

Annual and Special Leave Policy

Policy reference – HR013

SUMMARY	The purpose of this policy is to ensure a uniform and equitable approach by providing guidance on the various types of leave available and when they apply.
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This policy has been subject to an equality impact assessment

Version control sheet

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1. Policy statement

- 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 promotes consistency and support for all employees.
- 1.2 Calculation of annual leave and general public holiday entitlements is 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 line manager is essential to the health and safety of the employee and the Clinical Commissioning Group (CCG).
- 1.3 The CCG recognises that access to special leave arrangements that support 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 line managers must be mindful that individual circumstances may vary and are encouraged to seek HR advice.
- 1.4 Provisions for maternity, paternity, adoption and parental leave are outlined in the relevant Maternity, Adoption, Paternity and Shared Parental Leave Policy.
- 1.5 Confidentiality will be maintained in all aspects of absence management and records will be stored and processed in line with Data Protection legislation and the Common Law Duty of Confidence.

2. Scope

- 2.1 This policy applies to all employees of the CCG.

3. Responsibility

3.1 Good working relations are vital for the CCG to operate successfully. 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.

3.2 Line Managers

The key responsibilities for line managers include the following:

- Ensure that this policy and procedure is disseminated effectively and observed by all employees;
- Act in a fair and consistent manner when considering requests from employees;
- Calculate the correct annual leave entitlement for their employees, checking evidence of previous NHS service;
- Monitor and ensure employees take their annual leave as planned and agreed, ensuring appropriate cover arrangements for service needs are in place;
- That the authorisation process is followed, accurate records are kept and monitoring of leave is undertaken.

3.3 Employees

It is the responsibility of the employee 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 for annual leave 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;
- Responsible for ensuring that they take only the leave they are entitled to depending upon their length of service and the provisions within this policy. Any deliberate attempt to misappropriate leave may result in disciplinary action.

3.4 Human Resources

The Human Resources team will provide advice and support on all aspects of this policy.

4. Equality statement

4.1 In applying this policy, the CCG 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, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, carers and sexual orientation. A consistent Equality Impact Assessment is used for all policies and procedures.

5. Accountability

5.1 The Accountable Officer is accountable for this policy.

6. Implementation and monitoring

6.1 The Remuneration and Nomination Committee is responsible for the formal approval of this policy. Following approval, the policy will be disseminated to staff via internal communication methods and available through the staff intranet.

6.2 The policy and procedure will be reviewed periodically by the HR Team in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen sooner.

7. Annual leave principles

7.1 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. Line managers should endeavour to ensure that workloads do not prevent employees from taking their entitlement to annual leave and employees should endeavour to ensure they take their leave each year.

7.2 Entitlement

The annual leave provisions under NHS Terms and Conditions are contained in the below (pro-rata for part time employees).

The annual leave period is from the 1st April to the 31st March the following year. Any changes to NHS Terms and Conditions supersede the provisions outlined in this policy.

Length of service annual leave entitlement - Please note the number of bank holidays may vary each holiday year. This is based on the normal number of bank holidays per holiday year:-

- On appointment you are entitled to 27 days (202.5 hours) plus 8 days
- After 5 years' service you are entitled to 29 days (217.5 hours) plus 8 days
- After 10 years' service you are entitled to 33 days (247.5 hours) plus 8 days

7.2.1 Annual leave entitlement will normally be determined in days for full time employees unless they have a flexible working pattern, for instance a 9 day fortnight. In this circumstance annual leave and bank holiday entitlement will be calculated in hours to prevent employees on these hours/ work pattern days receiving greater or less leave than colleagues on standard hours/ work pattern days.

7.2.2 Annual leave and bank holiday entitlement for part time employees will always be calculated in hours.

7.2.3 If an employee has a non-standard working pattern then the number of hours they work will vary which entails working different hours on different days. For instance, if an employee's agreed working pattern is to work 6 hours on a Monday and 8 hours on a Tuesday, they must book the relevant number of hours for the days they are taking as leave. Appendix 5 contains examples of how this works.

7.2.4 The calculation of annual leave entitlements for all employees is contained in tables 2a and 2b (Appendix 1 and 2). Days and hours have been rounded up or down to the nearest 0.5 (i.e. the nearest $\frac{1}{2}$ day or $\frac{1}{2}$ hour) and are based on the following formula of weekly contracted hours multiplied by number of days entitlement then divided by 5.

7.2.5 It is expected that annual leave will normally be taken in periods of not less than $\frac{1}{2}$ day or $\frac{1}{2}$ hour.

7.2.6 An annual leave and bank holiday calculator can be found on the intranet and can be used for all holiday calculations in addition to the examples provided in appendix 5.

7.2.7 In addition to annual leave entitlement, employees are entitled to benefit from paid General Public Holidays (Bank Holidays). In cases of all part time employees this entitlement is pro rata to the full time allowance of 8 days or the equivalent number of bank holidays in the annual leave year. Further details are included in section 8.

7.3 **Carry Over of Leave**

7.3.1 The CCG expects that within the annual leave year employees should be provided with the opportunity to take all their annual leave. In some circumstances and with agreement of the line manager, up to a maximum of 5 days (pro rata for part time employees) annual leave may be carried over to the following year.

7.3.2 This rule does not apply to employees that are on maternity, adoption or shared parental leave. In these circumstances Line Managers should refer to the Maternity, Adoption, Paternity and Shared Parental Leave Policy. Different arrangements also apply to employees that have been unable to take their annual leave due to sickness absence. In these circumstances Line Managers should refer to the Managing Sickness Absence Policy and HR for advice.

8. **General public holidays (bank holidays)**

8.1 In addition to annual leave, employees are entitled to benefit from paid General Public Holidays (Bank Holidays). When a bank holiday falls on a Saturday or Sunday, the following Monday or Tuesday is normally designated as a bank holiday for leave purposes. 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

- 8.2 Bank holiday entitlement will normally be determined in days for full time employees, unless they have a flexible working pattern, in which case, bank holidays will be calculated in hours. Bank holiday entitlement for part-time employees will always be calculated in hours. This is to prevent employees on these working patterns receiving greater or less leave than colleagues on standard working patterns. The calculation of bank holidays is contained in tables 3a and 3b (appendix 3 and 4) and is based on the following formula of weekly contracted hours multiplied by number of days entitlement then divided by 5.
- 8.3 The bank holiday allowance for part-time employees will be calculated on a pro rata basis to the full time allowance. The calculation of this entitlement is always proportionate to the number of basic contracted hours worked. In this way, all employees have a fair and equitable entitlement rather than eligibility based solely on the normal days of work. Table 3a (appendix 3) contains the Bank Holiday entitlement for all employees for a full leave year.
- 8.4 Employees must book off the number of hours they would usually work on the day the bank holiday falls e.g. if a bank holiday falls on a Monday and they normally work 7 hours on a Monday they would book off 7 hours. If a bank holiday falls on a day an employee would not normally work, they do not book leave. On each occasion the employee 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. Examples relating to the calculation of bank holidays can be seen in appendix 5.
- 8.5 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. Bank holiday entitlement will be calculated for the leave year, based on the number of bank holidays in that leave year. For part-time employees it will be pro-rated based on the number of bank holidays in the leave year.

9. Reckonable service

- 9.1 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, employers also have the discretion to take into account any periods of employment with employers outside the NHS where these are judged relevant to NHS employment. For new starters it is therefore important that a discussion is held between the employee and line manager as part of the induction programme to agree this. Any decision must be made by the line manager in conjunction with HR, to ensure consistency. The line manager is responsible for communicating the decision to the employee in writing.
- 9.2 In order to have previous relevant or NHS service, as detailed above, regarded as reckonable service, employees 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
 - Professional registration documents
 - 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 of days that will be/have been worked in the year. For employees who join part way through a leave year the Bank Holiday entitlement will be based on the number of Bank Holidays remaining in the current leave year from the date of joining.

- 10.2 All accrued annual leave must be taken prior to leaving the CCG. Only in exceptional circumstances where operational requirements (or other circumstances such as maternity leave or long term sickness) have not allowed annual leave to be taken should payment be made. In these circumstances, an employee's annual leave entitlement will be calculated on a pro rata basis. This will be 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.
- 10.3 Where total leave taken exceeds the accrued total leave entitlement an appropriate deduction will be made from the final salary payment.
- 10.4 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 with respect of annual leave taken in excess of entitlement on the date of death.
- 10.5 Where employees 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.
- 10.6 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; and

- Provide a statement by a qualified medical practitioner; the statement must cover the period of the illness and the nature of the illness.
- 11.2 This does not apply for bank holidays (Please refer to the Managing Sickness Absence Policy).
- 12. Accrual of leave due to long term absence/maternity, adoption and shared parental leave**
- 12.1 Employees accrue annual leave and bank holiday entitlement during paid and unpaid periods of maternity, adoption or shared parental leave. An employee will be encouraged to take any outstanding annual leave prior to maternity, adoption and shared parental leave. However, if this is not possible, then this leave will carry forward and be added to that which is accrued during the maternity, adoption and shared parental leave period.
- 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 may have the opportunity to carry statutory holiday entitlement over to the next leave year as agreed by the line manager and HR.
- 13. Procedure to request annual leave**
- 13.1 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 CCG will consider that the employee has taken unauthorised absence and this may be unpaid and may lead to disciplinary action.
- 13.2 All requests for annual leave must be made and approved by the line manager through the Electronic Staff Records (ESR) system. The employee should give as much notice as possible to assist in the management of the team or service.
- 13.3 The line manager must consider the application taking into account the needs of the service. If the line manager cannot authorise the leave, the reasons for refusal must be discussed with the employee and notice given of refusal.

- 13.4 In the event of a dispute the employee should try and resolve these using informal methods with their line manager. If this fails they can appeal through the CCG's Grievance Policy. Any informal disputes also include the refusal of permission to buy and/or sell annual leave where this is applicable (see 14.3).
- 13.5 Employees should not commit themselves to any holiday plans until they have received approval from their line manager for the leave. This is to avoid disruption to the service and any potential disappointment or disputes.
- 13.6 Employees who wish to take more than 2 weeks leave in any one block should put their request in writing to their line manager at least 3 months in advance to ensure that adequate cover is maintained in all departments in accordance with the needs of the service unless in exceptional circumstances this is not feasible.

14. Buying and selling annual leave

- 14.1 The CCG recognises the benefits of flexible working practices to meet the business needs and improve the working lives of employees. To this end, employees may be permitted to 'buy' and 'sell' 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.
- 14.2 Employees may be able to request to buy and sell leave to help plan for times when they need more holiday or time off than usual. For individuals considering this full regard needs to be considered for business needs and service delivery.
- 14.3 Ability to buy and sell annual leave will be considered by the CCG on an annual basis. Where it is decided that employees can apply for this option a communication will be sent to all employees in January each year. This is not an automatic right and it will be considered in line with demands of the CCG. The deadline for requests will be 1st March each year.

14.4 Minimum and maximum annual leave

14.4.1 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 (or the number for that year), or 210 hours. No employee will be able to "sell" annual leave if it would result in their annual leave allowance being below this statutory entitlement. 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.

14.4.2 If the option to "sell" annual leave is offered, employees will be able to 'sell' up to an equivalent of one working week. For full-time staff this will be calculated in days, for part-time staff this will be calculated in hours (before the beginning of each holiday year). For example, an employee working 20 hours per week can sell up to a maximum of 20 hours.

14.4.3 If the option to "buy" additional annual leave is offered, the maximum amount that can be purchased is equivalent to 2 normal contracted working weeks. For example an employee, working full time on 5 days per week, could purchase up to an additional 10 days. An employee working 20 hours per week could purchase up to an additional 40 hours annual leave.

14.4.4 When making an application, employees should note that the buying and selling annual leave is not a contractual or automatic entitlement and will only be granted on an annual basis. Approval of a request in one year will not guarantee approval of such a request for a subsequent year.

14.5 Salary Adjustments

14.5.1 When employees 'sell' annual leave, salary is increased by the number of hours sold, this figure will be calculated on the employee's individual salary.

14.5.2 When employees 'buy' annual leave, salary is reduced by the additional number of hours purchased calculated on their individual salary. Employees will then receive a reduced salary over the remaining annual leave year (April to March).

14.5.3 All salary related benefits would be consequently affected. Salary enhancements will be paid as a non-pensionable supplement. Employees should be aware that redundancy, sick pay and maternity, adoption and shared parental leave pay will be calculated on the reduced salary and that certain state benefits are dependent on the employee paying a minimum amount of national insurance contributions. Employees are responsible for seeking their own financial advice on these matters, if needed.

14.5.4 The application form can be found in appendix 7 within this policy. An employee declaration must be signed and dated as part of the request.

14.6 **Process**

14.6.1 If it is decided that staff will be able to apply to buy and/or or sell annual leave, a communication will be posted in January each year advising employees that approved applications for the forthcoming holiday year must be submitted to HR by the 1st March.

14.6.2 The employee must discuss and agree their holiday arrangements and request to buy/sell annual leave with their line manager before the beginning of the holiday year, except in exceptional circumstances. The line manager will take into consideration the needs of the service, the employee and cover arrangements.

14.6.3 After discussing the request with the line manager the employee should complete a personalised annual leave holiday form (appendix 7) and submit to their line manager for approval. The line manager will only authorise requests with the agreement of the appropriate Head of Service. The approved form must be sent to HR by 1st March.

14.6.4 HR will record the request and send a copy to Payroll in order to make the necessary adjustments to the employee's pay for the holiday year. At the end of the holiday year the employee's holiday entitlement will revert back to the normal amount, unless another request is received and approved for the new holiday year.

14.6.5 Employees who have purchased additional holiday and then do not use it cannot resell the holiday, or carry over more than 5 days' annual leave.

14.7 Approving or Declining Requests

14.7.1 Operating the scheme allows for a consistent approach to be followed and also assists line managers in planning teams leave and cover to ensure there is no detriment to the service.

14.7.2 **Line managers** should consider service delivery as part of the initial request and have the right to decline requests if problems are anticipated.

14.7.3 The **Head of Service** approval once the line manager has reviewed the application, allows for service delivery to be considered across the wider team and again for declining requests. Line managers and Heads of Service are expected to treat all applications equally and individually.

15. Special leave

15.1 The purpose of special leave is to provide a framework for line a manager that enables employees to request reasonable time off. Any special leave granted is always on the basis that it is subject to the operational needs requiring prior permission.

15.2 Where a **request is foreseeable**, the employee should complete a Special Leave application form (appendix 6) 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 possible). 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 line manager will consider if the circumstances fall within the scope of special leave or other types of leave e.g. annual leave. The line 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 6). Line 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.

- 15.3 If the special leave is approved, the line manager will sign the special leave form authorising paid or unpaid leave. All completed forms should be sent to HR for retention on the individual's electronic personnel file and requests entered into ESR by the line manager. If the leave is to be unpaid the line manager should also send a copy to the Payroll Department to make the appropriate adjustments in pay.
- 15.4 Where circumstances change in respect of the approved special leave, the individual must advise their line 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.
- 15.5 Special leave requests which the line 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. The line manager may seek the advice of HR for support with this process. If the individual remains dissatisfied with the explanation provided, the individual has the right to ask for these reasons to be confirmed in writing.
- 15.6 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 choose to seek support and advice from the Head of Service, HR team, or their Trade Union representative. If the employee still feels they have been treated unfairly and remain dissatisfied they may pursue the matter and appeal through the CCG's Grievance Policy.

For periods of unpaid leave individuals should be aware that this may have an impact on pension contributions and benefits.

15.7 Requests for additional leave

15.7.1 There is no qualifying period for employees to be entitled 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.

15.7.2 The authorised period of paid absence will normally be a maximum of 6 working days per year in total (this is not six days per different area of special leave).

15.7.3 The additional entitlement includes special leave for the following types of leave:

- Bereavement
- Compassionate
- Emergency Domestic leave
- Emergency Carers/ Dependant/Parental leave

15.7.4 It is recognised that employees may have needs that extend beyond the 6 days, or may use their full special leave allowance on one type of leave, and then may have a further issue for which paid special leave would be appropriate. Each situation is different and personal, and line managers have the discretion to grant paid leave in addition to these limits where needed.

This would normally be done in consultation with Human Resources to ensure a fair and consistent approach across the organisation.

15.7.5 Entitlements are pro-rata for part-time employees, and should be calculated in hours and those whose working patterns/hours are not equal each day.

15.7.6 If an employee needs to take special leave during unsocial hours they would not receive enhancements for this period. For other types of leave please see individual sections.

15.8 Principles

15.8.1 In deciding the amount of leave that is appropriate line managers should consider the following:

- The needs of the individual concerned.
- The need to treat all employees in the CCG equitably.
- Whether some outstanding annual leave, unpaid leave and/or lieu days could be combined with special leave. (If an employee has a large amount of annual leave then this should be discussed with the employee and taken into consideration by the line manager).
- The extent of similar requests in the past.
- In the case of emergency leave, the extent of similar requests in the past. This may indicate a need for additional help such as support through the Employee Assistance Programme, which the line manager should address.
- 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.
- Line managers should seek HR advice if they require support in approving special leave, or in agreeing with an employee the amount of special leave to be taken, particularly where this exceeds the guidelines in this policy.

16. Bereavement leave

16.1 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. Line managers have the discretion to grant paid leave dependant on the circumstances.

16.2 Examples of such relationships are, 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 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).

- 16.3 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 paid, annual and/or unpaid leave if a longer absence is required at the line manager's discretion.
- 16.4 The CCG 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. Line managers should be aware that employees returning from such leave may need extra help and support and are encouraged to offer the services of the Employee Assistance Programme, to enable employees to access counselling and other additional support. Some employees may not be fit to return to work and may need to take sick leave.

17. Parental bereavement leave

- 17.1 Paid parental bereavement leave supports employees, who are parents following the death of a child of any age. A bereaved parent includes anyone who had responsibility as a primary carer for the child and includes adoptive parents, legal guardians, individuals fostering to adopt, and any other parent/child relationship. This may include grandparents with a direct caring role for the child or someone other than the primary carer with caring responsibilities for the child.
- 17.2 All employees regardless of length of service are entitled to take up to **two weeks** bereavement leave on full pay. Where both bereaved parents work in the organisation, the entitlement to parental bereavement leave will apply to both employees.
- 17.3 A bereaved employee can choose whether or not to take parental bereavement leave and the leave can be taken in either a two week block or two separate one week blocks at any point up to 56 weeks after the death of their child.
- 17.4 Should an employee wish to take parental bereavement leave immediately following the death of their child they are able to do so after informing their line manager that they will be absent from work for this purpose.

The special leave application form (Appendix 6) must be completed for the purposes of payment of statutory parental bereavement leave, however, it is understood and accepted that in most cases this form would be completed retrospectively and the completion of the form is not a pre-requisite for being able to take the leave or to receive full pay.

17.5 Should the employee wish to take parental bereavement leave at another time, after the initial period following the death, then the employee must give the organisation one weeks' notice of their intention to take the leave, wherever possible. Requests must be made to their line manager via the special leave application form (appendix 6).

17.6 Parents who experience a still birth after the end of the 24th week of pregnancy (including individuals becoming parents via a surrogacy arrangement) will be eligible to take child bereavement leave and will also be entitled to the same amount of maternity leave and pay for which they were eligible as set out in the Maternity, Adoption, Maternity Support (Paternity) and Shared Parental Leave Policy.

18. Compassionate leave

18.1 A Line manager shall grant compassionate leave where some leave would support the employee and a degree of understanding and sympathy for the employee is required. The purpose of compassionate leave is to be able to recognise and deal with exceptional circumstances where special leave may be required, often at short notice. If an employee needs to be absent from work in circumstances not covered by the provisions for other leave, consideration should be given to compassionate leave.

18.2 Some examples of compassionate leave are; domestic abuse, a medical emergency involving an immediate family member or person with whom they have a close, continuing relationship, diagnosis of a life changing or terminal illness, relationship breakdown, extreme financial crisis. This list is not exhaustive.

18.3 If the need for time off continues, other leave options should be considered.

19. Emergency domestic leave

19.1 Line managers have the discretion to grant paid emergency domestic leave in circumstances where there is an unplanned urgent domestic crisis. The purpose of this type of 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.

20. Emergency carers/dependant leave

20.1 The aim of such leave is to provide a response to immediate, urgent and unforeseen needs connected to someone for whom the employee has a caring responsibility. Time off is to enable the employee to take action which is necessary to deal with a genuine and unexpected 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 involving a child or other dependant e.g. accident or sudden illness at school.

20.2 In these circumstances paid leave may be granted depending on the circumstances to cope with the emergency and put other arrangements in place. It is not intended as ordinary leave and should not be used when other arrangements such as flexible working or annual leave could be used.

20.3 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).

20.4 An employee is not entitled to take emergency parental leave to look after a sick child on an on-going basis. As stated above 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, Paternity and Shared Parental Leave Policy.

21. Carer's leave

- 21.1 Carer's are anyone, including children and adults who look after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. The care they give is unpaid. The CCG recognises caring responsibilities can have a significant impact on employees working and on their day to day lives. The activities that Carer's undertake are wide ranging, including help with personal care; help with mobility; managing medication; practical household tasks; emotional support; and help with financial matters or paperwork and much more.
- 21.2 Carers' leave is provided as another type of leave in addition to time off for emergencies (which is for short term / emergencies only). A request for carers leave does not provide an automatic right to time off, however the employee's line manager will consider the employees needs carefully.
- 21.3 The CCG acknowledges that Carer's may need further time off to meet their caring responsibilities. Employees should discuss with line managers, in advance where possible, any leave (in days or hours) which they can reasonably expect to need for their caring commitments so that service needs and work, meetings and other leave can be planned.
- 21.4 Where medical appointments can be booked; Carer's are expected to book these at the start or end of the working day, to minimise disruption at work. With prior approval, time off for planned appointments can be made up later, taken as flexi or annual or unpaid leave.
- 21.5 The CCG acknowledges that employees with caring responsibilities may need flexible work and leave arrangements in order to manage all aspects of their caring role. It therefore provides the following special leave options which should be discussed with the line manager:
- Paid emergency leave
 - Compassionate leave (paid/unpaid)
 - Carer's leave (paid/unpaid)
 - Buying additional annual leave
 - Employment breaks

- 21.6 A line manager may grant a carer up to 5 days paid leave based on a full time worker in one leave year (pro-rata for part time staff). If a Carer needs further extended leave they should consider other leave options such as unpaid leave or a career break. The employee must make the request for any leave directly to their line manager in the first instance, detailing the reasons for the leave (appendix 6).
- 21.7 Annual leave is provided to ensure employees take adequate breaks in the year to as part of their health and well-being. Line managers should be mindful if employees are using their annual leave for caring and should discuss this with the staff member to ensure they are aware of all other leave options.

22. Personal healthcare

- 22.1 Employees requiring time off to attend GP, Dentist, Hospital Outpatient or other clinical appointments should, wherever possible, arrange appointments outside of normal working hours. Where appointments can only be made during working hours, they should either be made at the beginning or end of the working day wherever possible (a copy of the appointment letter should be produced where available).
- 22.2 Dependent upon the circumstances, the line manager will use their discretion as to whether this time will be paid or taken as annual leave, unpaid leave or alternatively an employee will be able to make the time back. 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, Adoption, Paternity and Shared Parental Leave Policy. Line managers are encouraged to seek HR advice to support them in decision making.
- 22.3 If an employee is unfit to return to work after a procedure following an appointment this will be recorded in line with the Managing Sickness Absence Policy.
- 22.4 Time off to receive (cosmetic surgery) treatment that relates to a medical or psychological condition and is funded by the NHS may be treated as sick leave. In other circumstances where treatments are being funded independently, the CCG

reserves the right to treat such periods of absence as annual leave or unpaid leave. In the event that such treatments result in an employee becoming unfit for work, the usual sickness absence provisions apply, including for certification. If the line manager or employee has concerns on this issue then they should seek advice from a HR representative.

23. Interviews

23.1 Paid leave will be granted to employees who attend an internal interview for a vacancy within the CCG. This will also include vacancies that are classed as shared posts with another CCG. 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 e.g. road / rail;
- Severe fuel crisis.

24.2 Where there is sufficient advance warning of severe weather then Line 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 Line 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 Line 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 from 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;
- Consider flexibility in when hours are worked.

24.3 Severe weather is defined above in summary is as any dangerous meteorological phenomena with the potential to cause damage, serious social disruption, or loss of human life.

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 unpaid leave. The period of the break still counts towards continuous employment for statutory purposes. Please also refer to the CCG Employment Break Policy should unpaid leave extend beyond 2 months.
- 25.2 The circumstances should be fully discussed between the individual and their line manager, and an application must be made to the appropriate line manager for approval. Circumstances should be fully discussed and subject to service needs.
- 25.3 Employees should be advised that there is no automatic right to unpaid leave. The amount granted will depend entirely on each individual set of circumstances and will be subject to close scrutiny and service needs.
- 25.4 Once the employee has been given approval to take unpaid leave, the line manager must discuss the requirements of these guidelines and then set down the following conditions:-
- The employee must sign a declaration (appendix 5) that they intend 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 their line manager in the event of a delay in returning, and must also leave an address or telephone number through which they can be contacted in the event of unavoidable overstaying of leave.

26. Annual or other leave

- 26.1 Line managers should immediately contact HR to seek advice if an employee does not return to work on their expected return date following a period of leave (this could be any type of leave). A line 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.
- 26.2 Employees who fail to return due to illness must send to their line manager a self-certificate or a fit note from their doctor to cover the period of absence. This fit note must be sent by the line Manager to HR as soon as possible.
- 26.3 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 fit note). The type of leave will be agreed on return which can be for example either unpaid, annual leave or sickness (supported by a fit note).
- 26.4 Management must investigate as fully as possible the circumstances concerning the overstaying of annual or other leave. Where a line manager believes the circumstances are appropriate, arrangements should be made for the employee to attend Occupational Health in order to verify any fit note particularly if there is evidence to suggest that they may have contracted an infectious disease whilst overseas. Similarly, Occupational Health should be consulted if there are any questions of interpretation on the fit note.
- 26.5 If evidence suggests that the reasons for overstaying leave are not genuine, then the line manager should proceed to investigate in accordance with the CCG's Managing Sickness Absence Policy or 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 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 their line manager after seeking advice and support from HR must contact the employee either by telephone, email or other form of communication (that is available) and highlight that an urgent response is required. The line manager should also follow this up in writing to the employee at the contact address supplied (by recorded delivery) if no response is received by telephone or email.
- 27.2 If no further response is received within a period of 5 working days, the line manager must try to contact the employee 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 employee has resigned from their post and has therefore terminated the employment with immediate effect. The line manager must seek HR support before taking the action described here.

28. Religious/Cultural observance

- 28.1 There may be employees who request time off or 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.
- 28.2 All line 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 Under the Employment Rights Act 1996, employees have the right to reasonable time off during working hours to carry out certain public duties. Employees will qualify for this if they undertake duties as listed in the Act for example:

- A magistrate or justice of the peace (JP)
- Members of a Local Authority
- A school governor
- A member of any statutory tribunal (e.g. an employment tribunal)
- A member of the managing or governing body of an educational establishment
- A member of a health authority
- A member of the General Teaching Councils for England and Wales
- A member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
- A member of Scottish Water or a Water Customer Consultation Panel
- A trade union member (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. Employees who undertake magistrate duties may at the discretion of the CCG be granted leave with pay for up to 18 days. Where employees wish to access additional time off to complete public duties, they should provide documentary evidence of their involvement in those public duties.

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 15, 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. Attendance at court / witness in court

30.1 Jury Service

30.1.1 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. The employee will also be provided with a 'Certificate of Loss of Earnings' which will need to be completed by the employee and their line manager. Once submitted the organisation can be reimbursed for the loss of earnings incurred due to being absent. 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.

30.1.2 If it is practicable for the employee to return to work at any point during the course of jury service, they should do so.

30.1.3 Attending court as a witness

30.1.4 Where an employee is required to give evidence at court on behalf of the CCG, paid leave will be granted for as long as is required. Where an employee is called as a witness by another NHS organisation, paid leave will be granted. The CCG will reclaim the pay from the relevant organisation.

30.1.5 Leave will be unpaid 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 earnings through the courts. Please refer to the [Crown Prosecution Service website](#) for further information current rates and guidance on how to claim.

31. Volunteer reserve forces

31.1 Training

31.1.2 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.

31.1.3 Mobilisation

31.1.4 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. Calderdale CCG 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 CCG 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).

31.1.5 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 CCG 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.

**Appendix 1 - Agenda for Change: Annual Leave Entitlement for Complete Years
Exclusive of General Public Holidays**

Table 2a

Weekly basic contracted hours	On appointment 27 days or hours equivalent	After 5 year's 29 Days or hours equivalent	After 10 year's 33 Days or 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 27 Days or hours equivalent	After 5 year's 29 Days or hours equivalent	After 10 year's 33 Days or 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

Weekly basic contracted hours	On appointment 27 Days or hours equivalent	After 5 year's 29 Days or hours equivalent	After 10 year's 33 Days or hours equivalent
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

Appendix 2 - Annual Leave Entitlement in days based on number of days worked per week

Table 2b Entitlement based on aggregate NHS Service

Days worked per week	27 days 0 – 5 years' service	29 days 5 – 10 years' service	33 days 10+ years' 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

Appendix 3 - Agenda for Change: Calculation of General Public Holiday

Table 3a

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

Weekly basic contracted hours	Hourly entitlement for full leave year	Hourly entitlement on each general public holiday as it occurs
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

Weekly basic contracted hours	Hourly entitlement for full leave year	Hourly entitlement on each general public holiday as it occurs
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

Appendix 4 - Bank Holiday Entitlement in days based on number of days worked per week

Table 3b

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

Appendix 5 - Annual Leave Examples

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 – Full Time Staff with flexible working pattern

Jane has worked in the NHS for 11 years. She works full-time, and compresses her hours, so that she works her full-time hours over 9 days (a 9 day fortnight). Jane works 8 hours 20 minutes every day, and has a day off every other Friday. Her annual leave and bank holiday entitlement is as follows:

Annual Leave: 247.5 hours
Bank Holidays: 60 hours
Total allowance: 307.5 hours

Jane must book 8 hours 20 minutes for each day's annual leave she wishes to take. She does not need to deduct any time if her period of annual leave includes her usual non-working day. She will need to book annual leave for any bank holidays which fall on a day she would usually work. If a bank holiday falls on a day she was not due to work, she will not need to book annual leave.

Appendix 6 - Special Leave Request Form

Section A: (to be completed by the employee)

Name of employee:

Employee Number:

Organisation:

Please indicate the Special Leave you are requesting:

- Bereavement Leave
- Unpaid Leave
- Parental bereavement leave
- Religious/ Cultural Observance
- Compassionate Leave
- Public Duties
- Emergency Domestic Leave
- Jury Service
- Emergency Carers/Dependant/Parental Leave
- Volunteer Reserved forces
- Carers Leave
- Other Leave (not specified in this policy but referenced in other HR policies)

Reason for request _____

Date 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: _____

Applicant: _____ Date: _____

The above request has/ has* not been approved – *line manager to delete as appropriate.

If not approved, line manager to specify reasons why not and forward a copy to HR.

Line 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 personal file.

Appendix 7- Additional Annual Leave Request Form

Employee Name:

Job Title:

Employee number:

Calderdale CCG

Greater Huddersfield CCG

North Kirklees CCG

Service and Base of Work:

Contracted weekly hours:

Holiday Year:

- a) For the leave year _____ I would like to buy _____ days / hours* additional leave.

I agree that there will be a reduction in my salary for this.

The deduction would be made over the 12 month period or the remaining leave year if shorter.

- b) For the leave year _____ I would like to sell _____ days / hours* leave.

* circle as appropriate

Employee signature:

Date:

Line manager name:

Line manager signature:

Date:

Head of Service name:

Head of Service signature:

Date:

Appendix 8 - Equality Impact Assessment

Title of policy: Annual and Special Leave Policy

Names and roles of people completing the assessment:

Tazeem Hanif – HR Business Partner

Sarah Mackenzie-Cooper – Equality and Diversity Manager

Date assessment started/completed 16.11.2020 18.11.2020

1. Outline

Give a brief summary of the policy

This policy confirms employees 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 and the entitlement and request procedure.

What outcomes do you want to achieve

The purpose of this policy is to ensure that all employees and line managers are aware of the correct policy to follow for annual 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

Protected Characteristics	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	N/A	N/A

Protected Characteristics	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?
Carers	Yes: Policy updated to include Carers leave. This gives Carers and line managers more support when implementing the policy. Leave may be given to support staff with caring responsibilities on a short term basis. Paid and / or unpaid leave (including other flexible working arrangements) on a long term basis.	Positive	The policy clearly outlines the procedure for employees with caring responsibilities, when requesting special leave and puts in place support to Carers to balance their work life with caring commitments.
Disability	Yes. For employees who have a disability, long-term health condition or impairment that may require attendance at GP, Dentist, Hospital Outpatient or other clinical appointments the policy makes	Positive	The policy clearly outlines the procedure for special leave requests relating to personal healthcare.

Protected Characteristics	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?
	provision for disability related absences. Further guidance can be sought from the appropriate Managing Sickness Absence Policy		
Sex	Yes. The proportion of women in the CCG workforce is higher than men, additionally the burden of care often rests with women, and therefore the application of the policy is likely to impact more on women.	Positive	While women are most likely to be impacted the policy should not negatively impact on them. The policy describes the utilisation of leave and the required processes. Emergency carers leave may be given to support staff with caring responsibilities. The policy clearly outlines the procedure for employees with caring responsibilities, when requesting special leave.

Protected Characteristics	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?
Race	People with family living abroad may want / need to book extended leave to visit. Where an emergency occurs abroad this may require additional leave time to resolve the emergency.	Positive	Line managers need to be responsive to these requests which may be unpredicted or where they might ordinarily want to restrict leave to the usual 2 weeks.
Religion or belief	Yes It is recognised employees with certain beliefs may request time off work for religious or cultural observances or may want / need extended leave to attend to religious obligations abroad.	Positive	The policy clearly outlines the procedure to support employees with requests for leave relating to religious or cultural observances, ensuring such requests are respected while managing / limiting the impact on the service.
Sexual orientation	No	N/A	N/A
Gender reassignment	Yes – employees who undergo medical gender reassignment will be supported to attend	Positive.	The policy would support this kind of leave using medical leave provisions

Protected Characteristics	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?
	appointments and or access medical interventions. Further guidance can be sought from the appropriate Managing Sickness Absence Policy		
Pregnancy and maternity	Yes, employees who attend medical appointments due to IVF treatment, pregnancy or maternity are provided for in the policy. Further guidance can be sought from the appropriate Managing Sickness Absence Policy. The parental bereavement approach outlines the support to employees experiencing a still birth after 24 weeks.	Positive	The policy clearly outlines the procedure for special leave requests relating to personal healthcare and makes reference to Maternity, Adoption, Paternity and Shared Parental Leave Policy.
Marriage and civil partnership	No	N/A	N/A

Protected Characteristics	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?
Other relevant group	Yes – the policy ensures part-time employees do not suffer a detriment compared to their full time counterparts. Employees carrying out certain public duties and members of Volunteer Reserve Forces are provided for in the policy.	Positive	Annual leave, bank holiday entitlements are pro rata for part-time employees. There is no difference in the way special leave should be provided to, or outcome for, part-time employees compared to full time.

If any negative/positive impacts were identified are they valid, legal and/or justifiable? Please detail.

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.

4. Monitoring, Review and Publication

How will you review/monitor the impact and effectiveness of your actions?

Applications for special leave will be monitored as necessary to review provision and impact on protected groups. These will be reported back to the Senior Management Team and the Remuneration Committee.

Lead Officer Tazeem Hanif **Review date:** December 2023

5. Sign off

Lead Officer: Sarah Mackenzie-Cooper

Date approved: 18.11.2020