

LEEDS TEACHING HOSPITALS NHS TRUST

SPECIAL LEAVE POLICY

1. INTRODUCTION

The Trust recognises that, from time to time, members of staff will experience domestic emergencies, which will prevent them from working effectively or safely, or may suffer bereavement through the death of a close family member.

The aim of this policy is to provide support and help to staff, who are trying to balance the demands of domestic and work responsibilities at times of urgent and unforeseen need, through the provision of special leave with pay.

Leave granted under these arrangements is not intended to meet long term domestic or family need. Where longer periods of absence are required, staff will need to consider utilising annual leave; requesting flexible working arrangements; or considering a period of unpaid leave/ career break.

The policy differentiates between: Emergency Carer Leave; Bereavement Leave; and Domestic Emergency Leave. Leave of up to one working week and one working day (pro rata) may be granted for each of these circumstances.

Leave that is required to undertake public duties will be covered by a separate policy.

2. POLICY STATEMENT

Through the implementation of the Improving Working Lives Standards, the Trust is committed to assisting staff in achieving an appropriate work-life balance.

The provision of special leave is available to all staff, regardless of length of service with the Trust and requests for leave to deal with a personal loss, urgent caring situation, or domestic emergency, will be considered sympathetically.

3. POLICY EFFECT

This policy is designed to supplement the other family-friendly policies which the Trust has in place, to facilitate an improved work-life balance for staff.

The policy will ensure that managers and employees are aware of the availability of special leave provisions and the circumstances in which they may be used.

All staff will be aware of their right to request special leave to cover urgent or unforeseen personal situations and will understand their responsibilities in ensuring that alternative arrangements are made to cover longer term absences

ROLES AND RESPONSIBILITIES

The Director of HR will:

- Ensure that the policy is reviewed and amended as necessary
- Ensure that managers have access to appropriate training and/or advice on the application of the policy

- Be responsible for monitoring the effectiveness of the policy through the annual staff survey

Directors/Managers/ Supervisors will:

- Ensure that all staff are appropriately inducted into the organisation and that staff are made aware of and given access to the Trust policy on special leave
- Ensure that the policy is applied consistently and fairly within their area of responsibility
- Keep records of requests for special leave and subsequent decisions

All Employees will:

- Comply with the requirement to request special leave as soon as possible
- Take responsibility for making alternative arrangements to cover longer periods of absence that may be required

Staff-side Representatives will:

- Provide support and advice to members in facilitating the policy
- Work in partnership with Managers and HR Representatives to ensure all employees are treated fairly and consistently

4. EQUALITY AND DIVERSITY STATEMENT

The Leeds Teaching Hospitals NHS Trust is committed to ensuring that, as far as is reasonably practicable, the way we provide our services to the public and the way we treat our staff reflects their individual needs and does not discriminate against individuals or groups on any grounds.

5. REFERENCES

Trust policies on

- Flexible Working
- Career Break
- Annual leave

6. CONSULTATION

The policy has been reviewed by a joint group with management, and staff side representation. It has gone out for consultation to the following groups

- Staff side Council
- Trust Management Groups

7. DOCUMENTATION CONTROL

Policy Title	Special Leave Policy
Version Number	2
Supersedes	Version 1 May 2002
Date Approved	
Approving Body	
Review Date	
Supporting Procedure(s)	None
Lead Director	Rachael Allsop
Author	Sue Whitehead
Contact for further details	Ext 66922
Distribution	All staff

8. INDEX

Policy Title : Special Leave

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APPENDIX A

1. EMERGENCY CARER LEAVE

1.1. Purpose

The aim of such leave is to provide a caring response to emergency need. The time should be used to deal with the emergency and if necessary make longer term arrangements for any further days that may be needed. This leave is essentially short term and normally with pay. For most cases, one or two days should be sufficient to deal with the problem.

For example, if a child falls ill with chickenpox, the leave should be enough to help the employee cope with the crisis – to deal with the immediate care of the child, visiting the doctor if necessary, and to make longer term care arrangements. The employee is not entitled to take one week's emergency care leave to look after a sick child.

This leave is for unforeseen situations. If employees know in advance that they are going to need time off, they should ask for leave in the usual way. This may involve taking annual leave or some other form of leave.

1.2. Definition

Carers are usually people who have the responsibility of looking after children or other close relatives. The emergency must involve a dependent of the employee. A dependent is the husband, wife, partner, child or parent of the employee. It also includes someone who lives in the same household as the employee (it does not include tenants etc.) It may also be someone for whom the employee is the primary carer.

1.3 Circumstances

The types of situation that may require special leave include.

- (a) illness of a dependant, as defined above;
- (b) breakdown of normal carer arrangements;
- (c) making arrangements for longer term coping with a care problem;
- (d) to spend time with a child/close relative who is terminally ill; or
- (e) other urgent need in respect of the care situation.

1.4 Time Allowed

1.4.1 Up to the equivalent of one working week plus one working day (pro-rata i.e. based on the working weekly hours of the individual employee) emergency carer leave may be granted in any one annual leave year. Leave granted will be with pay.

1.4.2 In certain circumstances, staff may wish to spend time with someone, who is terminally ill, or who develops a sudden, life-threatening illness/condition, perhaps as a result of an accident. In this situation, leave with pay may be granted, provided the total period does not exceed one working week plus one working day.

1.4.3 In exceptional circumstances, longer periods of leave may be granted, particularly where travel overseas is necessary. In such cases leave granted will be on an unpaid basis. Alternatively the member of staff can choose to take leave from his/her annual leave entitlement.

1.5 Conditions

The Trust reserves the right to require, if necessary, following emergency carer leave:

- Documentary evidence, e.g. a doctor's medical certificate in respect of the dependant's illness;
- Information about the other partner's employment situation; or
- The member of staff to undertake work at home, if appropriate.

2. COMPASSIONATE LEAVE

2.1 Purpose

The aim of such leave is to provide a compassionate response when staff suffer bereavement, or experience a domestic emergency.

2.2 Bereavement

- (a) Leave may be granted in the case of the death of a partner or close relative (i.e. parent/in-law, natural or adopted child or relatives who live with you);
- (b) Leave may be granted in the case of the death of a person with whom the member of staff had a close continuing relationship but who may not necessarily have lived with them;

It is recognised that an employee may be unfortunate enough to lose more than one close family member in a short space of time. In this situation, compassionate leave for bereavement may therefore need to be granted on more than one occasion during the leave year. The amount of leave taken would depend on how close the relationship was and whether the employee has the responsibility for making arrangements.

2.2.1 Time allowed

Up to the equivalent of one working week plus one working day (pro-rata i.e. based on the working weekly hours of the individual employee) may be granted, dependent on individual circumstances. Leave granted will be with pay.

In exceptional circumstances, longer periods of leave may be granted, particularly where travel overseas is necessary. In such cases leave granted will be on an unpaid basis. Alternatively the member of staff can choose to take leave from his/her annual leave entitlement.

2.3 Domestic Emergency Leave

Leave is available to support members of staff in the case of **urgent** domestic distress, such as a household fire, flood, or burglary.

2.3.1 Time Allowed

Up to the equivalent of one working week plus one working day (ie based on the working week of the individual employee) may be granted in any one annual leave year. Leave granted will be with pay.

In exceptional circumstances, longer periods of leave may be allowed, and in such situations leave will be on an unpaid basis. Alternatively the member of staff may choose to take leave from his/her annual leave entitlement.

3. PROCEDURE

- 3.1 Staff should inform their manager/supervisor as soon as possible of their need for special leave. On the first day of absence, for example, staff will be expected to follow the rules of their department /ward regarding the notification of absence (this would mean speaking to immediate line manager or deputy/person in charge).
- 3.2 The responsibility for granting special leave rests with the Head of Department (or his/her nominated deputy for this purpose).
- 3.3 A Special Leave application form should be completed as soon as possible, indicating the reasons for the leave requested.
The manager should record the number of days' paid/ unpaid leave that have been authorised. Where the request for special leave has not been granted, the manager should record the reasons for this.
- 3.4 Any differences arising from the application of this policy should, in the first instance, be raised with the individual's manager. If a member of staff remains dissatisfied then he/she may raise the matter through the normal grievance procedure.
- 3.5 The Human Resources Department will provide advice and guidance, where necessary.

SPECIAL LEAVE RECORD

APPENDIX B

Part A – to be completed by the employee

Name _____

Job Title _____ Department _____

Type of leave requested (Please refer to the appropriate leave policy for further details or contact your line manager if you need any advice)

Compassionate Leave - bereavement []

Compassionate Leave – domestic emergency []

Carer leave – illness of close relative/child []

Carer leave – breakdown of carer arrangements []

Carer leave – making arrangements for longer-Term coping with a care problem []

Carer leave – to spend time with a child/relative who is terminally ill []

Other urgent need related to a care situation (please specify below) []

Reasons for leave (please give brief details and dates requested)

From ----- to ----- Signed _____
(1st day off) (last day off)

Part B – Line manager’s authorisation (include number of days authorised as special leave and days unpaid and/or annual leave)

..... days paid special leave days unpaid leave days annual leave

Reason for not granting paid special leave (Please give brief reasons below)

Signed _____
Line Manager/Supervisor

Signed _____
Senior Manager’s Authorisation

This form should be kept in the employee’s personal file for a period one year from the date of the request

Equalities Impact Assessment - Policies, Relevance and Impact

Policy Title: Special Leave Policy

Section 1					
Does this policy or procedure impact on staff patients or public? <i>Staff</i>	How relevant is it to achieving the duties under race legislation?	How relevant is it to achieving the duties under disability legislation	How relevant is it to achieving the duties under gender legislation	How relevant is it to compliance with religion/belief legislation	How relevant is it to compliance with sexual orientation legislation
3	3	2	3	3	2

Section 2			
<p>Please note in this section:</p> <ul style="list-style-type: none"> any thing you have already included in the policy to meet the equality duties any changes you have made to the policy in order to eliminate any potential for disadvantage on the grounds of race disability or gender 	<p>Race:</p> <p>Included: Rules apply across the board and should not be affected by race. Explicitly mentions how provision for longer term leave for travel (eg following a bereavement) can be arranged.</p> <p>Recommended: Monitoring should take place to ensure that decisions to decline special leave requests are not discriminatory.</p>	<p>Disability:</p> <p>Included: Rules apply across the board and should not be affected by disability.</p> <p>Recommended: Monitoring should take place to ensure that decisions to decline special leave requests are not discriminatory.</p>	<p>Gender:</p> <p>Included: Rules apply across the board and should not be affected by gender. Makes provision for emergency childcare arrangements.</p> <p>Recommended: Monitoring should take place to ensure that decisions to decline special leave requests are not discriminatory.</p>
	<p>Religion/Belief:</p> <p>Included: Rules apply across the board and should not be affected by religion/belief. Explicitly mentions how provision for longer term leave for travel (eg following a bereavement) can be arranged.</p> <p>Recommended: Monitoring should take place to ensure that decisions to decline special leave requests are not discriminatory.</p>	<p>Sexual Orientation:</p> <p>Included: Rules apply across the board and should not be affected by sexual orientation.</p> <p>Recommended: Monitoring should take place to ensure that decisions to decline special leave requests are not discriminatory.</p>	<p>Age:</p> <p>Included: Rules apply across the board and should not be affected by age. Explicitly mentions care of dependants, both children and adults.</p> <p>Recommended: Monitoring should take place to ensure that decisions to decline special leave requests are not discriminatory.</p>

The content of this assessment has been formulated by Maxine Morris, Head of HR, Diversity. If you have any queries regarding the content of this assessment or the process, please make contact by email at maxine.morris@leedsth.nhs.uk or by telephone on 0113 206 4146. Assessment sent to: Sue Whitehead, 5th June 2007