements for the provision of care in the event of an illness or injury
A ‘close relative’	includes: parents, adult children, adopted adult children, siblings, grandparents and step version of these if appropriate.
A ‘relative’	includes: parents-in-law, siblings who are in-laws, uncles, aunts, cousins, nieces, nephews and step versions of these if appropriate.
‘Next of kin’	may be taken to include a partner, close relative or dependant
‘A Carer’	are employees with significant caring responsibilities that have a substantial impact on their working lives. These employees are responsible for the care and support of disabled, elderly or sick child, parents, relatives or friends who are unable to care for

	themselves
'Adverse weather'	can be defined as snow, ice, volcanic eruptions, fog and floods which render journeys by road as extremely hazardous. This can be both public and private transport.
Disability	<p>an employee may be registered as disabled under the Equality Act 2010, if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.</p> <p><b>'Substantial'</b> is more than minor or trivial – e.g. it takes much longer than it usually would to complete a daily task like getting dressed.</p> <p><b>'Long term'</b> means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection</p>

### Types of Leave

This policy provides leave in the following circumstances:

Compassionate Leave	is to help an employee come to terms with the death of a dependant, close relative, other relatives or next of kin
Emergency Domestic Leave	is short term leave to deal with an emergency situation relating to a dependant or unforeseen domestic emergencies
Carers Leave	is to deal with longer term problems (in addition to time off for emergencies) such as to look after someone who has a serious illness or who is terminally ill.
Parental Leave	is to allow working parents request a period of unpaid leave during the first 18 years of a child's life.
Medical and Dental Leave	allows arrangements for employees to attend medical and dental appointments during a working day
IVF /other Fertility treatment	allows arrangements to be made to attend medical appointments when undertaking/ pursuing IVF treatment
Adverse weather	allows for alternative arrangements to be made when there is adverse weather, which may include flexible



	working, annual leave or unpaid leave.
Time off for study	for when employees are taking time from their duties to study or train.
Employment Break scheme	allows the employee to request leave from their employment on a temporary basis.
Reserves/ TA/ Cadet forces	where there is a need for time off for activities and training or where an employee is 'called up' for military operations,
Public/ Civic duties	where the employee is required to be absent for essential civic and public duties
Attendance at court/witness	may be required to attend court for service as a juror, character witness or witness of fact
Emergency Services	leave to support activities of retained Fire Fighters, Special Constables, RNLI, Search and Rescue and similar activities
Religious Observance	when an employee seeks leave for a religious festival or cultural observance
Employment Interviews	to attend an internal/external interview with the CCG

## PART A – ANNUAL LEAVE

### 5 ANNUAL LEAVE

Employees are encouraged to take their periods of annual leave in blocks throughout the year to ensure that they derive the full benefit of a rest and break away from work. Managers should endeavour to ensure that the workloads do not prevent employees from taking their entitlement to annual leave and employees should ensure they take their leave each year.

#### Entitlement

The annual leave provisions under NHS Terms and Conditions are contained in the table 1 below (pro-rata for part time staff). The annual leave period is from the 1st April to the 31st March the following year.

**Table 1**  
**Length of Service Annual Leave Entitlement**

Length of service	Annual leave + General Public Holidays
On appointment	27 days (202.5 hours) + 8 days
After 5 years service	29 days (217.5 hours) + 8 days
After 10 years service	33 days (247.5 hours) + 8 days

Annual leave entitlement will normally be determined in days for full time employees unless their working hours/pattern is not equal each day. In this circumstance annual leave will be calculated in hours to prevent the employee on these hours/pattern days receiving greater or less leave than colleagues on standard hours/pattern days.

Annual leave for part time employees will be calculated in hours.

#### Carry Over of Leave

The CCG expects that within the annual leave year employees should be provided with the opportunity to take all their annual leave. In exceptional circumstances and with agreement of the line manager, up to a maximum of 5 days (pro rata for part-timers) annual leave may be carried over to the following year and mutually agreed with the line manager. The request should be made in writing to the line manager, at least six weeks before the end of the current leave year.

The CCG actively encourages staff to take annual leave in blocks throughout the year to ensure that there is a sufficient break away from work and to enable a good work life balance.

Annual leave should not be substituted for sick leave, maternity leave, compassionate leave, special leave, paternity leave, adoption leave, parental leave or domestic/carer leave. There are separate policies that cover these.

### **6 GENERAL PUBLIC HOLIDAYS (BANK HOLIDAYS)**

In addition to annual leave, employees are entitled to paid General Public Holidays (Bank Holidays). Generally there are 8 bank holidays per leave year including:

- Christmas Day
- Boxing Day
- New Year's Day
- Good Friday
- Easter Monday
- May Day
- Spring Bank Holiday
- August Bank Holiday

When a General Public Holiday falls on a Saturday or Sunday, the following Monday or Tuesday is normally designated as a General Public Holiday for leave purposes.

Due to changing dates of Easter Bank Holidays each year, the number of bank holidays in the year April – March may be less or more than 8. In such circumstances employees will receive the adjusted number of statutory days that fall in that annual leave year.

#### **Part-time working and Bank Holidays**

When a bank holiday occurs on a day an employee would normally work, they should deduct the number of hours that they would have normally worked on that day from their total leave entitlement (annual leave entitlement + bank holiday entitlement). If a bank holiday falls on a non-working day, a deduction of hours is not required to be made.

#### **Working on a bank holiday?**

If an employee is required to work on a statutory or public holiday they are entitled to another day off with pay in lieu. A part-time employee required to work on a statutory or public holiday will be entitled to the equivalent time off with pay in lieu

### **7 RECKONABLE SERVICE**

An employee's continuous previous service with an NHS employer will count as reckonable service in respect of annual leave. In addition, aggregated NHS service, i.e. any period of time that has been worked in the NHS, regardless of whether or not there has been a break in service, will count as reckonable service for annual leave.

For purposes of aggregated service, the CCG has the discretion to take into account any period of periods of employment with employers outside the NHS where these

are judged relevant to NHS employment. This will only apply where it is requested by the preferred candidate and agreed when the offer of employment is made. Otherwise any period of periods of employment with employers outside the NHS will not be counted.

In order to have previous relevant or NHS service, as detailed above, regarded as reckonable service, staff will need to provide formal documentary evidence of any relevant, reckonable service to their Line Manager.

## **8 ENTITLEMENT ON JOINING / LEAVING / CHANGING CONTRACTED HOURS**

### **Starting 'part way' in to the annual leave year?**

Only full calendar months' service count towards annual leave entitlement. New entrants to the organisation shall be entitled in the leave year of entry to annual leave proportionate to the full completed calendar months of service during that year. Any new staff joining the organisation part way through a month will begin to accrue annual leave from the beginning of the first full calendar month that they are employed.

### **Leaving 'part way' in to the annual leave year?**

Entitlement to annual leave will be proportionate to the number of completed months of service during that year. If an employee leaves the organisation part way through a month, they will only accrue leave up to and including the last day of the last full month of employment with the CCG.

In normal circumstances any outstanding accrued annual leave will be paid through final pay. If an employee has taken more leave than they are entitled to at the leaving date, this will be deducted from final salary.

### **Aggregated NHS service and Annual Leave Entitlement**

If an employee's length of NHS service changes part way through the Annual Leave year, they will receive a pro-rata amount of leave at their previous service entitlement (in complete calendar months), and a pro-rata amount of leave at their new service entitlement (in complete calendar months).

If the length of NHS service reaches the 5 or 10 years point to trigger an increased annual leave entitlement part way through a month, the additional pro-rata amount will come into effect from the start of the first full calendar month following this point.

## **9 SICKNESS ABSENCE DURING ANNUAL LEAVE OR BANK HOLIDAYS**

If an employee falls sick during a period of annual leave either in this country or overseas, and the period of incapacity seriously interrupts the period of leave, then consideration will be given to counting the absence as sick leave in accordance with the Managing Sickness Absence Policy provided they;

- Notify their line manager either in writing or by telephone at the earliest opportunity, in line with departmental procedures and no later than the fourth continuous day of illness; and
- Provide a statement by a qualified medical practitioner; the statement should cover the period of the illness and the nature of the illness.

## 10 ACCRUAL OF LEAVE DUE TO LONG TERM ABSENCE

### Maternity

Employees accrue annual leave during paid and unpaid periods of maternity leave. An employee will be encouraged to take any outstanding annual leave prior to maternity leave. However, if this is not possible, then this leave will carry forward and be added to that which is accrued during the maternity leave period. This does apply to bank holidays. Payment in lieu may be considered as an option where accrual of annual leave exceeds normal carry over provisions

### Long-term Sickness

Employees continue to accrue the statutory element of their annual leave as normal during paid and unpaid sickness absence. If an employee does not have the opportunity to take their annual leave entitlement because of an illness within the current holiday year, they may have the opportunity to carry statutory holiday entitlement over to the next leave year as agreed by the line manager and HR.

## 11 PROCEDURE TO REQUEST ANNUAL LEAVE

### How much annual leave can I take at one time?

Two to three weeks annual leave will normally be granted providing service requirements can be met. Requests over three weeks will only be granted if service requirements will not be adversely affected and can substantiate your reason for wanting more than 3 weeks annual leave. Please note all leave must be through prior agreement with your line manager. Managers reserve the right to refuse requests for annual leave.

### How much notice of my intention to take annual leave should I give?

An employee requiring a week or more annual leave should aim to give their manager as much notice as possible. In exceptional circumstances requests for annual leave of less than a week can be made at short notice but these will only be agreed if service requirements can be met. In all cases, annual leave must be agreed with the manager in advance of the leave being taken. At least 8 weeks' notice should be given if requesting more than 2 weeks annual leave.

### How do I apply for annual leave?

Complete an online request using ESR Self-service portal for the line manager to authorise.

### Guidance around booking holidays/events

Employees should not book any external commitments (e.g. holidays etc) until their Line Manager has approved their leave request. Managers should not be pressured into approving annual leave solely on the basis that the individual has already booked a holiday/commitment.

Managers may still refuse annual leave even if the individual has already booked external commitments if the leave requested will adversely affect the delivery of the service.

The CCG will not be responsible for any financial detriment the individual suffers through not getting their annual leave signed off by their manager and it subsequently being refused

## PART B – OTHER LEAVE

### 12 COMPASSIONATE LEAVE

The purpose of compassionate leave is to help an employee come to terms with the death or terminal illness of a dependant, close relative or next of kin. It also covers time off to make arrangements for attending funerals of a dependant, close relative or next of kin.

It is acknowledged that family situations differ and there may be circumstances when the 'next of kin' fall outside of these categories, for example step-families, and each case should be viewed sympathetically and the amount of leave granted will depend on the individual's circumstances. For example: relationship, domestic responsibilities and travel.

The time allowed can range from just a few hours off or up to 2 working weeks leave in exceptional circumstances. It is unlikely that more than 2 working weeks would be allowed in any 12 month period.

Granting Compassionate Leave is at managerial discretion. The examples below are intended to help managers to make informed decisions regarding the approval of compassionate leave:

- 1 days paid leave to attend the funeral of a close relative.
- Up to 1 working week upon the death of a partner or dependant.

- A further 2 days leave if you are responsible for the funeral arrangements or other activities related to the death of a close relative.
- Up to 2 days paid leave if it is necessary to travel a considerable distance or abroad, or where travelling is unusually difficult, to attend a funeral.
- Up to 1 working week in circumstances where a partner, dependant or close relative has a terminal illness. You may also take up to three months unpaid leave, which may be taken in a block or as separate days depending on your needs and the needs of the service.

The CCG recognises that individuals who need to request compassionate leave may be facing a difficult time in their lives and therefore would encourage individuals to access the Employee Assistance Programme (EAP).

### **13 EMERGENCY DOMESTIC LEAVE**

Emergency Leave is paid time off to deal with sudden and urgent unanticipated problems such as dealing with a domestic crisis or emergency at home or needing to care for dependants if they are ill or when normal care arrangements breakdown. This can also apply to situations such as educational problems, i.e. where the employee is responsible for a school age child and is required to liaise with the school. It usually only applies if a situation arises in which a member of staff has less than 24 hours to make other arrangements.

All employees are entitled to take a reasonable amount of time off to deal with an emergency situation relating to a dependent.

The leave can be taken for example to:

- Deal with a breakdown in childcare
- To put longer term care in place for children or elderly relatives
- If a dependant or close relative or next of kin falls ill or is taken into hospital
- To deal with an incident that involves their child and occurs unexpectedly while the child is at school/ other education.

It may also deal with any unforeseen domestic emergencies including:

- Flood
- Fire
- Burglary

For domestic needs that can be reasonably planned in advance you are expected to request annual leave or request to work your hours flexibly on a temporary basis to make up time. Such requests will only be approved subject to service requirements.

As a guide and to ensure consistency, up to 2 days paid leave may be taken at any one time. Unpaid leave of up to 5 days may be granted by your manager if paid leave has been exhausted.

No more than 5 days paid and 5 days unpaid pro-rata should be taken in any 12 month period (beyond this limit the Parental Leave or Unpaid leave may be applied).

By the nature of such leave, Domestic Emergency leave will normally have to be requested and granted at short notice. You should contact your manager at the earliest opportunity to make them aware of your circumstances. There is no guarantee that emergency leave will be approved as it is subject to managerial discretion.

### **14 CARERS LEAVE**

Carers leave is provided as an alternative form of leave in addition to time off for emergencies (which is for short term/ emergencies only). As such a request for leave does not provide an automatic right to time off, however the employee's line manager will consider each case carefully.

An example of when carers leave could be considered is when an employee is required to look after someone who has a serious illness, terminally ill or has a disability

#### **Eligibility**

Employees must have a minimum of 26 weeks service with the Organisation before being considered for extended carers leave.

A Manager may grant the employee up to 5 days paid leave and a further 5 days unpaid based on a full time worker. (20 in exceptional circumstances, which will be decided on a case by case basis by the Line Manager) in one leave year. Paid or unpaid leave will be pro-rate based on normal hours worked. If necessary additional unpaid leave maybe granted, up to a combined period of 6 months in total. For any additional leave required for a longer period, the employee may wish to consider an Employment Break. The length of the break will normally be for a minimum of 3 months up to a maximum of 5 years.

The employee must make the request for any leave directly to their Line Manager in the first instance, detailing the reasons for the leave.

### **15 PARENTAL LEAVE**

Employees who have nominated caring responsibility for a child, up to their 18<sup>th</sup> Birthday, are eligible for Parental Leave. The right to parental leave entitles all employees who



have completed 12 months continuous NHS service to take a period of unpaid leave to care for each child aged up to 18.

The entitlement is 18 weeks unpaid leave per child to be taken in periods of at least one week at a time. In the case of twins, each parent will be entitled to 18 weeks for each child. In cases where the child is disabled, parental leave may be taken in days rather than in weeks. A maximum of four weeks can be taken in any one year. Both parents can take parental leave. Eligible employees may take up to 18 weeks leave up until the child's 18<sup>th</sup> birthday.

Parents can start taking parental leave as soon as a child is born or placed for adoption, or as soon as they have completed one years continuous NHS service, whichever is later.

## 16 EMPLOYMENT BREAK POLICY AND PROCEDURE

An employment break is an extended period of unpaid leave from the organisation with a guarantee of returning to employment with the organisation. It ensures that employees do not lose their place within their career and the organisation does not lose trained and skilled staff.

An employment break may be taken for a variety of reasons such as to care for dependants, to study, to do voluntary work, or travel.

(this list is not exhaustive and there may be other reasons for an employment break)

Individuals on employment breaks will not normally be allowed to take up paid employment with another employer, except where, for example, work overseas or charitable work could broaden experience. In such circumstances written authority from the employer would be necessary.

### Eligibility

Employees with at least **one years'** continuous service with the organisation will be considered for an employment break.

Please refer to Section 36 of the Agenda for Change Handbook – Terms and Conditions of Employment

There is no automatic right to an employment break – this will be a discussion and agreement between the employee and Line Manager.

### How long can my employment break be?

An employment break will be a minimum of 3 months and up to a maximum of 5 years.

The actual period of your break will be subject to agreement between the employees and Line manager and is based on the needs of the individual balanced against the needs of the service.

### How will an employment break affect pay and contract?

The period of leave will be unpaid but your contract of employment will not be terminated. This means that all pay and benefits will be suspended from the start of your employment break, e.g. annual leave, sick leave, maternity benefits, and will be reactivated again on return to work.

Absence due to an employment break will not be regarded as a break in service, although the period of the break will not count as reckonable service.

During breaks longer than 3 months, pension contributions will not be payable and will therefore result in a break in pensionable service.

### **How to apply for an employment break?**

To formally apply for an employment break employees should write to their manager, enclosing a covering letter stating the reasons for the break and the ideal duration and giving at least 3 months' notice of the intention to take an employment break.

Consideration will be given to the following criteria:

- The likely benefits to be gained by the employee and the organisation
- Length of service with the organisation
- The demands of the service

If the application for a break is successful the manager will confirm with the employee in writing stating the duration of the break, the dates and that the employee has a commitment to return to work with the organisation for a minimum period equal to the period of the break, subject to a maximum commitment of 2 years.

If your application is declined your manager should confirm this in writing stating the reasons for the refusal. Employee can appeal against the decision not to approve a career break by using the organisation's Grievance Policy.

### **Maintaining contact whilst on your break**

It is important that contact with the organisation, colleagues and your profession is maintained whilst on your employment break. The employee must leave a contact address before beginning your employment break and should notify their manager of any changes during the break.

Newsletters and appropriate literature will be sent by the line manager to keep the employee in touch and aware of organisational changes and work development.

To enable contact to be maintained the employee will be expected to undertake paid work with the organisation for up to 10 days per year. This may include seminars, departmental and professional meetings, training courses or asked to cover a period of annual leave within the directorate. If the employee is unable to attend work, for example if travelling abroad, other methods should be used to help keep in contact.

The employee will be expected to maintain any professional registration and continue subscriptions to professional journals (if applicable) to ensure that up to date knowledge is maintained.

### **Returning to work**

If the career break was originally agreed as being for a period of twelve months or less the employee needs to give at least 2 months' notice of their intention to return to work earlier than originally agreed. If it was agreed the career break would last for over 12 months the employee is required to give 6 months' notice of their intention to return to work earlier than originally agreed.

If the employee has taken a break of 12 months or less they will ideally return to their original post or a similar post at the same grade.

If the break has extended beyond 12 months the employee is guaranteed a similar post within the organisation but not necessarily the same as was held previously. As far as possible, suitable alternative work will be offered on the same grade and terms as the date of leaving. If this is not possible, short-term protection will apply. This will result in a change to their contract of employment.

Every effort to find suitable alternative employment will be made but should the employee reject three offers of suitable permanent employment at an equivalent salary level, the organisation is under no obligation to offer further posts and the commitment to the employee will cease.

Where necessary the employee will be given refresher training prior to resuming your full duties.

The employee is expected to return to work with the organisation for at least the equivalent period of the break up to a maximum commitment of 2 years.

### **Backfilling of a role**

The CCG will arrange for cover to backfill an employee's role or re-allocate work amongst the team as appropriate. The normal recruitment process will apply.

### **What happens if I need to end my employment break earlier than expected?**

In exceptional circumstances it may be necessary to terminate the Employment Break and return to work earlier than expected. Such circumstances could include for example, long term illness or crisis in a country visited.

In cases such as this the employee would be advised to contact their manager at the earliest opportunity to discuss the situation and the discretion would be applied as to when the employee returns and will try to reduce the notice period to support the employee if feasible to do so.

In the event of someone employed temporarily to cover the employee's post whilst they were away, it may not be possible to place the employee back into their substantive post straight away but suitable alternative employment will be explored with the employee in the interim.

## **17 MEDICAL APPOINTMENTS**

Where possible, employees should make appointments with a doctor, dentist, Hospital appointments or other health professional outside their normal working



hours. Where this is not possible, they should be made at a time which will result in the least impact on the service and should attend work before and after their appointment. For any appointment in working time, staff will be required to use lieu or flexitime (if applicable), make up the time or take annual leave by agreement with the manager.

Should medical or hospital appointments become so regular as to result in significant, regular absence from the workplace with a noticeable impact on an employee's ability to meet the expectations of both their contracted hours and their role, after seeking advice from Human Resources and Occupational Health, managers have the right to explore either a temporary or permanent reduction in the employee's contracted hours.

When the appointments become more frequent or the employee has a disability and is required to attend regular appointments (i.e. regular physiotherapy/ attending on-going treatment) the individual should advise their Line Manager in advance of the appointments. The manager shall consider reasonable adjustments to accommodate the disability related requirements including variation of working hours, or using a combination of unpaid and annual leave or paid time off to attend appointments.

Medical or dental emergencies requiring urgent, unforeseen medical or dental attention are likely to fall within the remit of sickness absence, as are cases where the employee is to be admitted to hospital as an inpatient, for example to undergo an operation. In this case, this will be recorded in accordance with sickness absence reporting.

## **18 SPECIAL LEAVE FOR IVF AND OTHER FERTILITY TREATMENT**

The CCG recognises the emotional pressure of undergoing IVF treatment and wishes to support any employee during the process where possible. The CCG will allow the employee to use a reasonable number of days leave using annual leave or unpaid leave during the course of the treatment or where possible to work flexibly in line with the service needs. Any agreement will be made by the Line Manager.

Any leave requested for appointments will be managed in accordance with section 16 of this policy (doctors/ dentist and medical appointments) up until the point of pregnancy when this will then be managed in accordance with the CCG's Maternity Policy. The employee must notify their Line Manager to advise them of any on-going appointments that they will be required to take due to the treatment.

## **19 OTHER MEDICAL SCREENING**

Reasonable and necessary time off, with pay, will be given for the purposes of medical screening

## 20 BLOOD DONATION

Reasonable and necessary time off, with pay, will be granted for the purposes of blood donation.

## 21 CIVIC AND PUBLIC DUTIES

Paid leave may be given if required to undertake essential civic and public duties during your working hours such as serving as a Justice of the Peace, in the reserve forces, a school governor, a member of a local authority. This is at managerial discretion and there is an expectation that flexible working arrangements and making up the hours are explored in the first instance. Employees must adhere to the Secondary Employment Policy where they have a Secondary Employment.

The provisions described below are intended to clarify and extend as appropriate the statutory right of employees to take time off for public duties as set out in Section 50 of the Employment Rights Act 1996.

Public duties apply to employees who, in an unpaid role, are:

- a member of a local authority,
- Justice of the Peace/Magistrate
- a member of any statutory tribunal,
- a member of, in England and Wales, a National Health Service Trust or organisation.
- members of, in England and Wales, the managing or governing body of an educational establishment maintained by a local education authority.
- members 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 or self-governing school
- a member of, in England and Wales, the National Rivers Authority
- members of the Broads Authority,
- members of a Board of Prison Visitors (England and Wales)

This list is not exhaustive and other roles may be determined locally

## 22 MEMBERS OF THE RESERVE FORCES/TERRITORIAL ARMY/CADET FORCES

The reserve forces include the Royal Naval Reserve, Royal Marines Reserve, Territorial Army and the Royal Auxiliary Air Force.

The CCG recognises that many of the skills that reservists gain during their training are transferable to the workplace.

It is a requirement that employees advise their line manager as soon as possible of their intention to become a reservist. This requirement is to allow the department / organisation to deal with the practical implications.

Employees who need time off for activities as reservists are expected to use days out of their normal holiday entitlement. To avoid reservists being unable to take time off when needed, they should apply for any leave they require as soon

as possible. This should be submitted in the usual manner to the employee's line manager in accordance with the annual leave policy.

An additional 5 days paid leave and 5 days unpaid leave in any 12 month rolling period will be given to help the reservist meet their commitments. This includes attendance at the annual camp.

Unpaid leave can be requested if undertaking training (including annual camps) with the reserved forces/Territorial Army.

Reservists may be 'called up' for military operations, with notice typically given 28 days before mobilisation. Should this occur the employee should present their papers from the MOD to the organisation, outlining the date and possible duration of the employee's mobilisation. During this period of active service, unpaid leave will be granted. Employment will continue without pay, unless specified otherwise by the employee. Staff wishing to preserve pension rights should contact the Pension Department for clarification of their personal circumstances.

Reservists have the right to return to their former posts on terms and conditions no less favourable than those that would have applied if they had not been 'called up'. To exercise the right to be reinstated, the reservist must write to the organisation confirming the employee's intention to return to work within 13 weeks of a return.

The continuity of a reservist's employment is not broken by the period of voluntary mobilisation, if the employee is reinstated within their employment within 6 months of the demobilisation.

## 23 EMERGENCY RETAINED SERVICES

Leave to support activities of retained Fire-fighters, Special Constables, RNLI, Search and Rescue or similar activities and services.

Where possible, duties should be undertaken outside of the individual's normal working hours. Annual Leave may however be requested where activities impact in working time.

In addition, to annual leave, a provision of up to 5 days unpaid leave in any rolling 12 month period will be granted to carry out the duties required.

## 24 JURY SERVICE

Employees may be required to attend court for service as a juror, character witness or witness of fact.

The employee will continue to be paid while on jury service at the normal rate of pay.



In the event that an employee is called up for jury service they should provide their line manager with a copy of the court summons and any relevant documentation at the earliest opportunity in order to discuss cover for the period they will be required for Jury service.

If it is practicable for the individual to return to work at any point during the period of jury service, they should do so or take annual leave should they be not required on the day.

### **25 ATTENDANCE AT COURT/WITNESS**

An employee receiving a summons to appear as a witness must report the fact to their line manager.

An employee attending at court as a witness should receive forms to claim for loss of earnings from the court. An amount equal to the allowance received will be deducted from the employee's pay. In the event of an employee not being required to appear on a particular day/part day, should attend work as normal.

Unpaid leave will be granted for attendance at court as a witness in respect of matters arising from outside of work, i.e. personal matters. Individuals can claim for expenses occurred and loss of earning through the courts. Please refer to the Crown Prosecution Service website for further information on current rates and guidance on how to claim. [www.cps.gov.uk](http://www.cps.gov.uk)

### **26 HONOURS AND CIVIC AWARDS / AWARD CEREMONIES**

Employees can request one days leave with pay if they are receiving an honours or civics award. If they wish to attend an award ceremony for studies relating to work, they can request time off in lieu, study leave or annual leave all of which are subject to managerial discretion.

### **27 RELIGIOUS OBSERVANCE**

When an employee seeks leave for a religious festival or cultural observance, employees will be entitled to request the following, subject to the needs of the service. Flexibility in arrangement of hours, Annual leave, Time off in lieu, unpaid leave.

When requesting time off/ leave for a religious observance, employees should provide as much notice as possible to their line manager.

### **28 TIME OFF FOR STUDY**

Employees may submit requests in relation to any type of study or training that they believe will improve their effectiveness in their organisation and the performance of the business.

All requests for study leave should be made to line managers in the first instance. Managers will be able to provide their initial support for internal or external study leave whether in funding or in time. If there will be a cost to the organisation in either funding or time, the application will need to be authorised by finance and the appropriate Director before study leave is granted.

## **29 EMPLOYMENT INTERVIEWS**

Paid leave is only granted for the purpose of attending interviews within BNSSG CCG. Anyone wishing to attend external interviews must do so by booking annual leave as appropriate.

## **30 TIME OFF WHILE UNDER THE NOTICE OF REDUNDANCY**

Paid leave will be granted to attend interviews external to the organisation if the employee is under notice of redundancy or has been notified that they are 'at risk'.

## **31 ADVERSE WEATHER**

In the event that civil authorities advise that due to adverse weather conditions roads, railways and public transport services should not be used, the CCG would not expect staff to risk themselves or others by attempting to travel to work. Staff should therefore use their common sense in making a judgement as to whether to travel to work or not. Line managers must be contacted in all circumstances. Please refer to the guidance on Adverse Weather.

## **32 APPEAL PROCESS**

If the employee feels that an application for other leave has been unreasonably declined they should discuss the matter with their line manager in the first instance, and refer to the CCG's Appeals Policy for details of how to appeal.

## **33 TRAINING REQUIREMENTS**

Training and support will be available to all line managers in the implementation and application of this policy.

## **34 EQUALITY IMPACT ASSESSMENT**

All relevant persons are required to comply with this document and must demonstrate sensitivity and competence in relation to the nine protected characteristics as defined by the Equality Act 2010. The Act prohibits discrimination on the basis of age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion/belief, sex or sexual orientation. It also means that each manager or member of staff involved in implementing the policy must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity between those who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.

If you, or any other groups, believe you are disadvantaged by anything contained in this document please contact the Document Lead (author) who will then actively respond to the enquiry.

## **35 MONITORING COMPLIANCE AND EFFECTIVENESS**

This policy will be reviewed every 3 years but can be reviewed at any time if the



CCG deems it necessary to do so or a review is requested by management or staff.

### **36 COUNTER FRAUD**

The CCG is committed to the NHS Protect Counter Fraud Policy – to reduce fraud in the NHS to a minimum, keep it at that level and put funds stolen by fraud back into patient care. Therefore, consideration has been given to the inclusion of guidance with regard to the potential for fraud and corruption to occur and what action should be taken in such circumstances during the development of this procedural document.

### **37 REFERENCES, ACKNOWLEDGEMENTS AND ASSOCIATED DOCUMENTS**

Secondary Employment  
Flexible Working  
Managing Sickness Absence  
Appeals Policy