



ANNUAL AND SPECIAL LEAVE POLICY

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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 NHS Leeds Clinical Commissioning Group (CCG).
- 1.3 The CCG 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, Maternity Support, Adoption and Parental leave are outlined in the relevant Parental Leave Policy.
- 1.5 The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures

2. SCOPE

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

3. EQUALITY STATEMENT

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, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation. In addition, the CCG will ensure that employees and job applicants are not unreasonably discriminated against on the basis of other characteristics including socio-economic status, offending background, political affiliation and trade union membership.

3.1 A single Equality Impact Assessment is used for all policies and procedures.

4. ACCOUNTABILITY

4.1 The Chief Executive is accountable for this policy.

5. IMPLEMENTATION AND MONITORING

5.1.1 The Remuneration and Nomination Committee is responsible for formal approval and monitoring compliance with this policy. Following ratification the policy will be shared with staff in the e-bulletin and will be available on the website.

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 immediately.

6 RESPONSIBILITIES

6.1 Good working relations are vital for the CCG 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

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 annual leave.
- To ensure they have their annual leave approved prior to making any holiday bookings.
- Requests for special leave are appropriately made under the guidance of the policy.

6.3 Line Managers

It is the responsibility of line managers to ensure that:

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

- The authorisation process is followed in a timely manner, accurate records are kept and monitoring of leave is undertaken.

6.4 Human Resources Team

The Human Resource representative will provide advice and support on all aspects of this policy to both line managers and employees 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

7.2.1 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 and Bank Holiday 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

7.2.2 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.

7.2.3 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:

$$\frac{\text{Weekly contracted hours}}{5} \times \text{Number of days annual leave entitlement}$$

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

7.2.4 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.

7.2.5 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:

$$\frac{\text{Weekly contracted hours}}{5} \times \text{Number of days general public holiday entitlement}$$

7.3 Carrying leave over

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. With the agreement of the line manager, up to a maximum of 5 days annual leave (pro-rata for part time staff) may be carried over to the following year. If staff are opting to buy or sell leave in line with the Personalised Annual Leave Scheme they cannot request to carry leave forward in addition to this.

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 A.
- 8.4 There will be some years where more or less than 8 general public holidays fall in the leave year. When this situation arises, the appropriate hours adjustment will need to be made.

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 where a non-NHS employer has NHS employer pension status for example GP Practices, line managers have the discretion to recognise this service for the purpose 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 on the Staff Extranet to work this out for a specific number of days). For employees who join part way through a leave year the bank holiday hours entitlement will be based on the number of bank holidays remaining in the current leave year from the date of joining.
- 10.2 Employees who leave the CCG 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.
- 10.3 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.
- 10.4 Employees moving internally between teams will carry forward their remaining annual leave allowance for that holiday year.
- 10.5 Where employees reach an anniversary which will increase their annual leave entitlement, the new entitlement will be calculated pro rata from the 1st day of the month following the anniversary.

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 INCLUDING MATERNITY, MATERNITY SUPPORT, ADOPTION OR PARENTAL LEAVE

- 12.1 Employees accrue annual leave and 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 as agreed by the line manager and HR Representative. The additional 1.6 weeks of statutory annual leave may be carried forward if agreed by the relevant Director. Any outstanding leave must be taken at the end of the sickness period. Where possible any outstanding annual leave should be used as part of any phased return to work plan

13. TERM TIME WORKING

Where an agreement has been made that employees will work during term time only, annual leave entitlement will be calculated based on the average number of hours worked per week across the whole year. The calculation is the number of hours worked multiplied by the number of weeks worked then divided by 52.143 (the number of weeks in a year). This gives the average hours worked per week. The annual leave entitlement is then calculated by taking the average hours per week, divided by the full time equivalent for a week and then multiplying by the number of day's entitlement. Please note that the number of weeks per year used in the examples shown in Appendix A may change depending upon the length of the term time.

14. PROCEDURE TO REQUEST ANNUAL LEAVE

- 14.1 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 member of staff has taken unauthorised absence and this may be unpaid and may lead to disciplinary action.
- 14.2 All requests for annual leave must be made where relevant on the appropriate 'Annual Leave Request' Form (Appendix B) or via locally agreed procedures giving as much notice as possible to assist in the management of the department or service and approved by the line manager.
- 14.3 The manager must consider the annual leave request in a timely manner taking into account the needs of the service and ensure local minimum cover levels are maintained in the team and/or across the wider organisation if applicable. If the

manager cannot authorise the leave, the reasons for refusal must be discussed with the employee and notice given of refusal.

- 14.4 In the event of a dispute the employee should pursue the issue through the CCG's Grievance Policy after exhausting informal methods of resolution.
- 14.5 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.
- 14.6 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 unless there are exceptional circumstances to ensure that adequate cover is maintained in all departments in accordance with the needs of the service. This is not an automatic right and line managers may decline requests for leave exceeding 2 weeks based on business needs.

15. PERSONALISED ANNUAL LEAVE

- 15.1 Appendix C incorporates a scheme whereby employees can request to purchase additional annual leave on top of their contractual entitlement or sell annual leave, should they wish to. These requests would be made on an annual basis and would be subject to minimum and maximum ceilings and managers reviewing the likely impact on capacity and staff wellbeing.

16 SPECIAL LEAVE

16.1 Procedure to Request Special Leave

- 16.1.1 Where a request is foreseeable, the employee should complete a Special Leave Application Form Request (Appendix D) 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 Application Form (Appendix D). 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.
- 16.1.2 If the Special Leave is approved, the manager will sign the Special Leave Application Form authorising paid or unpaid leave. The line manager will send a copy to HR for the electronic personal file and keep a record on the employee's annual leave card.

16.1.3 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.

16.1.4 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.

16.1.5 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 CCG's Grievance Policy.

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

16.2 Principles

16.2.1 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.

16.3 Definitions

16.4 A dependant' is someone who is married to, is a civil partner, or a partner (whether opposite or same sex) or is a child, a parent or a person who lives at the same house as the employee (other than a lodger, tenant, boarder or employee) or could be someone who would reasonably rely on the employee for assistance, or arrangements for the provision of care in the event of an illness or injury.

- 16.5 A 'relative' includes: parents, parents-in-law, adult children, adopted adult children, siblings (including those who are in-laws), uncles, aunts, grandparents and step relatives in a particular emergency.
- 16.6 'Next of kin' may be taken to include a partner, close family member or dependant.
- 16.7 'A Carer' Is an employee with significant caring responsibilities that have a substantial impact on their working lives. The employee is responsible for the care and support of disabled, elderly or sick child, parents, relatives or friends who are unable to care for themselves.
- 16.8 'Adverse weather' can be defined as snow, ice, volcanic eruptions, fog and floods which render journeys by road as extremely hazardous. This can be both public and private transport.
- 16.9 Disability an employee may be registered as disabled under the Equality Act 2010, if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.
- '**substantial**' is more than minor or trivial – e.g. it takes much longer than it usually would to complete a daily task like getting dressed.
- '**long term**' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection

17. Entitlement

- 17.1 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 18), Compassionate (paragraph 19), Emergency Domestic (paragraph 20) and Emergency Carers/ Dependant / Parental leave (paragraph 21). This is not 10 days per different area of special leave.** For example, if a full time employee has 3 days bereavement leave, 5 days compassionate leave and 2 days emergency domestic leave they will have exhausted all their entitlement for the year. It is therefore 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). If an 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.

18. BEREAVEMENT LEAVE – see Local Guidance Note No. 9/19 on Child Bereavement

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

It is acknowledged that family situations differ and there may be circumstances when the 'next of kin' fall outside of these categories. e.g. if an employee was brought up by their grandparents. In this instance the grandparent would be the 'next of kin'. and therefore managers have the discretion to grant paid leave (within the guidelines of Entitlement paragraph 17.3) dependant on the circumstances of the case. 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.

- 18.2 Managers may grant up to 5 days paid leave (this should be pro-rata for part time staff) to accommodate the time required for the individual to plan and arrange the funeral following the death of their dependant, relative or next of kin. Additional paid leave may be granted in extreme circumstances, this request must be approved by a Senior Officer or Director after discussion with a HR representative.
- 18.3 In the case of a death of a relative/ close friend (who is not the 'next of kin') the employee may request 1 days' paid leave to attend the funeral. This will be agreed by the line manager depending on the circumstances.
- 18.4 Any further absence required by the individual may be requested as unpaid leave or managed in accordance with the relevant Organisational Policy (Management of Attendance Policy or Annual leave Policy)
- 18.5 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. CARERS LEAVE

- 19.1 Employees may be granted up to 3 days paid compassionate leave (within the guidelines of entitlement paragraph 17.3) in circumstances where a dependant, relative or next of kin 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 15.3) 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 – see Local Guidance Note No.10/19 on Premature Baby Leave

- 21.1 The aim of such leave is to provide a compassionate response to immediate, urgent and unforeseen needs connected to a dependant. 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 days paid leave per incident (within the guidelines of entitlement 17.3) 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. 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, Paternity, Adoption and Parental Leave Policy.

- 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. DOCTOR/ DENTIST/ MEDICAL APPOINTMENTS

- 22.1 Employees will from time to time need to attend medical, hospital, dental, optician, and other similar appointments. Wherever it is possible to do so, employees (both full time and part time) should endeavour to be flexible and arrange such appointments in their own time or if this is not possible, then at times that will cause the minimum amount of absence from work.
- 22.2 Where an employee has no alternative but to attend such appointments during working hours options available are flexibility in working hours, annual leave or unpaid leave. The line manager will work with the employee to come to a flexible agreement which supports the employee and the needs of the service
- 22.3 When the appointments become more frequent or the employee has a disability and is required to attend regular appointments (i.e. regular physiotherapy/ attending on-going treatment) the individual should advise their line manager in advance of the appointments.

The manager shall consider reasonable adjustments to accommodate the disability related requirements including variation of working hours, flexible working hours or using a combination of unpaid and annual leave or paid time off to attend appointments, i.e. at the start or end of the working day.

Employees must inform their Line Manager of any appointments where possible at least 1 week in advance of the appointment. The employee should also bring in their appointment card and pass to their line manager when requesting time off to attend an appointment.

Employees with registered disabilities needing to attend hospital appointments related to their disability will be given time for these appointments as a reasonable adjustment, and follow the process as above.

- 22.4 Employees who require time off for antenatal appointments should refer to the CCG's Maternity, Maternity Support (Paternity), Adoption and Parental Leave Policy for further guidance.
- 22.5 Any Occupational Health appointment which an individual is requested to attend can be taken during working hours unless the employee is already absent from work. All Occupational Health appointments should be managed in accordance with the Managing Sickness Absence Policy. If an employee feels unable to return to work after such an appointment e.g. where they have attended a counselling session, the employee may make a request for annual leave or unpaid with their line manager. Alternatively such an absence may be managed under the CCG's Absence Policy.

22.6 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 required 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. SPECIAL LEAVE FOR IN VITRO FERTILISATION (IVF) AND OTHER FERTILITY TREATMENT

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

23.2 Any leave requested for appointments will be managed in accordance with Section 22 of this policy (doctors/ dentist and medical appointments) up until the point of pregnancy when this will then be managed in accordance with the CCG's Maternity, Maternity Support (Paternity), Adoption and Parental leave Policy. The employee must notify their Line Manager to advise them of any on-going appointments that they will be required to take due to the treatment.

24. EMPLOYMENT INTERVIEWS

24.1 Paid leave will be granted for employees who attend an internal interview for a vacancy within the 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.

25. SEVERE WEATHER

25.1 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

25.2 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 at home. This will depend on the individual's type of work and needs of the service in keeping with the CCG's New Ways of Working (NWoW) approach or
- Request employees use annual leave, flexi time or outstanding lieu days or in exceptional circumstances unpaid leave

26. RELIGIOUS/ CULTURAL OBSERVANCE

26.1 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. Employees must provide as much notice as possible to their line manager.

27. PUBLIC DUTIES

27.1 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're:

- a magistrate or justice of the peace (JP)
- a local councillor

- 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 a school council or board in Scotland
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency or the Scottish Environment Protection agency
- 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

27.2 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 CCG/service. Employees who undertake magistrate duties may at the discretion of the CCG be granted leave for up to 18 days. For other duties listed above employees can request up to 9 days leave in total for all duties if the employees holds multiple memberships. Authorised leave will be on an unpaid basis unless in exceptional circumstances. 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.

28. ATTENDANCE AT COURT/WITNESS IN COURT

Jury Service

28.1 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.

Attending as a witness

28.2 Where an employee is required to give evidence at court on behalf of the organisation, paid leave will be granted for as long as required.

28.3 Where an employee is called as a witness by another NHS organisation, paid leave will be granted. The pay will be reclaimed from the relevant organisation.

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

29 VOLUNTEER RESERVED FORCES

29.1 Training

29.1.1 Employees who are members of the Volunteer Reserve Forces (Royal Navy Reserve, Royal Marines Reserve, Territorial Army, Royal Auxiliary Airforce) 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.

29.2 Mobilisation

29.2.1 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 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).

29.2.2 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 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.

30. EMERGENCY SERVICES

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

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

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

31. RELOCATION LEAVE

Employees entitled to relocation assistance may be granted leave without pay or choose to take annual leave to cover the time.

32. TIME OFF FOR STUDY

Employees may submit requests in relation to any type of study or training that they believe will improve their effectiveness in their organisation and the performance of the business. Please refer to the Learning and Development Policy for further information.

33. SABBATICAL/ EMPLOYMENT BREAK SCHEME

An employment break allows the employee to leave their employment on a temporary basis. It can be used for various reasons including, travel, care of an elderly relative or dependant or voluntary work. The purpose of the break is normally linked to personal development outside the usual confines of the job, allowing the employee to return to work with new ideas and enhanced skills which can benefit both the employee and the organisation.

Please refer to the Employment Break Policy for further information, guidance and application details in relation to sabbaticals and career breaks.

34. UNPAID LEAVE

- 34.1 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 management may consider granting unpaid leave. Circumstances should be fully discussed and subject to service needs.

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
19.5	105.5	113.0	128.5
	HOURS EQUIVALENT		
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

WEEKLY BASIC CONTRACTED HOURS	ON APPOINTMENT	AFTER 5 YEARS SERVICE	AFTER 10 YEARS SERVICE
	27 DAYS	29 DAYS	33 DAYS
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 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

Table 3a - Agenda for Change: Calculation of General Public Holiday Entitlement

WEEKLY BASIC CONTRACTED HOURS	HOURLY ENTITLEMENT FOR FULL LEAVE YEAR (8 PUBLIC HOLIDAYS)	HOURLY ENTITLEMENT ON EACH GENERAL PUBLIC HOLIDAY AS IT OCCURS
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
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

WEEKLY BASIC CONTRACTED HOURS	HOURLY ENTITLEMENT FOR FULL LEAVE YEAR (8 PUBLIC HOLIDAYS)	HOURLY ENTITLEMENT ON EACH GENERAL PUBLIC HOLIDAY AS IT OCCURS
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

Annual Leave and Bank Holiday Example Calculations for Part Time Employees

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 of 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.

Example 5 – Term Time Only

Agreement is made for Joyce to work 37.5 hours per week for 39 weeks per year. Joyce is a new starter entitled to 27 days annual leave.

Average number of hours worked per week will be $\frac{37.5}{52.143} \times 39 = 28.05$ per week

Annual Leave: 28.05 term time hours equates to 151.05 hours
Bank Holidays: 28.05 term time hours equates to 45 hours
Total allowance: 196.05 hours per annum

Example 6 – Term Time Only

Agreement is made for Toni to work 20 hours per week for 39 weeks per year. Toni has 6 years' service and is entitled to 29 days annual leave

Average number of hours worked per week will be $\frac{20}{52.143} \times 39 = 14.96$ per week

Annual Leave: 14.96 term time hours equates to 87 hours
Bank Holidays: 14.96 term time hours equates to 24 hours
Total allowance: 111 hours per annum

PERSONALISED ANNUAL LEAVE SCHEME

Introduction

The organisation recognises the benefits of flexible working practices to meet 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 minimum and maximum ceilings and with a commensurate adjustment to salary.

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 service needs. Should an application be accepted it will constitute an amendment to the contract of employment so must be signed by both the employee, line manager and director.

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 holidays, pro rata. The scheme has been developed to comply with these responsibilities.

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

1. Use allocated leave in both leave years
2. Carry over up to 5 days of leave (pro rata) from the current leave year to the next
3. Sell up to 5 days of leave (pro rata) for the current leave year
4. Buy an additional block of 5 days of leave (pro rata) or individual days up to a maximum of 5 days (pro rata) for the next leave year

At the end of the holiday year the employees' holiday entitlement will revert back to the normal amount, unless another request is authorised for the new holiday year. The request to use the additional annual leave should be made to the line manager in the normal way.

Buying Annual Leave

Employees have the option of buying up to maximum 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 be purchased in a block of one week (relevant to the employees contractual hours) or in individual days but can be subsequently taken in a block of one week or as individual days.

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 12 month annual leave period (April to March).

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.

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.

Selling Annual Leave

Employees also have the option of selling up to 1 week of annual leave per year (5 days), pro rata for part time staff. This does not need to be a block and may be individual days. For example an employee, working part time at 22.5 hours per week, could sell up to a maximum of 22.5 hours of their leave.

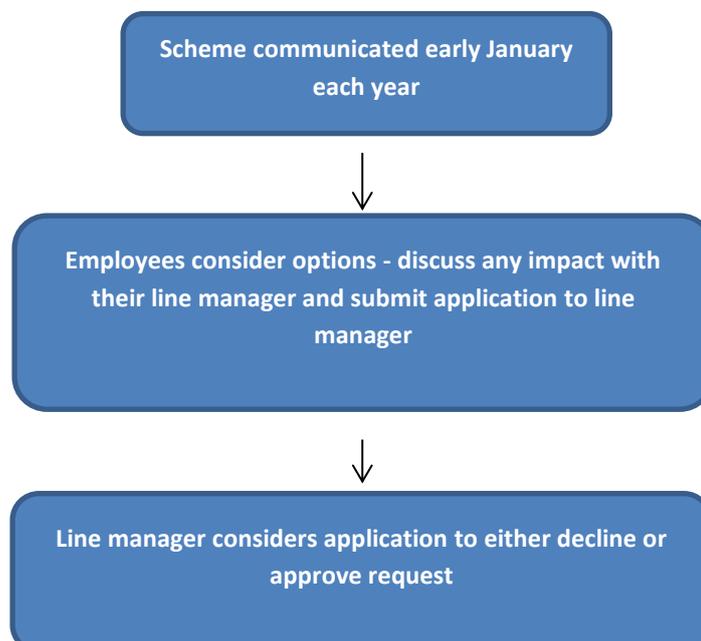
The employee will receive a lump sum payment in the March salary, calculated on their individual annual salary. Employees cannot sell annual leave and carry forward annual leave at the same time.

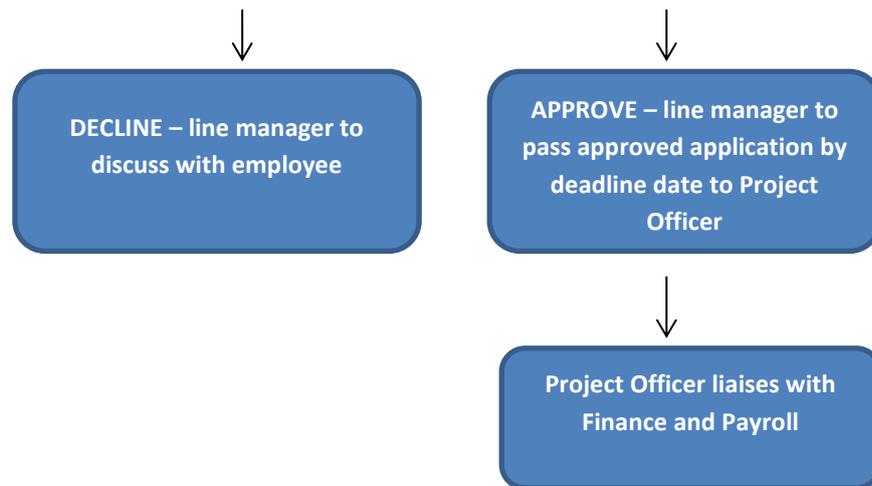
Salary Adjustments

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.

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.

Process and Timescales





The application form can be accessed via the workforce website. Employees will be asked to confirm their weekly contracted hours on the application form and must also state their intention to sell in hours to recognise the varying working patterns and non-standard days. An employee declaration must be signed and dated as part of the request.

Approving or Declining Requests

Operating the scheme on an annual basis allows for a consistent approach to be followed with finance/payroll. This approach will also assist managers in planning teams leave and cover throughout the year to ensure there is no detriment to the service. Requests cannot be made outside of the timeframes specified above.

Line managers should consider service delivery as part of the request and have the right to decline requests if problems are anticipated. It is advised managers 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?

Selling Leave

- Are there any concerns relating to health and wellbeing where the employee would benefit from taking the leave opposed to selling the leave?
- Has the employee left themselves with enough leave to cover the remaining time?

FAQs

What is Personalised Annual Leave?

Personalised annual leave allows you to buy or sell annual leave each year to allow you flexibility with annual leave allowance.

What are my options?

For example, when the Scheme opens you can take one of the following options:

1. Use allocated leave in both leave years.
2. Carry over up to 5 days of leave (pro rata) from the current leave year to the next.
3. Sell up to 5 days (pro rata) for the current leave year.
4. Buy a block of 5 days (pro rata) or individual days up to a maximum of 5 days (pro rata) for the next leave year.

How and when do I apply?

A communication will be sent to staff each year to notify them that the Scheme is open. Staff will need to consider their leave options and the impact on service delivery. If they wish to go ahead they should submit an Application Form to their line manager. Line managers will discuss the request with the member of staff and either decline or support the request based on service delivery and individual circumstances. The outcome should be submitted to the Projects Officer by the deadline date. If supported, the application will then be considered and either approved or declined by the Chief Finance Officer.

When and how much leave can I sell?

You can sell leave for the current annual leave year. For instance, if you are aware that you have a number of days remaining which you do not wish to use, you can sell one week's annual leave (pro rata for part time staff). For example if you work part time on 3 days per week (22.5 hours) you could sell 22.5 hours of leave.

If you are selling annual leave you are not able to carry forward any annual leave to the next leave year. A payment for the days sold will be made in March pay. Applications must be approved and signed by your line manager. The outcome should be submitted to the Projects Officer by the deadline date. If supported, the application will then be considered and either approved or declined by the Chief Finance Officer.

When and how much leave can I buy?

You can buy leave for the forthcoming annual leave year. For instance, if you anticipate that you will require more leave then you can buy one week's leave (pro rata for part time staff) or individual days up to a maximum of 5 days (pro rata). For example if you work part time on 3 days per week (22.5 hours) you could buy 22.5 hours of leave.

Your salary will be adjusted from April to March of the forthcoming annual leave year and monthly deductions made.

You may also carry forward up to 5 days leave forward (pro rata).

What if I buy an extra week's leave but then decide I do not need it later in the year?

You are responsible for ensuring you take any leave purchased. You cannot request a re-payment for this leave. This cannot be carried forward to the next leave year. Usual rules apply around carry forward of leave, i.e. up to a maximum of 5 days (pro rata for part time staff) subject to line manager and director approval.

How is my application approved?

Applications must be approved and signed by your line manager and submitted to the, Projects Officer by the deadline date. Requests will be considered in line with service delivery and individual/team circumstances and may be declined on this basis. If supported, the application will then be considered and either approved or declined by the Chief Finance Officer. There is no automatic right to buy or sell leave.

Can I buy or sell annual leave during the leave year?

No.

Does changing my salary by buying or selling annual leave have any other affects?

Maternity and adoption pay are based on the actual pay received between the 17th and 25th week of pregnancy. Buying annual leave will affect your actual pay and consequently your maternity/adoption pay.

Your NHS Pension can also be affected. NHS Staff are paid their pension based on the best salary of the final three years of their work. Practitioners (NHS medical, dental and ophthalmic practitioners) are paid a pension based on their earnings throughout their career. More information can be obtained from the Pension Manager in the Payroll Team. Redundancy pay is also calculated on current earnings.

What if I leave the CCG before the end of the current year?

You will be entitled to your annual leave pro rata to your date of leaving as well as any additional leave already paid for. e.g. If you leave having worked six months of the financial year you would be entitled to half of your annual leave entitlement and half of any additional leave that you have asked for.

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"/>	Emergency Carers, Dependant, Parental Leave	<input type="checkbox"/>
Child Bereavement Leave (please see Local Guidance Note No.9/19)	<input type="checkbox"/>	Premature Baby Leave* (please see Local Guidance Note No.10/19) * proof of the baby's date of birth and date of discharge from hospital plus your Annual Leave Card must be attached to this Form	<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"/>
Unpaid Leave	<input type="checkbox"/>	Jury Service	<input type="checkbox"/>
Study Leave	<input type="checkbox"/>	Other	<input type="checkbox"/>
Dentist/Doctor/Medical Appointment	<input type="checkbox"/>	Volunteer Reserved Forces	<input type="checkbox"/>
Interviews	<input type="checkbox"/>	Severe Weather	<input type="checkbox"/>
Reason for Request:			
Dates Requested (state whether paid or unpaid):			
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 (state whether paid or unpaid):		Number of Days that are Not Approved
Line Manager Name & 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 Name & Signature:		Date:	
<i>A copy of this Form should be submitted to the People and OD Team for the electronic personal file at leedscq.hrgeneral@nhs.net.</i>			

Equality Impact Assessment

Title of policy	Annual and Special Leave Policy	
Names and roles of people completing the assessment	Stacey Oglesby, HR Manager	
Date assessment started/completed	31/01/2018	31/01/2018

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	Ensure requests for leave and leave is managed within specific guidelines and to support staff in a range of circumstances.

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		This policy will be applied consistently regardless of age and therefore should have no impact on this protected characteristic.
Carers	Yes - emergency carers leave may be given to support staff with caring	Positive	The policy clearly outlines the procedure for staff with caring responsibilities, when requesting special leave.

	responsibilities.		
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 Managing Sickness Absence Policy	Positive	The policy clearly outlines the procedure for special leave requests relating to personal healthcare.
Sex	No		This policy will be applied consistently regardless of sex and therefore should have no impact on this protected characteristic.
Race	No		This policy will be applied consistently regardless of race and therefore should have no impact on this protected characteristic.
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		This policy will be applied consistently therefore should have no impact on this protected characteristic.

Gender reassignment	No		This policy will be applied consistently and therefore should have no impact on this protected characteristic
Pregnancy and maternity	No		This policy will be applied fairly and consistently regardless of this protected characteristic.
Marriage and civil partnership	No		This policy will be applied consistently regardless of marital status and therefore should have no impact on this protected characteristic.
Other relevant group	No		
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	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	John Scott, Head of People, OD and Office Services	Review date:	July 2022
5. Sign off			
Lead Officer	John Scott, Head of People, OD and Office Services		
Director	Sabrina Armstrong, Executive Director of Corporate Services	Date approved:	06/07/2018