

Special Leave Policy

This Policy outlines the provisions for employees that require special leave for domestic, personal, family reasons and for public duties.

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Version Control and Summary of Changes

Version number	Date	Comments (description change and amendments)
1	20/01/12	Used the former LCCHS as a base for this document and updated in accordance to Agenda for Change terms and conditions.
2	16/07/12	Added in a section – Hospital Admission of a Dependents, this was originally removed, contents of this section provide consistency with the Carers Policy. Policy Reformatted
3	20/01/14	Added Appendix 3 - Guidance for Managers/HR Employing Staff in the Reserve Forces
4	28/10/16	Transferred to new policy template document and small changes made to the general language of the policy for clarity. Section 3 –Volunteering Leave to be added
5	15/05/17	Policy updated to include Section 7 – Volunteering Leave
6	14/08/17	Time off for Special Leave changed to hours from days to match annual leave. Special Leave Recording Sheet added as Appendix 3.
7	01/02/18	Section 5.14 – added if there are extenuating circumstances a longer period of Carer's Leave may be necessary and in such cases, the period of Carer's Leave should not normally exceed 22.5 hours.
8	August 2019	Appendix 5 – Guidance for Managers/HR Employing Staff in the Reserve Forces removed as new Reserve Forces Training & Mobilisation Policy and Procedure available for reference Section 6.15 added – deferring jury service Provision for Child Bereavement Leave added Bereaved Parent added to Definitions

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Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others.

It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all.

This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity.

In carrying out its functions, LPT must have due regard to the different needs of different protected equality groups in their area.

This applies to all the activities for which LPT is responsible, including policy development and review.

Due Regard

LPT must have due regard to the aims of eliminating discrimination and promoting equality when policies are being developed. Information about due regard can be found on the Equality page on e-source and/or by contacting the LPT Equalities Team. **The Due Regard for this policy is included as an appendix below.**

Definitions that apply to this Policy

Working Week	Refers to any employees working week regardless of whether they are full time (37.5 hours) or part time
Carer leave	Paid or unpaid leave is made available to staff in urgent and unforeseen circumstances to care for a dependent or relative
Special leave	Provisions that are made available for domestic, personal and family reasons.
Public Duties	The right to time off to undertake certain public duties which include; Police authority, Board Of Prison Governors, Member of prison visiting committee , Member or Chair of school governors committee, Member of the Environment Agency, Local government activities – Borough / District / City / County / Parish Councillor
Leave Year	This is the period to which the annual leave year runs. For the majority of staff this will be from April to the following March.
Reasonable Time Off	Reasonable in all circumstances having regard to the amount of time required, previous time already allowed and the circumstances of the member of staff's personal business and the effect of the absenteeism on the service.
Basic Pay	The level of pay referred to as basic pay which shall be applied to all types of special leave shall be the level of pay the member of staff would have received for their normal contracted working hours, had they worked that shift or duty.
Dependent	A dependent is someone who is married to, is a civil partner, or a partner (whether the same or opposite sex) a near relative or someone who lives at the same address as the employee. A relative for this purpose includes; children, parents, parents-in-law, adult children, adopted adult children, siblings (including those who are in-laws), uncles, aunts, grandparents and step relatives or is someone who relies on the employee in a particular emergency.
Bereaved Parent	A bereaved parent is anyone who had responsibility as one of the primary carers for a child who is now deceased. This includes adoptive parents, legal guardians, individuals who are fostering to adopt, and any other parent/child relationship that the organisation deems to be reasonable. For example, this may include grandparents who have had caring responsibilities for a child, or instances where someone other than the biological parent is the primary carer (this could be the case where the parents of the child have separated).
Due Regard	Having due regard for advancing equality involves: <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics.

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| | <ul style="list-style-type: none"> • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low |
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1.0. Purpose of the Policy

The purpose of the policy is to give information and guidance to employees and managers about special leave in relation to carers leave for dependents, emergency domestic leave, bereavement leave and special leave to undertake public duties. It describes the options available to employees and stipulates the period of time off in any given situation. It explains the process to be followed when applying for Special leave.

2.0. Summary and Key Points

- 2.1 The Special Leave Policy is available to all staff across the organisation to support them in achieving an appropriate balance between work and home life. The NHS Constitution (January 2009) refers to staff having the right to fair treatment regarding leave, flexible working and other statutory leave requests relating to working and family including caring for adults that you live with.
- 2.2 The policy provides an easy to follow guide for managers and staff.
- 2.3 The policy attempts to balance the spirit of equal opportunity and reasonableness with practicality, for both individuals and the service.
- 2.4 Employees may access a maximum of 37.5 hours paid Special Leave (a working week) in any leave year (proportional for part time staff)). This leave should be managed in line with the annual leave calendar (April to March).

3.0. Introduction

- 3.1 As part of LPT's Health and Wellbeing agenda, the Trust is committed to ensuring that staff are able to achieve a balance between the demands of work and their domestic, personal and family circumstances in order to maintain work performance. The Trust also recognises that the emphasis will shift as individual circumstances change and careers develop.
- 3.2 Work Life balance is about how we combine the demands of work with the demands of other personal interests and responsibilities. The Trust is committed to improving the working lives of staff and believes that supporting and valuing staff, in turn, support the delivery of patient care. Work Life balance is not just about families, childcare or the eldercare it is about having reasonable influence and flexibility over when, where and how you work. It's about having the energy to enjoy both your work and home life.

3.3 LPT aims to be fair and consistent in implementing a framework to help staff that have an urgent and/or unforeseen needs which necessitates absence from work or creates an inability to function safely at work.

4.0 Duties within the Organisation

4.1 The Trust Board has a legal responsibility for Trust policies and for ensuring that they are carried out effectively.

4.2 Trust Board Sub-committees have the responsibility for ratifying policies and protocols.

4.3 Director of Human Resources / Heads of Human Resources are responsible to ensure the development and implementation of appropriate guidance to support work-life balance for employees

4.4 Managers and Team leaders will be responsible for:

- Ensuring that staff are aware of this policy and the guidance to support work life balance and apply this policy in a effective, fair and consistent manner.
- Considering employees requests for special leave and making decisions about such requests in line with the needs of the service.
- Ensuring that all relevant paperwork is completed and sent to payroll/human resources when an employee's request for special leave is made. In particular where unpaid leave is granted, appropriate payroll forms are completed to ensure payroll deductions are made.
- In instances where special leave is not supported to provide written reasons to the member of staff.
- Maintaining a full and up to date record of all leave applied for taken, or not supported.
- Arranging for appropriate cover where necessary.
- Monitoring all leave taken by staff.
- Respecting and maintaining confidentiality where a member of staff has needed to disclose details of a personal nature in order for their request to be considered.

4.5 Responsibility of Staff:

- To follow Trust procedures in applying for Special Leave.
- Ensure all relevant paperwork is completed.
- Employees are responsible for maintaining regular contact with their line manager whilst on Special Leave if circumstances have changed during their period of Special Leave.
- To raise with their manager any concerns they have about being able to effectively manage the balance between their work commitments and home circumstances.

5.0 Section A - Special Leave for Urgent, Domestic, Personal and Family Reasons

5.1 General Principles

- 5.2 The Trust recognises that many of its employees combine their working lives with the responsibilities of raising a family, caring for dependant elderly relatives and other domestic commitments and that there will be occasions when urgent domestic, personal and family matters compete with work responsibilities.
- 5.3 Due to the circumstances of urgent and unforeseen need, it is not appropriate to limit the extent to which Managers can exercise discretion. Managers should use the policy for guidance purposes.
- 5.4 In the interests of consistency when exercising their discretion in respect of special leave for domestic, personal and family reasons, Managers should discuss the circumstances of particular requests with their appropriate Senior Manager.
- 5.5 In all cases reference to a working week equates to the normal weekly hours of the individual whether they be full or part-time.
- 5.6 For the purposes of this policy, A dependent is someone who is married to, is a civil partner, or a partner (whether the same or opposite sex) a near relative or someone who lives at the same address as the employee. A relative for this purpose includes; parents, parents-in-law, adult children, adopted adult children, siblings (including those who are in-laws), uncles, aunts, grandparents and step relatives or is someone who relies on the employee in a particular emergency.
- 5.7 Special leave must be recorded on an individual's Special Leave record card.
- 5.8 Separate incidents of Special Leave should not normally exceed a total of 37.5 hours (pro-rata for part time staff) in any leave year.

5.9 Categories of Leave

Provisions for special leave both paid and unpaid fall under the following categories:

- Carer's leave
 - Emergency domestic leave
 - Leave for Other Domestic Crises
 - Bereavement leave
 - Child Bereavement leave
 - Time off for Religious Festivals and Spiritual Observance Days
 - Time off for interviews
 - Hospital Admission of a Dependant.
- 5.10 After special leave has been exhausted, annual leave/unpaid leave/Time off in Lieu should be considered. Please note NHS Pensions Contributions cannot be taken during a period of unpaid leave. Missing contributions will be recovered in full once the employee return to work

5.11 Table 1 – Categories of Special Leave for Urgent, Domestic, Personal and Family Reasons

Special Leave	No of hours in a leave year	Paid or unpaid	Degree of discretion	Special circumstances
Carer's Leave Also incorporates Emergency Admission into Hospital for Dependents	Up to 37.5 hours (pro-rata for part time staff)	Paid	With approval of the Head of Service	
Emergency Domestic Leave	Up to one day/shift	Paid	Depends on Severity of situation	Period extendable by Director
Bereavement Leave	Up to 37.5 hours (pro-rata for part time staff)	Paid	Consideration given to the relationship of the deceased	Additional leave may be granted by Director
Child Bereavement Leave	Up to 75 hours (pro-rata for part time staff)	Paid		Additional leave maybe granted by Director
Time off for interviews	Time off given for internal interviews	Paid	n/a	n/a
Hospital Admission of a Dependent – planned appointments	Time off Given	Unpaid	n/a	Additional days can be granted with approval from the Head of Service

5.11 Carer's Leave

- 5.12 Leave, either paid or unpaid, depending upon the circumstances, should be made available to staff at times of **urgent and unforeseen need**. There is no qualifying period for eligibility.
- 5.13 The aim of such leave is to provide a compassionate response to immediate needs. Examples of such situations are illness of a child, close relative or dependent, breakdown of normal carer arrangements and making arrangements for longer-term care, where Hospital attendance of a partner or dependent is an emergency admission, this list is not exhaustive.
- 5.14 In considering what leave is immediately necessary and reasonable in a particular situation, the Manager will consider each case on its own merits. For example if normal care arrangements break down, up to a maximum of one day/shift may be sufficient to allow other arrangements to be made. However, if there are extenuating circumstances a longer period may be necessary and in such cases, the period of Carer's Leave should not normally exceed three days/shifts.

5.15 In exceptional circumstances, for example to care for dependents with terminal illness or emergency hospital admissions, additional leave paid or unpaid may be granted but must be approved by the Head of Service.

5.16 Emergency Domestic Leave

5.17 Managers may grant compassionate leave in response to immediate needs e.g. house burglary. Paid compassionate leave would not normally be for more than one day/shift. If further time off is needed, annual leave and/or unpaid leave may be agreed with the Manager. Managers should always refer to a Senior Manager where an extension of leave is to be considered.

5.18 Leave for Other Domestic Crises

5.19 Managers will consider leave in any circumstances where, due to urgent and unforeseen events, a compassionate response is necessary e.g. an incident of domestic abuse. Human Resources should be contacted for advice in all such instances.

5.20 Bereavement Leave

5.21 Managers may grant up to 37.5 hours bereavement leave with pay (pro-rata for part time staff). Additional leave can only be granted following agreement from the Head of Service.

5.22 The following factors will be taken into account when determining time and pay arrangements:

- Closeness of employee's relationship with the deceased in real terms, not merely by reference to blood ties.
- Whether the employee is appointed executor/executrix or is responsible for funeral arrangements.
- The availability of other relatives or friends, particularly those more able to assist in the necessary arrangements.
- The distance the employee needs to travel to make arrangements and/or attend the funeral.
- Periods of less than one day's paid time-off to enable staff to attend funerals should always be considered.
- Managers should highlight to employees suffering a bereavement their entitlement.

5.23 Child Bereavement Leave

5.24 All bereaved parents will be eligible for a minimum of two weeks child bereavement leave. A bereaved parent will not be required to demonstrate any eligibility criteria in order to access bereavement leave or pay.

5.25 There is no requirement for the child to be under 18 years of age.

5.26 Parents who experience a still birth from the 24th week of pregnancy will be eligible for child bereavement leave.

- 5.27 Where both parents of a deceased child work for the Trust, the entitlements will apply to both members of staff.
- 5.28 All bereaved parents will be entitled to two weeks' occupational child bereavement pay which will include any entitlement to statutory parental bereavement pay. Pay is calculated on the basis of what the individual would have received had he/she been at work.
- 5.29 Bereaved parents do not have to take the two weeks of leave in a continuous block. The employee should agree with their line manager the leave they wish to take. Taking child bereavement leave is an individual choice, it is not compulsory for the employee to take child bereavement leave
- 5.30 Bereaved parents may request to take child bereavement leave at any point up to 56 weeks following the death of the child. Should the parent wish to take child bereavement leave immediately following the death of a child they shall be able to do so upon informing their line manager that they will be absent from work for this purpose. Should the parent wish to take child bereavement leave at another time, after the initial period following the death, they should give their line manager reasonable notice of their intention to take the leave at this time
- 5.31 Please refer to Section 23 of the NHS Terms and Conditions of Service for additional information in relation to Child Bereavement Leave.
- 5.32 Time off for Religious Festivals and Spiritual Observance Days**
- 5.33 The Trust recognises that it operates within a multi-cultural society where many religions and faiths are followed. Whilst the Trust understand that there are many 'special days' within religious calendars, the Trust is unable to give paid time off for these events under special leave.
- 5.34 Bank Holidays dates are set by the UK Government on an annual basis and the Trust is required to observe these dates.
- 5.35 Members of staff should request annual leave/unpaid leave or use TOIL (Time off in lieu) for the days/dates that they wish to take as leave in order to celebrate festivals or attend ceremonies. Where a number of staff wish to take the same periods of leave due to the religious events/festivals, it is the line managers responsibility to ensure that the service is covered appropriately.
- 5.36 Where members of staff are able to work on the set bank holidays (i.e. the service they work is open and operating), they may use their bank holidays for such religious events.
- 5.37 Some religions require extended periods of fasting and members of staff may wish to discuss options with their line manager in order to ensure that the Trust can support them during this period.
- 5.38 Time Off for Interviews**
- 5.39 If a member of staff requests time off for an interview within LPT then this will be approved and time will be given, however, if the interview is external to LPT then

this is to be taken off in their own time. This can be as flexi time, TOIL or annual leave.

- 5.40 Employees that have been placed at risk as a result of a management of organisational change will be given time off to attend interviews.

5.41 Hospital Admission of a Dependent

- 5.42 Special Leave provides a response to the following situations. There is no qualifying period for eligibility and line Managers may approve special leave without pay in response to this either as a block or as individual days.

- 5.43 Please refer to section 5.12 and 5.35 where Hospital attendance of a partner or dependent is an **emergency admission**.

- 5.44 Unpaid special leave or other leave such as Annual leave, TOIL (Time Off in Lieu, swap working days etc.) can be made available in the following situations;

- 5.45 Hospital attendance of a partner or dependent for planned major treatment/surgery
or
day surgery for example the dependent needs to be transported to and from hospital,
or
attendance at an out-patient clinic
or
post hospital discharge

- 5.46 In exceptional circumstances, for example to care for dependents with terminal illness or emergency hospital admissions paid leave may be granted but must be approved by the Head of Service.

5.47 Procedure to Apply for Special Leave in Section A

- 5.48 Members of staff must contact their manager and outline the reasons why the leave is necessary, either in person, or by telephone if the situation means they cannot attend work.

- 5.49 The manager should clarify the situation sensitively and establish with the employee what type of leave is being requested. If the member of staff is unable to disclose why the leave is necessary to their direct line manager then advice can be sought from Human Resources.

- 5.50 Employees must complete the form in Appendix A and give to their line manager for approval at an appropriate time.

6.0 Section B - Special Leave for Public Duties etc.

- 6.1 Special leave is available to staff undertaking certain public duties. The length of such leave, whether it is paid or unpaid and the discretion which may be exercised is shown in the Table 2.

- 6.2 Employees are encouraged to discuss their possible appointment to a public position which is likely to require special leave prior to applying for that position, so that their manager can consider the impact on the department and options for covering the employee's absences
- 6.3 In the case of a summons as a witness or call for jury service, employees should give their manager as much notice as possible.
- 6.4 There is a general assumption that the NHS has a duty, as a public body, to release staff for public duties where possible. However, the needs of the service must be given priority and it must be accepted that there will be certain circumstances where leave cannot be granted.
- 6.5 No travelling or subsistence expenses will be paid by the Trust to any employee in connection with travel or subsistence arising out of any public duties.
- 6.6 In the event of clarification, please consult Section 50 of the Employment Rights Act 1996.
- 6.7 Examples of the public duties for which special leave shall be given under the terms of Section 50 (2) of the Employment Rights Act 1996:
- A local authority
 - A statutory tribunal
 - A police authority
 - A board of prison visitors or a prison visiting committee
 - A relevant health body
 - A relevant education body
 - The Environment Agency or the Scottish Environment Protection Agency.
- 6.8 In addition to the above provisions, special leave with pay shall be made available in the following circumstances:
- Attendance at court as a witness
 - Attendance as a witness at Leicestershire Partnership NHS Trust appeal hearings.
- 6.9 Attendance at Court as a Witness**
- 6.10 Employees who attend court either with the consent of Leicestershire Partnership NHS Trust or on a subpoena, or witness summons or otherwise as a legal obligation, will be granted special leave with full pay for that purpose on the understanding that any witness fee received (as distinct from allowances for travelling and subsistence expenses) is handed over by the employee to Leicestershire Partnership NHS Trust.
- 6.11 No travelling expenses or subsistence allowances will be paid by Leicestershire Partnership NHS Trust.
- 6.12 Leave for Jury Service**
- 6.13 Employees who are called for jury service will be granted special leave with pay for the purpose, on the understanding that any Court fees received (as distinct from allowances for travelling and subsistence expenses) are handed over by the

employee to Leicestershire Partnership NHS Trust. Throughout the period of jury service, it is the expectation that employees are required to attend work if they finish early (i.e. half day) or on the days they are not required.

- 6.14 No travelling expenses or subsistence allowances will be paid by Leicestershire Partnership NHS Trust.
- 6.15 In exceptional circumstances where granting time off would be detrimental to the service and patient care, employees may be asked by their manager to request a postponement of jury service. However, it will be the Court's decision as to whether the request is agreed.

6.16 Leave for Parliamentary Candidates

- 6.17 Employees who are adopted as candidates at a Parliamentary election may, at the discretion of Leicestershire Partnership NHS Trust be granted special leave without pay to enable them to pursue their candidature. The amount of time off given will be agreed locally and will be in line with the needs of the service.
- 6.18 No special facilities shall be accorded to employees who become Members of Parliament. Such employees are not, by reason of their office, rendered incapable of being elected to Parliament or of sitting and voting as a Member of the House of Commons. An employee's position in regard to remaining in Health Service employment will, therefore, be governed by their ability or inability to continue to fulfil the duties of their post.

6.19 Leave for Local Government Activities

- 6.20 As the bodies constituted under the National Health Service and Health Services Acts are not in direct relationship with Local Authorities*, there is no objection as a general rule to Leicestershire Partnership NHS Trust employees contesting local elections or taking part in local government activities, provided always that in the discharge of any Local Authority functions which impinge on the functions for which Leicestershire Partnership NHS Trust is responsible, employees have due regard to the circumstances of their dual position.
- 6.21 Employees should seek the consent of Leicestershire Partnership NHS Trust before standing for election, but this consent will not normally be withheld except in cases where circumstances make membership of the Local Authority undesirable.
- 6.22 Employees who, with the consent of Leicestershire Partnership NHS Trust seek election to a Local Authority and are successful may, at the discretion of Leicestershire Partnership NHS Trust and subject to the exigencies of the service, be granted special leave without pay up for the purpose of attending meetings of the Local Authority, and otherwise carrying out their duties as a member of such Authority.
- 6.23 An employee who is appointed Lord Mayor may, at the discretion of Leicestershire Partnership NHS Trust be granted unpaid leave (to be agreed locally and in line with the needs of the service) in any period of 12 months for carrying out civic duties including any magisterial duties.

6.24 Special leave authorised by LPT for these activities may be taken as 7.5 hours or 3.75 hours (pro-rata for part-time staff) as required but the consent of the employee's manager should be obtained to each absence from duty.

6.25 Local Authority includes County, City, District, Borough and Parish Councillors.

6.26 Employing Staff in the Territorial Army/Reserve Forces

6.27 Leicestershire Partnership NHS Trust has pledged its support for members of or those wishing to join the Reserve Forces and recognises the valuable contribution reservists make to the UK Armed Forces, their communities and the workplace. The Leicestershire Partnership NHS Trust have agreed that such leave related to all employees irrespective of grade or discipline and special leave with or without pay will be subject to the needs of the service.

This policy should be read in conjunction with the Trust's Reserve Forces Training & Mobilisation Policy and Procedure.

6.28 Table 2 - Categories of Special Leave for Public Duties etc.

Public Duties	No of days/hours in a leave year	Paid or Unpaid	Degree of discretion	Special circumstances
Police authority Board of prison governors Member of prison visiting committee Member or Chair of school governors committee Member of the Environment Agency Local government activities – Borough / District / City / County / Parish Councillor	Reasonable period of leave can be granted	Unpaid	In exceptional circumstances due to service needs, special leave may not be granted. Employee expected to book time well in advance. Special leave may be refused under exceptional circumstances.	Number of days dependent on whether meetings / other duties take place in working hours. Many parish council and school governor meetings take place during evenings.
Magisterial duties	Min 26 x ½ days	Unpaid	Employees are expected to consider service need when making themselves available and book half a day sessions in advance.	n/a
Attendance at court as a witness	As required	Paid	No discretion if subpoena or witness summons. Otherwise at discretion of Director.	Any witness fee (not subsistence or travel) to be paid to employer.

Statutory Tribunal / Jury service/Member of the tribunal panel	As required	Paid	May be possible to defer if employee's services are critical for continuation of NHS service and cannot be released.	Any court fee (not subsistence or travel) to be paid to employer.
Attendance as a witness at NHS Social Services or Education disciplinary or appeal hearing not in relation to LPT work	As required	Unpaid	May be possible to defer if employee's services are critical for continuation of NHS service and cannot be released.	Travel expenses will be paid in these circumstances
Territorial Army or Reserve Forces	75 hours (pro-rata for part time staff)	Paid Additional unpaid leave may be granted with adequate notice	Subject to service needs	Any remuneration received from the TA or RF for the period of paid special leave, up to normal pay, must be repaid to the employer. Any amount received in excess of normal pay can be retained by the employee.

6.29 Procedure for Applying in Section B - Special Leave for Public Duties

6.30 Employees requesting special leave must use the form "Application for Special Leave – Section B" – (See Appendix 2)

6.31 Employees requesting special leave with or without pay for Territorial Army/Reserve Forces must complete the necessary payroll forms and provide Managers with a copy of the appropriate documentation. Managers should ensure a copy of the information is placed on the employee's personal file and the appropriate absence reporting forms are completed.

7.0 Section C – Volunteering Leave

7.1 General Principles

7.1.1 As part of the Trust's 2016 – 2021 Corporate Social Responsibility (CSR) strategy, the staff volunteering initiative - We Citizen - has been developed to enable staff to participate in community building / volunteering activities. Community building activity is when staff use their skills and time for social benefit in Leicester, Leicestershire and Rutland (LLR) communities.

7.1.2 There are many benefits to volunteering. It's a way of giving back to the community, developing new skills and getting to know people. We Citizen will allow staff to volunteer during working and non-working hours, including the weekend. The Mental Health Foundation's 'Doing good does you good' publication describes the health benefits of volunteering as a great way to do something for others and research shows that it benefits people of all ages through increasing feelings of self-esteem, respect, motivation and wellbeing.[1]

- 7.1.3 Staff may apply for up to 15 hours additional paid leave per year (pro rata for staff who work part-time) to participate in volunteering activities across LLR.
- 7.1.4 Volunteering opportunities will be for both individuals and teams. Team volunteering contributes to building existing teams or to creating new formal or informal teams.
- 7.1.5 Staff volunteering will primarily be focused on opportunities provided by organisations who are registered with LPT as hosts for volunteering activities and will generally be over and above existing volunteering that staff undertake.
- 7.1.6 There will be no retrospective approval of volunteering leave.
- 7.1.7 Staff will not be able to claim time back for participating in fundraising activities, unless they are raising money for the Trust's charity - Raising Health. In this case, staff will be permitted to apply for up to 15 hours additional paid leave per year (pro rata for staff who work part-time) as part of the volunteering initiative.

7.2 Types of Volunteering

7.2.1 Volunteering can be defined as any unpaid activity that involves spending time doing something that aims to benefit the environment or the community.

7.2.2 Activities which may be included are:

- Team projects (internal/external)
- Service user support
- Community support
- Providing consultancy or using professional skills to support organisations.

This list is not exhaustive

7.3 Applying for Volunteering Leave

- 7.3.1 Staff who identify a volunteering activity must complete an application form (Appendix 3) which should be submitted to their line manager for approval a minimum of 4 weeks before the volunteering activity is due to take place so that cover arrangements can be made if necessary.
- 7.3.2 Before approving an individual/group volunteering activity, managers should ensure the volunteering activity falls within the spirit of the principles of We Citizen initiative. Any queries in relation to this can be directed to wecitizen@leicspart.nhs.uk in the first instance.
- 7.3.3 Staff must obtain agreement to volunteering leave before making any commitments to a voluntary organisation.
- 7.3.4 The Trust recognises the positive impact of volunteering but final approval will need to take into account the needs of the service and of the individual/team.
- 7.3.5 Volunteering Leave will be recorded on the staff annual leave card and / or e-roster and ESR system as 'Training and Development – other'.

7.3.6 There will be no entitlement to carry over any unused volunteering leave to the new leave year.

7.4 Health and Safety

It is expected that organisations hosting LPT staff volunteers will complete a Health and Safety Pre-Qualification Questionnaire which includes undertaking a risk assessment relevant to the nature of the volunteering activity planned and to evidence that they have adequate public liability insurance in place.

7.5 Disclosure and Barring Checks (DBS Checks)

It will be the responsibility of the organisation hosting LPT Staff volunteers to obtain DBS checks (whether enhanced or standard) should they require this for any particular volunteering activity.

7.6 Employee Responsibilities

Employees taking part in volunteering will be expected to do the following:

- Register with 'We Citizen'
- Identify volunteering activity that they feel able to participate in
- Ensure the activity does not conflict with the core purpose of the Trust's work
- Seek approval from their manager as early as possible - at least 4 weeks prior to the activity
- Liaise and organise activity with the host organisation
- Represent the Trust according to the Trust values
- Complete a reflection log of the volunteering activity.

8.0 Failure to Follow Procedure

Any leave taken without following the correct procedure and not authorised by the line manager will be considered as unauthorised absence. In such cases managers should refer to the Trusts Disciplinary Policy and Procedure

9.0 Appeals

9.1 Any issues relating to management decisions on special leave should be raised with or by the immediate Manager in the first instance. Failure to achieve a resolution, the employee may appeal to the next in line manager.

10.0 Monitoring Compliance and Effectiveness

Criteria	Measurable	Frequency	Reporting to	Action Plan/Monitoring
Employees uptake of special leave with pay under the various categories and by protected characteristics	Total cost of paid days lost	Annual	Workforce and Wellbeing Group	Head of HR
Employee uptake of Special leave without pay under the various categories and by protected characteristics	Number of days lost as a result of unpaid leave	Annual	Workforce and Wellbeing Group	Head of HR
Employee uptake of Special Leave for Public Duties and by protected characteristics	Total cost of paid days lost as a result of special leave for undertaking Public duties	Annual	Workforce and Wellbeing Group	Head of HR
	Total cost of days lost as a result of special leave for undertaking Public duties			
The following forms of leave have been authorised through the correct procedure to ensure it has approval by the appropriate manager and the correct amount of leave has been granted <ul style="list-style-type: none"> • Career Leave • Compassionate Leave • Emergency Domestic Leave 	10% Random selection of completed approval forms (appendix 1) from employees personal files	Annual	Workforce and Wellbeing Group	Head of HR

11.0 Standards/Performance Indicators

TARGET/STANDARDS	KEY PERFORMANCE INDICATOR
Care Quality Commission registration standards (outcome 14) <i>Supporting Workers</i> (21) of the Health & Social Care Act (2008) (Regulated Activities Regulations 2010 CQC essential standards)	That the trust maintains compliance with CQC registration standards, this policy supports outcome standards 14

12.0 References and Bibliography

- This policy was drafted with reference to the following:
- Leicester City Community Health Service and NHS Leicester City Special Leave Policy
- Leicestershire County and Rutland NHS Trust, Maintaining the Balance between Work and Life Policy and Procedure
- Leicestershire Partnership NHS Trust, Maintaining the Balance between Work and Life Policy and Procedure
- University Hospitals of Leicester, Special Leave Policy
- The Rotherham NHS Foundation Trust, Special Leave Policy
- NHSLA template for An Organisation-wide Policy for the Policy for the Development and Management of Procedural Documents (2007) www.nhsla.com
- Promoting Equality and Human Rights in the NHS, A Guide for Non Executive Directors of NHS Boards (2205), Department of Health http://dh.gov.uk/en/Publicationsandstatistics/publications/PublicationsPolicyAndGuidance/DH_4116328
- Equality analysis and the equality duty: A guide for public authorities Vol.2 of 5 Equality Act 2010 guidance for English public bodies (and non-devolved bodies in Scotland and Wales), Equality and Human Rights Commission
- ACAS advisory booklet – Flexible Working and Work Life Balance – September 2010. Available at www.acas.org.uk
- Chartered Institute of Personnel Development (CIPD), Flexible Working factsheet, revised 2010. Available at www.cipd.co.uk
- Section 23 Child Bereavement Leave (England and Wales) – NHS Terms and Conditions of Service

APPLICATION FOR SPECIAL LEAVE - SECTION A
(FOR URGENT DOMESTIC, PERSONAL AND FAMILY REASONS)

TO BE COMPLETED BY EMPLOYEE

NAME (Please print): _____

ASSIGNMENT NUMBER: _____

JOB TITLE: _____

BASE: _____ **TRUST:** _____

I wish to apply for;
 Carer Leave
 Emergency Domestic Leave
 Bereavement Leave
 Child Bereavement Leave
 *Delete as appropriate

WITH PAY / WITHOUT PAY*

From: _____ To: _____ No. of hours

Reason: _____

Signed (Employee): _____ Date: _____

TO BE COMPLETED BY MANAGER

Special Leave requested above granted Yes No

If no, please give reason in the box provided below

Total number of hours granted:

Paid /unpaid Paid Unpaid

Previous entitlement taken

Recorded on Special Leave Record Sheet/ESR Self Service/ E Roster

Name of the manager Job Title

Signed Date

Note: If Unpaid Special Leave is granted please scan and email this form to hrintputting@leicspart.nhs.uk. NHS Pensions Contributions cannot be taken during a period of unpaid leave. Missing contributions will be recovered in full once you return to work. If you have any queries please contact your HR Advisor in the first instance for support/advice

APPLICATION FOR SPECIAL LEAVE - SECTION B

(FOR PUBLIC DUTIES, ARMED FORCES ETC)

TO BE COMPLETED BY EMPLOYEE

NAME (Please print): _____

ASSIGNMENT NUMBER: _____

JOB TITLE: _____

BASE: _____ TRUST: _____

I wish to apply for Special Leave – Section B in relation to *, Police Authority, Board of Prison Governors, Member of Prison Visiting, Committee, Member or Chair of School Governors Committee, Member of the Environment Agency, Local Government Activities, Magisterial duties, Attendance at Court as witness, Member of the Tribunal Panel, Attendance as witness at NHS, Social Services or Education disciplinary or appeal hearing in relation to LPT work, Territorial Army or Reserve Forces.

*Please delete as applicable

WITH PAY / WITHOUT PAY*

From: _____ To: _____ No. of hours

Reason: _____

Signed (Employee): _____ Date: _____

TO BE COMPLETED BY MANAGER

Special Leave requested above granted Yes No

If no, please give reason in the box provided below

Total number of hours granted: Paid /unpaid Paid Unpaid Previous entitlement taken Recorded on Special Leave Record Sheet/ESR Self Service/ E Roster

Name of the manager Job Title

Signed Date

Note: If Unpaid Special Leave is granted please scan and email this form to hrintputting@leicspart.nhs.uk. NHS Pensions Contributions cannot be taken during a period of unpaid leave. Missing contributions will be recovered in full once you return to work. If you have any queries please contact your HR Advisor in the first instance for support/advice.

Appendix 3

SPECIAL LEAVE RECORD SHEET (YEAR)

NAME

JOB TITLE/GRADE

BASE

HOURS WORKED PER WEEK

DATE	LEAVE DATES FROM TO		NUMBER OF HOURS	BALANCE	SIGNED (Employee)	AUTHORISED (Line Manager)	RECORDED

APPLICATION FOR VOLUNTEERING LEAVE - SECTION C

TO BE COMPLETED BY EMPLOYEE

NAME (Please print): _____

JOB TITLE: _____

DEPARTMENT: _____ **BASE:** _____

CONTACT TELEPHONE NUMBER: _____

How many hours volunteering leave are you applying for (maximum **15** hours (pro rata for part-time staff))?

Total No. of hours:

Please state which opportunities you are volunteering for below, including total amount of hours (If more than one, please state in the additional fields provided).

Volunteering Opportunity Title 1:

_____ No. of hours:

Volunteering Opportunity Title 2:

_____ No. of hours:

Volunteering Opportunity Title 3:

_____ No. of hours:

Volunteering Opportunity Title 4:

_____ No. of hours:

Signed (Employee): _____

Date: _____

TO BE COMPLETED BY MANAGER

Volunteering Leave approved: Yes No

If no, please give reason:

This form continues on page 2

Total number of hours approved:

Previous entitlement taken:

Recorded on ESR Self Service/ e-Roster:

NB: On ESR record as 'Training – other'
On E-roster record as Volunteering – Special leave

Name of manager Job Title

Signed Date

Please retain copy of form on employee's personal file

The NHS Constitution

The NHS will provide a universal service for all based on clinical need, not ability to pay. The NHS will provide a comprehensive range of services

Shape its services around the needs and preferences of individual patients, their families and their carers	<input type="checkbox"/>
Respond to different needs of different sectors of the population	<input type="checkbox"/>
Work continuously to improve quality services and to minimise errors	<input checked="" type="checkbox"/>
Support and value its staff	<input checked="" type="checkbox"/>
Work together with others to ensure a seamless service for patients	<input checked="" type="checkbox"/>
Help keep people healthy and work to reduce health inequalities	<input checked="" type="checkbox"/>
Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance	<input type="checkbox"/>

Stakeholders and Consultation

Workforce and Organisational Development Policies are subject to joint monitoring and review between management and staff side through the JSCNC. Guidance in relation to Due Regard for this policy has also been received by the Policy group and the Integrated Equality and Human Rights Service. Management consultation has also been undertaken in relation to this policy.


Key individuals involved in developing the document

Name	Designation
Elaine Wyse	Senior HR Advisor

Circulated to the following individuals for comments

Name	Designation
Directors / Heads of Service and Direct Reports	
Operational HR Team	
Equalities Team	
Staffside	

Due Regard Screening Template

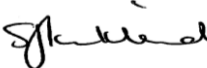
Section 1			
Name of activity/proposal		Special Leave Policy and Procedure	
Date Screening commenced		1 st December 2016	
Directorate / Service carrying out the assessment		HR and OD Division	
Name and role of person undertaking this Due Regard (Equality Analysis)		Elaine Wyse – Senior HR Advisor	
Give an overview of the aims, objectives and purpose of the proposal:			
AIMS: The aim of the policy is to outline the provisions for employees that require special leave for domestic, personal, family reasons and for public duties			
OBJECTIVES: To ensure that the policy sets out clearly the provisions for employees that require special leave for domestic, personal, family reasons and for public duties			
Section 2			
Protected Characteristic	If the proposal/s have a positive or negative impact please give brief details		
Age	Positive impact on all protected characteristics as this policy applies to all staff		
Disability	As above		
Gender reassignment	As above		
Marriage & Civil Partnership	As above		
Pregnancy & Maternity	As above		
Race	As above		
Religion and Belief	As above		
Sex	As above		
Sexual Orientation	As above		
Other equality groups?	As above		
Section 3			
Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please tick appropriate box below.			
Yes		No	
High risk: Complete a full EIA starting click here to proceed to Part B		Low risk: Go to Section 4.	√
Section 4			
If this proposal is low risk please give evidence or justification for how you reached this decision:			
The policy and procedure is low risk, as the Trust supports all staff that require special leave for domestic, personal, family reasons and for public duties			
Signed by reviewer/assessor		Date	
<i>Sign off that this proposal is low risk and does not require a full Equality Analysis</i>			
Head of Service Signed		Date	27.9.19

Policy Training Requirements

The purpose of this template is to provide assurance that any training implications have been considered

Training topic:	Formal training required.
Type of training:	<input type="checkbox"/> Mandatory (must be on mandatory training register) <input checked="" type="checkbox"/> Role specific <input type="checkbox"/> Personal development
Division(s) to which the training is applicable:	<input checked="" type="checkbox"/> Adult Learning Disability Services <input checked="" type="checkbox"/> Adult Mental Health Services <input checked="" type="checkbox"/> Community Health Services <input checked="" type="checkbox"/> Enabling Services <input checked="" type="checkbox"/> Families Young People Children <input checked="" type="checkbox"/> Hosted Services
Staff groups who require the training:	Managers
Update requirement:	Only for policy changes
Who is responsible for delivery of this training?	HR
Have resources been identified?	Yes
Has a training plan been agreed?	Will be delivered as part of 'HR in a day' training
Where will completion of this training be recorded?	<input checked="" type="checkbox"/> Trust learning management system <input type="checkbox"/> Other (please specify)
How is this training going to be monitored?	

DATA PRIVACY IMPACT ASSESSMENT SCREENING

<p>Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.</p> <p>The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</p>		
Name of Document:	Special Leave Policy	
Completed by:	Elaine Wyse	
Job title	Senior HR Advisor	Date 12/08/2019
Screening Questions	Yes / No	Explanatory Note
1. Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.	No	
2. Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.	No	
3. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?	No	
4. Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	No	
5. Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.	No	
6. Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?	No	
7. As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.	No	
8. Will the process require you to contact individuals in ways which they may find intrusive?	No	
<p>If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via Lpt-dataprivacy@leicspart.secure.nhs.uk In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</p>		
Data Privacy approval name:	Sam Kirkland, Head of Data Privacy 	
Date of approval	12/08/2019	