

ANNUAL AND SPECIAL LEAVE POLICY

Policy reference – HR03

SUMMARY	The purpose of the Annual and Special Leave Policy is to ensure a uniform and equitable approach by providing guidance on the various types of leave available and when they apply.
AUTHOR	Human Resources
VERSION	Version 5 - FINAL
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APPLIES TO	Single shared management policy revised, amended and applicable to all NHS Airedale, Wharfedale and Craven, Bradford City and Districts CCGs employees
APPROVAL BODY	Senior Management Team of the CCG
RELATED DOCUMENTS	Disciplinary Policy and Procedure Flexible Working Policy Managing Sickness Absence Policy Maternity, Adoption and Parental Leave (Including Shared Parental Leave)
REVIEW DATE	June 2020

CCGs working together

Airedale, Wharfedale and Craven CCG
Bradford City CCG
Bradford Districts CCG

THIS POLICY HAS BEEN SUBJECT TO AN INITIAL EQUALITY IMPACT ASSESSMENT

VERSION CONTROL SHEET

Version	Date	Author	Status	Comment
Draft	January 2014	Alison Ewart	HR Lead	The EIA has been supplied to the Equality and Diversity Team
Draft	January 2014	Alison Ewart	HR Lead	Consultation with Trade Unions via the Collaborative Social Partnership Forum
Final	March 2014	Alison Ewart	HR Lead	Ratified
Final	August 2014	Alison Ewart	HR Lead	SMT (previously approved at SMT on 14 th October 2013)
Revised	June 15	Alison Ewart	HR Lead	Minor amendments only – taken to HR Policy Sub Group 02.07.15
Revised	25.08.2015	Alison Ewart	HR Lead	Further amendment to 9.1 agreed with CCG management and approved at the Policy Sub Group meeting 25.08.2015.
Final	22.02.2016	Tazeem Hanif	HR Lead	Ratified at the Social Partnership Forum
Revised	24.06.2016	Tazeem Hanif	HR Lead	Policy amended to reflect the annual leave scheme where staff can buy additional leave– see section 14 and Appendix 3
Draft	05.07.2016	Tazeem Hanif	HR Lead	Amended policy taken to the HR Policy Workshop on 05.07.2016 for consultation.
Final	13.09.2016	Tazeem Hanif	HR Lead	Amendments to the policy ratified at SMT on 13.09.2016
Draft	26.04.2017	Tazeem Hanif	HR Lead	AWC CCG and Bradford City and Districts policies merged to reflect single shared management arrangements. Amendments made to the following sections of the policy – Section 7.3, 10.3, 13, 14, 15.2, 18.1, 24, 25, 26, and appendix 2, 3, 4 & 5 Amended policy consulted with Trade Unions at the HR Policy Workshop
Draft	27.04.2017	Tazeem Hanif	HR Lead	Two week staff consultation and feedback – comments incorporated
Final	05.06.2017	Tazeem Hanif	HR Lead	Ratified at SMT

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1. PURPOSE

- 1.1 The purpose of the Annual and Special 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.
- 1.2 Calculation of annual leave and general public holiday entitlements take into account the arrangements as defined under NHS Terms and Conditions. Annual leave is an important part of work life balance; equally the good management of annual leave by the employee and the manager is essential to the health and safety of the employee and the organisation.
- 1.3 The organisation also recognises that access to special leave arrangements that supports employees in balancing their work responsibilities with their personal commitments is integral to good working practices. The objective of special 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. Special leave will also be applicable to other situations such as voluntary public duties, court, jury service and military service and call-out. Where relevant, leave described in this policy is consistent with statutory requirements under the Employment Relations Act 1999 and the Employment Act 2002. In consideration of special leave requests managers must be mindful that individual circumstances may vary.
- 1.4 Provisions for Maternity, Paternity, Adoption and Parental leave are outlined in the relevant Maternity, Paternity, Adoption and Parental Leave Policy.

2. SCOPE

- 2.1 This policy will apply to all employees on Agenda for Change Terms and Conditions.

3. EQUALITY STATEMENT

- 3.1 In applying this policy, the organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation. A single Equality Impact Assessment is used for all policies and procedures.

4. ACCOUNTABILITY

- 4.1 The Chief Officer is accountable for this policy.

5. IMPLEMENTATION AND MONITORING

- 5.1 The CCGs Senior Management Team is responsible for formal approval and monitoring compliance with this policy. Following ratification the policy will be disseminated to staff via the intranet.
- 5.2 The policy and procedure will be reviewed periodically by the Senior Management Team in conjunction with Human Resource and Trade Union representatives where applicable. Where review is necessary due to legislative change, this will happen sooner.

6 RESPONSIBILITIES

- 6.1 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.

6.2 Employees

- 6.2.1 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.
 - Employees are responsible for ensuring that they take only the leave they are entitled to depending upon length of service and the provisions within this policy. Any deliberate attempt to misappropriate leave may result in disciplinary action.

6.3 Line Managers

- 6.3.1 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.

6.4 Human Resources Team

- 6.4.1 The Human Resource representative will provide advice and support on all aspects of this policy to ensure application and support.

7 ANNUAL LEAVE

7.1 Principles

7.1.1 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.

7.2 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

7.2.1 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.

7.2.2 The calculation of annual leave entitlements pertaining to all employees is contained in table 2a and 2b. Days and hours have been rounded up or down to the nearest 0.5 (i.e. the nearest ½ day or ½ hour) and is based on the following formula:

$$\frac{\text{Weekly Contracted Hours}}{5} \times \text{Number of Days Entitlement}$$

It is expected that annual leave will normally be taken in periods of not less = than ½ day or ½ hour.

7.2.3 In addition to annual leave entitlement, employees are entitled to paid General Public Holidays (Bank Holidays). In the case of all part-time employees this entitlement is pro rata to the full time allowance of 8 days. Further details are included in Section 8.

7.2.4 To calculate an employee's total leave entitlement inclusive of Bank Holidays, Tables 2a or 2b and 3a or 3b should be added together. They are shown separately so that the composition of an employee's full entitlement is clear. The calculation of General Public Holiday Entitlement is based on the following formula:

$$\frac{\text{Weekly Contracted Hours}}{5} \times \text{Number of Days Entitlement}$$

7.3 CARRY OVER LEAVE

7.3.1 The organisation 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 annual leave may be carried over to the following year.

If in exceptional circumstances 5 days leave (pro rata for part time employees) has been carried over this must be taken by the end of June (subject to business needs) or it will be lost.

This rule does not apply to staff that are on maternity, adoption or shared parental leave. In these circumstances managers should refer to the maternity, adoption and paternity leave policy. Different arrangements also apply to staff that have been unable to take their leave due to sickness absence. In these circumstances managers should refer to the management of sickness absence policy and their designated HR advisor for advice.

8. GENERAL PUBLIC HOLIDAYS (BANK HOLIDAYS)

8.1 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.

- 8.2 Bank holiday entitlement will normally be determined in days for full time members of staff and for part-time staff, where their normal working pattern is in equal hours per shift/working day. However, if a member of staff's working pattern is not equal hours on each occasion, bank holidays will be calculated in hours regardless of whether they work full or part time to prevent staff on these shifts/working days receiving greater or less leave than colleagues on standard shifts/working days. Table 3a and 3b identifies bank holiday entitlements in hours and days.
- 8.3 In the case of all part-time employees the bank holiday allowance will be calculated on a pro rata basis to full time allowance of 8 days. The calculation of this entitlement is always proportional to the number of basic contracted hours worked. In this way, all employees have a fair and equitable, static entitlement rather than eligibility based solely on the normal days of work which would result in some part time employees never receiving the benefit of Bank Holidays, unless they fell on their normal days of work. Similarly, this calculation based on the number of basic weekly contracted hours removes any potential for inequity in the case of employees whose working days vary. Table 3a contains the Bank Holiday entitlement for all staff for a full leave year. Staff book off the number of hours they would usually work on the day the bank holiday falls i.e. if a bank holiday falls on a Monday and they normally work 7 hours on a Monday they would book off 7 hours. On each and every occasion a member of staff takes paid time off on a Bank Holiday as part of their basic week, the appropriate deduction of their normal basic working hours for that day will be made from their overall entitlement (i.e. Tables 2a+3a combined). Examples relating to the calculation of bank holidays for part time employees can be seen in Appendix 1.
- 8.4 There will be some years when more (or less) than 8 Bank Holidays fall within the leave year because Bank Holidays follow the calendar year and the Easter Bank Holidays can be in March or April. When this situation arises the calculation for the leave year shall be treated as though there are 8 Bank Holidays for part time staff and full time staff will take them as they fall.

9. RECKONABLE SERVICE

- 9.1 A member of staff'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.

The CCG has determined that if the request comes from a NHS Organisation, not an NHS employer for example a GP Practice, line managers have the discretion to recognise this service for the purposes of annual leave entitlement. Documentary evidence must be submitted to confirm the dates of employment. Managers must seek advice from the HR team. For new starters it is therefore important a discussion is held between the employee and line manager as part of the induction programme to discuss this.

- 9.2 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 (this will be saved on the personal file). Examples of documentary evidence which could be used are:
- Offer letter
 - Contract of employment
 - Payslips
 - P60
 - Reference/letter from a previous employer

10. ENTITLEMENT ON JOINING / LEAVING / CHANGING CONTRACTED HOURS

- 10.1 For employees who join or leave part way through the leave year their annual leave entitlement is based upon the number days that will be/have been worked in the year (an annual leave calculator is available from HR to work this out for a specific number of days). For employees who join way through a leave year the Bank Holiday hour's entitlement will be based on the number of Bank Holidays remaining in the current leave year from the date of joining.
- 10.2 If an employee dies in service, an allowance equivalent to the balance of the annual leave entitlement on the date of death, calculated on a proportionate basis shall be paid to the employee's estate. No deduction from the final salary payment will be made in respect of annual leave taken in excess of entitlement on the date of death.
- 10.3 All accrued annual leave must be taken prior to leaving the organisation. Only in exceptional circumstances where operational requirements have not allowed leave to be taken should payment be made. Employees who leave the organisation will have their annual leave entitlement calculated on a pro rata basis based on their leaving date less any annual leave taken plus the benefit of any outstanding Bank Holiday hours/days for Bank Holidays that have occurred in the leave year prior to the date of leaving. Payment will then be made for any holiday entitlement owing less any annual leave taken. Where total leave taken exceeds the accrued total leave entitlement an appropriate deduction will be made from the final salary payment.
- If an employee has taken too much annual leave prior to their leaving date, the appropriate monies will be deducted from their final salary.
- 10.4 Where staff change their contracted hours during the annual leave year, this will result in a re-calculation of their annual leave entitlement. This will be based on completed days on the new and the old contracted hours to give the full year entitlement. Their new entitlement is therefore calculated on a pro rata basis.
- 10.5 Employees moving internally between teams will carry forward their remaining annual leave allowance for that holiday year.

11. SICKNESS ABSENCE DURING ANNUAL LEAVE OR BANK HOLIDAYS

- 11.1 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 they may count 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 organisation/departmental procedures and no later than the fourth continuous day of illness; unless there are exceptional circumstances and
 - Provide a statement by a qualified medical practitioner; the statement should cover the period of the illness and the nature of the illness. This does not apply for bank holidays.

12. ACCRUAL OF LEAVE DUE TO LONG TERM ABSENCE

- 12.1 Employees accrue annual leave but not bank holidays during paid and unpaid periods of maternity, adoption or shared parental leave. No more than one weeks' annual leave entitlement (pro rata) should be carried forward to the next leave year. Employees may wish to take their leave entitlement at the beginning or end of the leave period. Please see the Maternity, Adoption, Maternity Support and Parental Leave Policy for further information.
- 12.2 Employees continue to accrue 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 will have the opportunity to carry the European Working Time Directive statutory holiday entitlement over to the next leave year (4 weeks maximum) as agreed by the line manager and HR representative (this should be taken within 18 months of the annual leave year).

13. ANNUALISED HOURS

- 13.1 The annual leave entitlement for employees on annualised hours forms part of the total number of contracted hours. Annualised hours are calculated by multiplying the number of hours the member of staff wishes to work each week e.g. 20 hours per week x 52.143 weeks = 1042 and then minus annual leave, including bank holidays. The total then gives the actual number of hours to be worked over a year. Staff will therefore book annual leave on the basis of either an average working week or average working day.

14. ENTITLEMENT FOR TERM TIME CONTRACTS

- 14.1 The salary for this type of contract is based on the number of weeks actually worked and payment for a pro-rata of the annual leave and general public holiday entitlement. The salary is paid in 12 equal payments.
- 14.2 Although payment is made for pro rata annual leave and general public holidays. Exceptions to this rule need to be agreed with the line manager. See also Appendix 2, on how to calculate this type of leave.

15. PROCEDURE TO REQUEST ANNUAL LEAVE

- 15.1 Employees must ensure that all annual leave has been approved by their line manager before they take their leave. If an employee takes a period of annual leave without prior approval then the organisation will consider that the member of staff has taken unauthorised absence and this may be unpaid and may lead to disciplinary action.
- 15.2 All requests for annual leave must be made on the appropriate 'Annual Leave Request' form (Appendix 3) and recorded on ESR (when access to the system becomes available) giving as much notice as possible to assist in the management of the department or service and approved by the line manager.
- 15.3 The manager must consider the application taking into account the needs of the service. If the manager cannot authorise the leave, the reasons for refusal must be discussed with the employee and notice given of refusal.
- 15.4 In the event of a dispute the employee should pursue the issue through the organisation's Grievance Policy after exhausting informal methods of resolution.
- 15.5 Employees should not commit themselves to any holiday plans until they have received approval from their line manager to avoid disruptions to the service and to avoid any potential disappointment or disputes.
- 15.6 Employees who wish to take more than 2 weeks leave in any one block should seek the line manager's approval at least 3 months in advance unless there are exceptional circumstances to ensure that adequate cover is maintained in all departments in accordance with the needs of the service.

16. PERSONALISED ANNUAL LEAVE

- 16.1 The organisation recognises the benefits of flexible working practices to meet the business needs and improve the working lives of employees. To this end, employees shall be permitted to 'buy' annual leave in addition to their contractual entitlement; subject to business needs and service delivery and minimum and maximum ceilings with a commensurate adjustment to salary.
- 16.2 Employees will be able to request to vary their holiday entitlement to help plan for times when they need more holiday or time off than usual to meet individual and business needs and service delivery. Should an application be accepted and approved, it will constitute an amendment to the contract of employment so must be signed by the employee; line manager and director (see Appendix 4).
- 16.3 In line with statutory requirements the minimum amount of annual leave to be taken by all employees is 5.6 working weeks per year inclusive of bank holiday, pro rata. The scheme has been developed to comply with these responsibilities.

There are three options available to staff in line with the guidelines provided:

1. Use allocated leave
2. Carry over up to 5 days of leave (pro rata) from the current leave year to the next.
3. Only buy an additional block of 5 days leave (pro rata).

- 16.4 At the end of the annual leave year, the employee's holiday entitlement will revert back to the normal amount, unless another request is authorised for the new annual leave year. The request to use the additional annual leave should be made to the line manager in the normal way and the application form can be found in appendix 4. Once this has been received, the line manager will consider the request.
- 16.5 The employee will not be reimbursed for any additional leave purchased that is not taken by the end of the financial year end. Upon leaving an organisation, the employee will be reimbursed the purchase of additional leave provided the salary deductions are higher than the leave taken. Where the salary deductions are lower than the value of additional leave, payments for this will be recovered prior to leaving.

Buying Annual Leave

- 16.6 Employees have the option of buying a block of one week's annual leave per year (pro rata for part time staff). An employee's week relates to the exact amount of contractual hours they work per week. For example an employee, working part time for 22.5 hours per week, could buy an additional 22.5 hours. A full time employee working 37.5 hours per week could buy an additional 37.5 hours. Additional leave can only be purchased in a block of one week (relevant to the employee's contractual hours) not individual days but can be subsequently taken as individual days.
- 16.7 Employee's salary will be reduced by the additional week purchased, calculated on their individual annual salary. Employees will then receive a reduced salary over the remaining annual leave year (April to March).
- 16.8 Any additional leave purchased will be treated the same as other annual leave in terms of carry over rules (i.e. maximum of 5 days to be carried forward, pro rata) and subject to approval. Employees must therefore ensure they take the additional leave purchased. Employees cannot carry forward annual leave and buy annual leave in the same leave year.
- 16.9 When making an application, employees should note that the purchase of additional annual leave is not a contractual entitlement and will be granted on an annual basis. Approval of a request in one year will not in any way guarantee approval of such a request for a subsequent year.

Salary Adjustments

- 16.10 Adjustments will be made in line with the approved option. For pension purposes the organisation and the employee would continue to pay pension contributions based on the employee's substantive salary before reduction or increase. This is in line with NHS Pension Scheme regulations around approved leave.
- 16.11 Employees should be aware that redundancy, sick pay and maternity pay will be calculated on the reduced salary and that certain state benefits, such as State Pension, Maternity Pay, Job Seekers Allowance etc. are dependent on the employee paying a minimum amount of National Insurance Contributions.
- 16.12 The application form can be accessed via the CCG website as well as the Annual and Special Leave Policy. Employees will be asked to confirm their weekly contracted hours on the application form to recognise the varying working patterns and non-standard days. An employee declaration must be signed and dated as part of the request.

Calculating pay and leave

- 16.13 It is the employee's initial responsibility to calculate the monthly deductions from their salary and the final input to the calculations will be completed jointly by Finance and Payroll. The purchase of additional leave must be repaid in full within that current leave year (or forthcoming leave year if requesting in advance for the start of the new leave year).

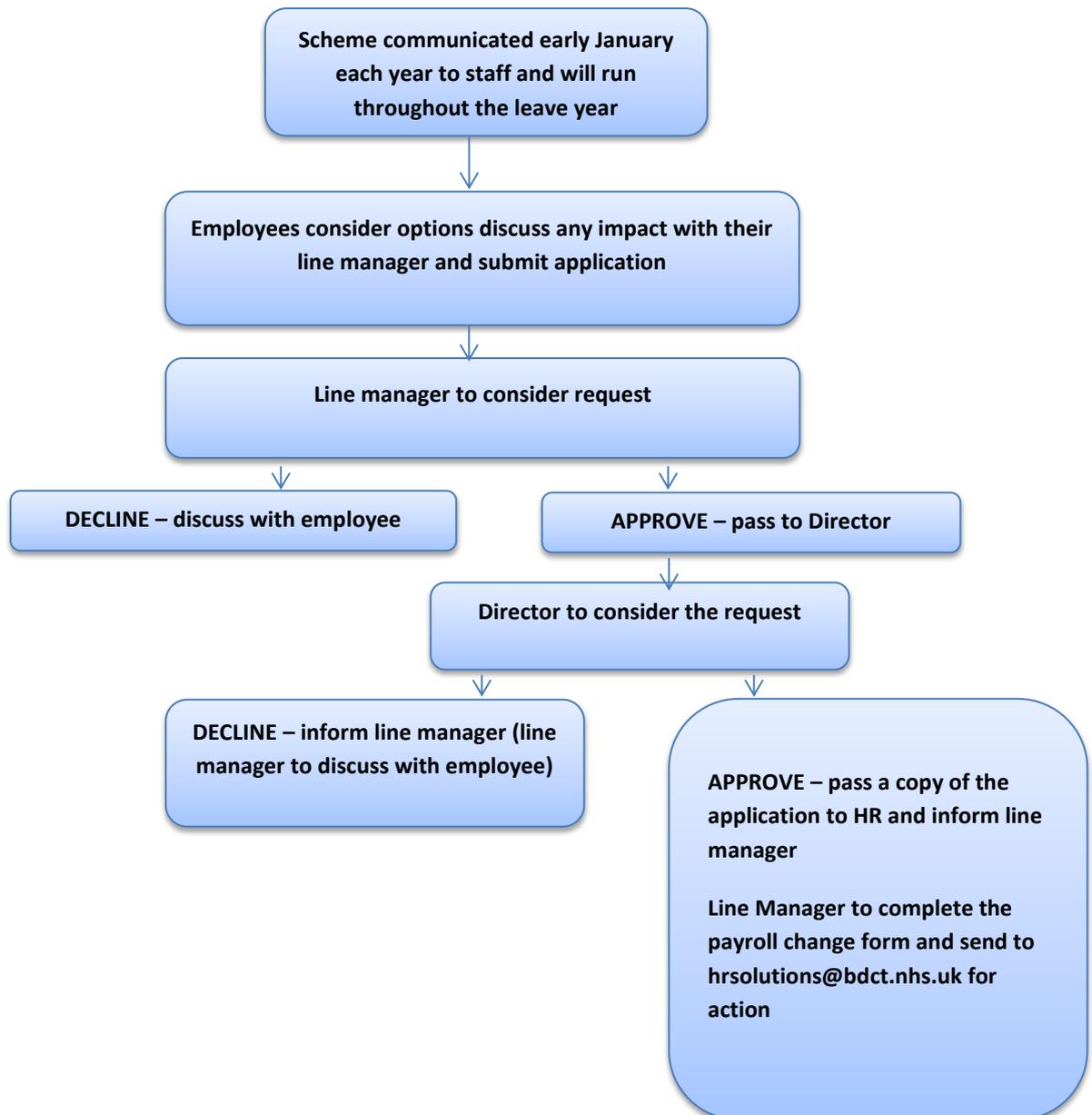
Calculating the leave:

- dividing the employee's basic annual salary (excluding non-contractual overtime) by 52.14285 to determine their basic weekly pay;
- divide this figure by the number of their working days in the week;
- multiplying this figure by the number of annual leave days the employee wishes to buy;
- dividing this figure by the number of full months left in the annual leave year up to a maximum of 12 (months) to arrive at the amount that will be deducted from the employee's monthly salary; and
- subtracting that figure from the employee's net monthly salary.

Example (1)

- employee's basic annual salary is £25,000 and wishes to purchase 5 days annual leave;
- requested in October with 6 months remaining in the annual leave year to repay the purchase of additional annual leave
- divide this figure by 52.14285, resulting in a weekly salary of £479.45;
- divide this figure by the number of working days in the week: i.e. in this case 5, giving a sum of £95.89;
- multiply £95.89 by 5, since the employee wishes to buy 5 working days additional annual leave, giving a sum of £479.45;
- divide this figure by 6 (months) to arrive at the amount that will be deducted from the employee's monthly salary, producing a figure of £79.91

16.14 Process and Timescales



Approving or Declining Requests

16.15 Operating the scheme allows for a consistent approach to be followed with Finance/Payroll. This approach will also assist managers in planning teams leave and cover to ensure there is no detriment to the service.

16.16 Line managers should consider service delivery as part of the request and have the right to decline requests if problems are anticipated. Likewise the second stage Director approval also allows for service delivery to be considered across the wider team and again decline requests if there are concerns. It is advised managers treat all applications equally and individually and consider applications on the following criteria (this list is not exhaustive):

Buying Leave

- Can the workload/service still be provided with the additional leave?
- Is the employee also requesting to carry forward leave? If so they cannot also buy leave.
- Have you considered the relationships and cover across other teams?
- Are there any personal circumstances the employee wishes to disclose to support the request?

16.17 Further Advice

For further information contact the CCG HR Reps.

17. SPECIAL LEAVE

17.1 Procedure to Request Special Leave

- 17.1.1 Where a request is foreseeable, the employee should complete a Special Leave application form (Appendix 5) request and submit this to their line manager. The request should outline the reason for the leave (including any documentary evidence where requested), the purpose and duration of the leave, giving not less than 10 working days' notice. Where a request is not foreseeable, the employee must request permission from their line manager as soon as is reasonably practicable prior to taking any special leave. This would normally be communicated by telephone and the employee must explain the circumstances and state how long they expect to be absent. The manager will consider if the circumstances fall within the scope of special leave or other types of leave i.e. annual leave. The manager would ultimately be responsible for any authorisation of special leave. On return from leave the employee should retrospectively complete the Special Leave form (Appendix 5). Managers are actively encouraged to seek advice from HR on specific cases and issues of uncertainty or clarity arising from the interpretation of this policy.
- 17.1.2 If the Special Leave is approved, the manager will sign the Special Leave form authorising paid or unpaid leave and forward to the Payroll Department to record the absence and make the appropriate adjustments in pay (where necessary). The line manager will send a copy to HR for the electronic personal file and keep a record on the employees annual leave card.
- 17.1.3 Where circumstances change in respect of the approved special leave, the individual must advise the manager as soon as possible. In certain cases this may mean that the previous decision regarding the granting of special leave may require further consideration.
- 17.1.4 Special Leave requests which the manager is unable to approve or can only partially approve, should be discussed with the employee in the first instance, giving an appropriate explanation for the decision. If the individual remains dissatisfied with the explanation provided, the individual has the right to ask for these reasons to be confirmed in writing.
- 17.1.5 An employee, who is not permitted Special Leave, has received the reasons for the refusal of leave in writing and remains dissatisfied with the decision may pursue this decision with reference to the organisations Grievance Policy.
- 17.1.6 For periods of unpaid leave individuals should be made aware that this may have an impact on pension contributions and benefits.

17.2 Entitlement

17.2.1 There is no qualifying period for employees to receive entitlement to special leave as defined in this policy. The year is based on a rolling 12-month period and not an annual leave or calendar year. **The authorised period of paid absence will be a maximum of 10 working days per year in total (pro rata for part time staff) for Bereavement (paragraph 15), Compassionate (paragraph 16), Emergency Domestic (paragraph 17) and Emergency Carers/ Dependant / Parental leave (paragraph 18). This is not ten days per different area of special leave.** It is essential special leave is recorded on the annual leave card when approved for monitoring purposes. For other types of leave please see individual sections (this will be pro rata for part time staff and those not working standard hours). For example if a full time employee needs to take special leave during unsocial hours they would not receive enhancements for this period. In exceptional circumstances managers have the discretion to grant special leave outside of these guidelines; however advice must be sought from the HR Representative for consistency.

17.3 Principles

17.3.1 In deciding the amount of leave that is appropriate managers should consider:

- The need to treat all employees in the CCG equitably whilst balancing the needs of employees with the needs of the service.
- The need to be aware of the additional difficulties that may be experienced by employees when they are working irregular work patterns.
- Whether some outstanding annual leave, unpaid leave and/or lieu days, flexible working could be combined with an amount of special leave. If an employee has a large amount of remaining annual leave then this should be taken into consideration.
- The extent of similar requests in the past, especially for carer's leave which may indicate a need for additional help such as counselling. Counselling should be made available in agreement with the carer, in order to avoid the necessity for repeated leave.
- In the case of bereavement, the nature of the relationship between the employee and the deceased and whether any special responsibilities arise for the employee.

18. BEREAVEMENT LEAVE

- 18.1 The entitlement to paid bereavement leave may be granted to an employee on the death of:

Spouse or partner, immediate family (e.g. parent, daughter, son, sister, brother, grandparents, grandchild, civil partner, partner's immediate family), any other dependent, who may have lived independently, but for whom the responsibilities surrounding bereavement rests solely on the employee (i.e. where the relationship necessitates handling funeral arrangements and/ or estate e.g. executor or only living relative of a distant relation).

When an employee suffers bereavement the amount of leave granted depends on the relationship of the employee to the deceased and whether the employee has responsibility for making arrangements; however this should generally be for a maximum of 3 working days. Managers have the discretion to grant paid leave (within the guidelines of entitlement paragraph 17.2) dependant on the circumstances of the case.

- 18.2 The bereavement leave can be taken in a block or over an appropriate period after the death and up to the funeral, as required by the employee concerned. The period of leave may be extended with annual leave and/or unpaid leave if a longer absence is required at the manager's discretion. The organisation recognises that the loss of a close family member or friend may have a profound effect on the employee. Bereavement leave is intended for the employee to focus on the very personal event. There is no expectation that granting this short period of leave will be sufficient for the employee to recover from their loss. Managers should be aware employees returning from such leave may need extra help and support and should seek advice from HR if necessary to access services such as occupational health and counselling. Fitness to work should also be considered and other policies may be applicable i.e. Managing Sickness Absence.

19. COMPASSIONATE LEAVE

- 19.1 Employees may be granted up to 3 days paid compassionate leave (within the guidelines of entitlement paragraph 17.2) in circumstances where for example an immediate family member or person with whom they have a close continuing relationship with is diagnosed with a serious or terminal illness. This is to offer understanding and sympathy to the employee and assist them in receiving such news. If the need for time off continues other leave options should be considered.

20. EMERGENCY DOMESTIC LEAVE

- 20.1 Managers have the discretion to grant up to 1 days paid emergency domestic leave per incident (within the guidelines of entitlement paragraph 17.2) in circumstances where there is an unplanned urgent domestic crisis. The purpose of the leave is to enable the employee to cope with the emergency and put other arrangements in place. The types of emergencies this leave intends to cover are for example where the employee has had a house fire, flood or burglary which results in a major loss or damage. This list is not exhaustive.

21. EMERGENCY CARERS/ DEPENDANT/ PARENTAL LEAVE

21.1 The aim of such leave is to provide a compassionate response to immediate, urgent and unforeseen needs connected to someone who the employee has a caring responsibility for. Time off will enable the employee to take action which is necessary to deal with a genuine and unforeseen emergency and to make longer term arrangements as required. This may include situations such as:

- Sudden illness or injury of a dependant
- Sudden breakdown of normal carer arrangements for dependants
- Making arrangements for longer term issue for a dependant
- To deal with an emergency incident involving a child during the time when an educational establishment has the care of a child i.e. accident or sudden illness at school.

In these circumstances up to 1 day paid leave per incident (within the guidelines of entitlement 17.2) may be granted depending on the circumstances to cope with the emergency and put other arrangements in place. It is not intended as a general purpose leave and should not be invoked when other arrangements such as flexible working or annual leave could be used. An employee is not entitled to take emergency parental leave to look after a sick child as this may be supported using emergency carers leave. Any agreed time off is to deal with the emergency and put other arrangements in place. Longer term arrangements and statutory rights for Parental Leave are managed under the relevant Maternity, Adoption and Parental Leave Policy (including Shared Parental Leave)

21.2 In the event employees do not attend work due to severe weather conditions causing the closure of their children's school at short notice employees are expected to take time off as annual leave, time owing or unpaid leave. (Please refer to the severe weather section).

22. PERSONAL HEALTHCARE

22.1 Employees should make routine appointments such as doctors or dentist in their own time. If this is not possible employees should ensure these are made at the beginning or end of the day to minimise disruption to the service. Annual leave, flexi time or unpaid leave should be taken.

22.2 In order to support employees on the production of an appointment card/letter employees will be granted reasonable paid time off to attend hospital appointments/where this cannot be accommodated using flexible working options i.e. changing working days or using flexi time. Where possible employees should ensure appointments are made at the beginning or end of the day to minimise disruption to the service. A decision will be based on contracted hours, work patterns, flexible working arrangements, where the appointment is and whether this is part of regular appointments. Consideration should also be given to the nature of the appointment and whether this is for a disability or long term condition in which some paid time off may be determined as a reasonable adjustment. This includes time off for IVF treatment up until the point of pregnancy when this will be managed under the Maternity Policy. If an employee is unfit to return to work after a procedure following an appointment this would be recorded in line with the Managing Sickness Absence Policy.

22.3 Time off to receive cosmetic surgery treatment that relates to a medical or psychological condition and is supported by a medical certificate may be treated as sick leave. Time off for cosmetic surgery which is not medically supported by a GP should be taken as annual leave. In the event that such treatments results in an employee becoming unfit for work, the usual sickness absence provisions apply, including procedures for certification. If the manager or employee is concerned on this issue they should seek advice from HR.

23. INTERVIEWS

23.1 Paid leave will be granted for employees who attend an internal interview for a vacancy within the organisation. Employees who attend an external interview will be required to take annual leave, flexi leave or unpaid leave. In cases of organisational change where there is a redundancy or formal "at risk" situation employees will be given paid time off for both internal and external interviews.

24. SEVERE WEATHER

24.1 It is the duty of each individual employee to make their own arrangements to get to work at the normal time. It is, however recognised that some employees may, at times, experience severe difficulties in getting to and from work as a result of severe weather and/or disruption to travel services. However, all employees are expected to make all reasonable attempts to attend work in order for services to be maintained even if this means they will arrive late. Severe weather can be defined as snow, ice, fog, floods, which render journeys by road extremely hazardous. This can be by both public and private transport. "Extremely hazardous" is defined as those conditions in which the police and/or appropriate motoring organisations advise people not to make unnecessary journeys or indeed travel at all. Disruption to travel services can be caused by: -

- Severe weather conditions which result in delays/cancellations to public or private transport
- Major disruption to public services and private transport due to major accidents
- Industrial action by public transport services i.e. road / rail
- Severe fuel crisis

24.2 Where there is sufficient advance warning of severe weather then managers should agree appropriate arrangements with their team in line with this policy. Where an employee has a disability which restricts their ability to travel then the employee and manager may wish to consider making contingency arrangements, bearing in mind 'reasonable adjustments' reflected in the Equality Act 2010. During periods of severe weather all normal reporting procedures apply. A manager's decision will seek to take account of any advice issued or sought by the Police/Weather Centre/Motoring Organisations in relation to prevailing weather conditions and the advisability of travel. Where employees are unable to attend for work, line managers are encouraged to: -

- Explore the possibility of the employee performing their role from another site or home. This will depend on the individual's type of work and needs of the service
- Request employees use annual leave, flexi time or outstanding lieu days or in exceptional circumstances unpaid leave

25. UNPAID LEAVE

25.1 If leave arrangements as outlined in the specific sections of this policy are not sufficient to meet the employees need and there is no annual leave outstanding, then employees may, subject to the needs of the service, be granted up to a maximum of 4 weeks unpaid leave in any one leave year. The period of the break still counts towards continuous employment for statutory purposes.

The circumstances should be fully discussed between the individual and his/her Manager, and an application must be made to the appropriate Manager for approval. Management may consider granting unpaid leave. Circumstances should be fully discussed and subject to service needs.

Employees should be advised that there is no automatic right to 4 weeks unpaid leave. The amount granted will depend entirely on each individual set of circumstances and will be subject to close scrutiny and service needs.

25.2 Once the employee has been given his/her full leave entitlement, or a combination of paid and unpaid leave, or purely unpaid leave, the Manager must discuss the requirements of these guidelines and then set down the following conditions:-

The employee must sign a declaration (Appendix 5) that he/she both intends to return on the agreed date and acknowledge that failure to return on this date, unless there are exceptional and verifiable circumstances, e.g. illness, travel delays etc., will be viewed by Management as misconduct and may lead to disciplinary action, including potential dismissal.

The employee must contact his/her Manager in the event of a delay in returning, and must also leave an address or telephone number through which he/she can be contacted in the event of unavoidable overstaying of leave.

26. OVERSTAYING LEAVE

- 26.1 Managers who are faced with the problem of an employee who has overstayed leave should immediately contact the HR Rep to seek advice. A Manager should, using the employee's contact point, ascertain the reason for the delay in returning to work, and an indication of when that return is likely.

Employees who fail to return due to illness must send to their Manager a medical certificate from their doctor to cover the period of absence. This medical certificate must be sent by the Manager to HR as soon as possible.

Employees, whose return is delayed for other reasons, e.g. travel delays due to unforeseen circumstances then the employee must provide a verifiable explanation (including travel documentation or an overseas medical certificate). Annual leave entitlement will need to be used to cover this or unpaid leave will apply.

Management must investigate as fully as possible the circumstances concerning the overstaying of leave. Where a manager believes the circumstances are appropriate, arrangements should be made for the employee to attend Occupational Health in order to verify any medical certificate particularly if there is evidence to suggest that he/she may have contracted an infectious disease whilst overseas. Similarly, Occupational Health should be consulted if there are any questions of interpretation on the medical certificate.

Employees should note that a review of any absence behaviour patterns may be looked at in line with the Sickness Absence Policy. If evidence suggests that the reasons for overstaying leave are not genuine, then the manager should proceed to investigate in accordance with the CCGs Disciplinary Policy and Procedure and seek advice from HR.

27. ABSENCE WITHOUT LEAVE (AWOL)

- 27.1 There may be circumstances where an employee's period of extended leave expires, and no communication is received giving reasons for any delay in returning. If no attempt has been made by the employee to contact the CCG, then his/her manager must write to the employee at the contact address supplied (by recorded delivery), and highlight that an urgent response is required by return of post or by telephone. Other forms of communication can be an email if this is available.

If no further response is received within a period of 5 working days, the Manager must try to contact the staff member by phone or contact the next of kin. For further information on this, please speak to the HR representative for advice on a welfare visit or to check the safety of the employee. If no further response is received within a period of 5 working days, a further letter (by recorded delivery) should be sent to the employee stating that unless contact is made by the employee within 5 working days of receipt of this letter the CCG will assume that the employee has no intention of returning and as a consequence the Contract of Employment may be terminated with no pay in lieu of notice. In pursuing the act of not returning, the CCG assumes the member of staff has resigned from their post and has therefore terminated the employment with immediate effect.

28. RELIGIOUS/ CULTURAL OBSERVANCE

28.1 Employees may request time off or for a temporary change to their working hours for a particular religious or cultural occasion. All employees who need time off for religious or cultural observance will be entitled to request the following, subject to the needs of the service:

- General flexibility in arrangement of working hours; and/or,
- Annual Leave, time off in lieu or unpaid leave.

All managers should be sympathetic to requests and should accommodate them wherever it is reasonably practicable to do so. If reasonable notice for such requests is not given the manager may have no choice but to refuse time off.

29. PUBLIC DUTIES

29.1 Employees have the right to reasonable time off during working hours to carry out certain public duties under the Employment Rights Act 1996 (for a full list, please refer to the Act). Employees will qualify for this if they undertake duties as listed in the Act for example:

- A magistrate or justice of the peace
- Members of a local authority
- Members of the managing or governing body of an educational establishment
- Members of a health service or education body
- The duties undertaken by an employee related to Trade Union membership (for trade union duties and activities)

29.2 The right to time off will depend on how long the duties might take, the amount of time the employee has already had off for public duties and how the time off will affect the organisation/service. Employees who undertake magistrate duties may at the discretion of the organisation be granted leave with pay for up to 18 days. For other duties listed above employees can request up to 9 days paid leave. Employees should follow the procedure to request time off in line with section 14, giving as much notice as possible. Subsequent changes in pattern or frequency of the commitments should be communicated in writing. Employees who occupy more than one role will be entitled to only receive paid leave for carrying out one of the duties listed, if they sit on a number of different bodies.

30. JURY SERVICE

30.1 Employees required to serve as jurors, during working time, shall be granted paid leave, for the purpose of attending Court once they have provided the necessary documentary evidence. Employees must therefore not claim loss of earnings allowance from the court. Prevention of a person from attending court as a juror is a contempt of court; therefore managers must support employees with this time off.

31. VOLUNTEER RESERVED FORCES

31.1 Training

31.1.1 Employees who are members of the Volunteer Reserve Forces (Royal Navy Reserve, Royal Marines Reserve, Territorial Army, Royal Auxiliary Air force) are eligible for 10 days paid special leave for training. Volunteers' military training obligations vary between different services but most are required to undertake a single continuous training period (often referred to as 'annual camp'), plus further weekday, weekend and evening training. Employees should use annual leave or unpaid leave for training exceeding the allowance.

31.2 Mobilisation

31.2.1 The Government has the legal authority to mobilise reservists on a compulsory basis. The Reserve Forces Act 1996 (RFA 96), sets out the call-out powers under which reservists can be mobilised for full-time service. The organisation can seek an exemption or deferral of the mobilisation of an employee, if the employee's absence would cause serious harm to the operation of the service. Unless this case can be made, the organisation is legally obliged to grant unpaid leave to an employee who has been called out and must continue granting time off for a period of up to six months after the end of the call-out duty. The employee has the right to return to employment as in The Reserve Forces (Safeguard of Employment) Act 1985 (SOE 85).

31.2.2 Reservists have the right to return to their former jobs on terms and conditions no less favourable than those that would have applied if they have not been called up. They also have the right to remain a member of the pension scheme provided they continue to make payments. Continuity of service continues throughout periods of leave due to mobilisation of reservists providing that the employee returns to the organisation for employment within six months of the end of the full time military service. The Ministry of Defence provides certain financial assistance packages to employers for employees who have been mobilised. The Ministry of Defence would send this information to the employer, if mobilisation of an employee were to occur.

TABLE 2a**Agenda for Change: Annual Leave Entitlement for Complete Years Exclusive of General Public Holidays**

WEEKLY BASIC CONTRACTED HOURS	ON APPOINTMENT	AFTER 5 YEARS SERVICE	AFTER 10 YEARS SERVICE
	27 DAYS	29 DAYS	33 DAYS
	HOURS EQUIVALENT:		
37.5	202.5	217.5	247.5
37.0	200.0	214.5	244.0
36.5	197.0	211.5	241.0
36.0	194.5	209.0	237.5
35.5	191.5	206.0	234.5
35.0	189.0	203.0	231.0
34.5	186.5	200.0	227.5
34.0	183.5	197.0	224.5
33.5	181.0	194.5	221.0
33.0	178.0	191.5	218.0
32.5	175.5	188.5	214.5
32.0	173.0	185.5	211.0
31.5	170.0	182.5	208.0
31.0	167.5	180.0	204.5
30.5	164.5	177.0	201.5
30.0	162.0	174.0	198.0
29.5	159.5	171.0	194.5
29.0	156.5	168.0	191.5
28.5	154.0	165.5	188.0
28.0	151.0	162.5	185.0
27.5	148.5	159.5	181.5
27.0	146.0	156.5	178.0
26.5	143.0	153.5	175.0
26.0	140.5	151.0	171.5
25.5	137.5	148.0	168.5
25.0	135.0	145.0	165.0
24.5	132.5	142.0	161.5
24.0	129.5	139.0	158.5
23.5	127.0	136.5	155.0
23.0	124.0	133.5	152.0
22.5	121.5	130.5	148.5
22.0	119.0	127.5	145.0
21.5	116.0	124.5	142.0
21.0	113.5	122.0	138.5
20.5	110.5	119.0	135.5
20.0	108.0	116.0	132.0

TABLE 2a (cont'd)

WEEKLY BASIC CONTRACTED HOURS	ON APPOINTMENT	AFTER 5 YEARS SERVICE	AFTER 10 YEARS SERVICE
	27 DAYS	29 DAYS	33 DAYS
	HOURS EQUIVALENT:		
19.5	105.5	113.0	128.5
19.0	102.5	110.0	125.5
18.5	100.0	107.5	122.0
18.0	97.0	104.5	119.0
17.5	94.5	101.5	115.5
17.0	92.0	98.5	112.0
16.5	89.0	95.5	109.0
16.0	86.5	93.0	105.5
15.5	83.5	90.0	102.5
15.0	81.0	87.0	99.0
14.5	78.5	84.0	95.5
14.0	75.5	81.0	92.5
13.5	73.0	78.5	89.0
13.0	70.0	75.5	86.0
12.5	67.5	72.5	82.5
12.0	65.0	69.5	79.0
11.5	62.0	66.5	76.0
11.0	59.5	64.0	72.5
10.5	56.5	61.0	69.5
10.0	54.0	58.0	66.0
9.5	51.5	55.0	62.5
9.0	48.5	52.0	59.5
8.5	46.0	49.5	56.0
8.0	43.0	46.5	53.0
7.5	40.5	43.5	49.5
7.0	38.0	40.5	46.0
6.5	35.0	37.5	43.0
6.0	32.5	35.0	39.5
5.5	29.5	32.0	36.5
5.0	27.0	29.0	33.0
4.5	24.5	26.0	29.5
4.0	21.5	23.0	26.5
3.5	19.0	20.5	23.0
3.0	16.0	17.5	20.0
2.5	13.5	14.5	16.5
2.0	11.0	11.5	13.0
1.5	8.0	8.5	10.0
1.0	5.5	6.0	6.5
0.5	2.5	3.0	3.5

TABLE 2b

Annual Leave Entitlement in days based on number of days worked per week

	Entitlement based on aggregate NHS Service		
Days worked per week	27 days 0 – 5 yrs service	29 days 5 – 10 yrs service	33 days 10+ yrs service
5	27	29	33
4	21.5	23	26.5
3	16	17.5	20
2	11	11.5	13
1	5.5	6	6.5

Table 3a

Agenda for Change: Calculation of General Public Holiday Entitlement

WEEKLY BASIC CONTRACTED HOURS	HOURLY ENTITLEMENT FOR FULL LEAVE YEAR	HOURLY ENTITLEMENT ON EACH GENERAL PUBLIC HOLIDAY AS IT OCCURS
	8 PUBLIC HOLIDAYS	
37.5	60.0	7.5
37.0	59.0	7.4
36.5	58.5	7.3
36.0	57.5	7.2
35.5	57.0	7.1
35.0	56.0	7.0
34.5	55.0	6.9
34.0	54.5	6.8
33.5	53.5	6.7
33.0	53.0	6.6
32.5	52.0	6.5
32.0	51.0	6.4
31.5	50.5	6.3
31.0	49.5	6.2
30.5	49.0	6.1
30.0	48.0	6.0
29.5	47.0	5.9
29.0	46.5	5.8
28.5	45.5	5.7
28.0	45.0	5.6
27.5	44.0	5.5
27.0	43.0	5.4
26.5	42.5	5.3
26.0	41.5	5.2
25.5	41.0	5.1
25.0	40.0	5.0
24.5	39.0	4.9
24.0	38.5	4.8
23.5	37.5	4.7
23.0	37.0	4.6
22.5	36.0	4.5
22.0	35.0	4.4
21.5	34.5	4.3
21.0	33.5	4.2
20.5	33.0	4.1
20.0	32.0	4.0

Table 3a (cont'd)

WEEKLY BASIC CONTRACTED HOURS	HOURLY ENTITLEMENT FOR FULL LEAVE YEAR	HOURLY ENTITLEMENT ON EACH GENERAL PUBLIC HOLIDAY AS IT OCCURS
	8 PUBLIC HOLIDAYS	
19.5	31.0	3.9
19.0	30.5	3.8
18.5	29.5	3.7
18.0	29.0	3.6
17.5	28.0	3.5
17.0	27.0	3.4
16.5	26.5	3.3
16.0	25.5	3.2
15.5	25.0	3.1
15.0	24.0	3.0
14.5	23.0	2.9
14.0	22.5	2.8
13.5	21.5	2.7
13.0	21.0	2.6
12.5	20.0	2.5
12.0	19.0	2.4
11.5	18.5	2.3
11.0	17.5	2.2
10.5	17.0	2.1
10.0	16.0	2.0
9.5	15.0	1.9
9.0	14.5	1.8
8.5	13.5	1.7
8.0	13.0	1.6
7.5	12.0	1.5
7.0	11.0	1.4
6.5	10.5	1.3
6.0	9.5	1.2
5.5	9.0	1.1
5.0	8.0	1.0
4.5	7.0	0.9
4.0	6.5	0.8
3.5	5.5	0.7
3.0	5.0	0.6
2.5	4.0	0.5
2.0	3.0	0.4
1.5	2.5	0.3
1.0	1.5	0.2
0.5	1.0	0.1

Table 3b

Bank Holiday Entitlement in days based on number of days worked per week

Days Worked	Entitlement
5	8
4	6
3	5
2	3
1	2

Example 1 - Part Time Staff

Hajera has worked in the NHS for 20 years and currently works 6 hours per day 5 days per week making a total of 30 hours per week. Her annual leave and bank holiday entitlement is as follows:

Annual Leave: 30 hours per week equates to 198 hours (table 2)
 Bank Holidays: Works 30 hours per week so equates to 48 hours (table 3)
 Total allowance: 246 hours per annum

As Hajera normally works 6 hours per day then this is the number of hours she will book off when she takes either annual leave or when a bank holiday occurs on a day when she usually works. Her bank holiday hours would be rounded up to the nearest half day.

Example 2 - Part Time Staff

James has worked in the NHS for 6 years and currently works 7.5 hours on a Monday, Tuesday and Wednesday making a total of 22.5 hours per week. His annual leave and bank holiday entitlement is as follows:

Annual Leave: 22.5 hours per week equates to 130.5 hours (table 2)
 Bank Holidays: 22.5 hours per week equates to 36 hours (table 3)
 Total allowance: 166.5 hours per annum

As James normally works 7.5 hours per day then this is the number of hours he will book off when he takes either annual leave or bank holidays. Where a bank holiday occurs on his normal days of working he would book off 7.5 hours for each bank holiday.

Example 3 – Part Time Staff

Mohammed has worked in the NHS for 1 year and currently works set hours of 8 hours on a Monday, 4 hours on a Tuesday and 7 hours on a Friday, making a total of 19 hours per week. His annual leave and bank holiday entitlement is as follows:

Annual Leave: 19 hours per week equates to 102.5 hours (table 2)
 Bank Holidays: 19 hours equates to 30.5 hours (table 3)
 Total allowance: 133 hours per annum

Depending on which day Mohammed takes his annual leave affects the number of hours leave booked e.g. if he takes annual leave or if a bank holiday falls on a Tuesday he would book 4 hours annual leave. If he takes annual leave or if a bank holiday fell on a Monday he would book 8 hours annual leave and if he took leave or a bank holiday on a Friday he would book 7 hours leave.

Example 4 – Part Time Staff

David work 7.5 hours on a Wednesday and 7.5 hours on a Thursday making a total of 15 hours per week. He has worked for the NHS for 3 years. His annual leave and bank holiday entitlement is as follows:

Annual Leave: 15 hours per week equates to 81 hours (table 2)
Bank Holidays: 15 hours per week equates to 24 hours (table 3)
Total allowance: 105 hours per annum

As David never works on days when bank holidays fall he adds the bank holiday hours he is entitled to on a pro-rata basis (table 3) on to his annual leave entitlement (table 2) and he would take these hours on a Wednesday or a Thursday.

Calculate whole time equivalent (WTE) for term time only staff

To be able to calculate the WTE (for payment including annual leave and bank holidays) the following information is required:

- Contracted weekly hours **(A)**
- Number of actual weeks worked **(B)**
- Full time annual leave entitlement depending on length of service **(C)**

I. $1950 - ((27 + 8) \times 7 \frac{1}{2})$ Under 5 years' service

II. $1950 - ((29 + 8) \times 7 \frac{1}{2})$ After 5 years' service

III. $1950 - ((33 + 8) \times 7 \frac{1}{2})$ After 10 years' service

This information should then be put into the following formula:

Hours worked per week **(A)** x Full time hours worked ($37 \frac{1}{2}$) x Number of weeks worked **(B)**

$37 \frac{1}{2}$ Total number of hours available to work
 $(52.143 \text{ weeks} \times 37 \frac{1}{2}) - (\text{Annual leave} + \text{general public holidays in hours (C)})$

This gives a working formula as follows:

(A) X $37 \frac{1}{2} \times$ **(B)**
 $37 \frac{1}{2}$ $1687 \frac{1}{2}$ **(C) i** Under 5 years' service
 $1672 \frac{1}{2}$ **(C) ii.** After 5 years' service
 $1642 \frac{1}{2}$ **(C) iii.** After 10 years' service

The salary paid to holders of term time only contracts includes a payment for:

1. Hours worked across the defined number of term time weeks
2. Annual leave as appropriate for length of service
3. 8 days general public holidays (pro rata). Bank Holidays that occur during term time are included in the above calculation. For any Bank Holidays that do occur during term time (i.e. May Day), the individual is expected to work on that day or make the time up later, in agreement with the Manager.

Minimum and Maximum Ceilings

The minimum amount of annual leave to be taken by all employees is 5.6 working weeks per year inclusive of bank holidays. This is the equivalent to 20 statutory days holidays and 8 bank holidays. An employee’s week relates to the exact amount of contractual hours they work per week, the above will therefore be pro rata for part time staff.

PERSONALISED ANNUAL LEAVE: REQUEST FORM

To be completed by the employee

Name		Employee Number	
Job Title		Contracted weekly hours	
Email		Band	
Contact number		Team	
Line Manager Name		Director Name	

I wish to make a request to	
1. Buy a week’s block of annual leave for the current leave year (pro rata) this will be your weekly contracted hours	

Employee Declaration

I wish to buy or additional annual leave as selected above. By signing below I accept the following terms and conditions:

For buying leave:

- I agree that there will be a reduction in salary over the course of the leave year from April to March. I understand that this is calculated based on my current salary; working hours etc. and that any change to these may alter the nominal amount of the deduction.
- In the event that I leave the organisation during the leave year I understand that I am responsible for ensuring that I have taken all annual leave due (including the additional amounts) and that any outstanding payments will be deducted from my final salary.
- I understand that by purchasing annual leave I waive my right to request to carry over annual leave into a future annual leave year. The only exception to this would be in case of maternity or long term sick leave which made it impossible to take the full entitlement within the leave year (occurring at or near to the end of the leave year).
- I understand that the request is for the noted annual leave year only and approval of this request does not guarantee approval of requests for future years.
- I understand that I and my employer will continue paying pension contributions based on my substantive salary.
- I confirm acceptance of this amendment to my contract of employment by signing below.

Signed Date

Print Name

Print Name

Line Manager Authorisation

I agree to the above noted request:

Signed Date

Print Name

If approved pass to the Director. If declined please state reasons below and inform employee

.....
.....

Director/Chief Officer Authorisation

I agree to the above noted request:

Signed Date

Print Name

If approved pass to HR or if declined please state reasons below and inform the line manager

.....
.....

TO BE COMPLETED BY THE LINE MANAGER- you will also need to complete a Payroll amendment form in order for the appropriate deductions to be made from the employee's salary.

I confirm that the changes detailed above have been discussed and agreed with myself and confirm that the business needs of the CCG can continue to be met. I understand that in order to make the necessary savings I will not be allowed to backfill these hours or make alternative arrangements to cover these hours in any way that will incur costs. These arrangements have been discussed with my Manager/Director.

Signed:

Line Manager:

PLEASE FORWARD THE FOLLOWING COMPLETED FORMS TO THE HUMAN RESOURCES DEPARTMENT AT HRsolutions@bdct.nhs.uk:

- Application to buy annual leave
- Payroll change form

Special Leave Request Form

SECTION A: (to be completed by employee)			
Name of employee:			
Employee Number:			
Please indicate the Special Leave you are requesting: <i>Please Tick As Appropriate:</i>			
Bereavement Leave	<input type="checkbox"/>	Unpaid Leave	<input type="checkbox"/>
Compassionate Leave	<input type="checkbox"/>	Religious/ Cultural Observance	<input type="checkbox"/>
Emergency Domestic Leave	<input type="checkbox"/>	Public Duties	<input type="checkbox"/>
Emergency Carers/Dependant/Parental Leave	<input type="checkbox"/>	Jury Service	<input type="checkbox"/>
Personal Healthcare	<input type="checkbox"/>	Volunteer Reserved forces	<input type="checkbox"/>
Interviews	<input type="checkbox"/>	Severe Weather	<input type="checkbox"/>
Reason for Request:			
Dates Requested:			
I confirm that the above information is a true and accurate record.			
Employee Signature:			Date:
SECTION B: (to be completed by Line Manager)			
In relation to Total Number of Days Special Leave Requested:	Number of Approved Days		Number of Days that are Not Approved
Line Manager Signature:			Date:
SECTION C: (to be completed by a Senior Manager)			
In relation to Approved Days:	Number of PAID days		Number of Days that are to be UNPAID
Senior Manager Signature:			Date:

EXTENDED LEAVE

I confirm that I have read and that I fully understand the guidelines on extended leave, and I declare my intention to return on I also accept that failure to return to work on this date, unless there are exceptional and verifiable circumstances, may lead to disciplinary action, including dismissal.

In the event that I fail to return on the above date, the address to which any communication should be sent is:-

Name

.....

Address.....

.....
.....

Telephone Number: (Whilst on leave)

Email address:

Signature (Applicant)..... Date:

The above request has/ has* not been approved – *manager to delete as appropriate. If not approved, manager to specify reasons why not and forward a copy to the HR Department.

Signature (Manager):

Date:

The employee/line manager to retain a copy of this form for their reference and a copy should be submitted to HR for the electronic personal file.

Equality Impact Assessment

Title of policy	Annual and Special Leave Policy (HR03)	
Names and roles of people completing the assessment	Alison Ewart – HR Business Partner Nadeem Murtuja, Senior Associate Equality and Diversity.	
Date assessment started/completed	Started 03.01.2014	To be reviewed June 2020

1. Outline	
Give a brief summary of the policy	This policy confirms staff’s annual leave entitlement in line with Agenda for Change and the procedure for requesting leave and managing this within the leave year. Support is also outlined with regard to special leave, the categories this may fall under, entitlement and request procedure.
What outcomes do you want to achieve	The purpose of this policy is to ensure that all employees and managers are aware of the correct policy to follow for annual leave and special leave provisions

2. Analysis of impact			
This is the core of the assessment, using the information above detail the actual or likely impact on protected groups, with consideration of the general duty to; eliminate unlawful discrimination; advance equality of opportunity; foster good relations			
	Are there any likely impacts? Are any groups going to be affected differently? Please describe.	Are these negative or positive?	What action will be taken to address any negative impacts or enhance positive ones?
Age	No		
Carers	Yes -emergency carers leave may be given to support staff with caring responsibilities.	Positive	The policy clearly outlines the procedure for staff with caring responsibilities, when requesting special leave.

Disability	Yes- for employees who have a long-term illness or impairment that may require hospital visits the policy makes provision for reasonable paid time off to attend hospital appointments, in line with hospital appointments. Further guidance can be sought from the appropriate Sickness Absence Policy	Positive	The policy clearly outlines the procedure for special leave requests relating to personal healthcare.
Sex	No		
Race	No		
Religion or belief	Yes- it is recognised staff with certain beliefs may request time off work for religious or cultural observances.	Positive	The policy clearly outlines the procedure to support staff with requests for leave relating to religious or cultural observances, ensuring such requests do no impact on other staff in terms of entitlement and equity.
Sexual orientation	No		
Gender reassignment	No		
Pregnancy and maternity	No		
Marriage and civil partnership	No		
Other relevant group	No		
<p>If any negative/positive impacts were identified are they valid, legal and/or justifiable? Please detail.</p>		<p>No anticipated detrimental impact on any equality group. The policy is applicable to all employees and adheres to the NHS Litigation Authority Standards, statutory requirements and best practice. The policy makes all reasonable provision to ensure equality of access to all employees. There are no statements, conditions or requirements that disadvantage any particular group of people with one or more protected characteristic.</p>	

3. Monitoring, Review and Publication

How will you review/monitor the impact and effectiveness of your actions	Annual and Special Leave requests for employees are made to the relevant manager, who is responsible for authorising and documenting all applications. This could be stored on either paper based records or electronically on ESR		
	It is acknowledged that some employees may require time off for specific religious or cultural observances, this is considered with other personal circumstances and the principles of the policy will be applied. Applications for special leave will be monitored as necessary to review provision and impact on protected groups.		
Lead Officer	Tazeem Hanif	Review date:	June 2020

4. Equality and Diversity Sign off

Equality Lead Officer	Nadeem Murtuja		
		Date approved:	March 2014

5. Sign off

Lead Officer	Fiona Jeffrey		
Director	Associate Director of Corporate Affairs	Date approved:	July 2015