University Hospitals of Leicester
NHS Trust

You Matter: Colleague Support Policy

(Work/Life/Family and Other Leave)

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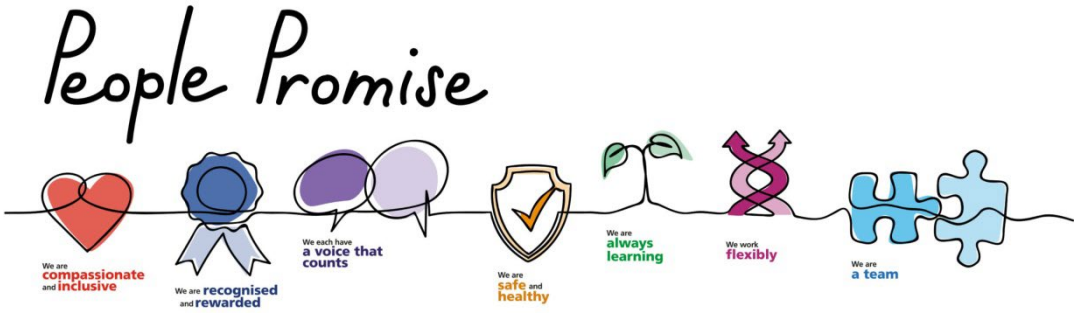
People Promise
We are compassionate and inclusive
We are recognised and rewarded
We each have a voice that counts
We are safe and healthy
We are always learning
We work flexibly
We are a team

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OVERVIEW (POLICY AT A GLANCE)

The purpose of this policy is to support colleagues in UHL in achieving a balance between their working lives and their commitments and obligations outside of work, and to ensure every person feels supported during events in their life when they may need time away from work.

A brief overview of the various entitlements is included below, however more detail (including eligibility) is included within each of the relevant sections. Please use the dedicated links either here or within the Contents list, to navigate between the sections that you need.

FAMILY FRIENDLY	
A1 – Supporting Staff with Pregnancy Loss	Employees who have been affected by pregnancy loss are able to take up to 2 working weeks paid leave. This includes the employee who was pregnant and suffered a loss, the partner of those who became pregnant and suffered a loss, and staff who experience a loss via a surrogate. Employees are entitled to paid time off to attend any medical appointments (or to accompany their partner/surrogate) relating to pregnancy loss.
A2 – Bereavement / Compassionate Leave	Employees who suffer the bereavement of someone close to them can take up to 2 working weeks paid leave to support them through the impact of the loss, which includes practical/legal responsibilities that need to be undertaken. Employees are also entitled to an additional paid day's leave to attend a funeral. In cases of terminal illness, leave can also be taken prior to the bereavement if this is more appropriate.
A3 – Parental (Child) Bereavement Leave	Any parent who loses a child (of any age and including stillbirth) can take 4 working weeks paid special leave. It applies to biological parents, adoptive parents, foster parents, intended parents and anyone who has day-to-day responsibility for a child.
A4 - Pregnancy and Maternity Leave	Pregnant employees are entitled to 52 weeks maternity leave. NHS Occupational Maternity Pay is subject to eligibility and includes 8 weeks at full pay, 18 weeks at half pay plus statutory pay, 13 weeks statutory pay only and 13 weeks unpaid.
A5 – Supporting Staff with Premature Birth and Neonatal Care	Premature birth (before 37 weeks): Extension of maternity/adoption leave, at full pay, by the number of days the baby was born prior to the due date for staff who give birth prematurely, or primary adopter in surrogacy arrangement. Additional 10 paid days leave, pro-rata for father of the child, or partner of the mother/birthing person, or secondary adopter in

	surrogacy arrangement. Neonatal care leave (if baby admitted to hospital within the first 4 weeks of them being born, and have to stay in hospital for 7 continuous days or more): Up to 12 weeks paid special leave for both/all parents, inclusive of any premature birth leave, and in addition to other leave entitlements such as maternity or paternity leave.
A6 - Adoption and Surrogacy Leave	Employees adopting or obtaining legal parenthood of a child as part of a surrogacy arrangement are entitled to take 52 weeks adoption leave. NHS Occupational Adoption Pay is subject to eligibility and includes 8 weeks full pay, 18 weeks half pay plus statutory pay, 13 weeks statutory pay only and 13 weeks unpaid.
A7 - Shared Parental Leave	Where eligible, SPL enables both parents expecting or adopting a child to share up to 50 weeks of leave and up to 37 weeks of pay (excluding the compulsory 2 weeks leave the mother/primary adopter is required to take). The parents can choose how much of the SPL each of them will take.
A8 - New Parent Support Leave	All eligible employees are entitled to 2 weeks new parent support leave. Staff will be entitled to full pay for this period where they have 1 year of continuous NHS service.
A9 - Foster Carer's Leave	An employee who is an approved foster carer can take up to 5 days paid leave per financial year to attend any relevant training or meetings.
A10 – Leave for Fertility Treatment	Employees will be supported to have fertility treatment through provision of paid leave to attend appointments and undertake the relevant treatment.
A11 – Support for Staff Breastfeeding	Employees who return to work whilst still breastfeeding will be provided with reasonable time/breaks for breastfeeding and/or expressing milk.
A12 - Unpaid Parental Leave	All employees who have completed 1 year of NHS service are entitled to 18 weeks unpaid leave for each of their children who they have a caring responsibility for (maximum of 4 weeks for each child per year).
WORK-LIFE BALANCE	
B1 - Attending Health-Related Appointments	Reasonable time off for health-related appointments. Employees expected to arrange routine appointments outside of working hours where possible.
B2 – Emergency Leave	Emergency leave is for unexpected emergencies, including unplanned time off for dependants and urgent domestic leave. A dependant is usually defined as the spouse, partner, child,

	grandparent, parent, or someone who depends on you for care. Employees will need anything from one hour to one or two days to deal with the immediate problem; this will be paid special leave, to be agreed with the manager. Maximum number of requests is 5 per in any 12 month period; maximum entitlement is 1 working week in any 12 month period (pro-rata for part-time staff); anything more than this will be unpaid.
B3 – Planned Carer's Leave	Employees who are the carer for an older, disabled or seriously ill relative or friend can take up to 5 days of unpaid carer's leave per year, pro-rata for part-time employees.
B4 – Religious Belief and Cultural Observance	For planned time off, employees can use annual leave, unpaid leave or flex their working hours where feasible.
B5 – Gender Affirmation	Employees are expected to arrange appointments outside of working hours where possible. Reasonable flexibility and time off for appointments, recognising appointments won't always be local.
B6 - Annual Leave and Bank Holidays	Staff on Agenda for Change terms and conditions are entitled to 8 Bank Holidays and 27, 29 or 33 days annual leave (pro-rata) dependent on NHS service.
B7 - Employment Break	Employees with 12 months UHL service may apply for an employment break lasting a period between 3 months and 5 years. Where the break is less than 12 months the individuals post will be held open for them to return to. The Trust would look to identify a suitable alternative post where the break is for more than 12 months.
B8 - Flexible Working	The Trust encourages a culture where flexible working is not seen as an exceptional circumstance. Employee requests for flexible working will be given due consideration and wherever possible should be granted, providing service needs and objectives can be met.
B10 - Retirement	Trust employees have the right to retire at a time of their choosing. The Trust aims to support colleagues in continuing to work and therefore encourages colleagues to explore the flexible retirement options available to them, which could include wind down, step down, retire and return and partial retirement.
SPECIAL LEAVE	
C1 – Attending a Job Interview	For internal jobs (and for apprentices and those on the Kickstarter scheme attending any job interview), employees will be supported to attend interviews wherever possible. For external jobs, employees will need to use annual leave, unpaid special leave, or work flexibly and make the time back

	where possible.
C2 – Severe Weather Conditions and Travel Disruption	Employees can work from home if they can do meaningful work or attend another site. If unfeasible then unpaid leave or utilise time owing, annual leave, make time up.
C3 – Emergency Services Volunteers	Employees will need to undertake these duties outside of their normal working hours or request annual leave. Where possible, consideration may be given to the changing of shifts, or agreeing unpaid special leave, however this would be subject to the needs of the service.
C4 – Volunteer Reserve Forces and Cadet Force Adult Volunteers	Reservists are entitled to 12 days paid leave, and a further 3 days unpaid leave within a 12 month period (pro-rata for part-time staff) for relevant training or volunteering. Employees are given 6 days paid leave to volunteer as leaders in Cadet organisations. 2 days paid leave for service spouse and partners to accommodate unforeseen military delays. Amounts are pro rata for part time. Planned unpaid or annual leave may be considered to support any subsequent requests for time away from work.
C5 – Mobilisation of Armed Forces Reserves	If not accepted, any time off would be treated as paid special leave. If accepted for a call out, any time off would be authorised as unpaid special leave for the full duration of the call out.
C6 – Jury Service and Attendance at Court	Jury service: paid special leave, once in a 12-month period. Attendance at court: If a Trust issue, time off will be paid, and if not a Trust issue then you will need to request annual leave in the normal way or ask for it to be unpaid special leave. The number of days will be as required and as agreed with line manager.
C7 – Public and Civic Duties	Special leave for public and civic duties will be unpaid, except in the case of being a magistrate, local councillor or Lord Mayor. Employees can take up to 13 days' special leave (9 paid days and 4 unpaid days) in any period of 12 months for the purpose of undertaking official duties as a magistrate or local councillor; and up to 15 days' paid leave to carry out your civic duties as Lord Mayor.
C8 – Parliamentary Candidates	Where possible, employees may take up to 1 month of unpaid special leave to pursue their candidature.

REVIEW DATES AND DETAILS OF CHANGES MADE DURING THE REVIEW

November 2023 - This policy pulls together eight policies into one, with the current special leave policy having 21 areas of leave to navigate; to create a clear and user-friendly document that makes it easier to find the support that is relevant for you.

Key changes to note:

- New leave entitlement for pregnancy loss, premature birth and neonatal care, as well as for foster carers.
- Increased support for bereavement and parental (child) bereavement, including baby loss.
- Revised support for colleagues going through fertility treatment.
- New addition of planned carer's leave, ahead of the Carers Leave Act coming into force in 2024, with a commitment to continue to review the leave entitlement in the coming months.

We recognise and want to embrace the fact that these policies set the tone for the organisation and set out how we expect our managers and colleagues to support each other at some of the most difficult times of their lives. Therefore, within 12 months, there will be further engagement with a wide range of colleagues to get feedback on the effectiveness of the policy, and we will continue to make further improvements to the language and tone to ensure it is as compassionate and inclusive as possible.

KEY WORDS

Adoption; Agile working; Annual leave; Armed forces; Baby; Balancing work and personal life; Bank holidays; Bereavement; Breastfeeding; Employment break; Employment break guidance; Carers leave; Change of hours; Children; Compassionate leave; Cultural Observance; Dependants; Emergency leave; Employment break; Entitlement; Equal Opportunities; Fertility treatment; Flexible working; Foster carers; Job interview; Jury service; Maternity; Medical appointments; Miscarriage; Neonatal care; Other leave; Paid leave; Parental leave; Part-time; Public duties; Pregnancy; Reasonable adjustment; Religious belief; Reserves; Retirement; Shared parental leave; Special leave; Surrogacy; Time off; Time off in lieu; Travel disruption; Unpaid leave; Volunteer; Weather; Work-life balance.

I. INTRODUCTION AND OVERVIEW

The University Hospitals of Leicester (UHL) NHS Trust is committed to improving the experience of everyone working at the Trust; looking after the wellbeing of our colleagues is an integral part of the experience we all have at work.

We recognise that employees face many challenges in balancing their working lives with their commitments and obligations outside of work; this policy aims to support staff in achieving that balance and to ensure every person feels supported during events in their life when they may need time away from work.

II. Policy Scope

This policy applies to permanent and fixed term employees but does not apply to contractors or agency staff.

This policy document includes the HR procedures for managing leave in different circumstances with the exception of sickness and official duties. It applies to all Trust employees on substantive and fixed term contracts with noted exceptions in specific areas where there are different arrangements for medical and dental staff.

There are separate terms and conditions for medical staff which should also be consulted, although the maternity and adoption provisions therein are the same as those in the AfC Handbook.

The policy gives managers the discretion to grant unpaid leave in certain circumstances. Where this is the case employees taking unpaid leave must be advised to contact Transactional Team to seek advice regarding the impact on pension contributions.

This policy has been subdivided into three sections for ease of reference: Work-Life Balance, Family Friendly and Other Special Leave.

In addition, the policy toolkit on INsite provides a range of additional resources including guidelines, tools and templates.

III. Definitions and Abbreviations

Agenda for Change (AFC)	The NHS terms and conditions of employment handbook.
Agile working	The term used to describe how employees can work flexibly from any location. This may include working from home, hot desking at any Trust office and/or its partner organisations or working in a more flexible and dynamic way at a location which is deemed suitable.
Annualised hours	An employee works a specified number of hours over the year but there is flexibility in the pattern of work. This can include both rostered hours, which are set, and unallocated hours, when an employee can be called into work as demand dictates (and to cover unplanned work and employee absence). Payment will usually be in twelve equal instalments.
AW8 Form	NHS Pensions Scheme Retirement Benefits Claim Form.
AW8 Form - supplementary	NHS Pensions Scheme form for partial retirement.
Compressed hours	An employee works their usual full time hours in fewer working days by working longer blocks meaning that there is no reduction in their pay. For example, a 5-day week is compressed into four working days or a 10-day fortnight into 9 working days.

Continuous leave	A period of leave that is taken in one block e.g. 4 weeks' leave.
Curtail	Where an eligible mother brings their maternity/adoption leave and, if appropriate, pay or allowance entitlement to an end early.
Discontinuous leave	A period of leave that is arranged around weeks where the employee will return to work e.g. an arrangement where an employee will work every other week for a period of three months.
EDC	Expected Date of Childbirth: the day the baby is due to be born.
Employment break	Special leave without pay for a specified period of time.
EWC	Expected Week of Childbirth: the week the baby is due to be born.
Flexitime	An employee can choose, within certain limits, when to begin and end work but must work an agreed number of hours during the accounting period (usually 4 weeks/1 month).
General Public Holiday	A recognised bank or public holiday in England and Wales.
Home-working	An employee regularly carries out all, or part of, their duties from home on an occasional basis or a mix of home and office-based work or a full-time arrangement.
HR1 Form	UHL Trust New Starter Form
HR2 Form	UHL Trust Staff Change of Circumstances Form
HR4 Form	UHL Trust Termination Form
HR6 Form	UHL Trust Proposed Retirement Form & is the instruction to payroll to issue AW8 – only applicable for employees completely retiring
Intended parents	A couple receiving a baby through a surrogacy arrangement who intend to apply for parental responsibility for the child (i.e. via a Parental Order).
In-vitro-fertilisation (IVF)	One process of fertilisation which occurs outside of the individual's body. This process can typically take between 4 and 7 weeks.
Job sharing	An arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements.
Kinship Carer	A term used for the raising of children by grandparents, other extended family members, and unrelated adults with whom

	they have a close family-like relationship such as godparents and close family friends because biological parents are unable to do so for whatever reason. Legal custody of a child may or may not be involved, and the child may be related by blood, marriage, or adoption.
KIT Days	'Keep in Touch' days. Up to 10 'keep in touch' days during the maternity/adoption leave period for the employee to be kept abreast of changes, take up training opportunities or attend particular events.
Leave year	The entitlement to paid annual leave and general public holidays is for a pre-determined leave year from 1 April to 31 March inclusive.
MATB1	Maternity certificate confirming the expected week of confinement issued by a GP, Midwife or Health Visitor. This can be issued from around the 21st week of pregnancy.
Match	When an adopter is approved to adopt a named child or children.
Minimum Retirement Age	Minimum Retirement Age for NHS Pension purposes is the age at which colleagues can take voluntary early retirement with reduced benefits (benefits are reduced because the pension is being paid for longer than expected). NEST scheme members cannot take their benefits before reaching State Pension Age.
NEST	National Employment Savings Trust
NHSPS	NHS Pension Scheme
Normal retirement age	Normal retirement age for NHS Pension purposes is the age that colleagues can retire from NHS employment and receive their pension without reduction or enhancement. The actual age depends on the NHS Pension Scheme and Section that the employee is in. For NEST pension scheme members the normal retirement age is State Pension Age.
Occupational Maternity Pay (OMP)	NHS enhanced contractual maternity pay, paid in accordance with the employee's Terms and Conditions of Employment.
OShPP	Occupational Shared Parental Pay
Parental Order	A process which transfers the legal rights from the birth mother to the intended parent when a surrogate is used to have a child. There are various conditions that must be met in order to be eligible for and obtain a Parental Order.
Part-time working	Where an employee is contracted to work fewer than full-time hours.
Pregnancy loss	Includes but is not limited to miscarriage, abortion, ectopic pregnancy, molar pregnancy and embryo transfer loss
Premature/ pre-term birth	Where the birth occurs before the 37th week of pregnancy.

Primary adopter/ intended parent	When couples adopt jointly, they must decide which partner applies for adoption leave (primary adopter). The other partner (secondary adopter) may be entitled to New Parent Support Leave, Shared Parental Leave and Unpaid Parental Leave. The same will apply for intended parents as part of a surrogacy agreement.
Reckonable Service	The amount of NHS Service that will count towards calculating annual leave entitlement. This is aggregated NHS service, regardless of breaks in service and as defined by AFC.
Retirement Age	The Trust does not have a mandatory retirement age.
Retirement Form 1	UHL Trust Application Form for Retirement Gift for those with over 20 years' aggregated NHS service. (Only applicable for employees completely retiring.)
Secondary adopter/ intended parent	As above definition for primary adopter/ intended parent.
Special Guardianship	Special guardianship is a court order which allows parental control over a child by individuals other than the parent. They are usually made to members of the extended birth family or other significant people, such as a child's long term foster carer.
SPLiT Days	Shared Parental Leave Keep in Touch Days.
Statutory Adoption Pay (SAP)	A weekly payment, paid by the employer, on behalf of the government. Pay rates are reviewed by the Government annually.
Statutory Maternity Pay (SMP)	A weekly payment, paid by the employer, on behalf of the Government. Pay rates are reviewed by the Government annually.
Shared Parental Leave (SPL)	Enables eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or after they have first adopted a child.
Statutory amount of annual leave	The amount of leave prescribed in legislation (Working Time Regulations) as the minimum entitlement to annual leave. This is currently 28 days (5.6 weeks) per annum and this figure will be pro-rated for part-time employees.
Statutory Shared Parental Pay (ShPP)	A weekly payment, paid by the employer, on behalf of the Government. Pay rates are reviewed by the Government annually.
Surrogacy	When another individual carries and gives birth to a baby for another individual/couple who want to have a child (intended parent/s).
Surrogate mother	An individual who carries a child as part of an arrangement which was made prior to the pregnancy taking effect and with the intention of the intended parents taking over parental

	responsibility for the child. The surrogate mother is the legal mother of the child (even if not genetically related) unless or until parenthood is legally transferred to the intended parents.
Term-time working	Where an employee reduces their hours or takes time off during any school holidays. Any weeks above their (pro-rated) annual leave entitlement will be unpaid. Salary is paid in twelve equal monthly instalments.
Total Reward Statement	A Total Reward Statement is an online personalised summary that shows details of an employee's full employment package throughout the year including: Basic pay; Allowances; NHS Pension benefits (for NHS Pension Scheme members only); Salary Sacrifice and other benefits. Information on Total Reward statements is available on INsite.

IV. ROLES & RESPONSIBILITIES

The **Chief People Officer,** as Executive Lead, has overall responsibility for the strategic health and wellbeing of the Trust and for ensuring the implementation of this policy.

Corporate and Clinical Directors are responsible for developing a supportive and compassionate culture that considers the differing needs and requirements of our diverse workforce, through leading by example in implementing this policy and any discussions relating to the support of colleagues who need time off work.

Line managers are responsible for showing a compassionate and flexible approach to their staff members when they need time off work, and to follow the processes outlined for individual policies effectively and fairly.

Managers are responsible for ensuring that employees are aware of this policy and are responsible for making timely, fair, and reasonable decisions when they receive requests for leave from their staff, and recording appropriately. This includes the following:

- If paid leave is granted, this should be recorded appropriately on the Smart Absence system / usual reporting procedures. There may also be an agreed departmental process to maintain a local record of leave requests.
- If unpaid leave for 13 days or less is granted, this should also be submitted via the Smart Absence Form (or usual reporting procedures) to ensure that the correct payment is made. There may also be an agreed departmental process to maintain a local record of leave requests.
- If unpaid leave over 13 days is granted, this would need to be submitted to Payroll via a Change (HR2) form to start the leave, and another Change (HR2) form to return the employee from leave in order to confirm when they have actually returned.

- If a request for leave is declined, managers should meet with the staff member to advise them of the decision and discuss whether any other support can be offered (e.g., swapping a shift, taking annual leave, authorised unpaid leave, or considering a flexible working arrangement), and a record of this should be kept locally. In such cases, the focus for the manager should be on having a compassionate conversation and taking a reasonable approach.
- Keeping records of all leave approved or declined, for monitoring purposes.

Managers should also be aware of the potential sensitivity of any special leave request and, in consultation with the individual requesting leave, it may be appropriate to consider whether a management referral to Occupational Health would be beneficial, and to also advise the individual of the support available from Amica (the staff counselling and psychological support services).

Employees are responsible for ensuring they let their manager know if they need to take time off in a timely way, so that appropriate support can be put in place for them, and cover arrangements can be made as needed. Employees may also be required to provide confirmation of appointments etc, as appropriate.

If employees feel they are being treated unfairly in relation to this policy, they should initially raise this with their manager or manager's manager for a timely resolution.

The **People Services team,** including the **Medical Workforce Team** (where applicable), is also available to provide advice and guidance to managers and staff in the application of this policy; they are also responsible for supporting staff and managers to develop a culture of compassion. See INsite for contact details.

Trade Unions / Professional Organisations are responsible for supporting their members and providing them with advice in relation to this policy.

The Occupational Health and Health & Well-being Teams are responsible for promoting the physical and mental wellbeing of Trust's staff, including providing support and guidance to them and managers in the form of medical advice, guidance, support and health promotion.

V. POLICY IMPLEMENTATION

We are committed to looking after our people and improving the experience of working at the UHL for all colleagues, in a compassionate and inclusive way.

This policy has been subdivided into three sections for ease of reference: Work-Life balance, Family Friendly and Special Leave – please see the Contents page for a list of the individual support sections that follow.

Ahead of these sections, please find below a list of various sources of support and sign-posting support available to you, your family and your colleagues.

Support Information for Colleagues:

Internal support at UHL:

Amica is a free, confidential counselling and psychological support service for UHL colleagues, available 24 hours a day through the phone line or by using the website to access therapeutic modules on Silver Cloud. Contact: 0116 254 4388 | www.amica-counselling.uk/contact-us. Text chat support (with a real person) is also available via the Amica website.

Occupational Health Service provides confidential and impartial advice to employees and employers on all aspects of the relationship between work and health. Contact: 0116 258 5307 | oh.lri@uhl-tr.nhs.uk.

Staff Mental Heath and Wellbeing Hub provides proactive outreach and assessment services, giving colleagues rapid access to specialist mental health and wellbeing support, for colleagues who need it. Contact: 0116 254 4388, 24 hours a day | mhwb.hub@nhs.net.

The Chaplaincy Team is available to colleagues and UHL volunteers to provide a confidential listening ear. They provide informal pastoral support rather than formal "counselling". Contact: 01509 564218 | chaplaincy@uhl-tr.nhs.uk.

UHL's "Support Information for Colleagues**"** booklet is available on INsite and is a useful summary of some of the support available now. The booklet can be used for personal support or to direct others towards help they may potentially need.

External support:

AbortionTalk is a charity offering the opportunity to talk about abortion in a non-judgemental and supportive environment: www.abortiontalk.com.

Arc is a national charity offering parents support during antenatal screening and following a termination: https://www.arc-uk.org.

Bliss offers support and information for parents with a baby in neonatal care: https://www.bliss.org.uk.

Blue Cross UK's mission is to reach as many people as possible with compassion and understanding, so that no one goes through the pain of losing a pet alone: 0800 096 6606 8:30am to 8:30om every day | https://www.bluecross.org.uk.

Carers UK is a national charity that provides information, advice, and support for unpaid carers. They offer an online forum and helpline: 0808 808 7777 (Monday to Friday, 9am-6pm) | https://www.carersuk.org.

Child Bereavement UK help children, young people, parents and families to rebuild their lives when a child grieves or when a child dies: 0800 02 888 40 | https://childbereavementuk.org.

Cruse has a helpline to help make sense of how you're feeling following a bereavement: 0808 808 1677 | https://www.cruse.org.uk.

Dying Matters offers guidance on how to talk about dying, death and bereavement: https://www.hospiceuk.org.

Laura Centre is a loss and bereavement charity that is local to Leicester, for when a child dies or is bereaved: https://thelauracentre.org.uk.

Loros provides free, high-quality, compassionate care and support to terminally ill adult patients, their family and carers across Leicestershire & Rutland: https://Loros.co.uk.

Mind provides advice and support to anyone experiencing a mental health problem; they also provide information on bereavement, where to go for support, and suggestions for helping yourself and others through grief: https://www.mind.org.uk.

NHS 111 provides non-emergency medical advice and support, including advice on caregiving and accessing healthcare services: https://111.nhs.uk.

NHS England have a confidential text support service for NHS staff. You can access this by texting 'FRONTLINE' to 85258 for support 24/7, if you find yourself struggling throughout a period of grief.

Petals is an organisation providing specialist counselling services after a pregnancy loss. Whilst they do not provide counselling services themselves, they provide more information on counselling services that are available: www.petalscharity.org.

Samaritans are available if you're having a difficult time or if you're worried about someone else, 24 hours a day, 365 days a year via phone / email / app: call 0116 123 or visit https://www.samaritans.org.

Sands supports anyone affected by the death of a baby before, during or shortly after birth: https://www.sands.org.uk. They also run a helpline 10am - 3pm Monday to Friday and 6pm - 9pm on Tuesday and Thursday evenings: 0808 164 3332.

The Miscarriage Association was founded in 1982 by a group of people who had experienced miscarriage, and continues to offer support and information to anyone affected by the loss of a baby in pregnancy and works to raise awareness and promote good practice in medical care: www.miscarriageassociation.org.uk.

The Silver Line offers a 24/7 helpline for older people who may feel isolated or in need of a friendly chat: 0800 4 70 80 90 / https://www.thesilverline.org.uk.

Tommy's is a charity that funds research into pregnancy problems but also provides information for parents-to-be: www.tommys.org.

Young Minds has a guide for parents to support you if your child has experienced a bereavement or loss: https://www.youngminds.org.uk.

← Go back to Contents (list of areas of support)

A1

PREGNANCY LOSS

← Go back to Contents (list of areas of support)

1. Procedure Statement

We understand that pregnancy loss can be a devastating experience whether it happens to you, your partner or the surrogate having your baby. We know that sadly it is more common than people may think and that the challenges at work are often misunderstood, and we want to ensure all colleagues receive the support they need.

In the sad event that your baby is stillborn after 24 weeks of pregnancy, or your baby only lives for a short time after birth at any stage of pregnancy, please go to dedicated section on Parental (Child) Bereavement Leave.

This section covers the following types of pregnancy loss:

- Miscarriage / late miscarriage – the loss of a pregnancy during the first 23 weeks.
- Ectopic pregnancy – when a fertilised egg develops outside the womb.
- Molar pregnancy – when an abnormal fertilised egg implants in the uterus.
- Embryo transfer loss – when an embryo transfer during fertility treatment does not result in pregnancy.
- Abortion or termination of pregnancy – a medical or surgical procedure to end a pregnancy.

2. Accountabilities

As detailed in the policy, iv: Roles. We would also encourage you to let your manager know as soon as possible if you are affected by pregnancy loss, so that we know what is happening and how we can support you. If you tell your manager about your own experience or your partner's pregnancy loss, they will keep this confidential and won't share this information unless you say it is okay.

If you do not feel like you can speak to your manager, you have Amica (confidential counselling) available to you on 0116 254 4388 24/7 for support. You can also find help and support from the Miscarriage Association.

3. Procedural Detail

All colleagues who have been affected by pregnancy loss are able to take up to two working weeks paid leave, to support them through the traumatic physical and emotional loss.

This includes whether it happens to you, your partner or the surrogate having your baby, regardless of gestation or your length of service.

If a colleague were to unfortunately experience more than one pregnancy loss, this entitlement would apply to each case.

4. Medical appointments

We understand that you may need additional time away from work to attend medical appointments, or to support your partner, and that it may be challenging to arrange appointments around working hours. You are therefore entitled paid time off to attend any appointments (or to accompany your partner/surrogate) relating to pregnancy loss; this includes but is not limited to medical examinations, scans and tests, and mental health related appointments.

5. Returning to work

We know that the experience will affect colleagues differently both emotionally and physically, and that for some the transition back to work may be challenging.

Before you return to work, you may want to consider meeting or talking to your manager so you both have a clear picture of what is expected and manageable, to support you in your return to work.

Managers will deal with any requests to temporarily amend people's duties or working patterns sensitively and supportively. For example, it may be possible to arrange to return to work gradually, perhaps working just mornings initially or a few days a week.

Managers may also do a risk assessment to understand more about how your experience might affect you at work and discuss any adjustments you might need. The reasonable adjustments we can make will depend on your circumstances, but the types of changes that might help could be:

- Providing more breaks
- Adjusting start and finish times
- Adopting hybrid working if you have a suitable role
- Making sure you've got easy access to toilet facilities
- Turning your camera off when on video calls

Once you are back at work, do talk to your manager about your workload; if you find yourself falling behind, don't be afraid to ask for help. Also, let colleagues know what is most helpful to you when you are having a particularly bad day; the more they know what they can do for you, the more comfortable they are likely to be in approaching you and offering their support.

6. Further support

Your manager may encourage you to go to your GP for support if you have not been already, or signpost you to Amica for confidential staff counselling. You can also use the Support Information section towards the front of this policy, which gives various other sources of internal and external support and how to get in touch.

If you have any questions about pregnancy loss leave and pay, you can speak to your manager, or the People Services team is also available for support and advice.

A2

BEREAVEMENT / COMPASSIONATE LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

We want to support our colleagues when someone close to them dies or is seriously ill, and we want everyone to feel able to ask for the support they need.

At UHL, we do not specify the type of relationship required to ask for time off, as we recognise that relationships are dependent on the individual and the situation.

We also know that the death of someone close, or finding out about a terminal diagnosis, can affect people in different ways, and we want to provide the right support to everyone. This is why we support the flexible use of leave, to enable colleagues to choose when they want to use the leave.

If you have suffered the loss of a child, we are truly sorry for your loss – please go straight to the dedicated section on Parental (Child) Bereavement.

If you have experienced pregnancy loss, the Pregnancy Loss section outlines the support available to you.

In the sad event that your baby is stillborn, or your baby only lives for a short time after birth, the Parental (Child) Bereavement section outlines the support available to you.

2. Accountabilities

As detailed in the policy, iv: Roles.

It is important that you contact your manager as soon as possible if you need to take bereavement leave, so that we know what is happening and how we can best support you. If you do not feel able to, then a family member can notify your manager instead if that would help.

3. Procedural Detail

We will usually agree more days of bereavement / compassionate leave when your relationship is really close with the person who has died or is ill and less when you are not as close; it is about the impact on you and what support you need.

Where you lose someone very close to you, you will be supported with up to two working weeks paid leave to support you through this difficult time which will also include those situations where you may have practical / legal responsibilities to undertake.

Leave can be spread out as needed. It does not have to be taken in one episode. For example, you can take all the leave immediately or use some later on for

significant events, like anniversaries or birthdays; you will just need to use it within 56 weeks of their death.

In cases where someone close to you is diagnosed with a terminal illness, leave can also be taken prior to the bereavement if this is appropriate for your situation. We would encourage you to talk to your manager, to work out what will be best for your individual needs.

We will also give you at least one day paid leave if you need to attend a funeral of someone close to you, in addition to any bereavement leave. Sometimes you will just need a day to attend a funeral, but sometimes longer if you need to travel, so let your manager know what you need.

Things may change, so if you need more time off than first agreed then you can talk to your manager about taking annual leave, unpaid leave or making the time up where possible.

4. Culture and diversity

We recognise that people respond to death in different ways, and that we need to be considerate to whether a colleague's religion, belief or culture requires them to observe any particular practices or make special arrangements that will require them to be off work at a particular time.

It is important that you tell your manager as soon as possible if this relates to you, as managers may not always be aware of any such requirements.

Line managers are invited to access a document that is available in the policy toolkit on INsite entitled "Understanding different bereavement practices and how our colleagues may experience grief" to learn more about the different religions and cultures, and how they can then support colleagues experiencing grief or bereavement, noting the cultural differences experienced by our diverse workforce.

Colleagues and managers can also contact the Equality, Diversity and Inclusion (EDI) team for support and advice: equality@uhl-tr.nhs.uk.

5. Return to Work

Bereavement leave is intended to support colleagues in the immediate period around the death of someone close to them. However, we understand that grief does not stop after the end of any bereavement leave, and we will endeavour to continue to support you as much as we can. We know that the process of grief, the natural reaction and adjustment to loss and change, may take a significant time and will be personal to each individual.

We know that the most valuable support is often regular check-ins, ongoing support and flexibility from managers and colleagues.

For some colleagues, we understand a full return to work may not be possible following a bereavement. For example, when your grief is likely to impact on your

ability to perform your role, or where new childcare arrangements have to be made, or the responsibility for the care of a parent has transferred to you. In such instances, it is important that you to talk to your manager in advance.
If you have concerns about your performance at work, do talk to your manager and ask for your help. Your manager may be able to make some adjustments to your role, so that you are supported in your return to the full range of duties and responsibilities that you had prior to your bereavement.

If helpful to you, your manager may agree a phased return to work on a part-time or reduced hours basis where this is practicable. They may also be able to consider alternative duties for you. This would usually be subject to an agreed maximum number of days and would be managed in line with our policy on Flexible Working.

6. Pet loss

We understand the loss of a pet can have a profound impact; for some people, their pet is their one constant in life for many years. In the event that you lose a pet who was a significant and close companion to you, please speak to your manager so that they can offer you support as appropriate. It may be that you need some awareness and understanding from your team members at this difficult time; you may benefit from working flexibly where appropriate or feasible (such as turning your camera off on Teams meetings, working from home, rearranging your diary, or working some time back); this will depend on the impact on you and your individual circumstances. Remember, you are not alone; you can access Amica through work, or you can access free and confidential support from the Blue Cross UK, by phone, email or webchat.

7. Further Support

This is bound to be a difficult time, so remember that your GP can offer support for grief or depression. You can also access support from Occupational Health and Amica. Please have a look at the Support Information section towards the front of this policy, which gives sources of support and how to get in touch.

If you have any questions about bereavement or funeral leave and pay, please speak to your manager in the first instance. The People Services Team is also available for support and advice.

Toolkit includes:	
A2-1	Understanding different bereavement practices and how our colleagues may experience grief

A3

PARENTAL (CHILD) BEREAVEMENT LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

We understand that losing a child is a devastating experience for anyone. If this has happened to you then we are truly sorry for your loss.

If you have suffered a miscarriage (the loss of a pregnancy before 24 weeks), please go to the section dedicated to Pregnancy Loss.

In the sad event that you experience a stillbirth (the loss of a baby from 24 weeks, prior to or during birth) or neonatal loss (the loss of your baby up to 28 days after their birth), the section on Pregnancy and Maternity Leave outlines your entitlement to the same amount of maternity leave and pay as you would have otherwise expected. This is in addition to the time off explained in this section, below.

This section references *child* bereavement, which is regardless of the child's age; it is the fact they are your child that matters. This includes where you have suffered a still birth or neonatal loss, or lost a child under or over the age of 18.

2. Accountabilities

As detailed in the policy, iv: Roles.

If you need to take parental bereavement leave, it is important that you contact your manager as soon as possible so that we know what is happening and how we can best support you. A call or a text is fine, from either you or someone in your family.

3. Child bereavement leave

Any parent who loses a child can take up to four working weeks of paid special leave.

It applies to biological parents, adoptive parents, foster parents, intended parents and anyone who has day-to-day responsibility for a child; where both parents work for the Trust, this leave will apply to both colleagues.

You can choose to use the leave as you want to, just speak to your manager about how you wish to use it:

- You can use it in one go or spread it out, for example you can take all the leave immediately or use some later on for significant events, like anniversaries or birthdays.
- If you are on other family leave – such as maternity or paternity – and want to take parental bereavement leave after this, then you can.

- Leave can usually be taken in blocks of at least a week, but we will always try to be flexible if you want to take a shorter period off at a time.
- You will just need to use the leave within 56 weeks of your child's death.

If you need more time off, you can talk to your manager around the options to support you to do this, including taking annual leave or unpaid leave.

4. Return to Work

We understand that this is a distressing time and that you will need time to adjust and come to terms with what has happened.

When you are ready, your manager will discuss what support we can put in place to support you back to work. We understand it will be challenging for many people coming back to work, and we want to ensure you have appropriate support and adjustments in place as needed. This will be specific to you – it could range from temporary reduced hours or a change of start times, to having someone to regularly check in with you or flexibility around attending meetings in person.

5. Further Support

Please remember your GP can offer support for grief or depression, and you can also contact Occupational Health and Amica who are both available to provide colleagues with support at difficult times. Amica offers confidential staff counselling or advice and can be contacted 24/7 on 0116 254 4388.

Please have a look at the Support Information section towards the front of this policy, which provides a number of sources of support and how to get in touch.

If you have any questions about parental bereavement leave and pay, please speak to your manager in the first instance. Colleagues and managers can also contact the People Services and Equality, Diversity and Inclusion (EDI) teams for support and advice.

Line managers are invited to access a document that is available in the policy toolkit on INsite "Understanding different bereavement practices and how our colleagues may experience grief" to learn more about the different religions and cultures, and how they can then support colleagues experiencing grief or bereavement. This resource will enable line managers to confidently start conversations with colleagues who have experiences a loss, in a more compassionate way as a result of gaining a deeper understanding of the different ways in which our colleagues may experience a bereavement.

Toolkit includes:	
A2-1	Understanding different bereavement practices and how our colleagues may experience grief

A4

PREGNANCY AND MATERNITY LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

This procedure clearly sets out both yours and your manager's responsibilities during periods of pregnancy and your rights to access maternity leave and associated pay.

A variety of forms and letter templates are available in the policy toolkit.

2. Accountabilities

As detailed in the policy, v: Roles.

In addition, line managers must:

- Sign the parental leave application form and send this, along with the original MATB1, to the relevant team:
  - For non-medical staff, this will need to be sent to the Transactional Team (Room G58/59, Block A, Penn Lloyd Building, County Hall, Leicester Road, Glenfield, Leicestershire LE3 8RA)
  - For medical and dental staff, this will need to be sent to the Medical Workforce team (Level 3, Knighton Street Offices, Leicester Royal Infirmary)
- Inform Education & Training that the mandatory training is suspended for the duration of maternity leave (HELMReportingQueries@uhl-tr.nhs.uk).
- Ensure that they are familiar with the Section 4 of this policy.

3. Procedural Detail

3.1 Notification of pregnancy

As detailed within the managers and employee checklists within the policy toolkit (A4-A, A4-B):

- Pregnant employees must notify their line manager about their pregnancy as soon as possible in writing;
- The manager will acknowledge the pregnancy and provide the employee with a copy of this policy or signpost to where this can be located on Insite;
- The manager will complete, alongside the pregnant employee, a maternity/breastfeeding risk assessment (available in the policy toolkit, A4-D) and will review this in partnership as and when required. This document will:
  - Assess risks in the workplace that will affect the health and safety of new and expectant mothers or their babies;
  - Prevent exposure to identified risks through eliminating hazards or implementation of controls to minimise hazards;

- Follow steps to ensure that new and expectant mothers have minimal exposure to such identified risks.

➢ *3.11 Risks identified as a result of the maternity/breastfeeding risk assessment:*

- Where a risk is identified managers need to take advice from the Health and Safety, People Services, Occupational Health and the Health and Wellbeing team in order to consider the options to protect an employee from risk, or if that is not possible to relocate them to another area. This may include:
  - temporarily adjusting the employee's working conditions e.g. adjust hours of work/shifts or place restrictions on certain duties etc.;
  - if it is not reasonable to adjust working conditions, or the employee would not avoid the risk by doing so, then an offer of suitable alternative work must be made, e.g. temporary redeployment, for which the employee will receive their normal rate of pay. Terms and Conditions of employment must be no less favourable than normal. Managers must seek further advice from HR with regard to arrangements and payments for alternative work, which may result in an average salary being applied in certain circumstances.

- Where it is not feasible or reasonable for an employee to be offered suitable alternative work, the employee must be suspended from work on medical grounds with full pay, to protect the health and safety of the mother and child. Approval and authorisation must be sought from the Deputy Chief Operating Officer/Divisional Manager for the area.

- In cases where an employee unreasonably refuses an offer of suitable alternative work, they will **forfeit** the right to paid suspension on medical grounds and will be eligible for unpaid leave until planned maternity leave commences.

3.2 During pregnancy

Pregnant employees are entitled to paid time off when antenatal care falls during normal working hours or scheduled shifts on the advice of a registered medical practitioner or a registered midwife, irrespective of length of service, band or hours of work. Employees may be requested to provide evidence of such appointments. Line managers must therefore accommodate and enable pregnant employees to attend:

- Medical examinations
- Ultrasound scans
- Parent-craft/antenatal classes
- Relaxation classes

Whilst it is appreciated that many expectant mothers do not know which route their feeding journey will take (i.e. breast, bottle or combi feeding), managers are encouraged to confirm to the expectant staff member, prior to maternity leave, that continued breastfeeding upon return to work is feasible and will be supported (see Breastfeeding Procedure for more information).

➢ *3.21 Sickness absence during pregnancy:*

Periods of sickness (non-pregnancy related) during pregnancy shall be dealt with in accordance with the normal attendance management process in line with the Trust's Sickness Absence Management Policy.

Where a pregnant employee has chosen to work beyond the 11th week before the expected week of childbirth (EWC) (usually week 29 of pregnancy) and is absent due to sickness that is unrelated to pregnancy, the period of absence shall be dealt with in accordance with the normal attendance management process in line with the Trust's Sickness Absence Management Policy.

In line with the Equality of Human Rights Commission requirements, episodes of sickness absence due to pregnancy related reasons have a separate process for management. Therefore whilst the episode will continue to be recorded as a period of sickness absence, the episode is discounted from the action triggers. The guidance document for Managing Attendance provides details on the 'Process for pregnancy related sickness absence'.

If an employee is off work ill, or becomes ill, with a pregnancy-related illness during the last four weeks (usually from week 36 of pregnancy) before the EWC, maternity leave will normally commence at the beginning of the 4th week before the EWC or the beginning of the next week after the employee last worked, whichever is the later. Entitlements under the normal sickness provisions shall be suspended. Single days of pregnancy-related illness during this period may be disregarded if the employee wishes to continue working until the maternity leave start date previously notified to the Trust.

3.3 Applying for maternity leave

The employee must submit the maternity leave application form (in the policy toolkit) to their line manager by the 15th week before the EWC (usually week 25 of pregnancy).

All employees are entitled to take 52 weeks maternity leave regardless of length of service with the Trust. Maternity leave is a period of leave made up of 26 weeks ordinary maternity leave and 26 weeks additional maternity leave.

- Employees do not have to take 52 weeks maternity leave but they must take 2 weeks leave after the baby is born.
- Maternity leave can start at any time between 11 weeks before the EWC (usually week 29 of pregnancy) and the EWC, provided the required notice is given.
- Maternity leave can start on any day of the week.

Should an employee wish to take the option of having their maternity pay entitlement spread equally over the period of their maternity leave, they must, together with their line manager, indicate on this on the New Parent Application Form (A4-D) and clarify if they wish to spread it out over nine or 12 months. There is no option to change

once they have made this decision. Employees should also note that they can only spread their occupational maternity pay and not their statutory maternity pay element.

Upon receipt of the completed maternity leave notification form, the Transactional Team or Medical Workforce Team (if applicable) will respond to this within 28 days of Maternity Leave start date, confirming the employee's paid and unpaid maternity leave entitlements, the expected return to work date, and the arrangements for any accrued annual leave.

If an employee wishes to change the commencement date of maternity leave following submission of the maternity leave notification form, at least 28 days' notice must be given, following which the line manager must advise the relevant team (Transactional Team / Medical Workforce Team) of the changes as soon as possible.

Before going on maternity leave, the employee and line manager must discuss and agree any voluntary arrangements for keeping in touch.

Please see Section 4.4 for further information for staff who are on a fixed term contracts or rotational training contracts (including doctors in training).

- *3.31 Surrogacy and Maternity*

Every pregnant employee has the right to 52 weeks maternity leave, therefore an employee who is a surrogate mother continues to be entitled to the full period of maternity leave. What a surrogate does after the child is born does not affect their right to maternity leave. Should the surrogate mother choose not to take the full period of maternity leave, they must ensure that the compulsory two weeks maternity leave is taken immediately after the birth.

'Intended parents' obtaining legal parenthood as part of a surrogacy agreement are not eligible to receive maternity leave and pay, and instead should refer to the sections on Adoption and Surrogacy Leave and Shared Parental Leave for information on leave and pay that they may be eligible to take.

- *3.32 Pre-term Birth*

Where the employee has not commenced maternity leave or is on annual leave and childbirth occurs before the EWC (but after the 11th week before the EWC), maternity leave will commence the day after childbirth.

Where an employee's baby is born before the 11th week before the EWC and the employee has worked during the actual week of childbirth, maternity leave will start on the first day of the employee's absence.

Where an employee's baby is born before the 11th week before the EWC and the employee has been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start the day after the day of birth.

Where an employee's baby is born before the 11th week before the EWC and the baby is in hospital, the employee may, should they so wish, split their maternity entitlement, taking a minimum period of two weeks leave immediately after childbirth and the rest of their leave following their baby's discharge from hospital.

Where the employee's baby is born alive prematurely (i.e. before the 37th week of pregnancy), the employee will be entitled to maternity leave and pay as if their baby was born at full term. In addition, the Trust provides an extended period of leave as outlined in the section on supporting staff with Premature Birth and Neonatal Care.

Any changes to be made to the period of maternity leave that occur due to a pre-term birth must be confirmed to Transactional Team.

➢ *3.33 Annual leave and Bank Holiday entitlement*

In the period between the notification of the employee's pregnancy and the submission of the maternity leave notification form the manager and employee will work together to plan for any annual leave and Bank Holiday entitlement that may need to be taken before/after maternity leave (it is acknowledged that this may be open to some later adaptation however it must be ensured that this is appropriately planned in advance).

Annual leave and Bank Holidays will continue to accrue during the full period of maternity leave.

An employee can only carry over one working week of annual leave into the new leave year therefore employees will be expected to take accrued annual leave exceeding one week prior to commencing maternity leave or when returning from maternity leave (dependent on where in the leave year the maternity leave falls). However, depending on whether the employee's date of commencing and return from maternity leave falls in March or April the manager can agree to the employee carrying forward more than a week.

Where an employee has chosen to reduce their hours on return to work, they must take any accrued annual leave based on previous hours prior to the introduction of the reduced hours.

3.4 Entitlements to maternity pay

Maternity pay is dependent upon length of service with the Trust and any previous NHS employers as indicated in the following chart:

Length of service	Maternity Pay & Benefits
Less than 26 weeks continuous NHS service with the Trust and/or another NHS body.	There is no entitlement to occupational or statutory pay from the Trust. Employees may be able to claim **Maternity Allowance**. An SMP1 form must be issued by Employee Services and presented, with the original

	MATB1 form, to Jobcentre Plus to confirm eligibility.
More than 26 weeks continuous NHS service with the Trust but less than 12 months continuous NHS service at the 15th week before baby is due (usually week 25 of pregnancy) (As declared on the MATB1).	**Statutory Maternity Pay** is paid by the Trust. This is made up of: First 6 weeks at 90% of average weekly earnings Followed by 33 weeks at the standard SMP rate Any additional maternity leave taken after 39 weeks is unpaid.
12 months continuous NHS service with the Trust and/or another NHS body at the beginning of 11th week before the baby is due (usually week 29 of pregnancy) **and the employee IS returning to work for the Trust or another NHS body after maternity (for a minimum of 3 months).**	**NHS Occupational Maternity Pay** is paid by the Trust. This is made up of: First 8 weeks at full pay (inclusive of SMP) Followed by 18 weeks half pay plus standard SMP (provided this does not exceed full pay) Followed by 13 weeks at standard SMP rate only. Any additional maternity leave taken after 39 weeks is unpaid.
12 months continuous NHS service with either the Trust or another NHS body) at 11th week before the baby is due (usually week 29 of pregnancy) **but the employee IS NOT returning to work for the Trust or another NHS body after maternity (for a minimum of 3 months).**	**Statutory Maternity Pay** is paid by the Trust. This is made up of: First 6 weeks at 90% of average weekly earnings Followed by 33 weeks at the standard SMP rate. Any additional maternity leave taken after 39 weeks is unpaid.

NB: A period of 3 months or more outside the NHS constitutes a break in continuous service. SMP is subject to the continuous service rule and earnings rule. Salary sacrifice schemes can affect your eligibility for SMP due to reduced NI contributions.

3.5 During maternity leave

During maternity leave (both paid and unpaid) an employee retains all of their contractual rights except remuneration, which will be as per section 4 below.

A line manager can make reasonable contact with an employee while they are on maternity leave and it will have been agreed in advance on how they wish to be informed. It is important that the manager keeps the member of staff who is on maternity leave informed about developments or changes in the Trust and the ward/department.

- *3.51 Bank work*

Undertaking any work for the Trust (other than the 10 KIT days described at s. 3.54) could result in maternity pay not being payable and may bring the maternity leave period to an end. Substantive members of staff on maternity leave should therefore seek advice from People Services before undertaking any bank shifts or work external to the Trust as this will directly affect maternity pay and leave. Employees

on maternity leave will have the option to return to work earlier than the date initially agreed with their line manager in line with the notification period.

- *3.52 Increments*

An employee on maternity leave will progress through their pay step on the date the pay step is due unless a pay step review meeting has taken place prior to the commencement of maternity leave which confirmed that the required standards for pay progression would not be met. If a pay step review cannot be conducted prior to the pay step date the pay step point should be automatically applied in the individual's absence.

For staff on medical or dental contracts, the general principle will apply that there should be no detriment to pay progression as a result of taking maternity leave.

The maternity leave period will also count for the purposes of any service qualification period for additional annual leave.

- *3.53 NHS Pension Provision/Reckonable Service*

During unpaid periods of maternity leave the employer's NHS pension contributions continue to be paid and Pension Scheme service automatically accrues. However, employees contributions accrue whilst on unpaid leave and will therefore need to be paid (via payroll deduction) upon return to work. On their return employees must discuss and agree arrangements and timescales with Transactional Team.

Employees who do not wish to accrue reckonable service for pension purposes and do not wish to repay contributions, have the opportunity to opt out of the scheme at any time. Forms are available from Transactional Team. It must be stressed that this course of action is not recommended or endorsed by the NHS Pensions Agency or the Trust. This course of action will result in the loss of certain Pension Scheme benefits including Life Benefits and employees are strongly advised to seek further advice from the Pensions Officer in order to fully understand any implications regarding how the above actions will affect their future pension.

- *3.54 Keeping in touch days (KIT days)*

KIT days are intended to facilitate a smooth return to work and allow employees to attend work or training opportunities during the maternity period.

An employee may take up to ten KIT days without bringing their maternity leave to an end. Any days of work will not extend the maternity leave period. This will enable employees on maternity leave to work either continuously or on odd days without bringing an end to their maternity leave and pay.

KIT days are paid at an employee's basic daily rate for hours worked (less appropriate maternity leave payment). Working for part of any day will count as one KIT day. Managers must notify ESR Administration of any KIT days taken, by completing the HR5 form with the employee.

KIT days can be taken at any time during the maternity leave except the first two weeks after the child's birth. KIT days must be mutually agreed between the employee and the employee's line manager.

If you are studying an apprenticeship education programme, and intend to continue some learning as part of your KIT days please do ensure you advise your training provider to ensure your break in learning aligns to your needs.

- *3.55 Pregnancy occurring during maternity leave*

Paid and unpaid maternity leave counts as continuous and qualifying service for subsequent periods of maternity leave. However, qualification for NHS OMP and, or SMP is based on the level of average weekly earnings during the qualifying period. If the average weekly earnings fall below the lower earnings limit for NI purposes during the qualifying period then an employee may not qualify for pay during a subsequent period of maternity leave. Further information must be sought from Transactional Team.

3.6 Returning to work following maternity leave

When an employee wishes to return to work, they must give at least 28 days' notice in writing to their manager who will then inform the ESR Administration Team by completing a HR5 form with the employee.

Employees have the right to return to their original post or where this is not possible, to a suitable alternative position in terms and conditions no less favourable than their original position.

Women who have recently given birth must have paid time off for post-natal care, for example attendance at health clinics. Employees may be requested to provide evidence of such appointments.

It is the line manager's responsibility to ensure that breastfeeding women are provided with suitable facilities for breastfeeding where an employee chooses to continue breastfeeding upon their return to work, please see the section on support for staff breastfeeding for more information. A further maternity/breastfeeding risk assessment will also need to be conducted and considerations made as per section 3 above.

Where flexible working is sought upon return, the employee should open discussions on this with their line manager in good time and in line with the Flexible Working Procedure. The manager must give consideration to staff requests for flexible working in line with the Flexible Working Procedure.

Employees not intending to return to work after maternity leave must forward a resignation letter, in accordance with the appropriate contractual notice, to their line manager to advise them of their intention to terminate their contract of employment.

In order to avoid repayment of NHS OMP, an employee, who has notified the Trust of their intention to return, must return either to the Trust or to an alternative

NHS employer for a period of three months. Failure to return to work will result in the employee being liable to refund any OMP less any SMP received. Where employees find alternative employment with another NHS employer, a copy of the appointment letter for the new post must be submitted within 15 months from the commencement of maternity leave.

- *3.61 Sickness absence following maternity leave*

When an employee is returning following maternity leave and is unable to return to work due to sickness then, at the expiration of maternity leave, the normal attendance management process will apply in line with the Trust's Sickness Absence Management Policy.

- *3.62 Failure to return following maternity leave*

When an employee has failed to return to work on the notified date they will be regarded as being on unauthorised absence, which is unpaid. As such, the employee will be subject to action under the Trust's Disciplinary Policy. Alternatively, where an individual cannot return on the planned return date they may wish to consider extending their maternity leave up to the maximum entitlement if not already used up. They may also wish to consider a period of unpaid parental leave before returning to work, see details below.

4. Other Information

- *4.1 Shared Parental Leave*

SPL enables both parents to share up to 50 weeks of leave and, if eligible, up to 37 weeks of pay. The parents can choose how much of the SPL each of them will take. This excludes the compulsory 2 weeks maternity leave that the birth mother is required to take immediately after the birth. Please refer to the section on Shared Parental Leave for more information.

- *4.2 Unpaid Parental Leave*

An employee may apply to take Unpaid Parental leave immediately after planned maternity leave ends provided they give 8 weeks' notice of their intentions and agree a return date with their manager. In such circumstances please refer to the section on Unpaid Parental Leave.

- *4.3 Employment break*

An employee may decide to take an employment break immediately after their maternity leave ends. Please refer to the section on Employment Breaks. Repayment of any Trust maternity pay will be deferred until the end of the employee's employment break.

- *4.4 Fixed term contracts or training contracts*

Employees subject to fixed term contracts or training contracts which expire after the 11th week before the EWC (usually week 29 of pregnancy) and who satisfy the eligibility conditions for NHS OMP shall have their contracts extended so as to allow them to receive the 52 weeks, which includes paid occupational and statutory maternity pay, and the remaining 13 weeks of unpaid maternity leave.

If there is no right of return to be exercised because the contract would have ended if pregnancy and childbirth had not occurred, the repayment provisions for NHS OMP will not apply.

Employees on fixed term contracts who do not meet the 12 months continuous service conditions may still be entitled to SMP.

Where an employee is on a planned rotation of appointments with one or more NHS employers as part of an agreed programme of training, they shall have the right to return to work in the same post or in the next planned post irrespective of whether the contract would otherwise have ended if pregnancy and childbirth had not occurred. In such circumstances the employees' contract will be extended to enable the practitioner to complete the agreed programme of training.

- *4.5 Rotational Training Contracts (including Doctors in training)*

Where an employee is on a planned rotation of appointments with one or more NHS employers, as part of an agreed programme of training, they shall have the right to return to work after a period of maternity leave in the same post or in the next planned post, irrespective of whether the contract would otherwise have ended if pregnancy and childbirth had not occurred. In such circumstances the employee's contract will be extended to enable the practitioner to complete the agreed programme of training.

To ensure equality of access to these provisions the employee shall be paid, by their current employer, the value of SMP they would have otherwise received if the statutory continuity had not been broken by their change of employer, in the following circumstances:

a. Where an employee changes employer because their training programme has required them to do so, and
b. This means they do not have enough statutory continuous service with their current employer to access SMP, but SMP had they not been required to change employer because of the training programme.

- *4.6 Pregnancy/baby loss*

The Trust is committed to supporting all employees who suffer the loss of a pregnancy/baby, whether it happens directly to them, their partner or their baby's surrogate, regardless of the nature of their loss or their length of service.

The entitlement to leave for those staff who have sadly experienced a pregnancy loss (the loss of a pregnancy during the first 23 weeks) is outlined in the section on supporting staff with Pregnancy Loss.

In the sad event staff are affected by a stillbirth (the loss of a baby from 24 completed weeks, prior to or during birth) or neonatal loss (the loss of a live-born baby from birth and up to 28 days after birth), there is a dedicated section on Parental (Child) Bereavement Leave. The compassionate leave outlined in that section is in addition to their maternity leave entitlement.

- *4.7 Organisational Change*

The Trust is committed to having full and early consultation with staff about any proposed re-organisation. Special provisions apply to staff affected by organisational change during the maternity leave period. Managers must contact People Services for further advice.

5. Further Support

Please utilise the "Responsibilities checklists" for managers and employees overleaf; these are available as individual documents in the policy toolkit.

If you need any further support, the People Services team can offer advice and support.

Toolkit includes:	
A4-A	Responsibilities checklist for managers
A4-B	Responsibilities checklist for employees
A4-C	Maternity / Breastfeeding Risk Assessment
A4-D	Application for Maternity/Adoption/Surrogacy Leave
A4-E	HR5 form

A5

SUPPORTING STAFF WITH PREMATURE BIRTH AND NEONATAL CARE

← Go back to Contents (list of areas of support)

1. Procedure Statement

At UHL, we understand that having a baby born prematurely or poorly is an incredibly worrying time for parents; for those who receive neonatal care in hospital or another agreed care setting, we know it can be for a prolonged period of time.

We know this will be a hugely stressful time and we want ensure you can be with your baby without the worry of whether you have enough leave in place or returning to work before you or your baby is ready.

2. Accountabilities

As detailed in the policy, iv: Roles, in addition to the important steps below.

If you have had your baby early or your baby is poorly, please contact your manager as soon as you are able to, so that we know what is happening and how we can support you.

To apply for leave as outlined below, please submit the Premature Birth / Neonatal Care Leave Notification Form (A5-A in the policy toolkit) to your manager as soon as is reasonably practicable.

Upon receipt of the completed form above, your manager will write to you to confirm the additional periods of leave and any subsequent changes to the previously agreed return to work date.

Managers will be responsible for submitting this leave through the Smart Absence system.

3. Procedural detail

3.1 Premature birth leave

If your baby has been born prematurely (before 37 weeks gestation), we will give you the following time off in addition to your other leave entitlements such as maternity and new parent leave, to ensure can be with your baby in these early days without the worry of having to return to work before you and your baby is ready.

- Mothers who give birth prematurely (before 37 weeks gestation) will have their maternity leave extended by the number of days their baby was born prior to their due date. As maternity leave has to start from the birth, this additional leave will be given as paid special leave at the end of their maternity leave period.
- Primary adopters will have their adoption / surrogacy leave extended by the number of days their baby was born prior to their due date. This additional leave

will be given as paid special leave at the end of their adoption / surrogacy leave period.

- Fathers, partners and/or secondary adopters whose baby has been born prematurely (before 37 weeks gestation) will be given two working weeks paid special leave. This is in additional to any new parent or shared parental leave they may want to take.

3.2 Neonatal Care Leave

If your baby is admitted to hospital within the first four weeks of them being born, and if they have to stay in hospital for seven days or more, we will give you up to 12 weeks of paid special leave.

This leave is intended for the mother of the baby or babies, the father, the mother's partner and the intended parents in a surrogacy arrangement or cases of adoption.

This includes any premature birth leave taken above, but is in addition to other leave entitlements such as maternity leave, adoption and surrogacy leave, shared parental leave, and new parent leave.

In terms of maternity leave, as your maternity leave must start on the day your baby is born, this additional leave will be given as paid special leave at the end of your maternity leave period.

4. Further support

We know that the journey does not end when parents leave neonatal care, with many mothers developing post-natal depression. Remember that your GP can offer support for depression and anxiety. You can also access support from Occupational Health and Amica, both of which provide colleagues with support. You can contact Amica for confidential staff counselling on 0116 254 4388.

Please have a look at the Support Information section towards the front of this policy, which gives sources of support and how to get in touch.

We understand that returning to work can also be a difficult time for parents of premature babies and that babies born too soon can have ongoing medical needs, requiring regular hospital appointments and check-ups. Please talk to you manager if you feel you need a change to your working arrangements to help with this. You can also look at our policy on Flexible Working to see if this might help.

If you have any questions about neonatal care leave or premature birth leave, please speak to your manager in the first instance. People Services can also offer support and guidance.

Toolkit includes:	
A5-A	Premature Birth and/or Neonatal Care Leave Notification Form

A6

ADOPTION AND SURROGACY LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

This procedure sets out yours and your manager's responsibilities during periods of Adoption and Surrogacy Leave and your rights to access this leave and associated pay.

A variety of forms and letter templates are available in the policy toolkit.

2. Accountabilities

As detailed in the policy, iv: Roles.

In addition, line managers must inform Education & Training that the mandatory training is suspended for the duration of adoption / surrogacy leave, by emailing the team at HELMReportingQueries@uhl-tr.nhs.uk.

See section 4 below for further information and for some useful responsibilities checklists for both employees and managers.

3. Procedural detail

3.1 What is Adoption and Surrogacy Leave?

An employee will be entitled to adoption leave if they:

- Adopt a child, or;
- Are an 'intended parent' obtaining legal parenthood of a child as part of a surrogacy arrangement (through application for a parental or adoption order that they expect to be granted).

For the purposes of this procedure, in line with the standard terminology used by the government and the Agenda for Change Terms and Conditions, use of the term 'adoption leave' will refer to 'adoption and surrogacy leave'. In addition, the term 'adopter' used throughout this procedure also refers to 'intended parents' obtaining legal parenthood as part of a surrogacy agreement.

All employees are entitled to take adoption leave regardless of length of service with the Trust, subject to them meeting the legal criteria (detailed below). Employees must give the correct notice and give proof of the adoption or surrogacy.

Employees don't qualify for Statutory Adoption Leave or Pay if they:

- Arrange a private adoption;
- Become a special guardian or kinship carer;
- Adopt a stepchild;
- Adopt a family member or stepchild.

Adoption leave is a period of 52 weeks leave made up of 26 weeks ordinary adoption leave (OAL) and 26 weeks additional adoption leave (AAL).

When couples adopt jointly, they must decide which partner applies for adoption leave (primary adopter). The other partner (secondary adopter) may be entitled to New Parent Support Leave, Shared Parental Leave and Unpaid Parental Leave.

To get adoption leave and statutory adoption pay (SAP), the eligibility criteria need to be met, the correct notice must be given, and proof of the adoption or surrogacy must be provided.

➢ *3.11 Fostering for adoption*

Prospective adopters who have been approved by their adoption agency under a 'concurrent' or 'fostering for adoption' arrangement may choose to start their adoption leave when a fostering placement is made or when the child is matched with them for adoption. Only one set of adoption leave is payable per placement. Receipt of fostering allowances and payments during the fostering phase of placement will not affect any adoption pay payable.

➢ *3.12 During assessment for adoption/period of matching/surrogate pregnancy*

The primary adopter/primary intended parent will be granted time off for:

- Official meetings in the adoption process when they have been matched with a child (adoption arrangements);
- To attend a reasonable number of health-related appointments with the surrogate mother (surrogacy arrangements).

The employee must give reasonable notice of the appointments, unless in exceptional circumstances, and may be requested to provide evidence of such appointments.

➢ *3.13 Evidence of adoption*

Employees are required to provide evidence of adoption. The proof must show the:

Adoptions within the UK

- Name and address of the employee;
- Name and address of the agency;
- Date the child was matched, for example the matching certificate;
- Expected or actual date of placement, for example a letter from the agency.

Overseas Adoptions (in addition to the above information)

- The date of the employee's 'official notification' that they can adopt from overseas;
- The estimated date that the child will arrive in the UK (this must be submitted within 28 days of receiving the 'official notification');

- The actual date the child arrives in the UK (this must be submitted within 28 days of the actual arrival date);
- The requested start date of the leave, and the amount of leave required, (this must be submitted with 28 days' notice);
- The relevant UK authority's official notification confirming that the employee is allowed to adopt;
- Confirmation of the date the child arrived in the UK, for example a plane ticket.

➢ *3.14 Evidence of surrogacy*

Employees are required to provide a written statement ('statutory declaration') to confirm that they:

- Intend to apply for a parental order in the 6 months after the baby's birth;
- Expect the order to be granted (for example, because they do not have any convictions involving children, and the birth mother or father agree to the agreement)

3.2 Applying for adoption leave

The employee must submit the adoption leave application form, along with evidence of the adoption/surrogacy (see below) to their line manager either:

i. At the beginning of the week in which they are notified of being matched with a child for adoption (adoption arrangements), or
ii. By the 15th week before the before the baby's due date (surrogacy arrangements).

Where an employee is adopting from overseas with their partner, they must also complete statutory declaration SC6 (found on gov.uk) which indicates that they choose to take adoption leave and access SAP rather than new parent support leave and SPP. This is because when adopting a child from abroad the partners can choose which of them takes adoption leave and SAP, and which takes paternity leave (new parent support leave) and SPP.

All employees are entitled to take 52 weeks adoption leave regardless of length of service with the Trust. Adoption leave is a period of leave made up of 26 weeks ordinary adoption leave (OAL) and 26 weeks additional adoption leave (AAL).

- Employees do not have to take 52 weeks adoption leave but primary adopters must take two weeks leave after being matched with the child.
- Adoption leave can start:
  - Up to fourteen days before the date the child starts living with the employee (UK adoptions);
  - When the child arrives in the UK or within 28 days of this date (overseas adoptions);
  - The day the child is born or the day after (surrogacy arrangements)
- Adoption leave can start on any day of the week.

Please note that only one person in a couple can take adoption/surrogacy leave, therefore this procedure only applies to either:

i. The primary adopter in the adoption arrangement made by an official adoption agency, or

ii. The primary intended parent in a surrogacy arrangement whereby they commit to applying for a parental or adoption order.

If the employee is the 'other parent' (i.e. not the primary adopter or primary intended parent) then they may be eligible for New Parent Support Leave and/or Shared Parental Leave.

Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

Should an employee wish to take the option of having their adoption pay entitlement spread equally over the period of their adoption leave, they must, together with their line manager, indicate on this on the Application Form (A4-D) and clarify if they wish to spread it out over nine or 12 months. There is no option to change once they have made this decision. Employees should also note that they can only spread their occupational adoption pay and not their statutory adoption pay element.

As soon as reasonably possible the manager will then countersign the completed adoption leave notification form and send this and the evidence of adoption/surrogacy to the relevant team:

- For non-medical staff, this will need to be sent to the Transactional Team (Room G58/59, Block A, Penn Lloyd Building, County Hall, Leicester Road, Glenfield, Leicestershire LE3 8RA);

- For medical and dental staff, this will need to be sent to the Medical Workforce Team, Level 3, Knighton Street Offices, Leicester Royal Infirmary.

Upon receipt of the completed adoption leave notification form the Transactional Team or Medical Workforce Team (if applicable) will respond to this within 28 days confirming the employee's paid and unpaid adoption leave entitlements, the expected return to work date, and the arrangements for any accrued annual leave.

If an employee wishes to change the commencement date of adoption leave following submission of the adoption leave notification form, at least 28 days' notice must be given, following which the line manager must advise Transactional Team of the changes as soon as possible.

Before going on adoption leave, the employee and line manager must discuss and agree any voluntary arrangements for keeping in touch.

Please see section 3.7 for further information for staff who are on a fixed term contracts or rotational training contracts (including doctors in training).

3.3 Annual leave and Bank Holiday entitlement

In the period between the notification of the employee's pregnancy and the submission of the adoption leave notification form the manager and employee will work together to plan for any annual leave and Bank Holiday entitlement that may need to be taken before/after adoption leave (it is acknowledged that this may be open to some later adaptation however it must be ensured that this is appropriately planned in advance).

Annual leave and Bank Holidays will continue to accrue during the full period of adoption leave.

An employee can only carry over one working week of annual leave into the new leave year therefore employees will be expected to take accrued annual leave exceeding one week prior to commencing adoption leave or when returning from adoption leave (dependent on where in the leave year the adoption leave falls). However, depending on whether the employee's date of commencing and return from adoption leave falls in March or April the manager can agree to the employee carrying forward more than a week.

Where an employee has chosen to reduce their hours on return to work, they must take any accrued annual leave based on previous hours prior to the introduction of part time hours.

3.4 Entitlements to Adoption Pay

Adoption pay is dependent upon length of service with the Trust and any previous NHS employers as indicated in the following chart:

Length of service	Adoption and Pay Benefits
Less than 26 weeks continuous NHS service with the Trust and/or another NHS body by: - The week they are matched with a child (adoption arrangements), or - The 15th week before baby is due (usually week 25 of pregnancy) (surrogacy arrangements)	Leave is unpaid by the Trust. Employees may find out about other financial support which might be available to adopters from Job Centre Plus.
More than 26 weeks continuous NHS service but less than 12 months continuous NHS service by: - The week they are matched with a child (adoption arrangements), or - The 15th week before baby is due (usually week 25 of pregnancy), as declared on the MATB1 (surrogacy arrangements)	**Statutory Adoption Pay** is paid by the Trust. This is made up of: First 6 weeks at 90% of average weekly earnings Followed by 33 weeks at the standard SAP rate. Any additional adoption leave taken after 39 weeks is unpaid.

12 months continuous NHS service with the Trust and/or another NHS body by: - The week they are matched with a child (adoption arrangements), or - At the beginning of the 11th week before the baby is due (usually week 29 of pregnancy) (surrogacy arrangements) **and the employee <u>is</u> returning to work for the Trust or another NHS body after adoption leave (for a minimum of 3 months).**	**NHS Occupational Adoption Pay** is paid by the Trust. This is made up of: First 8 weeks at full pay (inclusive of SAP) Followed by 18 weeks half pay plus standard SAP (provided this does not exceed full pay) Followed by 13 weeks at standard SAP rate only. Any additional adoption leave taken after 39 weeks is unpaid.
12 months continuous NHS service with either the Trust or another NHS body by: - The week they are matched with a child (adoption arrangements), or - At the beginning of the 11th week before the baby is due (usually week 29 of pregnancy) (surrogacy arrangements) **but the employee <u>IS NOT</u> returning to work for the Trust or another NHS body after adoption leave (for a minimum of 3 months).**	**Statutory Adoption Pay** is paid by the Trust. This is made up of: First 6 weeks at 90% of average weekly earnings Followed by 33 weeks at the standard SAP rate. Any additional adoption leave taken after 39 weeks is unpaid.

NB: A period of 3 months or more outside the NHS constitutes a break in continuous service. SAP is subject to the continuous service rule and earnings rule. Salary sacrifice schemes, such as childcare vouchers, can affect your eligibility for SAP due to reduced NI contributions

3.5 During Adoption Leave

During adoption leave (both paid and unpaid) an employee retains all of their contractual rights except remuneration, which will be as per section 3.6.

A line manager can make reasonable contact with an employee while they are on Adoption Leave and it must be agreed in advance how they wish to be contacted. It is important that the manager keeps the member of staff who is on Adoption Leave informed about developments or changes in the Trust and the ward/department.

- *<u>3.51 Bank or external work</u>*

Undertaking any work for the Trust (other than the 10 KIT days described at s. 3.54) could result in adoption pay not being payable and may bring the adoption leave period to an end. Substantive members of staff on adoption leave should therefore seek advice from People Services before undertaking any bank shifts or work external to the Trust as this will directly affect adoption pay and leave. Employees on

adoption leave will have the option to return to work earlier than the date initially agreed with their line manager in line with the notification period.

- *3.52 Increments*

An employee on adoption leave will progress through their pay step on the date the pay step is due unless a pay step review meeting has taken place prior to the commencement of adoption leave which confirmed that the required standards for pay progression would not be met. If a pay step review cannot be conducted prior to the pay step date the pay step point should be automatically applied in the individual's absence.

For staff on medical or dental contracts, the general principle will apply that there should be no detriment to pay progression as a result of taking adoption leave.

The adoption leave period will also count for the purposes of any service qualification period for additional annual leave.

- *3.53 NHS Pension Provision/Reckonable Service*

During unpaid periods of adoption leave the employer's NHS pension contributions continue to be paid and Pension Scheme Service automatically accrues. However, employee's contributions accrue whilst on unpaid leave and will therefore need to be paid (via payroll deduction) upon return to work. On their return employees must discuss and agree arrangements and timescales with Transactional Team.

Employees who do not wish to accrue reckonable service for pension purposes and do not wish to repay contributions, have the opportunity to opt out of the scheme at any time. Forms are available from Transactional Team. It must be stressed that this course of action is not recommended or endorsed by the NHS Pensions Agency or the NHS Trust. This course of action will result in the loss of certain Pension Scheme benefits including Life Benefits and employees are strongly advised to seek further advice from the Pensions Officer in order to fully understand any implications regarding how the above actions will affect their future pension.

- *3.54 Keeping in touch days (KIT days)*

KIT days are intended to facilitate a smooth return to work and allow employees to attend work or training opportunities during the adoption leave period.

An employee may take up to ten KIT days without bringing their adoption leave to an end. Any days of work will not extend the adoption leave period. This will enable employees on adoption leave to work either continuously or on odd days without bringing an end to their adoption leave and pay.

KIT days are paid at an employee's basic daily rate for hours worked (less appropriate adoption leave payment). The manager will complete the KIT form and send directly to the ESR team.

KIT days can be taken at any time during the adoption leave except the first 2 weeks after the child's placement. KIT days must be mutually agreed between the employer and the employee's line manager.

3.6 Returning to work following adoption leave

When an employee wishes to return to work, they must give at least 28 days' notice in writing to their manager who will complete the relevant paperwork to return the employee from adoption leave.

If an employee chooses to extend their return to work date they must provide the Trust with eight weeks' notice (this notice must be given eight weeks prior to the original date of return).

Employees have the right to return to their original post or where this is not possible, to a suitable alternative position in terms and conditions no less favourable than their original position.

Where flexible working is sought upon return, the employee should open discussions on this with their line manager in good time and in line with the Flexible Working Procedure. The manager must give consideration to staff requests for flexible working in line with the Flexible Working Procedure.

Employees not intending to return to work after adoption leave must forward a resignation letter, in accordance with the appropriate contractual notice, to their line manager to advise them of their intention to terminate their contract of employment.

In order to avoid repayment of NHS OAP, an employee, who has notified the Trust of their intention to return, must return either to the Trust or to an alternative NHS employer for a period of three months. Failure to return to work will result in the employee being liable to refund any OAP less any SAP received. Where employees find alternative employment with another NHS employer, a copy of the appointment letter for the new post must be submitted within 15 months from the commencement of adoption leave.

- *3.61 Sickness absence following adoption leave*

When an employee is returning following adoption leave and is unable to return to work due to sickness then, at the expiration of adoption leave, the normal attendance management process will apply in line with the Trust's Sickness Absence Management Policy.

- *3.62 Failure to return following adoption leave*

When an employee has failed to return to work on the notified date, they will be regarded as being on unauthorised absence, which is unpaid. As such, the employee will be liable to action under the Trust's Disciplinary Policy. Alternatively, where an individual cannot return on the planned return date they may wish to consider extending their adoption leave up to the maximum entitlement if not already

used up. They may also wish to consider a period of unpaid parental leave before returning to work, see details below.

3.7 Other Information

➢ *3.71 Fixed Term Contracts or Training Contracts*

Employees subject to fixed term contracts or training contracts which expire after the 11th week before the date of matching, or the 15th week before the EWC if applying via surrogacy agreement and who satisfy the eligibility conditions for NHS OAP shall have their contracts extended so as to allow them to receive the 52 weeks, which includes paid occupational and statutory adoption pay, and the remaining 13 weeks of unpaid adoption leave.

If there is no right of return to be exercised because the contract would have ended if adoption had not occurred, the repayment provisions for NHS OAP will not apply.

Employees on fixed term contracts who do not meet the 12 months continuous service conditions may still be entitled to SAP.

➢ *3.72 Rotational Training Contracts (including Doctors in training)*

Where an employee is on a planned rotation of appointments with one or more NHS employers, as part of an agreed programme of training, they shall have the right to return to work after a period of adoption leave in the same post or in the next planned post, irrespective of whether the contract would otherwise have ended if pregnancy and childbirth had not occurred. In such circumstances the employee's contract will be extended to enable the practitioner to complete the agreed programme of training.

To ensure equality of access to these provisions the employee shall be paid, by their current employer, the value of SAP they would have otherwise received if the statutory continuity had not been broken by their change of employer, in the following circumstances:

a. Where an employee changes employer because their training programme has required them to do so, and
b. This means they do not have enough statutory continuous service with their current employer to access SAP, but SAP had they not been required to change employer because of the training programme.

➢ *3.73 Adoption disruption*

Should the adoption break down ("be disrupted") the employee will be entitled to continue their adoption leave and receive the appropriate payment for that time.

➢ *3.74 Pre-term Birth for Intended Parents via Surrogacy*

Where the employee's baby is born alive prematurely (i.e. before the 37th week of pregnancy), the primary adopter will be entitled to adoption leave and pay as if their

baby was born at full term. In addition, the Trust provides an extended period of leave as outlined in the section on Supporting Staff with Premature Birth.

Any changes to be made to the period of leave that occur due to a pre-term birth must be confirmed to Transactional Team.

➢ *3.75 Pregnancy/baby loss for Intended Parents via Surrogacy*

The Trust is committed to supporting all employees who suffer the loss of a pregnancy/baby, whether it happens directly to them, their partner or their baby's surrogate, regardless of the nature of their loss or their length of service.

The entitlement to leave for those staff who have sadly experienced a pregnancy loss (the loss of a pregnancy during the first 23 weeks) is outlined in the section on supporting staff with Pregnancy Loss.

In the sad event staff are affected by a stillbirth (the loss of a baby from 24 completed weeks, prior to or during birth) or neonatal loss (the loss of a live-born baby from birth and up to 28 days after birth), there is a dedicated section on Parental (Child) Bereavement Leave. The compassionate leave outlined in that section is in addition to their adoption leave entitlement.

➢ *3.76 Organisational Change*

The Trust is committed to having full and early consultation with staff about any proposed re-organisation. Managers must contact the HR Department for further advice.

4. Further Support

If you have any questions regarding Adoption / Surrogacy Leave, further support is available from your manager or from the People Services Team.

This policy also has sections on Shared Parental Leave, Unpaid Parental Leave, Flexible Working and Employment Breaks.

Toolkit includes:	
A4-D	Application for Maternity/Adoption/Surrogacy Leave
A6-B	Responsibilities checklist for managers
A6-C	Responsibilities checklist for employees

A7

SHARED PARENTAL LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

Shared Parental Leave can give parents more flexibility in how they share the care of their child in the first year following birth, adoption or surrogacy.

Parents can share up to 50 weeks of leave and up to 37 weeks of pay and choose to take the leave and pay in a more flexible way (each parent can take up to 3 blocks of leave, interspersed with periods of work).

Eligible parents can be off work together for up to 6 months or alternatively stagger their leave and pay so that one of them is always at home with their baby in the first year.

There may also be an entitlement to some Shared Parental Pay; below sets out the statutory rights and responsibilities of colleagues who wish to take statutory Shared Parental Leave (SPL), Statutory Shared Parental Pay (ShPP) and Occupational Shared Parental Pay (OShPP).

Forms and letter templates are available in the policy toolkit.

2. Accountabilities

As detailed in the policy, iv: Roles.

3. Procedural detail

Parents do not have to work for the same employer to be entitled to take SPL and there is no requirement for employers to contact one another to make checks on the eligibility criteria or declarations.

The policy applies both to birth and adoptive parents.

3.1 What is Shared Parental Leave?

SPL provides an opportunity for eligible parents to take advantage of additional flexibility in the way they choose to care for a new arrival to the family. It allows parents to share caring responsibilities evenly or have one parent taking the main caring role, depending on their preferences and circumstances. Unlike maternity/adoption leave, eligible employees can stop and start their SPL and return to work between periods of leave with each eligible parent able to submit three notices booking periods of blocked leave.

The amount of leave available is calculated using the mother's entitlement to maternity/adoption leave, which allows them to take up to a maximum of 50 weeks'

leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

Employers and employees will find that having early conversations regarding leave intentions will be beneficial, enabling them both to be clear regarding the entitlement, what leave arrangements are being considered and how any leave will be accommodated.

3.2 What happens to Maternity/Adoption/Paternity Leave?

Parents will remain entitled to take maternity, paternity and adoption leave. However, an eligible mother or adopter may now choose to reduce their maternity/adoption leave early and opt in to SPL. Paternity leave must be taken first followed by SPL.

A birth mother must take at least two weeks maternity leave following the birth of a child (four weeks for manual work in a factory environment) but can otherwise choose to end her maternity leave at any stage from thereafter. An adopter can end their adoption leave once they have taken it for two weeks.

3.3 The Shared Parental Leave process at a glance

The flowchart below describes the process of shared parental leave in a series of steps as recommended by ACAS Shared Parental Leave.

(ACAS Shared Parental Leave: a good practice guide for employers and employees.)

3.4 The Shared Parental Leave eligibility criteria

A mother can only share her leave with **one** other person. To trigger the right to SPL for one or both parents, the mother must:

- have a partner;
- be entitled to maternity/adoption leave; or to statutory maternity/adoption pay or maternity allowance (if not eligible for maternity/adoption leave);
- Have curtailed, or given notice to reduce, their maternity/adoption leave, or their pay/allowance (if not eligible for maternity/adoption leave).

A parent who intends to take SPL must:

- be an employee;
- share the primary responsibility for the child with the other parent at the time of the birth or placement for adoption;
- Have properly notified their employer of their entitlement and have provided the necessary declarations and evidence.

Shared parental leave and pay can be taken at any time within one year from the birth or placement for adoption, providing two weeks' compulsory maternity or adoption leave has been taken first.

Sometimes only one parent will be eligible. For example a self-employed parent will not be entitled to SPL themselves but they may still pass the employment and earnings test so their partner, if they are an employee, may still qualify.If both parents are employees and meet the qualifying requirements then there will be a joint entitlement. The parents will have to decide how to divide the leave entitlement once the mother/adopter has decided to curtail their maternity/ adoption leave

An employee working full-time or part-time will be entitled to paid and unpaid shared parental leave under the NHS occupational shared parental leave and pay scheme if:

1. they have 12 months' continuous service at the beginning of the 11th week before the expected week of childbirth, or at the beginning of the week in which they are notified of being matched with a child for adoption, or by the 15th week before the baby's due date if applying via a surrogacy arrangement;
2. they notify their employer of their wish to take shared parental leave and provide a minimum of eight weeks' notice, through the submission of a booking notification form or other local process, which will confirm:
    a. their intention to take shared parental leave;
    b. the date(s) they wish to access shared parental leave (noting that two weeks compulsory maternity or adoption leave must be taken by the mother or primary adopter before they can access shared parental leave);
    c. that they intend to return to work with the same or another NHS employer for a minimum period of three months after their shared parental leave has ended;

d. that the mother or primary adopter has returned to work following maternity or adoption leave, or has provided the binding notice confirming that they intend to bring their maternity or adoption leave and pay entitlements to an early end.
e. In addition, a parent wanting to take SPL is required to satisfy the 'continuity of employment test' and their partner must meet the 'employment and earnings test'

- *Continuity of Employment test*

The individual has worked for the same employer for at least 26 weeks at the end of the 15th week before the child's expected due date/matching date and is still working for the same employer at the start of each leave period.

- *Employment earnings test*

In the 66 weeks leading up to the baby's expected due date/matching date matching date, the person has worked for at least 26 weeks and earned an average of at least £30 (as of 2018) a week in any 13 weeks.

If both parents are employees and both meet the qualifying requirements then there will be a joint entitlement and the parents will have to determine how to divide the leave entitlement once the mother has decided to curtail their maternity/adoption leave.

3.5 Shared Parental Pay

A mother, subject to certain criteria, will be entitled to statutory maternity pay/ adoption pay/Maternity Allowance for up to 39 weeks. If the mother gives notice to reduce their entitlement before they will have received it for 39 weeks then any remaining weeks could become available as Sop and ShPP.

Eligible employees will be entitled to claim up to 37 weeks of statutory shared parental leave pay (ShPP), less any weeks of statutory maternity pay, maternity allowance or statutory adoption pay that has already been claimed by either partner. ShPP can be claimed following the birth or placement of the child, but not at the same time as the compulsory two weeks of leave following the birth or placement of the child. ShPP is paid at a rate set by the government each year.

Where an employee intends to return to work for a minimum of 3 months after a period of shared parental leave, the maximum joint entitlement of an eligible couple to occupational shared parental pay will be as set out as per below. The maximum entitlement will only apply where either parent has not already received statutory or occupational maternity pay or statutory or occupational adoption pay in respect of the child. Where such pay (excluding pay during the compulsory two-week maternity/adoption leave period) has been received by either parent, the maximum joint entitlement set out below will reduce proportionate to the amount of maternity or adoption pay which has either been taken and paid to either parent, or notified as intending to be taken by either parent.

3.6 Occupational Share Parental Pay (OShPP)

If an employee meets the continuous service and eligibility criteria as specified in 3.4 above, OshPP is payable as follows:

i) for the first six weeks of absence the employee will receive full pay. Full pay is inclusive of any ShPP. The total receivable cannot exceed full pay;
ii) for the next 18 weeks of absence the employee will receive half of full pay plus any ShPP. The total receivable cannot exceed full pay;
iii) for the next 13 weeks, the employee will receive any ShPP that they are entitled to under the statutory scheme.
iv) for the final 13 weeks, the employee will receive no pay.

Information on the current statutory rate for ShPP can be found at www.acas.org.uk/spl If both parents qualify for ShPP they must decide how it will be divided, and they must each inform their employer of their entitlement.

To qualify for ShPP an employee needs to have met the 'continuity of employment test' and their partner must meet the 'employment and earnings test', just like SPL. In addition, the employee must also have earned above the 'Lower Earnings Limit' in the eight weeks leading up to and including the 15th week before the child's due date/matching date and still be employed with the same employer at the start of the first period of ShPP.

If an employee's employment comes to an end while they are still entitled to some ShPP then any remaining weeks will usually remain payable unless they start working for someone else. This changes each April, for the current rate, go to www.acas.org.uk/spl

3.7 Employees with less than 12 months' continuous service

If an employee does not meet the 12 months continuous service criteria as outlined in 3.4 but meets the Continuity of Employment test and the Employment Earnings test will be eligible for ShPP.

If an employee's earnings are too low for them to qualify for Shared Parental Pay they should be advised to claim maternity allowance (if applicable) or any other possible benefits from their local Job Centre Plus. Information on maternity allowance is available on the government website https://www.gov.uk/maternity-allowance.

All employees have a right to take 52 weeks of shared parental leave whether or not they return to NHS employment.

3.8 Claiming Shared Parental Pay

If either the mother or partner wishes to claim ShPP then the mother must also give notice to reduce or end their maternity/adoption pay or allowance entitlement.
If the employee intends to claim ShPP, they must give their employer notice, which must include:

- how much ShPP both parents are entitled to take
- how much ShPP each parent intends to take
- when they expect to take ShPP
- a declaration from the employee's partner confirming their agreement to the employee claiming their amount of ShPP

3.9 Notification booking leave

An employee is entitled to submit three separate notices to book leave, although an employer can allow them more. This means that an employee could book three separate periods of leave during the child's first year in the family. Any variation to booking leave already booked will, in most circumstances, count as one of the three notices

A notice to book SPL must be submitted at least eight weeks before any period of leave would begin. It must be in writing, dated and clearly set out what leave the employee intends to take.

3.10 SPLIT days

During SPL an employee and employer will be able to agree up to 20 Shared Parental Leave in Touch (SPLIT) days. There is no obligation on an employer to offer these days or for an employee to agree to them. SPLIT days can be used in situations where both parties feel it would be beneficial for the employee to attend a work-related activity, for example a training session or a team meeting, or to work part of a week to help the employee return to their role in a gradual way.

Any SPLIT days worked whilst on SPL will be paid at normal contractual pay and offset against any ShPP a staff member would have received for that week against that total.

3.11 Returning to work after Shared Parental Leave

When an employee returns to work following a period of SPL they are entitled to return to the same job if their combined leave period (comprising of maternity/paternity/adoption and shared parental leave) totalled 26 weeks or less. This is unaffected by unpaid parental leave of up to four weeks.

In the case where the number of weeks of maternity/paternity/adoption and SPL exceeds 26 weeks in aggregate, or the total number of unpaid parental week exceeds four weeks, an employer must allow an employee to return to the same job unless it is not reasonably practicable, in which case they must offer a suitable and appropriate job on terms and conditions that are no less favourable.

3.12 Fixed-term contracts or training contracts

Employees subject to fixed-term or training contracts which expire after the 11th week before the expected week of childbirth, or the date of matching, or the 15th week before the baby's due date if applying via a surrogacy arrangement, and who satisfy the relevant conditions in paragraphs 5.4.4 (i) (ii) (iii) shall have their contracts extended so as to allow them to receive the 52 weeks, which includes paid shared parental pay, and the remaining 13 weeks of unpaid shared parental leave.

If there is no right of return to be exercised because the contract would have ended if pregnancy and childbirth / adoption / shared parental leave had not occurred or been taken, the repayment provisions will not apply.

Employees on fixed-term contracts who do not meet the 12 months' continuous service condition set out in 3.4 may still be entitled to Statutory Shared Parental Pay.

3.13 Rotational training contracts

Where an employee is on a planned rotation of appointments with one or more NHS employers, as part of an agreed Programme of training, they shall have the right to return to work after a period of shared parental leave in the same post or in the next planned post, irrespective of whether the contract would otherwise have ended if shared parental leave had not occurred. In such circumstances the employee's contract will be extended to enable the practitioner to complete the agreed Programme of training.

To ensure equality of access to the provisions;

a. where an employee changes employer because their training Programme has required them to do so, and
b. this means they do not have enough statutory continuous service with their current employer to access statutory shared parental pay, but
c. they would have had sufficient statutory continuous service to access statutory shared parental pay had they not been required to change employer because of the training Programme

The employee shall be paid, by their current employer, the value of statutory shared parental pay they would have otherwise received if their statutory continuity had not been broken by their change of employer.

4. Other considerations

4.1 Pay Progression

An employee on shared parental leave will progress through their pay step on the date the pay step is due unless a pay-step review meeting has taken place prior to the commencement of leave which confirmed that the required standards for pay progression would not be met.

4.2 Annual leave during Shared Parental Leave

Just like maternity, adoption and paternity leave employees still accrue annual leave while on SPL. The employee should try to take annual leave within their leave year wherever possible.

4.3 Early birth

If the child is born before their expected due date and the employee had booked to take SPL within the first eight weeks of the due date, they may take the same period of time off after the actual birth without having to provide eight weeks' notice, by submitting a notice to vary their leave as soon as is reasonably practicable. Unlike most other variation notices, this would not count as one of the employee's three notifications.

Any leave arranged after the first eight weeks of the due date is still bound by the eight-week notice required to vary leave.

If the child is born more than eight weeks before their expected due date and the notice of entitlement to SPL and/or a notice to book SPL have not yet been given, then there is no requirement to give eight weeks' notice before the period of leave starts. The notices should be given as soon as is reasonably practicable after the actual birth to their line manager who will then inform the Transactional Team.

4.4 Death of the child before or during birth, or within the first year

Should the child die before the parents have submitted a notice of entitlement to take SPL then they cannot opt into SPL because a qualifying condition is caring for a child. The mother will remain entitled to maternity leave and the mother's partner could still qualify for statutory paternity leave.

If the parents have opted into SPL and they have booked leave, they will still be entitled to take the booked leave. No further notice for booking leave can be submitted and only one variation notice can be given to reduce a period of leave or to rearrange a discontinuous leave arrangement into a single block of leave.

An employee who is absent on SPL may cancel agreed SPL and return to work by giving their employer eight weeks' notice of their return to work.

4.5 Partner no longer caring for the child

If the circumstances of an employee who has booked SPL change so that they will no longer be responsible for caring for the child (unless it is because the child has died), their entitlement to both SPL and ShPP will immediately cease and they must tell their line manager.

If the employee has any SPL arranged within eight weeks of their entitlement ceasing, their employer can still require them to take it as SPL if it is not reasonably practicable for the employer to have their employee in work, for example because

cover has been arranged. Any weeks of SPL arranged after eight weeks of their entitlement ceasing must be cancelled.

If the remaining parent will be continuing to care for the child then they will still be eligible to take their SPL entitlement. If the other parent, who is no longer caring for the child had any SPL leave entitlement outstanding, the remaining parent will only be able to transfer it into their own entitlement if they can get the signed agreement of the other parent to a notice confirming a variation of leave entitlement.

4.6 Death of a parent during the child's first year

If either parent dies or the other parent is taking, or is entitled to SPL then they will continue to be eligible. Any SPL that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for SPL.

Should it be necessary for the other parent to take a further period of SPL or to vary pre-agreed leave then notice may be given as soon as is reasonably practicable if eight weeks' notice cannot be given. If they have already given three notices to take leave they must be allowed to submit one further notice to book/amend SPL.

4.7 Multiple births/adoptions

An employee is not entitled to extra SPL or ShPP if they are expecting more than one child. The entitlements are, like maternity leave, the same as if the employee was expecting one child. This also applies to multiple adoptions that occur in a single placement.

5. Further support

If you have any questions regarding Shared Parental Leave, further support is available from your manager or from the People Services Team.

There is also a policy toolkit available on INsite with the following documents:

Toolkit includes:	
A7-A	Shared parental leave form for maternity
A7-B	Shared parental leave form for adoption

A8

NEW PARENTAL SUPPORT LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

New Parent Support Leave (NPSL) is granted to the father of the child (including adoptive fathers), the mother/primary adopter's spouse or partner or nominated carer following the birth or adoption of a child or in order to care for the child and/or support the mother/primary adopter.

Forms and letter templates are available in the policy toolkit.

2. Accountabilities

As detailed in the policy, iv: Roles.

3. Procedure Detail

3.1 Entitlement to New Parent Support Leave

All employees, irrespective of length of service within the Trust, are entitled to two weeks NPSL provided that they are taking time off to look after the child/support the mother or primary adopter, and be one of the following:

- the biological father of the child;
- the mother/primary adopter's spouse or partner (whether opposite or same sex) or nominated carer;
- one of the child's adopter – proof of adoption must be given e.g. letter from the adoption agency or the matching certificate. (Please note that NPSL is not available in circumstances where a child is not newly matched for adoption, for example fostering prior to adoption or when a step parent is adopting a partner's child);
- one of the intended parents in a surrogacy arrangement – the employee must provide a written statement to confirm that they intend to apply for a parental order in the six months after the baby's birth.

If the employee is the primary adopter or primary intended parent then they may be eligible for Adoption and Surrogacy Leave.

3.2 Planning New Parent Support Leave

An employee is required to submit the NPSL notification form to their manager either:

I. by the 15th week before the before the baby's due date (usually week 25 of pregnancy - pregnancy or surrogacy arrangements), or
II. within seven days of being matched with a child for adoption (adoption arrangements).

As soon as reasonably possible following receipt, the line manager will countersign the completed NSPL notification form and send this to the relevant team:

- For non-medical staff, the notification form should be sent to HR Transactional Team;
- For medical staff, e.g. Doctors, the notification form should be sent to the Medical Workforce Team.

Whilst it would be preferable, employees do not have to indicate on their notification form a precise date of when they want their leave to start (for example 1st February), however they must give a general indication such as the day of the birth or one week after the birth with 28 days' notice. An employee may change their mind about when they wish to start NPSL giving reasonable notice.

NPSL can start at any time during the first 52 weeks of the birth or placement of the child for adoption.

If adopting from overseas, the earliest date that NPSL can begin is the date on which the child enters the UK. NPSL may be taken up to 52 weeks from the date on which the child enters the UK.

In the case of a protracted delivery, emergency leave can be requested up to the time when the baby is born in line with Leave for Carers, Emergencies and Bereavement.

The period of NPSL can split into two non-consecutive periods of leave of a week each.

In cases of multiple births or adoption of multiple children, the entitlement for NPSL remains a single two week period (taken as one week at a time or altogether.

Once known, the line manager must confirm the actual date of birth/placement to the relevant team.

➢ *3.21 Pre-term Birth*

Where the employee's baby is born alive prematurely (i.e. before the 37th week of pregnancy), the employee will be entitled to NPSL as if their baby was born at full term. In addition, the Trust provides an extended period of leave as outlined in the section Supporting Staff with Premature Birth.

Any changes to be made to the period of leave that occur due to a pre-term birth must be confirmed to Transactional Team or Medical Workforce Team (if applicable).

3.3 Entitlement to New Parent Support Pay

New Parent Support pay is dependent upon length of service with the Trust and any previous NHS employers as indicated in the following chart:

Length of service	New Parent Support Pay & Benefits
Less than 26 weeks continuous NHS service with the Trust and/or another NHS body by: - The 15th week before baby is due (usually week 25 of pregnancy), as declared on the MATB1 (pregnancy and surrogacy arrangements), or - The end of the week they are matched with a child (UK adoption arrangements), or - The date the child enters the UK or when they want pay to start (overseas adoption arrangements) Plus they continue to be employed by UHL without a break up to the date the child is born or placed for adoption	**NHS New Parent Support Pay** is paid by the Trust for the first 3 day. This is at full pay (inclusive of SPP). The remaining days are to be taken as unpaid leave.*
More than 26 weeks continuous NHS service with the Trust but less than 12 months continuous NHS service by: - The 15th week before baby is due (usually week 25 of pregnancy), as declared on the MATB1 (pregnancy and surrogacy arrangements), or - The end of the week they are matched with a child (UK adoption arrangements), or - The date the child enters the UK or when they want pay to start (overseas adoption arrangements) **AND** earn at least £120 a week (before tax)	**NHS New Parent Support Pay** is paid by the Trust for the first 3 day. This is at full pay (inclusive of SPP if eligible). **Statutory Paternity Pay** is paid by the Trust for the remaining days.
12 months continuous NHS service with the Trust and/or another NHS body before they take their leave.	**NHS New Parent Support Pay** is paid by the Trust. This is 2 weeks at full pay (inclusive of SPP) Full pay will be on the basis of the average weekly earnings rules used for calculating NHS Maternity/Adoption Pay entitlements.

*In these circumstances managers must be sympathetic to requests for annual leave, where appropriate. However, employees will generally be expected to plan for the birth and therefore not exhaust their annual leave entitlement. Employees who do not qualify for statutory paternity pay may qualify for other forms of state benefit if their earnings are below the Lower Earning Limit. Transactional Team will write to these employees enclosing form SPP1 which will enable them to pursue benefits from other agencies as appropriate.

3.4 Pregnancy/baby loss

The Trust is committed to supporting all employees who suffer the loss of a pregnancy or baby, whether it happens directly to them, their partner or their baby's surrogate, regardless of the nature of their loss or their length of service.

The entitlement to leave for those staff who have sadly experienced a pregnancy loss is outlined in the section Supporting Staff with Pregnancy Loss. Pregnancy loss includes but is not limited to miscarriage, abortion, ectopic pregnancy, molar pregnancy, and embryo transfer loss. In the sad event that employees are affected by a stillbirth, there is a dedicated section on Parental (Child) Bereavement Leave.

In the unfortunate circumstances that the baby is born alive at any point of the pregnancy but subsequently dies, NPSL can be taken if it is within eight weeks of the birth. This is in addition to your entitlement to up to 4 weeks paid Parental (Child) Bereavement Leave.

3.5 Entitlement to Time off for Antenatal Care

An employee is entitled to take reasonable time off with pay to attend for antenatal appointments. The employee must produce proof of future appointments and give reasonable notice of the appointments, unless in exceptional circumstances.

In cases of adoption, an employee is entitled to take reasonable time off with pay to attend adoption appointments after having been matched with a child.

3.6 During the NPSL Period

Employment rights are protected whilst on NPSL. This includes rights to pay increments, and accrual of annual leave and Bank Holidays.

An employee may not undertake any paid work with the Trust or any other employer during the paid NPSL period. If they do so, NPSL and Paternity Pay will automatically cease and the leave will be treated as unauthorised absence. In these circumstances, action may be considered in line with the Trust's Disciplinary Policy.

3.7 Returning to work following NPSL

Employees returning to work after one or two consecutive weeks are entitled to return to the same job as before, on the same terms and conditions of employment, unless a redundancy situation arises in which case the Trust process regarding consultation will apply.

If an employee decides not to return to work following NPSL they are required to give the Trust notice in accordance with their contractual terms and conditions.

➢ *3.71 Sickness absence following NPSL*

When an employee is returning following NPSL and is unable to return to work due to sickness then, at the expiration of NPSL, the normal attendance management process will apply in line with the Sickness Absence Management Policy.

➢ *3.72 Failure to return following NPSL*

Where an individual cannot return on the planned return date they may wish to consider a period of shared parental leave or unpaid parental leave before returning to work, see details below.

Where an employee has failed to return to work on the notified date, they will be regarded as being on unauthorised unpaid absence. As such, the employee will be liable to disciplinary action under the Trust's Disciplinary Policy.

4. Further Support

If you have any questions regarding New Parental Leave, further support is available from your manager or from the People Services Team.

This policy also has sections on Shared Parental Leave, Unpaid Parental Leave, Flexible Working and Employment Breaks.

There is also a policy toolkit available on INsite with the following document:

Toolkit includes:	
A8-A	New parent leave application form

A9

FOSTER CARER'S LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

At UHL we appreciate the important role that fostering has in our society and want to support our colleagues to enable them to do carry out this role alongside their role at UHL.

We recognise that fostering a child comes with lots of meetings (including a meeting 48 hours after a child is placed with you to meet with the professionals involved and plan the way forward); we also understand that a child will often be placed with someone at short notice (sometimes on the day) and that it is important to have time away from work at this time and similarly when the time comes for them to move on.

If you are pursuing 'foster to adopt', please refer to the section on Adoption and Surrogacy Leave.

2. Accountabilities

As detailed in the policy, iv: Roles, in addition to below.

If you have fostered a child or children, or are planning to do so, please let your manager know as soon as possible to ensure they can provide you with any support and encouragement needed.

You are asked to give your manager as much notice as possible of any scheduled or expected training or meetings.

You will also need to submit a request in writing to your manager detailing the days you are requesting to have off, and provide official evidence of being an approved foster carer (you only have to provide this the first time). You can use the General Leave Confirmation/Request Form in the policy toolkit.

3. Procedural Detail

An employee who is an approved foster parent will be given up to one working week of paid special leave per year (rolling year) to support attendance at any relevant training or meetings. This entitlement is irrespective of whether more than one child is being fostered.

If you need further leave or an extended period off to care for a new foster child/child, you can discuss this with your manager in advance to discuss the options available to you. This might include using your annual leave, taking a period of unpaid special leave, or working the time back if feasible.

You may also want to take a look at the sections on Flexible Working and Employment Breaks.

If you need to take emergency leave to deal with an immediate childcare issue, this is covered in the Emergency Leave section – such as if the child falls ill or is injured, you need to make arrangements for the care of a sick child, or you need to deal with an unexpected incident concerning the child at school.

4. Further Support

Talk your manager about what support you need. For example, you may want to discuss having access to a telephone at work, somewhere private, if you need to make or receive urgent calls in connection to being a foster carer.

If you have any questions about foster leave, please speak to your manager in the first instance. The People Services Team is also available for support and advice.

A10

LEAVE FOR FERTILITY TREATMENT

← Go back to Contents (list of areas of support)

1. Procedure Statement

At UHL we want colleagues to feel supported whilst they are undergoing any fertility treatment. We understand it can be an exciting journey that results in a healthy pregnancy, as well as a rollercoaster of hope, anxiety, and disappointment. We know that it can be an emotionally and physically challenging process, and one that is unfortunately not always successful.

We would encourage you to let your manager know as soon as possible if you or you partner are due to have or are having fertility treatment. By being open with your manager you can work together to find ways to make sure that you get the support you need. If your treatment will involve taking a lot of leave, you can also take some time in advance to think about what you would like to tell your colleagues.

2. Accountabilities

As detailed in the policy, v: Roles.

In addition, you will need to submit your request for leave in writing to your manager, and also notify them of any changes to the plan.

If you have received medical advice that any adjustments are needed to your work pattern or duties while you are having treatment, then you can discuss this with you manager to ensure these are made. Your manager will also be able to advise you where to safely and privately carry our any injections as necessary.

3. Procedural Detail

We understand that if you are undergoing fertility treatment that there will be many appointments and that you won't always have flexibility in when you need to attend, and nor will they always be local. Therefore, UHL will support you by providing paid leave to attend appointments and undertake the relevant treatment.

Typically the fertilisation process can take between four and seven weeks for one cycle which requires attendance at several appointments. You must therefore let your manager know as soon as possible and discuss your fertility treatment plan with them so that you can be supported to attend and cover arrangements can be put in place as needed.

If you are too unwell to work as a result of any fertility treatment, then this absence would be treated as sickness in line with UHL's Sickness Absence Management Policy, unless the employee becomes pregnant in which case it will be treated as pregnancy-related absence.

4. Further Support

We understand that you may have unique challenges if you or your partner are undergoing fertility treatment. Please remember that you have access to Amica, the Trust's free confidential counselling service – they can be reached on 0116 254 4388. There is a further Support Information towards the front of this policy, which gives sources of support and how to get in touch.

Managers may do a risk assessment to understand more about how your experience might affect you at work and discuss any adjustments you might need. The reasonable adjustments we can make will depend on your circumstances, but the types of changes that might help could be having a flexible approach to the working week where possible, adjusting start and finish times or adopting hybrid working if you have a suitable role. You can also look at our policy on Flexible Working to see if this might help.

If you have had an embryo transfer that did not result in pregnancy, we are very sorry and understand that this must be a difficult time for you. Please have a look at the Pregnancy Loss Leave section for the support and additional time off available to you.

If you have any questions about fertility leave, please speak to your manager in the first instance. The People Services Team is also available for support and advice.

5. Useful Information for Managers - Fertility Cycle

It is usual for employees undergoing fertility treatment to agree a scheduled plan with the fertility clinic; the schedule is invariably defined by the clinic, not the patient, as treatments have to occur at specific dates and times. For managers' information, an example fertility treatment cycle and suggested periods of leave is included in the table overleaf and within the policy toolkit.

Day	Treatment	Impact on individual's working pattern
Pre-stage	This requires appointments with a GP, initial fact-finding with fertility clinic, information sessions, counselling sessions, blood tests for both partners, preliminary scans and so on. After identifying the cause of infertility, corrective treatments may be required to maximise future success; for example, polycystic ovaries, low sperm count, ovarian cysts and so on. Note that certain tests must be conducted at definite times in the lead up to first stage, for example blood tests for hormonal levels.	This will be over a six-month period to determine if they are eligible and their suitability for the treatments available. If corrective treatment is necessary, this may be in the form of planned surgery as per the Sickness Absence Management Policy.
First stage; Day 1	Start of treatment with intake of first drug.	No significant impact.
Day 2	Intake of second drug in the form of nasal sprays at 12 hourly intervals.	Individuals are likely to experience side effects. Possibility of sickness absence.
Second stage - start of injections; 11-12 days	Start of the ovarian stimulation injections.	Requirement to attend clinic on the first day of this stage. During this time the individual will have ultrasound scans and blood tests.
Third stage	Last stage of injections and scan before egg collection.	
Fourth stage	Egg collection.	Individual will have to undergo sedation and possibly general anaesthesia.
Fifth stage	Embryo transfer.	Following implantation the individual is regarded as being pregnant and protected under the Equality Act 2010 pregnancy legislation.
Sixth stage	Finding out the results. 2 weeks after embryo transfer.	If the treatment is unsuccessful the protected period ends 2 weeks after the end of the pregnancy – 2 weeks after the date the employee was informed that implantation was not successful.
Seventh stage	Pregnancy if the treatment is successful	Up to 4 scans will be required during the first 3 months of pregnancy to verify that the foetus is/are viable. The first 3 months of pregnancy carry the greatest risk of miscarriage, which is more the case with fertility treatment.

Note: Fertility treatments are often unsuccessful, but the chance of successful conception and implantation improves with the number of treatments. It is usual for patients to undergo two treatments each calendar year, although this will depend on individual circumstances and the considerable costs involved.

A11

SUPPORT FOR STAFF BREASTFEEDING

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL is a compassionate and inclusive organisation that recognises the importance of breastfeeding for mother and baby and is committed to the promotion and facilitation of breastfeeding by offering help and support to colleagues who return to work whilst still breastfeeding.

We recognise that the World Health Organisation (WHO) recommends that babies are exclusively breastfed for the first six months with continuation of breastfeeding alongside appropriate complementary foods for up to two years of age or beyond, and we understand that breastfeeding has a range of health benefits for both mother and baby in the short and long term.

This procedure is intended as guidance for managers and staff regarding the provision of facilitates and/ or alteration of working patterns for mothers who wish to continue breastfeeding on their return to work.

2. Accountabilities

As detailed in the policy, iv: Roles.

3. Procedural Detail

There are various ways in which employees can combine breastfeeding with returning to work. This may include:

- Attending a nearby nursery or childcare facility and breastfeeding normally (where practicable);
- Baby visiting site (with their childcare provider) and breastfeeding normally, either in public areas or in requested private facilities;
- Expressing breastmilk.

As indicated in the section on Pregnancy and Maternity Leave, whilst it is appreciated that many expectant mothers do not know which route their feeding journey will take (i.e. breast, bottle or combi feeding), managers are encouraged to confirm to the expectant staff, prior to maternity leave, that continued breastfeeding upon return to work is feasible and will be supported.

➢ *Informing on intention to continue breastfeeding*

Staff intending to continue breastfeeding on their return to work should inform their manager with reasonable notice, ideally in writing at least 28 days before their return to work. This will ensure that the necessary arrangements can be made to meet the request and the needs of the service. The information given to the line manager should include the times of day/ frequency that the mother would like to breastfeed/ express milk so all necessary arrangements can be made.

➢ *Facilities*

An employee requesting breastfeeding/ milk expression facilitates at work should be provided with:

- A appropriate rest room: warm, clean and private room which can be locked or have an arrangement for ensuring privacy *(this may be in a different area to your normal place of work but will be on the same site)*;
- Access to a fridge where breast milk may be safely stored. (*Please note that the breast milk must be stored in staff fridges as opposed to those dedicated for patients/medical equipment. If no staff fridge can be made available, nursing mothers who have expressed breast milk can store their milk in any domestic UHL owned fridge*);
- Availability of hot/cold running water;
- Electric power points to allow for the use of an electric pump or steam steriliser;
- Suitable chair;
- Table/desk at an appropriate height;
- Where requested, a clean area should be made available for the storage, preparation and sterilising of equipment.

Please note toilets are not appropriate facilities.

As indicated and included in the section on Pregnancy and Maternity Leave, a new and expectant mother risk assessment needs to be conducted for breastfeeding mothers. This can be found in the policy toolkit (A4-C).

➢ *Working time/patterns*

Managers will be flexible with regards to working patterns when a breastfeeding mother returns to work. This may mean temporarily changing working conditions or hours of work. Managers will work with staff to ensure that attendance at required training courses will not be detrimental to breastfeeding/expressing milk.

Time/ breaks will be allowed for breastfeeding/ expressing milk. A maximum of two paid breaks to breastfeed/express milk will be given per 7.5 hour shift; however should any exceptions to this be required the employee and their line manager can discuss this ensuring full consideration of the health and safety of the employee, seeking advice from HR as required. The length of time required to undertake breastfeeding/ milk expression will depend on individual circumstances and reasonable discussion should take place between the manager and the employee on this matter. The number and length of breaks required will often be influenced by the age of the child.

4. Further Support

If you have any questions regarding Support for Breastfeeding, further support is available from your manager or from the People Services Team.

A12

UNPAID PARENTAL LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

We know how important getting the balance between work and family life is, and we want to support colleagues to do this well. If you need to take time off work because of your responsibilities as a parent, please talk to your manager to see what support can be offered to you.

Parental leave is a period of unpaid, planned time off work to look after your child's welfare, for example to spend more time with your child/children, look at new schools, settle them into new childcare arrangements, spend more time with family such as visiting grandparents, or attend health related appointments.

This does not include foster parents (unless they have secured parental responsibility through the court); please refer to the section on Foster Carers Leave.

Parental leave is different to Shared Parental Leave, which lets parents share leave during the first year of their child's birth or adoption placement. This is explained in full in the section on Shared Parental Leave.

If you need to take emergency leave to deal with an immediate childcare issue, this is covered in section on Emergency Leave.

2. Accountabilities

As detailed in the policy, iv: Roles.

In addition, see section 4 below on requesting leave and responding to requests for leave.

3. Procedural Detail

If you have parental responsibility for a child under 18 and completed one year NHS service by the time you want to take unpaid parental leave, you are entitled to take up to 18 weeks' leave for each child and adopted child, up to their 18th birthday.

This leave will be pro-rated for part-time staff and each parent will be entitled to the leave.

The limit on how much parental leave each parent can take in a year is four working weeks for each child, unless agreed otherwise.

This leave can be added on to periods of paternity, shared parental, maternity, or adoption leave. The Trust may consider extending the amount of leave taken in a year in exceptional circumstances up to a maximum of 13 weeks in a year, such as where a mother needs additional time off immediately following maternity leave.

The amount of leave is per child, not per job, and therefore if you have used some of this entitlement in a previous job, this will limit the amount of leave you can use now.

The leave must be taken as whole weeks, rather than individual days, unless agreed otherwise or your child is disabled. You do not have to take all the leave at once.

4. Requesting unpaid parental leave

To request parental leave, you will need to write to your manager at least 21 days in advance of the day you want it to start. Within this written notice, you will need to confirm the start and end dates of the parental leave period you are requesting. You can use the General Leave Confirmation/Request Form in the policy toolkit.

We will always do our best to accept any request. However, your manager may need to postpone the leave in the case that they have a significant business reason, such as when the leave coincides with major events and/or where adequate cover is not available. Sometimes they may be able to agree to part of the leave you are requesting.

If your manager cannot agree to your request, they will send you a letter within seven days to let you know why and suggest another date for you to start your leave within six months of the requested start date. Your manager will never change the amount of leave being requested, and if the leave is postponed beyond the child's age limit, then you will still be entitled to the leave.

Your manager will keep a copy of your written request on your personal file, and it is both your and your manager's responsibility to monitor the time taken.

5. Other Information

Your manager may ask for reasonable proof of eligibility by requesting a copy of your child's birth certificate or other evidence of parental responsibility, when you first make a request for unpaid leave.

You must ensure you maintain your professional registration, if required for your job at UHL.

6. Further Support

If you have any questions about parental leave or pay, please speak to your manager in the first instance. The People Services team can also offer advice and support.

B1

ATTENDING HEALTH-RELATED APPOINTMENTS

← Go back to Contents (list of areas of support)

1. Procedure Statement

The Trust recognises that all staff are responsible for managing their own health and wellbeing and this procedure aims to support employees by facilitating their attendance at appointments related to their health and wellbeing whilst maintaining service provision.

We also understand that facilitating colleagues to attend their regular and repeated medical appointments not only supports their individual health and wellbeing, but will ensure less sickness absence across the Trust.

This procedure applies to all employees of the Trust and will be used in relation to health-related appointments e.g. GP, dental, hospital, counselling, routine screening etc.

This procedure does not apply to employees accompanying a relative or dependant to an appointment, in which case you can have a look at the sections on Carer's Leave and Emergency Leave.

2. Accountabilities

As detailed in the policy, v: Roles.

It is important that you let your manager know as soon as possible if you have an appointment and let them know how long you think you will need off work, so that they can put plans in place to cover your absence as needed.

If you require an urgent or emergency appointment for health reasons which may require time off during working hours at short notice, please contact your line manager in advance where possible so that they know where you are and can offer any support.

3. Routine, Hospital and Emergency Appointments

Wherever possible, we ask that health-related appointments are made for the beginning or end of your working day or outside of your working hours. However, we know this is not always possible for various reasons and in such cases, we will always ensure you are able to take a reasonable amount of paid time off to enable you to attend any routine or hospital appointments.

4. Occupational Health

Occupational Health appointments that are arranged through the Trust may be attended during working hours. Where this is not possible, employees may make arrangements with their manager to take the time back.

5. Organ / Bone Marrow Donation

If you are due to donate an organ or bone marrow, please notify your manager as soon as you can so that we know what is happening and can discuss how best to support you both before and after the operation.

Colleagues undertaking surgery for the purpose of donating an organ or bone marrow will be supported with paid special leave to do so, providing the absence remains within the normal recovery period expected.

Absence longer than the normal recovery period will be recorded as sickness absence in line with the Trust's Sickness Absence Management Policy.

Depending on the type of operation and what role you have at the Trust, your manager may wish to carry out a risk assessment or refer you to Occupational Health to understand more about how your experience and surgery might affect you at work and discuss any adjustments you might need.

6. Cosmetic Surgery

We understand that people may require time off work for cosmetic surgery for a variety of different reasons. It can be for personal aesthetic reasons or as a result of advice from a clinician.

Colleagues who are planning on having any cosmetic surgery are encouraged to discuss with their manager any support they may need, which may include flexible working options to support their treatment and recovery.

If you tell your manager, they will keep this confidential and won't share this information unless you say it is okay or there is a perceived risk of serious harm to you.

For planned cosmetic surgery for personal aesthetic reasons, you will be expected to request annual leave in the normal way to cover the procedure and expected recovery time.

Where cosmetic surgery is being undertaken on the advice of a clinician (i.e., there are medical reasons for the procedure to be carried out), or there are complications following surgery that result in a longer recovery time than expected, then this absence would be treated as sickness in line with the Sickness Absence Management Policy.

7. Other Information

If you have regular or repeated medical appointments, please discuss this with your manager. It may not be reasonable in all circumstances for paid time off to be given and in some circumstances your manager may ask you to take annual leave or make up the time away from work, as appropriate.

8. Further support

If you have any questions about time off for medical appointments, please speak to your manager in the first instance. The People Services team are also available for advice and guidance.

If you would benefit from talking to a counsellor, you can access free confidential counselling through Amica on 0116 254 4388.

If you are due to have surgery, your manager may wish to carry out a risk assessment or refer you to Occupational Health to understand more about how your experience and surgery might affect you at work and discuss any adjustments you might need. This might include discussing what information you would like conveyed to colleagues and when, if appropriate.

B2

EMERGENCY LEAVE (CARERS AND DOMESTIC)

← Go back to Contents (list of areas of support)

1. Procedure Statement

We know that sometimes emergencies happen, and at UHL we will always consider reasonable requests for time off work to deal with these.

Emergency leave is for unexpected emergencies, including time off for dependants and urgent domestic leave. For example:

- if a dependant falls ill or is injured;
- you need to make arrangements for the care of a sick dependant or to deal with an unexpected incident concerning a child at school;
- you need to respond to an urgent domestic need, such as a burglary.

A dependant is usually defined as the spouse, partner, child, grandparent, parent, or someone who depends on you for care. However, we know that modern life can be complicated, so please talk to your manager about your situation and agree any support needed.

For appointments known in advance, you may want to go straight to the section on Planned Carer's Leave.

2. Accountabilities

As detailed in the policy, v: Roles.

If you need to take emergency leave, please let your manager know what it happening as soon as you can and let them know how long you think you will need off work so that they can put plans in place to cover your absence. You will need to keep in regular contact with them to ensure they know when to expect you back in work.

3. Procedural Detail

Usually you will need anything from one hour to one or two days to deal with the immediate problem. This will be paid special leave, to be agreed with your manager.

If you need more time off, your manager will talk to you about other options to extend this, such as using your annual leave, taking unpaid special leave, making the time up where appropriate, or exploring the use of parental leave or flexible working.

As it is intended for emergencies only, the use of this type of leave would not be expected to exceed a total of either 5 requests or 5 days (pro-rata'd for part-time staff) in any 12-month period; anything over this would be unpaid special leave, as agreed with your manager.

If you need to use this leave regularly or time off is affecting your work then your manager may need to discuss alternative arrangements with you, such as adjusting your working pattern where feasible.

4. Other Information

We understand carers for a child or other dependant may from time to time need to accompany them to appointments related to their care. In this case, you would be expected to request annual leave, unpaid parental leave or unpaid carers leave, where appropriate and applicable, or discuss other options with their line manager such as short term flexing of work pattern or making the time back.

Please see the section on Planned Carer's Leave for more information on leave available to colleagues who are providing or arranging care for a relative or dependant.

5. Further Support

Your manager may want to discuss how things are when you return to work so that they can ensure you are getting the right support.

If you have any questions about emergency leave and pay, please speak to your manager in the first instance. The People Services team are also available for support and guidance.

B3

PLANNED CARER'S LEAVE

← Go back to Contents (list of areas of support)

1. Procedure Statement

Many colleagues don't realise they are a carer; often times caring is something we do without thinking, like caring for a sick relative or parenting a child with a disability. A carer is anyone who looks after a family member, partner or friend who needs help and cannot cope without their support.

UHL recognises that carers play a vital role in our society, and we understand that many of our colleagues juggle work alongside unpaid caring responsibilities. This can be difficult and demanding and we want to support colleagues to balance their caring responsibilities with working life.

Planned carer's leave for the purpose of this policy is to assist those with planned or foreseen caring responsibilities or commitments.

Please see the section on emergency leave instead for unexpected emergencies where you need short-term leave to deal with the immediate situation, such as if someone who depends on you for care falls ill or is injured.

2. Accountabilities

As detailed in the policy, iv: Roles.

In addition, you will be required to self-certify your eligibility for carer's leave in writing to your manager the first time you ask for carer's leave, and provide notice to your manager in line with annual leave (which is twice the length of time being requested plus one day). You can use the General Leave Confirmation/Request Form in the policy toolkit.

3. Procedural Detail

Colleagues who are the carer for an older, disabled or seriously ill relative or friend can take up to one working week of unpaid carer's leave per year.

The leave can be used for caring for a spouse, civil partner, child, parent, someone living in the same household or a person who has a long-term care need and reasonably relies on you for care. This means they must have a long-term illness or injury (physical or mental) that requires or is likely to require care for three months or more, a disability as defined in the Equality Act 2010, or require care related to old age.

You can request the leave to be taken flexibly in a block or in individual or half-days to suit your caring responsibilities; you do not need to tell your manager how or why the leave is being used.

Your manager won't deny a leave request but they are able to postpone on grounds they consider would be unjustifiably disruptive to the business, and will discuss and put this in writing to you.

4. Further Support

Colleagues who are carers outside of work are encouraged to speak to their manager about completing a UHL Carer's Passport, which you can use to support you to have a conversation between you and your manager about the flexibilities that would help you combine caring and work, and to prompt conversation on an annual basis to check whether circumstances have changed and new flexibilities need to be considered.

Please see the Support Information at the front of the policy for sign-posting to internal and external sources of support, including *Carers UK* which is a national charity that provides information, advice, and support for unpaid carers.

If you have any questions about carer's leave and pay, please speak to your manager in the first instance. The People Services Team is also available for support and advice.

Toolkit includes:	
B3 –1	Carer's Passport

B4

RELIGIOUS BELIEF AND CULTURAL OBSERVANCE

← Go back to Contents (list of areas of support)

1. Procedure Statement

We recognise that UHL operates within a multi-cultural society where many faiths and religions are followed and that colleagues may require time off to observe a religious festival or ceremony not covered by current statutory holidays.

2. Accountabilities

As detailed in the policy, vi: Roles, in addition to the below.

Managers will be sensitive to the needs of such requests and accommodate the requests wherever it is reasonably practical to do so. We recognise that not all colleagues who follow a particular religion will make similar requests, and therefore a request will not be judged on the basis of another colleague of the same faith having made a different request or no request.

Where a manager is unable to agree to the time off you have requested, there will be an operational reason for doing so which will be discussed with you to see what other options there may be.

Where there are competing requests for time off the manager will look to ensure fairness and equity is considered in granting leave to the individual(s) or group(s) of people requesting leave. This will include taking into account similar requests that have been made and / or agreed previously.

3. Procedural Detail

Time off may be granted using annual leave, unpaid special leave, or flexibility regarding working hours. Where operationally feasible, this may include working on public or bank holidays in order to allow colleagues additional flexibility to take time off for observing another religious festival.

Arrangements can be informal to meet an occasional need, for example swapping a shift or working during a lunch break, or more formal to accommodate a continuing requirement such as changing the working days set out in the employment contract.

4. Other Information

All colleagues can make a request to work flexibly in line with our policy on Flexible Working, and requests will be considered on an individual bass. Examples of flexible working arrangements include allowing an observant Jewish employee to start work early on a Friday in the winter is that they can leave before sunset to respect the Sabbath, or accommodating a Muslim employee's request to use their holiday entitlement to take an extended break to go on the hajj pilgrimage.

5. Further Support

If you have any questions about time off for religious belief and cultural observance, please speak to your manager in the first instance. The People Services team is also available for support and guidance, as well as the Equality, Diversity and Inclusion (EDI) team.

B5

GENDER AFFIRMATION

← Go back to Contents (list of areas of support)

1. Procedure Statement

We understand that gender affirmation is about individuals taking steps to affirm their gender, and that the length of time a person takes to complete their transitioning process will depend on the individual's circumstances including the type of any medical treatment they are having.

We want all colleagues to feel supported whilst they are going through this process, and therefore individuals who are undergoing any medical treatment related to the transitioning process are encouraged to discuss with their manager any requirements they may have.

If you tell your manager, they will keep this confidential in line with our legal obligation, and won't share this information unless you say it is okay.

2. Accountabilities

As detailed in the policy, iv: Roles.

If you require time off for any medical appointments, we ask that you give your manager as much notice as possible and, wherever possible, arrange appointments at the start or end of the working day. If you know how long you think you will need off work, then your manager can put plans in place to cover your absence as needed.

3. Procedural Detail

Colleagues who decide to undergo medical and surgical procedures related to gender affirmation may require time off from work and will be given the same flexibility during this time as for someone undergoing any other operation.

We understand that you won't always have flexibility in when you need to attend, and nor will they always be local, so we will always ensure you are able to take a reasonable amount of paid time off to enable you to attend any routine or hospital appointments.

4. Other Information

The Trust's Trans and Non-Binary Employees UHL Policy provides guidance to colleagues and their managers as to when the use of the sickness absence management policy is appropriate and how absences are recorded.

5. Further support

Managers are encouraged to have conversations with colleagues to understand more about how your experience might affect you at work and discuss any adjustments you might need. This might include discussions around returning to work and whether you wish to return to the same role on a temporary or permanent basis, toilets and changing facilities, and discussing what information needs to be conveyed to colleagues and when.

Colleagues may want to take a look at the section on Flexible Working to support their treatment and recovery.

We understand that you may have unique challenges when transitioning. Please remember that you have access to Amica, the Trust's free confidential counselling service – they can be reached on 0116 254 4388, and any appointments with Amica may be attended during working hours. There is a further Support Information section towards the front of this policy, which gives sources of support and how to get in touch.

If you have any questions about transitioning in the workplace, please speak to your manager in the first instance. The People Services team are also available for advice and guidance.

B6

ANNUAL LEAVE AND BANK HOLIDAYS

← Go back to Contents (list of areas of support)

1. Procedure Statement

This section outlines the entitlement to annual leave for staff on Agenda for Change terms and conditions, together with information on how to manage the use of annual leave from an individual employee and managerial perspective.

The Trust recognises that annual leave is an important part of an employee's work-life balance. Annual leave allows staff to take paid time off from work for the purpose of having regular breaks to rest and re-energise

The Trust is committed to ensuring that all employees are able to take their contractual annual leave in full during the relevant leave year period.

2. Accountabilities

As detailed in the policy, v: Roles.

3. Policy Implementation

➢ *3.1 Entitlements in a Full Leave Year:*

The entitlement to paid annual leave and paid bank holiday provisions under Agenda for Change in a full annual leave year are set out below.

Length of service	Annual Leave + Bank Holidays
On appointment	27 days + 8 bank holidays (202.5hrs + 60hrs)
After 5 years' service	29 days + 8 bank holidays (217.5hrs + 60hrs)
After 10 years' service	33 days + 8 bank holidays (247.5hrs + 60hrs)

The annual leave year runs from 1 April to 31 March.

The above entitlements are based on full-time 37.5 hour contracts. Part-time staff are granted annual leave entitlements on a pro-rata basis of the full time allowance (see calculator on INsite for further details).

The Trust will calculate all paid leave entitlements in **hours** for all staff regardless of whether employees work full time or part time.

As a governing principle, the number of hours taken as paid leave will equal the number of hours the employee would otherwise have worked.

The 8 bank holidays within the year are Good Friday, Easter Monday, May Day, Spring Bank Holiday, August Bank Holiday, Christmas Day, Boxing Day, New Year's Day.

There can be variation in the number of bank holidays that fall within a financial leave year depending upon whether the Easter Bank Holidays fall within March. For example, if two Easter Bank holidays fall within the same financial year the entitlement that year will be to 10 Bank Holidays. If a bank holiday falls at the weekend it will be reallocated in line with Annex 25 of the AFC Terms and Conditions of Service Handbook. There may also be allowances for additional bank holidays that may occur.

- *3.2 Paid Annual Leave*

Paid annual leave entitlements in relation to basic contracted working hours are set out in Agenda for Change, with entitlements rounded up or down to the nearest half hour.

Annual leave will normally be taken in periods of not less than half the hours of a normal working day/shift.

In addition to paid annual leave entitlements, staff are entitled to paid bank holiday entitlements.

Where employees work varied shift patterns, at least a quarter of their annual leave entitlement must be booked on their longer working weeks unless agreed in the departmental protocol.

- *3.3 Qualifying Service for the Calculation of Paid Annual Leave*

An employee's 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 the calculation of paid annual leave.

In addition to all aggregated NHS service, other time spent in a highly relevant role in organisations other than the NHS may, at the discretion of the Trust, following People Services' advice, be counted towards aggregated service.

Staff may be required to provide formal documentary evidence of any relevant, qualifying service.

- *3.4 Part-Time Staff and Bank Holidays*

Members of staff who work part-time hours must add their bank holiday entitlement to their annual leave entitlement. Should they wish to take leave on a bank holiday this must be booked in the usual way and is subject to the needs of the service. The hours taken as leave must equate to their normal working hours for that day and must be deducted from their remaining annual leave entitlement.

In line with the Agenda for Change Terms and Conditions of Service and the Part-time Workers Regulations 2002, part-time workers will be entitled to paid bank holidays of an amount no less than pro-rata to the number of bank holidays for a full-time worker, rounded up to the nearest half day.

In cases where the department would normally close on a bank holiday, the following options can be considered and agreed with the staff member's line manager at the commencement of each leave year. Any agreements must take into account service needs.

- Use the total leave entitlement (leave entitlement + bank holiday entitlement) to book off the bank holidays. **This would be the default position where no other arrangement is in place.**
- Use TOIL /flexitime already accrued to book off the bank holiday
- Work another day of the week

➢ *3.5 Entitlement for New Starters and Leavers*

Entitlement upon commencement is calculated and accrued from the first day of employment. The following calculation formula should be used:

$$\frac{\text{No. of hours entitlement}}{365 \text{ days}} \times \text{No. of calendar days from start date to 31st March}$$

For new employees who join part way through the leave year, the bank holiday entitlement will be calculated based on the number of bank holidays remaining in the leave year, pro rata for part-time employees.

The pre-arranged annual leave of new starters or existing staff moving to new posts in the Trust should be honoured.

An employee who resigns and terminates their contract of employment is entitled to be paid for any annual leave accrued and not taken. The annual leave is calculated on a pro-rata basis from the start of the leave year or the employee's start date (whichever is the later) until the termination date. The following formula should be used:

$$\frac{\text{No. of hours entitlement}}{365 \text{ days}} \times \text{No. of days from 1st April (or start date) to end date}$$

The number of days already taken in that leave year is then subtracted.

Where total leave hours already taken exceeds the accrued total leave entitlement an appropriate deduction will be made from the final salary.

➢ *3.6 Entitlement on changing contracted hours*

Where staff change their contracted hours, this will result in a re-calculation of their annual leave entitlement.

- *3.7 Carry Over of Leave*

All staff should be given the opportunity and would normally be expected to use all of their annual leave within the annual leave year. In ***exceptional*** circumstances up to one week of basic contracted hours (or 1/52 of annualised hours) may be carried over to the following year. Requests to carry over leave must be discussed, agreed, and documented with the line manager. Where a request cannot be agreed to, the reason(s) must be documented in the employee's personal file.

Where staff have been prevented from taking their leave due to service demands, the amount to be carried forward should not normally exceed one week of basic contracted hours (or 1/52 of annualised hours).

For those staff whose annual leave is managed within Health Roster, line managers must calculate the revised leave entitlement and submit requests to carry over leave to Electronic Rostering by the end of May in the next leave year, with exceptions only for staff on long-term sickness absence.

- *3.8 Sickness Occurring During Annual Leave or Bank Holidays*

If an employee falls sick whilst on annual leave, then subject to their adhering to the sickness notification and certification provisions of the Trust, the period covered will be treated as sick leave, allowing the employee to take the annual leave another time.

In line with Agenda for Change terms and conditions of service, employees will **not** be entitled to an additional day off if sick on a bank holiday that they would otherwise have been required to work as part of their basic week.

A minimum of 28 days' annual leave (including bank holidays) must be taken each financial year (pro-rated for part time staff). If, due to sickness, a member of staff has been unable to take 28 days leave by 31st March, the difference between 28 days and leave already taken may be carried over into the next leave year. This must be taken within 18 months of the end of the year in which it was accrued.

Staff on long-term sickness may choose to take a period of contractual annual leave at any time in line with the Sickness Absence Management Policy and Procedure. If the employee is on half- or no-pay and wishes to take some of their accrued annual leave, then their salary is increased to reflect the period of annual leave (i.e. ensuring that they receive full pay for this period). The total annual leave taken for this purpose must be deducted from their Annual Leave record

- *3.9 Accrual of Annual Leave*

Annual leave will continue to be accrued during maternity leave, adoption leave, and paternity leave, whether paid or unpaid (including bank holidays).

Where the amount of accrued annual leave would exceed normal carry over provisions (one working week), the person on maternity leave should take annual leave immediately before and/or after the formal (paid and unpaid) maternity leave

period. If there are significant business reasons why the person on maternity leave is unable to do so, any accrued annual leave should be taken within 12 months of returning to work. All arrangements for accrued annual leave should be agreed between the manager and the member of staff.

Annual leave is calculated on an accrued basis during the leave year and when a post is terminated any excess leave taken will be recovered by the Trust. This may be deducted from employees' final salary payment or invoiced where late termination has occurred. Employees will not be paid in lieu of untaken holiday except on termination of employment. In case of retirement, all leave must be taken prior to the termination date. However, if the Trust has dismissed or would be entitled to dismiss the employee without notice or the employee has resigned without giving the required notice, such payment in lieu shall be limited to the statutory entitlement under the Working Time Regulations 1998, and any paid holidays (including paid public holidays) taken shall be deemed first to have been taken in satisfaction of that statutory entitlement.

The amount of the payment in lieu will be calculated as 1/260th of the full-time equivalent salary for each untaken day of the entitlement.

Annual leave is calculated to be 1/12th in the first year of employment, and upon termination it must be on days worked from the start of the leave year / 365.

The Trust reserves the right to require employees to take annual leave on particular dates, including during any notice period. If so, they will be given reasonable notice, which may be shorter than notice under the Working Time Regulations 1998.

- *3.10 Purchasing and selling Annual Leave*

There is the facility to purchase additional annual leave each year at the discretion of the line manager. Payment will be via a salary deduction in a maximum of 12 instalments commencing from the first available pay period after the application is approved.

Employees can apply to trade in annual leave of up to one week. Requests to trade in annual leave must be made between 1st April and 31st January and approved by the budget holder.

Electronic Rostering must be notified of the purchase or sale of any annual leave to ensure the employee record is updated where applicable.

4. Further Support

If you have any questions about annual leave and bank holidays, please speak to your manager in the first instance. You can also contact the People Services Team if you or your manager needs any advice or guidance.

B7

EMPLOYMENT BREAK

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL is committed to promoting an environment which supports staff to enable them to achieve a healthy balance between work and their personal commitments outside of work.

We want to provide a framework for managers to take a fair and equitable approach in the consideration of employment break requests, taking into account the individual role, the team and service needs; the application of this should be in line with Trust values.

The scheme on offer gives colleagues the opportunity to take an extended period of unpaid leave for personal or domestic commitments whilst maintaining contact with the Trust on a long-term basis (normally a minimum of 3 months up to a maximum of 5 years).

Some examples of where applications could apply are in the context of:

- Caring for a dependent relative;
- Child care (where the time required exceeds the provisions of other policies);
- Undergoing further education and training of mutual benefit to employee and employer;
- Long term overseas travel.

Other reasons will be considered on their merits.

For support in dealing with short-term emergencies, please see the section on Emergency Leave.

An employment break is not intended for the purpose of taking up alternative employment, except where for example, work overseas or charitable work could broaden experience. It can be agreed when it is not the primary reason for an employment break; in such circumstances, written authorisation should be sought prior to the start of the employment break.

2. Accountabilities

As detailed in the policy, v: Roles, with the following additions:

Managers:

- Ensure all requests are dealt with in an appropriate and timely manner in line with the employment break policy and procedure.
- Make every opportunity, where appropriate, to maintain contact with staff taking employment breaks. The amount and level of contact will vary depending on the length of the employment break and the individual circumstances relating to the break.

- Devise a re-entry programme to facilitate each employee's return to work following an employment break.

Employees:

- Ensure that they have read and understood and accept the terms of the employment break policy prior to submitting their request. Staff must apply to their line manager for an employment break request using the official employment break application form (B7-1 in the policy toolkit).
- Maintain contact with their manager, and should inform the Trust of any changes to personal circumstances, i.e. change of home address or decision to return to work.
- Keep up to date with their relevant professional registration requirements and complete any specified training during an employment break.

3. Policy Implementation

This scheme is open to all employees with continuous service of at least 12 months with the Trust at the time of application.

The following key principles should be considered by employees and managers prior to an application for an employment break:

- An employment break may be taken for a minimum of three months up to a maximum of five years.
- Employees may take more than one employment break, although the aggregated length of time must not exceed five years.
- Requests for an employment break will be considered on an individual basis. In all cases the break must be agreed by the Trust and the length of any break should balance the needs of the applicant with the needs of the service. The first priority of the Trust is to maintain the level and quality of its service. There is no obligation to agree to an employment break request. The application will be considered by the line manager with advice from People Services, where appropriate.
- With the prior approval of their manager, employees who take a break of more than 12 months can undertake up to ten "return to work" days' paid work at the Trust to maintain their skills and competence. The line manager is responsible for completing the necessary paperwork to process payment.
- Employees are not permitted to work on bank whilst on an employment break; any exceptions would need to be with approval from Deputy Chief Nurse / Director level.

➢ *3.11 Terms & Conditions of Employment*

General Conditions: For statutory purposes, the period of the employment break will count towards continuous employment, however all other terms and conditions of employment with the organisation will be suspended. The period of the employment break will therefore not count as reckonable service when calculating contractual entitlement to benefits such as annual leave, sick pay, contractual redundancy

payments and any other benefits dependent upon length of service. There will be no entitlement to benefits, such as sick pay, during the period of the break.

Annual Leave: All accrued annual leave must be taken before commencement of the employment break. No payment in lieu of outstanding leave will be made, neither will any "carry over" of leave be allowed. There is no entitlement to annual leave during the employment break. On return to work, entitlement to annual leave would be the same as when the break started, and the period of the employment break will not count as reckonable service for leave purposes.

Pay: On return to work, employees would resume, for pay purposes, at the same pay point which had been reached at the time the employment break began, subject to restructuring or substantial organisational change. If applicable, pay step review dates will be deferred accordingly, to ensure that the employee's terms remain unchanged.

Occupational Maternity Pay: Employees commencing an employment break immediately following a period of maternity leave will be liable to repay any Occupational Maternity Pay received should they fail to return to work for a period of 3 months after the break.

Organisational Change: The UHL Management of Change policy (A1/2009) will apply equally to employees on employment break and, consequently, where redeployment attempts are unsuccessful normal redundancy procedures will apply. Redundancy payments will be calculated in accordance with NHS Terms and Conditions.

Live Warnings under the Trust Policy and Procedures: The unexpired period of any "live" warnings given under the following policies will be suspended during an employment break and will continue from the date of an employee's return to duty:

- UHL Sickness Absence Management Policy and Procedure (B29/2006) (being reviewed)
- UHL Disciplinary Policy & Procedure (A6/2004)
- UHL Improving Performance (Capability) Policy and Procedure (B12/2014)

Pensions: Subject to NHS Pensions rules in force at the time, an employee may choose to continue making contributions to the NHS Pension Scheme during an employment break. Arrangements for continuing payments must be made prior to commencement of the break. Employees must contact UHL Payroll Assistance for further information.

- For the first 6 months contributions are payable, by both the employee and employer, as if the employee were at work.
- An individual who has paid contributions regularly during the first six months of a break may continue to contribute to the Scheme for a further period of up to 18 months (maximum of two years in total). During the extended period, the employee will be responsible for paying both their own and the employer's contributions.

- Contributions will be based on the employee's normal pensionable pay. Employees should contact UHL Payroll assistance and obtain a quotation and for information on the method of payment.
- Further information is available from the Pensions Officer, or the NHS Pensions website www.nhsbsa.nhs.uk/pensions.
- Employees who contribute to any other pension scheme e.g. private pension should seek advice from the pension provider.

Lease Car: A member of staff who is provided with a lease car must contact the lease car provider and their line manager prior to embarking upon such a break to discuss any requirement to return the vehicle and any fee implications.

'Salary Maxing' Car Scheme - A member of staff who is participating in the '*Salary Maxing*' Car Scheme must contact the **'***Salary Maxing***'** team by emailing Salary.Maxing@uhl-tr.nhs.uk once the employment break has been approved to discuss any requirement to return the vehicle and any fee implications.

Trust Property: Prior to an employee commencing an employment break, where applicable, managers must ensure that appropriate arrangements have been made in respect of Trust property, i.e. mobile telephone, laptop, keys, etc.

➢ *3.12 Applying for a Employment Break*

Employees wishing to apply for an employment break should complete the application form B7-1 in the policy toolkit, in conjunction with the authorising manager. Both the proposed commencement date and return to work date should be included.

Applications must be submitted to the authorising manager at least three months prior to commencement of the intended break. Requests made less than three months before will be considered only in exceptional circumstances. In deciding whether to support an application, the authorising manager should satisfy themselves that the individual has a clear commitment to continuing an employment with UHL NHS Trust, and that the reasons for requesting the break are valid.

Applicants will be notified in writing of the decision within 21 days of the date of submission of their application. Please refer to B7-2 in the policy toolkit for template approval documentation for an employment break and B7-3 in the policy toolkit for a template refusal letter.

Should the application be accepted the line manager must ensure that the appropriate payroll paperwork is completed (form HR2 available on INsite) and sent to ESR Administration who will suspend payments during the employment break. The line manager must ensure that this paperwork is processed in a timely manner in line with the approved employment break timescales prior to the employment break starting.

Employment breaks exceeding 12 months will require an annual confirmation of the continuation to the employment break in writing to the manager.

3.13 Arrangements for Return to Work

Employees will be required to give written notification of their return to work. Where the employment break is for less than 12 months, two months' notice of return is required. For breaks of longer than 12 months, six months' notice of return is required.

A return to duty before the expiry of the agreed period is strictly at management discretion, with advice from People Services, having regard to the circumstances at the time. Any such request must be made in writing to the Manager.

Arrangements to cover an employee's absence on an employment break will normally ensure that the employee can return to duty on the date stated. The manager, however, has the discretion to extend the date of return to duty, should operational circumstances demand it. The extension would be of no more than 12 weeks. The 12 weeks should not exceed the five year limit of the employment break.

Where an employee returns to work within 12 months, they will return to the same post they held when the employment break started, as far as is reasonably practicable. If this is not possible, due to restructuring etc., or if the break has been for longer than 12 months, then every effort will be made to find the employee a post with similar duties and responsibilities to those of the previous post held. Communication would take place with the employee regarding this. Should it not be possible to find a suitable similar position then redundancy may be considered. Employees returning following an employment break over 12 months will be entitled to return to a broadly comparable post on an equivalent salary and on no less favourable terms and conditions of service to those received before participating in the employment break scheme subject to any nationally/locally agreed changes that have occurred during their employment break.

Upon the employee's return the Disclosure and Barring Service check must be reviewed to see whether the same level of clearance is required upon their return to work. If a DBS check is required, then the cost will be charged to the employee.

When returning from an employment break employees must have a local induction, update their statutory mandatory training and have an appraisal within six weeks.

Employees may be required to undertake a period of training on their return to work. The content and duration will depend on the length of the break, the post, and any changes in working practices, legislation or policy.

- *3.14 Extension of an Employment Break*

An employee who has taken a break of less than five years may extend the break up to an aggregate total of five years, on giving three months' notice, subject to further agreement and the extension of cover arrangements. This is strictly at management's discretion, with advice from People Services, having regard to the circumstances at the time. There is no right of appeal against the decision.

- *3.15 Resignation during the Employment Break*

An employee will be required to confirm in writing immediately if their circumstances change and they decide not to return to work during the employment break. Resignation during or coinciding with the end of their employment break requires their normal contractual notice to be given. The employee will then be deemed to have resigned their post and terminated their employment.

- *3.16 Appeals*

Employees may resort to the Resolution Policy if a request for an employment break is refused. A written reason should be provided to employees for the refusal of any application. Employees may resort to the Resolution Policy if they are unsatisfied with this reason. However, it should be emphasised that decisions made under the scheme may not be challenged solely on the basis that they differ between CMG's, departments or individuals.

4. Further Support

A number of forms and letter templates are available in the policy toolkit on INsite.

If you have any questions about employment breaks, please speak to your manager in the first instance. You can also contact the People Services Team if you or your manager needs any advice or guidance.

Toolkit includes:	
B7 –1	Employment Break Application Form
B7 –2	Employment Break Approval Form
B7 –3	Template outcome letter – declining an employment break request

B8

FLEXIBLE WORKING

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL is committed to helping colleagues balance the demands of both their work and personal needs through flexible working arrangements wherever reasonably practicable and subject to service needs. Flexible working can support in attracting and retaining staff and is a key factor in the Trust's ongoing commitment to becoming a more agile organisation. It also supports national strategic priorities such as supporting working carers. The Trust recognises that many jobs could be worked flexibly and encourages managers to consider flexible-working requests positively and creatively.

The purpose of this procedure is to provide a framework for managers to take a fair and equitable approach in the consideration of flexible-working requests, taking into account the individual role, the team and service needs. The application of this policy should be in line with Trust values.

Please see below the procedure that must be followed whenever an employee submits a request for flexible working. The procedure aims to encourage dialogue between managers and staff with a view to facilitating agreement on changes to an individual's working arrangements wherever such changes are practicable and workable.

A variety of forms and letter templates are available in the policy toolkit.

2. Accountabilities

As detailed in the policy, v: Roles, with the following additions:

Manager responsibilities:

- Confirm receipt of the flexible working request in writing.
- Consider all requests positively and wherever possible accommodate flexible working patterns.
- Ensure all requests are dealt with in a timely manner and within a two-month timeframe.
- Ensure that all flexible working applications are reviewed on an annual basis.
- Ensure that the correct documentation relating to all applications for informal and formal flexible working is retained, irrespective of the outcome.

Employee responsibilities**:**

- Notify their manager as soon as possible of their intention to request flexible working and to submit an application form (B8-A in the policy toolkit) to their line manager.

- Ensure a flexible working application is made well in advance of the date they wish their proposed working pattern to commence, unless extenuating circumstances necessitate urgent consideration.
- Demonstrate a willingness to fully explore alternative suggestions made by their line manager if they are unable to accommodate the individual's initial request.

3. Procedural Detail

There is no limit to the number of requests an employee can submit in any twelve month period.

There is a different process by which doctors in training submit flexible-working requests, which is via Health Education East Midlands (HEEM).

The formal Escalation Stage is not applicable to medical consultants, locum medical staff or doctors in training.

3.1 Submitting a Flexible Working Request

All requests should be made on the form B8-A found in the policy toolkit on INsite. Within the regulations there is no set timescale for an employee to submit a request prior to the date they wish the changes to be implemented.

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

If an application does not contain all of the required information the line manager will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

3.2 Responding to a Flexible Working Request

Managers are reminded that there is a requirement that the outcome must be confirmed to the individual within **two months** of receipt of the initial request. This is inclusive of the appeal process. This process can only be extended with the employee's agreement. The process is identified at B8-G in the policy toolkit. Managers should place a copy of all correspondence relating to the request in the employee's personal file.

The line manager will consider the proposed flexible-working arrangements.

There is no statutory duty on the Trust to agree automatically to an individual's request. Each request will be considered on the basis of the particular work involved and the impact the change could have on individual, team or needs of the service. Managers however must ensure that they take into account where there is a legal requirement to make reasonable adjustments.

Flexible-working meetings are to take place between the manager and employee within **fourteen calendar days** of an application being submitted (including the date the application was received), to discuss the details and practicalities of the request. The manager can request that a representative from People Services is present and the member of staff can request that a trade union/professional representative or colleague is present.

When reviewing how a request might be accommodated managers should consider some, or all, of the following areas:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- any existing flexible working arrangements in the team

- *3.21 Application Stage*

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern. As a general rule the request should be dealt with by a manager who has oversight of the staffing arrangements within that department/area.

Requests for flexible working should not be unreasonably refused without sound business grounds (see section 3.22 below).

The employee will be informed in writing of the organisation's decision at the meeting. All correspondence relating to requests via this policy should be maintained by the line manager in the employee's personal file.

If the application is approved then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact their line manager within **fourteen calendar day**s if they wish to discuss the new arrangements further or if they have any concerns.

The Trust may propose a modified version of the request; the request may be granted on a temporary basis or the employee may be asked to try the flexible-working arrangement for a trial period, the duration of which and the arrangements for review must be agreed with the employee at the outset.

- *3.22 If the request is not approved*

Where it is decided that it is not possible to accommodate the request in the existing work area and that it is not possible to agree a modified arrangement or a trial period, any such decision must be based on one or more of the Business Grounds

listed below. In such situations the ESCALATION PROCESS must then be followed in all cases. M**anagers cannot refuse an application without first referring the matter formally to the Escalation Stage.**

Business grounds for refusing a request

- Burden of additional costs.
- Detrimental effect on ability to meet service demands.
- Inability to reorganise work among existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Lack of work during the periods the employee proposes to work.
- Planned structural changes.

- *3.23 Escalation Stage*

Where no agreement is reached, the manager will proactively explore any further options which would facilitate the employee's request, for a period of **fourteen calendar days.** This may include, for example, whether the request could be accommodated in the wider team or service through contacting managers in the CMG or other areas in the Trust, as appropriate. This could also include reviewing vacancies and exploring other opportunities where the request could be accommodated. Managers may wish to discuss the option to extend the timescales for responding. This step should be confirmed in writing by the manager using the letter found at B8-C in the policy toolkit.

If an agreement has been reached either at the Application or Escalation stage, where relevant the manager must submit a change of circumstances form (HR2) to ESR Administration. Any contractual changes must be confirmed in writing to the employee within one month of the change taking effect, using the 'variation to contract' found at B8-G in the policy toolkit.

The detail of the Flexible Working Agreement should be entered as a 'Formal FWA' skill for that individual within the Electronic Rostering Health Roster, with a specified review date of no longer than twelve months. Where it is known that managers are not able to continue to support the flexible-working arrangement beyond the agreed period, this should be discussed as early as possible with the member of staff and a minimum of twelve weeks' notice given.

Unless specifically detailed otherwise, a successful request will form a change to an employee's contractual terms and conditions.

A record must be retained of all decisions and the reasons for these at both the Application and Escalation Stages, whether in relation to informal or formal requests.

Records must also be kept of actions taken at the Escalation Stage.

Separate provisions apply for doctors in training who should liaise with Health Education East Midlands should they wish to submit a flexible working request.

The Escalation Stage does not apply to medical consultants as the NHS (Appointment of Consultants) Regulations 1996 stipulate that all consultant posts must be advertised.

3.3 Refusal after the Escalation Stage

If, at the end of the Escalation Stage, it has not been possible to accommodate the request, the manager must meet with the employee by the fourteenth day to confirm the specific business ground(s) for refusing the application. This decision not to accommodate the request must be objectively justifiable and there must be demonstrable operational reasons why agreeing to the request is not practicable. The specific reasons must be one of those listed below and the specific wording **MUST** be set out in the response to the individual.

Business grounds for refusing a request

- Burden of additional costs.
- Detrimental effect on ability to meet service demands.
- Inability to reorganise work among existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Lack of work during the periods the employee proposes to work.
- Planned structural changes.

3.4 Appeal Process

The employee has the right to appeal the decision if their request is refused or is only agreed in part (see flow chart at B8-F in the policy toolkit) or if it has not been possible to accommodate the request following the Escalation Stage.

The employee may lodge an appeal and must do so within **ten calendar days** of being notified of a decision about their application. This should be done in writing and clearly state the grounds on which they are appealing and providing any supporting documentation from their initial application. Appeals, which should be heard within **fifteen calendar days** of receipt of the request, will be heard by the next level manager accompanied by a representative from People Services. The employee can be accompanied by a trade union/professional representative or colleague. The employee will then be informed of the outcome of their appeal within **seven calendar days** of the appeal meeting. These time limits may be extended with the agreement of both the employee and the line manager.

The appeal outcome, which will be included in the individual's personal file, will either:

- uphold the appeal and specify the exact nature of the agreed change, establish a start date and a review or end date if applicable, or

- reject the appeal, using the letter B8-F in the policy toolkit. This decision MUST specifically state the relevant business ground supporting the decision (ref 3.23 above).

The appeal process concludes the process for dealing with flexible-working requests under this policy. It is not possible to raise a grievance in respect of decisions made under this policy.

It is a requirement that requests for flexible working must be resolved within two months of receiving the application, including the appeal process.

3.5 Ongoing Review of Flexible Working Requests

Managers should review the agreed new flexible-working pattern with the member of staff on an annual basis to ensure the working arrangements continue to meet the needs of the individual and service.

4. Further Support

A variety of forms and letter templates are available in the policy toolkit on INsite.

If you have any questions about flexible working, please speak to your manager in the first instance. You can also contact the People Services Team if you or your manager needs any advice or guidance.

Toolkit includes:	
B8 –A	Application form to request flexible working
B8 –B	Acceptance letter
B8 –C	Referral to Escalation Stage
B8 –D	Rejection letter following the Escalation Stage
B8 –E	Invitation to an appeal
B8 –F	Rejection letter following an appeal
B8 –G	Flow chart for dealing with flexible-working requests
B8 –H	Variation to contract form

B9

RETIREMENT

← Go back to Contents (list of areas of support)

1. Procedure Statement

We wish to retain highly experienced and skilled staff for as long as possible and recognise that some individuals wish to continue to work after the date in which they can access their pensions. It is also acknowledged that staff may prefer retirement on a phased basis which would allow staff an opportunity to balance choice and flexibility in planning their retirement

This policy is intended to help understand the options available when colleagues wish to retire and sign post to further details. It is not the intention of our guidance to encourage colleagues to leave any of the NHS Pension Schemes or to provide advice on options or liabilities. Individuals are strongly advised to seek independent financial advice.

2. Accountabilities

As detailed in the policy, v: Roles, in addition to the below.

Managers are responsible for ensuring the effective application of the retirement policy and the procedures outlined within it, ensuring that the employee is aware of the existence of this policy and is supported through the retirement process.

All **colleagues** are responsible for ensuring that they understand the associated processes and financial implications before submitting their formal notice.

The **Transactional Team** (in Recruitment Services) are responsible for processing the retirement paperwork effectively and in a timely way.

The **People Services Team** are responsible for ensuring managers are provided with advice and support in relation to the application of this policy.

The **Payroll Team** are responsible for processing pay related information and passing relevant information to NHS pensions.

3. Procedural Detail

This policy applies to all staff employed on a contract of employment with the University Hospitals of Leicester NHS Trust.

➢ *Retirement Process*

When intending to retire, you should inform your manager as soon as possible to discuss the upcoming retirement. You need to give at least four months' notice (ideally more) in writing of your intention to retire in order to receive your NHS pension/s in good time and ensure your benefits are paid at your retirement date.

This is different from the contractual notice required to resign from your employment.

You must have used, or intend to use, all of your annual leave entitlement prior to your date of retirement.

A flowchart to summarise the retirement process can be found in the policy toolkit (B9-A). This information is designed as a guide only. Further information can be obtained through the Trust's intranet (INsite) and *'UHL Payroll Assistance'*.

If you are unable to continue working due to your health, you may be able to access your pension early through Ill-Health Retirement. Further information on this can be found in the Sickness Absence Management Policy and online on the NHS Business Services Authority website https://www.nhsbsa.nhs.uk

Your TRS can help you decide if you want to fully retire or consider other options available to you that allow you to continue in work. If you have membership in a number of different schemes you should ask for a pension forecast. You can download your TRS from ESR or from the government gateway website, alternatively you can call NHS pensions directly.

Once you've downloaded your TRS talk with your family, dependents and anyone else who may impact your plans and start to think about what your lifestyle might look like in the future, how much money you might require and how you feel about transitioning away from work. Also talk to your manager as part of appraisals or reviews, early on so you can both start to prepare and plan for the future.

- *NHS Pensions & Your Options for Flexible Retirement*

There are a range of options to retire flexibly in a way that suits you. You will need to discuss this with you Manager who will confirm the process to follow. There is no automatic right to alternative working arrangements, so it is important to start conversations early to understand options available. There are some caveats with some options only being available on certain schemes, so it's worth checking with NHS pensions to see if these options are available for you.

Wind down	Colleagues approaching retirement may wish to 'wind down' to retirement by remaining in their current post and requesting to reduce the number of hours or days they work. To apply to 'wind down' colleagues must make the request through the Trust's policy on Flexible Working.
Draw down	Members can take part of their pension benefits and continue in NHS employment. This means that staff can continue working while benefitting from being able to partially draw down their pension benefits and supplement their income.
Step down	Colleagues approaching retirement can apply to 'step down' into a different role, for example, one that reduces their level of responsibility. This supports the Trust in retaining the individual's skills and experience while supporting the staff member to approach retirement. This would typically mean a reduction in salary and future pension contributions. Discuss this option with your manager or team leader and contact NHS pensions for advice.

Late retirement enhancements	If you are a member of the 2008 or 2015 schemes and choose to continue to work past normal pension age and have not 'drawn down' from your pension, your pension benefit will be increased by the application of late retirement factors, and benefit from working longer to achieve an increase in pension benefits.
Early retirement reduction buy out	If you are in the 2015 scheme, there is an option to set up an Early retirement buy out to let you retire earlier than your normal pension age (but not earlier than 65). This needs to be set up in advance and the earlier you do this the more spread out the payments will be. They may be increased if your state pension age changes. For more info see the NHS Pensions website.
Retire and return	If you have reached the minimum pension age, you can choose to retire, claim your pension benefits and then return to NHS employment. Although all such requests should be considered, it should be noted that there is no automatic right for you to retire and return to your previous post, or any other post, and approval of the request will be subject to operational and business need. If you plan to return you must have a gap in service of at least 24 hours. Note: From 1 October 2023 pensions changes will impact the need to "Retire and Return" as this will largely be replaced by Partial Retirement. Please contact NHS pensions for further details.
Partial Retirement (inc. 1995 scheme from 1/10/23)	If you have reached minimum pension age, you are able to take "Partial Retirement" and take your pension benefits without requiring a break in service. Colleagues who wish to take their pension benefits under partial retirement will be required to reduce their pensionable pay by 10% for 12 months. See the policy toolkit (B9-B) for further details.

The NHS Pension Scheme continues to be one of the most comprehensive and generous schemes within the UK. Detailed information about the scheme and relevant NHS Pension forms and factsheets can be found at www.nhsbsa.nhs.uk/nhs-pensions in the retirement section of the Members Hub.

Advice can also be sought from the Pension team via 'UHL Payroll Assistance'; (please refer to point 4 below for contact information).

➢ *Retirement Gift: Recognition*

The Trust understands that without the dedication and loyalty of its colleagues the success that has been achieved would not have been possible. In recognition of this, colleagues who retire with more than 20 years' aggregated NHS service (regardless of whether the employee has worked full or part time) will be entitled to a gift voucher to the value of £100 on retirement. This will only become payable when the employee leaves the Trust.

4. Further Support

A summary of the retirement process is available in the policy toolkit on INsite.

If you have any questions about retirement, please speak to your manager in the first instance. You can also contact the People Services Team if you or your manager needs any advice or guidance.

Toolkit includes:	
B9-A	Retirement Process (Summary Guide)
B9-B	1 October 2023 changes – Partial Retirement
B9-C	Retire and Return Process & Form
B9-D	Proposed Retirement Form

Key contacts and support are below:

- NHS Employers Pension pages NHS Pension Scheme: https://www.nhsemployers.org/pensions
- NHS employers have some pension tax guidance & further information: https://www.nhsemployers.org/publications/access-pension-tax-guidance-and-advice
- NHS Business Services Authority Pensions Agency: https://www.nhsbsa.nhs.uk/nhs-pensions
- NHS Pensions Helpline: (for more detailed information on your own pension position): Telephone 0300 330 1346. Website: http://www.nhsbsa.nhs.uk/Pensions
- Pensions Team (UHL Payroll Services): Telephone 03332 076562
- NHS Retirement Fellowship: a self-help organisation catering specifically for retired NHS staff. Its aim is to encourage friendship and relieve loneliness and worry for retired NHS staff. Telephone: 01305 361317, email: info@nhsrf.org.uk. The website is: www.nhsrf.org.uk
- Planning for Retirement course: To help colleagues plan for their retirement, the Trust offers a free two-hour online financial planning course. This is booked via Health Education Learning Management System (HELM).

C1

ATTENDING A JOB INTERVIEW

← Go back to Contents (list of areas of support)

1. Procedure Statement

We want to support colleagues as much as we can if and when the time comes for you to move on to another role, whether that is within the Trust or elsewhere. Getting a job interview is always good news, and could lead to an exciting new step in your employment.

2. Accountabilities

As detailed in the policy, v: Roles, in addition to the below.

Please speak to your manager as soon as you are offered an interview, to ensure any request for time off can be accommodated. If the possible interview date is known before, then it would be preferable to let your manager know, if you want to.

3. Procedural Detail

If your interview is within UHL and falls within your working day, you will be reasonably supported to attend wherever possible. You will also be supported to attend any interview if you are a kickstarter or apprentice. Your manager may expect you to come into work beforehand or afterwards, depending on the time and length of the interview process, so talk to them about this beforehand.

For external interviews, we would ask that you try and schedule it for first thing in the morning, towards the end of the day or after work. However, we appreciate this is not always easy and there will be limited options. Therefore, you will need to discuss with your manager whether you want to use annual leave or unpaid special leave, or whether you can work flexibly and make the time back.

In some circumstances, your manager may ask that you see if you can be allocated a different interview time or date if your absence is likely to impact on the service.

4. Further Support

If you have any questions about time off for attending job interviews, please speak to your manager. You or your manager can also contact the People Services Team for advice and guidance.

C2

SEVERE WEATHER CONDITIONS AND TRAVEL DISRUPTION

← Go back to Contents (list of areas of support)

1. Procedure Statement

There are times when our normal daily travelling arrangements are disrupted by events such as adverse weather conditions. This section sets out the procedure we need to follow to ensure services continue to run and colleagues remain safe.

2. Accountabilities

As detailed in the policy, iv: Roles, in addition to the below.

We ask that all colleagues plan ahead and try, if possible, to identify alternative travel options for periods of adverse weather and to consider what arrangements could be made.

3. Procedural Detail

Adverse weather is where the weather conditions are unusual and are such that working conditions are affected and you are prevented from attending work, or have significant problems getting home from work. They usually arise from heavy snowfalls and drifting but may also include exceptionally high winds, flooding or excessively hot weather.

During periods of adverse weather, the Trust still needs to provide services and appreciates the efforts colleagues make to get in to work. We are all responsible for making our own arrangements to get to work on time, and therefore each of us is expected to make all reasonable attempts to attend work in order for services to be maintained – this might include using other modes of transport and allowing yourself extra time to make your journey.

We appreciate that bad weather may affect different localities within a geographical area with different degrees of severity, and therefore some colleagues may be affected differently to others.

In the event of adverse weather, you should be aware of your team's continuity plan and keep your manager and colleagues updated if you are experiencing any difficulties in getting to / from places of work.

If you need to take time off work to respond to a personal emergency, resulting from a school closure for instance, then please take a look at the emergency leave section of this policy.

4. Late to work

If you are going to be late to work, please contact your manager as soon as possible to advise them of the situation, ideally before you are due to start work. You can then

agree with your manager when you will next speak to them to update them on the progress of your journey.

Should you arrive late for work due to travel difficulties or where you have had to make alternative care arrangements for dependents, your manager may ask you to make the time back up that day or another time.

5. Unable to attend work

If you are unable to attend work on your normal base/site, please contact your manager as soon as possible to discuss the options available to you. These may include working from home if meaningful work is possible; or attending for work at another site, provided the work available is appropriate.

If those options are not feasible then your absence from work will be unpaid special leave, unless you agree with your manager to use time owing, annual leave, or it is agreed that the time lost can be made up at a time that is required by the service and within an agreed time scale.

6. Leave work early

If you need to leave work earlier than normal in order to ensure a safe journey home, such as when adverse weather conditions are worsening during the day, please discuss this with your manager with as much notice as possible.

Where it is agreed for you to leave early, this time off work can be taken as annual leave or you may agree to work the time back – this may be from home where feasible.

7. Closure of a base

Where a decision has been taken to close a base, managers will make every effort to contact you in advance to notify you of any alternative arrangements. In the event that you arrive at work to find that your base is closed, please contact your manager in the first instance to agree the appropriate course of action to take.

8. Further support

You are responsible for your own health and wellbeing and should raise any support required with your manager without delay.

If you are pregnant or have a condition that affects your mobility, please speak to your manager and careful consideration will be given to you to ensure you are not taking unnecessary risks. You may also want to contact Occupational Health for advice as necessary.

If you have any questions about what happens in the event of adverse weather conditions and/or travel disruption, please speak to your manager. If managers need advice, they can contact the People Services Team.

C3

EMERGENCY SERVICES VOLUNTEERS

← Go back to Contents (list of areas of support)

1. Procedure Statement

We recognise that some colleagues want to make a difference to their community and may be involved in, or wish to be involved in, the emergency services such as the Ambulance Service and Fire and Rescue.

We also know what value staff volunteering for other organisations can bring back to our own, in terms of the learnings and skills colleagues develop.

2. Accountabilities

As detailed in the policy, v: Roles.

In addition, we would encourage you to speak to your manager about your duties outside of work, so they are aware of this and can support you where they can.

3. Procedural Detail

Colleagues involved in the emergency services will need to undertake these duties outside of their normal working hours or request annual leave.

Where possible, consideration may be given to the changing of shifts, or agreeing unpaid special leave, however this would be subject to the needs of the service.

4. Further Support

If you have any questions about time off for being an emergency services volunteer, please speak to your manager, or contact the People Services Team.

C4

VOLUNTEER RESERVE FORCES AND CADET FORCE ADULT VOLUNTEERS

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL recognises the invaluable contribution reserve forces make to our nation; in 2015 UHL signed the Armed Forces Covenant, and in 2018 the Trust achieved a Ministry of Defence employer Recognition Scheme Gold Award for our proactive support to the Armed Forces Community.

Please do make yourself known to the People Services team so that we know who our current serving reservists are.

We know that when volunteering, you have to give a significant amount of your spare time for training, and we want to support and encourage colleagues to become reservists in the Armed Forces and to become volunteers with the Army Cadets.

2. Accountabilities

As detailed in the policy, iv: Roles. In addition, if you need time off, please speak to your manager and give them as much notice as possible, as soon as you become aware of the dates. This will then hopefully give your manager enough time to ensure adequate cover and minimise any disruption to the service.

You will need to complete the General Leave Confirmation/Request Form in the policy toolkit and submit to your manager.

3. Procedural Detail

If you volunteer for service with the Reserve Forces, you can have 12 days paid special leave and a further three days of unpaid special leave (pro-rata for part time staff) per year for relevant training or volunteering.

The Trust also provides six paid days leave (pro rata for part-time employees) for volunteer leaders in military cadet organisations to attend annual training camps, and two paid days leave (pro rata for part-time employees) for Service spouses and partners to accommodate unforeseen military delays.

4. Further Support

If you need more time off, please speak to your manager and you may be able to explore options such as using your annual leave, making the time up where appropriate, or flexible working.

If you have any questions about time off for volunteering, please speak to your manager, or contact the People Services Team.

C5

MOBILISATION OF ARMED FORCES

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL recognises the invaluable contribution reserve forces make to our nation; in 2015 UHL signed the Armed Forces Covenant, and in 2018 the Trust achieved a Ministry of Defence employer Recognition Scheme Gold Award for our proactive support to the Armed Forces Community.

Please do make yourself known to the People Services team so that we know who our current serving reservists are: HRGeneralistTeam@

2. Accountabilities

As detailed in the policy, v: Roles, in addition to the below.

If you are called up, please let your manager know as soon as possible and no later than seven days after receiving the call out notice.

You will need to complete the General Leave Confirmation/Request Form in the policy toolkit and submit to your manager.

If your manager believes that your absence at this time would cause serious harm on the service, they will discuss this with you and may apply to delay or cancel your mobilisation.

3. Procedural Detail

If you are a reservist in the Armed Forces, you will (in most cases) get 28 days' notice when you are called up (mobilised).

As a reservist, you have a right to apply for exemption or deferral of a notice in exceptional circumstances. Advice concerning this will be contained with the notification of call out.

If you are called up, you will be required to attend your Unit for acceptance. Should you not be accepted then you will be required to return to work as normal and that absence will be treated as paid special leave. In this case, you will be required to repay to the Trust any remuneration received from the Ministry of Defence.

If you are accepted for call out, then you will be paid a standard award by the Ministry of Defence according to your rank and specialised skills. You may also claim additional loss of earnings where applicable. Therefore, any time off would be authorised by the Trust as unpaid special leave for the full duration of the call out.

Please note that annual leave will not accrue during the call out period, as you will be granted annual leave by the Armed Forces according to their arrangements.

The period of leave will not break your continuity of NHS service.

4. Further Support

The period for mobilisation may vary, the maximum time being 12 months. Financial assistance is available for reservists on the gov.uk website.

Colleagues who are released from duty will, upon return, be reinstated in the same type of job or a job of equally favourable terms and conditions as before.

If you have any questions about time off for mobilisation or your return to work, please speak to your manager or contact the People Services Team.

C6

JURY SERVICE AND ATTENDANCE AT COURT

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL will support colleagues to have a reasonable amount of time off for public duties.

Note. Attendance at court by medical and dental staff as a medical / dental witness is subject to separate provisions set out in their Terms and Conditions of Employment.

2. Accountabilities

As detailed in the policy, iv: Roles, in addition to the below.

You will need to complete the General Leave Confirmation/Request Form in the policy toolkit and submit to your line manager.

Managers must seek advice from People Services prior to declining any request to go on jury service.

3. Procedural Detail

3.1 Jury Service

If you are called up for jury service, you will need to inform your manager and the People Services team as soon as possible.

You will be given paid special leave for undertaking jury service, once in a 12-month period.

If your manager believes that your absence at this time would have a serious effect on the service, they will discuss this with you and may ask you to delay your jury service. They would need to provide you with a letter to explain why they have asked you to delay it, and they could only delay you being called up for jury service once in a 12-month period. In this case, you would need to say on your jury summons when you will be available.

3.2 Attendance at Court

If you are due to attend court to answer charges against yourself, you will need to request annual leave in the usual way. You may also ask for the time off to be unpaid special leave.

If you are required to attend court as a witness, in matters unrelated to the Trust, you will be given paid special leave. Please inform your manager as soon as possible so that cover arrangements can be put in place.

If you are required to attend court on Trust business, then you will be paid as normal.

4. Other Information

The Trust's special leave with pay will cover an employee's basic pay; any other loss of earnings must be claimed separately from the Court. Special leave is paid on the understanding that any fees received are handed over to the Trust, that employees will claim any entitlement to loss of earnings with the Trust making up salary as necessary and that (where practical) colleagues return to work if released early by the court.

5. Further Support

If you have any questions about taking time off for attending court, please speak to your manager in the first instance. The People Services Team can also offer advice.

You may also want to take a look at the other support available to you, detailed towards the front this policy: Support Information for Colleagues.

C7

PUBLIC AND CIVIC DUTIES

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL will support employees to have a reasonable amount of time off work if they are:

- a magistrate (also known as a justice of the peace)
- 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 the General Teaching Councils for England and Wales
- a member of the Environment Agency
- a member of the prison independent monitoring boards

If you are in the reserve forces, please see the section specific to you: Volunteer Reserve Forces and Cadet Force Adult Volunteers, and Mobilisation of Armed Forces Reserves.

2. Accountabilities

As detailed in the policy, v: Roles.

You will need to complete the General Leave Confirmation/Request Form in the policy toolkit and submit to your line manager.

3. Procedural Detail

The amount of time off you need for your public duties should ideally be agreed with your manager at the start of each leave year, in respect of the following 12 months and planned to ensure the least possible disruption to the service. The amount of time off to be agreed will take account of how long the duties might take, the amount of time you have already had off for public duties and how the time off will affect the Trust.

Special leave for public and civic duties will be unpaid, except in the case of being a magistrate, local councillor or Lord Mayor.

4. Magistrate / local councillor / Lord Mayor

You can take up to 13 days' special leave (9 paid days and 4 unpaid days), in any period of 12 months for the purpose of undertaking official duties as a magistrate or local councillor; and up to 15 days' paid leave to carry out your civic duties as Lord Mayor.

Leave may be taken in days or half-days as required and is pro-rata'd for part-time staff. If you require further time off, this would need to be agreed with your manager and could either be taken as unpaid or annual leave.

If you are both a magistrate and a member of a local authority, then your manager can agree up to 18 days' paid leave in any period of 12 months.

Please note that travel / subsistence is not paid.

If you are planning to contest a local election or take part in local government activities, please discuss this with your manager. We will endeavour to support colleagues but there may be circumstances that make membership of a local authority undesirable, such as if the discharge of any local authority functions impinge on the functions of the Trust.

5. Other Information

In all cases of paid leave, if you can be compensated by the relevant public body for your time then you need to do this first. If you can claim for compensation then any special leave by the Trust will instead be recorded as unpaid leave, and in the case you are compensated but less than your normal earnings then your leave will be part-paid to make-up any shortfall in earnings

6. Further Support

If you have any questions about time off for public and civic duties, please speak to your manager. If managers need advice, they can contact the People Services Team.

C8

PARLIAMENTARY CANDIDATES

← Go back to Contents (list of areas of support)

1. Procedure Statement

UHL will support colleagues to pursue either election to Parliament or in sitting and voting as a Member of the House of Commons.

If you are adopted as a parliamentary candidate and an election is arranged, please speak to your manager as soon as possible to discuss how we can best support you whilst minimising as much as possible the impact to the service.

2. Accountabilities

As detailed in the policy, iv: Roles.

You will need to complete the General Leave Confirmation/Request Form in the policy toolkit and submit to your line manager.

3. Procedural Detail

We will endeavour to support colleagues who want to pursue their candidature and will, where possible, agree up to one month's unpaid special leave to support them to do this.

The amount of time off given will be agreed locally and will be in line with the needs of the service.

4. Further Support

If you are elected to Parliament, your position in regard to remaining in employment with the Trust will be governed by your ability to continue to fulfil your contractual obligation. You may want to take a look at the sections of this policy on Flexible Working and Employment Breaks.

If you have any questions about leave for parliamentary candidates, please speak to your manager. The People Services Team are also available for support and guidance.

VI. Education and Training

There will be a Trust-wide communication to ensure all staff aware of the new policy, and all CMG Managers, Matrons, Departmental/Directorate Managers are responsible for the dissemination of this policy to their staff.

The People Services Team will provide advice on the policy to staff, and advice and support to managers in the fair and equitable application of this policy as appropriate.

A policy toolkit is available on INsite to provide further guidance and support.

VII. Process for Monitoring Compliance

The audit criteria for this policy and the process to be used for monitoring compliance are given in the table below:

Element to be monitored	Lead	Tool	Frequency	Reporting arrangements
Fair and consistent application of this policy	Line Managers/CMG/ Directorate Senior Leadership Teams	Feedback from Staff Side and managers	Annually (or more frequently if required)	Policy Review Group
Ensuring policies are updated with new/amended legislation	People Partner Team	Legislation update	Annually (or more frequently as necessary)	People Partner Meeting
Monitoring of Successful application to various types of leave included within this policy	Line Managers	Smart Absence (as appropriate depending on leave)	Monthly	Any concerns to be dealt with initially be line managers manager with People Services
Monitoring of declined leave requests included within this policy	Line Managers	Appeal Process	At each appeal-submission	Any concerns to be dealt with initially be line managers manager with People Services

VIII. Equality Impact Assessment

The Trust recognises the diversity of the local community it serves. Our aim therefore is to provide a safe environment free from discrimination and treat all individuals fairly with dignity and appropriately according to their needs.

As part of its development, this policy and its impact on equality have been reviewed and no detriment was identified.

IX. Supporting References, Evidence Base and Acknowledgements

Advisory, Conciliation & Arbitration Service (ACAS): www.acas.org.uk

Agenda for Change: NHS Terms and Conditions of Service Handbook: www.nhsemployers.org

Agile Working Policy and Procedure (including Home Working) B46/2020 (currently under review)

Employment Rights Act 1996: www.legislation.gov.uk/ukpga/1996/18/contents

Equality Act 2010: www.equalityhumanrights.com

Flexible Working Regulations 2014

Gov.uk

NHS England: www.nhsemployers.org/tchandbook/part-5-equal-opportunities/section-33-balancing-work-and-personal-life

NHS Pensions: www.nhsbsa.nhs.uk/pensions

Part-time Workers Regulations 2002

Trust Staff Rostering Policy B5/2013

Trust Working Time Regulations Policy B19/2014

The NHS (Appointment of Consultants) Regulations 1996

Working Time Regulations 1998

www.rcn.org.uk/get-help/rcn-advice/flexible-working

www.thesmallestthings.org/employer-with-heart

www.miscarriageassociation.org.uk/

UHL would like to thank Birmingham Women's & Childrens NHS Trust & Royal Wolverhampton NHS Trust for their openness in sharing and allowing use of their suite of policies to inform our own.

X. Process for Version Control, Document Archiving and Review

This document will be uploaded onto SharePoint and available for access by Staff through INsite. It will be stored and archived through this system

The Policy will remain under review by People Services and will be updated in line with changes in legislation, if changes are deemed necessary from internal sources or every three years, whichever is sooner.