


MEETING DATE:	8 October 2015	 North Lincolnshire Clinical Commissioning Group REPORT TO THE CLINICAL COMMISSIONING GROUP GOVERNING BODY
AGENDA ITEM NUMBER:	Item 7.8.2	
AUTHOR:	Liz Beecroft	
JOB TITLE:	Human Resources Advisor	
DEPARTMENT:	Yorkshire and Humber Commissioning Support	

OTHER LEAVE POLICY

PURPOSE/ACTION REQUIRED:	Decisions for Approval
CONSULTATION AND/OR INVOLVEMENT PROCESS:	All staff have had an opportunity to contribute to the development of the policy. The policy has been approved by the Joint Trade Union Partnership Forum (JTUPF) on Wednesday 26 August 2015.
FREEDOM OF INFORMATION:	Public

1. PURPOSE OF THE REPORT:			
<p>To present the following new and/or revised Workforce policy for the approval of the Governing Body;</p> <ul style="list-style-type: none"> Other Leave Policy - The policy applies to all staff who from time to time require time-off work for certain matters that require their urgent attention. NLCCG is committed to helping employees balance the demands of domestic and work responsibilities by the provision of paid and unpaid leave subject to exigencies of the service. 			
2. STRATEGIC OBJECTIVES SUPPORTED BY THIS REPORT:			
Continue to improve the quality of services			n/a
Reduce unwarranted variations in services			n/a
Deliver the best outcomes for every patient			n/a
Improve patient experience			n/a
Reduce the inequalities gap in North Lincolnshire			n/a
3. IMPACT ON RISK ASSURANCE FRAMEWORK:			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> x
4. IMPACT ON THE ENVIRONMENT – SUSTAINABILITY:			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> x
A sustainability assessment has been included within the policy and no specific impacts have been identified.			

5. LEGAL IMPLICATIONS:

Yes		No	x
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The policy is consistent with the principles set out under Agenda for Change Terms and Conditions.

6. RESOURCE IMPLICATIONS:

Yes		No	x
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The North Lincolnshire Clinical Commissioning Groups is committed to help employees balance the demands of domestic and work responsibilities by the provision of paid and unpaid leave subject to exigencies of the service.

7. EQUALITY IMPACT ASSESSMENT:

Yes	x	No	
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As a result of performing the analysis, the policy does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage.

8. PROPOSED PUBLIC & PATIENT INVOLVEMENT AND COMMUNICATIONS:

Yes		No	x
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Patient and/ or public involvement would not be required for the development of Workforce policies. It should be noted that all CCG staff have had the opportunity to be involved in and contribute to the development of the policy.

9. RECOMMENDATIONS:

The CCG is asked to review and approve the following policies which accompany this report:

1. Other Leave Policy

Appendices:

1. Other Leave Policy

Other Leave Policy (October 2015)

Authorship:	<i>North Yorkshire and Humber CSU Workforce Team adapted locally for use by North Lincolnshire CCG</i>
Committee Approved:	
Approved date:	
Review Date:	
Equality Impact Assessment	Completed - Full/Completed - Screening [<i>delete as required</i>]
Sustainability Impact Assessment:	Completed
Target Audience:	
Policy Reference No:	Request from CCG Business Manager
Version Number:	

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by & Date	Date on Intranet
1.0	North Lincolnshire Clinical Commissioning Group	New Policy for CCG		

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1 INTRODUCTION

NHS North Lincolnshire Clinical Commissioning Group hereafter referred to as 'the CCG', recognises that from time to time employees will require time-off work for certain matters that require their urgent attention. The organisation is committed to helping employees balance the demands of domestic and work responsibilities by the provision of paid and unpaid leave subject to exigencies of the service.

2 ENGAGEMENT

- Joint Trade Union Partnership Forum/Policy Development Group
- NLCCG staff via team meetings/team brief/internet

3 IMPACT ANALYSES

3.1 Equality

All policies require an assessment for their impact on people with protected characteristics (defined in the guidance document). An Equality Impact Analysis Toolkit is available for this purpose and is attached at Appendix 2.

As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage.

3.2 Sustainability

Anyone developing a policy or procedural document is required to complete a Sustainability Impact Assessment. The purpose is to record any positive or negative impacts that the policy is likely to have on each of the CCG's sustainability themes. The Sustainability Impact Assessment form is attached at Appendix 3.

3.3 Bribery Act 2010

Under the Bribery Act 2010, it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

These offences can be committed directly or by and through a third person and, in many cases, it does not matter whether the person knows or believes that the performance of the function or activity is improper.

It is therefore, extremely important that staff adhere to this and other related policies and documentation (as detailed on the CCG's intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.

If fraud, bribery and corruption are particularly relevant to a policy, the section should be headed Anti-fraud, Bribery and Corruption and should include a cross reference to the Local Anti-fraud, Bribery & Corruption Policy. The following wording should also be included:

To raise any suspicions of fraud and/or corruption please contact the Local Counter Fraud Specialist (LCFS) or the Counter Fraud Manager at (for East Riding and North Lincolnshire – East Coast Audit Consortium, 01482 866800 email fraud@humber.nhs.uk

The LCFS will inform the Chief Financial Officer if the suspicion seems well founded and will conduct a thorough investigation. Concerns may also be discussed with the Chief Financial Officer or the Audit Committee Chair.

If staff prefer, they may call the NHS Fraud & Corruption Reporting Line on 0800 028 40 60 between 8am-6pm Monday-Friday or report online at www.reportnhsfraud.nhs.uk. This would be the suggested contact if there is a concern that the LCFS or the Chief Financial Officer themselves may be implicated in suspected fraud, bribery or corruption.

Further information on the Bribery Act can be found at www.opsi.gov.uk/acts. A list of frequently asked questions is available from the CSU Corporate Strategy and Policy Manager.

4 SCOPE

- 4.1 This policy and procedure is applicable to all employees' on Agenda for Change terms and conditions.

Bank staff should refer to their contracts of employment for information as to whether or not this policy is applicable to them. This Policy is not applicable to Agency workers.

5 POLICY PURPOSE & AIMS

- 5.1 The purpose of this policy is to provide guidance to managers in order to ensure a consistent approach to enquiries and applications in respect of leave as referred to within this policy.

6 DEFINITIONS

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

- 6.2 A 'relative' includes: parents, parents-in-law, adult children, adopted adult children, siblings (including those who are in-laws), uncles, aunts, grandparents and step relatives in a particular emergency.
- 6.3 'Next of kin' may be taken to include a partner, close family member or dependant
- 6.4 'A Carer' are employees with significant caring responsibilities that have a substantial impact on their working lives. These employees are responsible for the care and support of disabled, elderly or sick child, parents, relatives or friends who are unable to care for themselves
- 6.5 'Adverse weather' can be defined as snow, ice, volcanic eruptions, fog and floods which render journeys by road as extremely hazardous. This can be both public and private transport.
- 6.6 Disability an employee may be registered as disabled under the Equality Act 2010, if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.

'substantial' is more than minor or trivial – e.g. it takes much longer than it usually would to complete a daily task like getting dressed.
'Long term' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection

6.7 Types of Leave

This policy provides leave in the following circumstances:

- | | |
|--------------------------|--|
| Compassionate Leave | is to help an employee come to terms with the death of a dependant, relative or next of kin |
| Emergency Domestic Leave | is short term leave to deal with an emergency situation relating to a dependant |
| Carers Leave | is to deal with longer term problems (in addition to time off for emergencies) such as to look after someone who has a serious illness or injury or who is terminally ill. |
| Parental Leave | is to allow working parents request a period of unpaid leave during the first 14 years of a child's life. (18 in the case of adoption or disabled child) (for applications for Parental Leave, please refer to the Maternity, Maternity Support (Paternity), |

Adoption and Parental Leave Policy)

Medical and Dental Leave	Allows arrangements for employees to attend medical and dental appointments during a working day
IVF /other Fertility treatment	Allows arrangements to be made to attend medical appointments when undertaking/ pursuing IVF treatment
Adverse weather	Allows for alternative arrangements to be made when there is adverse weather, which may include working flexibly, or taking annual leave or unpaid leave.
Time off for study	For when employees are taking time from their duties to study or train.
Sabbatical/ Career Break scheme	Allows the employee to request leave from their employment on a temporary basis.
Reserves/ TA/ Cadet forces	Where there is a need for time off for activities and training or where an employee is 'called up' for military operations,
Public/ Civic duties	Where the employee is required to be absent for essential civic and public duties
Attendance at court/witness	May be required to attend court for service as a juror, character witness or witness of fact
Emergency Services	Leave to support activities of retained Fire Fighters, Special constables, RNLI, Search and Rescue and similar activities
Religious Observance	When an employee seeks leave for a religious festival or cultural observance
Employment Interviews	To attend an internal/external interview

7 ROLES / RESPONSIBILITIES / DUTIES

7.1 Line Manager's responsibilities:

- To ensure this policy is adhered to.
- To record, monitor and authorise the leave of their employees referred to within this policy.

- To consider all leave requests fairly, taking into consideration an employee's entitlement and the CCG's needs.

7.2 Employee's responsibilities:

- Ensure leave is taken in accordance with the processes outlined in this policy.
- To request leave in a timely manner wherever possible giving adequate notice.

Both employees and line managers have a responsibility to read and understand the policy, any breaches of this policy may be investigated and may result in the matter being treated as a disciplinary issue under the CCG's disciplinary procedure.

The workforce team will support both managers and individuals in ensuring this policy is followed and implemented equitably.

8 IMPLEMENTATION

8.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.

8.2 Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCG's disciplinary procedure.

9 TRAINING & AWARENESS

9.1 A copy of the policy will be available on the CCG intranet. Training needs will be identified via the appraisal process and training needs analysis.

10 MONITORING & AUDIT

10.1 The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Governing Body.

11 POLICY REVIEW

11.1 The policy and procedure will be reviewed after 3 years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

12 REFERENCES

12.1 Agenda for Change Terms and Conditions handbook

13 ASSOCIATED DOCUMENTATION

- Management of Attendance Policy
- Annual Leave Policy

- Career Break Policy
- Flexi-time Policy
- Learning and Development Policy
- Maternity, Maternity Support (Paternity), Adoption and Parental Leave Policy

14 ELIGIBILITY AND PROCEDURE

This policy will be applied to all permanent and fixed term employees within the organisation (This policy does not apply to agency workers). The fair and equitable implementation of this policy will be monitored locally by the CSU Workforce Team and will be regularly checked against legislative requirements and best practice to ensure that no person is treated less favourably on the grounds of their protected characteristic.

15 COMPASSIONATE LEAVE

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

It is acknowledged that family situations differ and there may be circumstances when the 'next of kin' fall outside of these categories. e.g. if an employee was brought up by their grandparents. In this instance the grandparent would be the 'next of kin'.

15.1 Eligibility

All employees regardless of their length of service, may be granted leave

Each case should be viewed sympathetically and the amount of leave granted will depend on the individual's circumstances, for example, relationship, domestic responsibilities and travel.

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

- 15.5 The employee must make any requests for Compassionate leave to their Line Manager. If it is not feasible prior to the period of leave, this should be completed retrospectively (See Appendix 1)

16 EMERGENCY DOMESTIC LEAVE

All employees are entitled to take a reasonable amount of time off to deal with an emergency situation relating to a dependant.

The leave can be taken for example to:

- Deal with a breakdown in childcare
- To put longer term care in place for children or elderly relatives
- If a dependant falls ill or is taken into hospital
- To deal with an incident that involves their child and occurs unexpectedly while the child is at school/ other education.

It may also deal with any unforeseen domestic emergencies including:

- Flood
- Fire
- Burglary

16.1 Eligibility

All employees regardless of their length of service may be granted leave.

- 16.2 A Manager may grant 1 paid day (or part of a day) to deal with the domestic or dependant emergency. A further day can be agreed with the line manager depending on the circumstances. However, the total number of days will not exceed more than 3 days in any rolling 12 month period. It may also be considered by the line manager whether during the time off, the employee can work from home, or change their working hours where possible. If a longer period of time away from work is required to deal with the emergency, it may be necessary to consider Carer's leave (Section 6) which would be discussed with the Line Manager.

Employees who are not able to attend work or unable to work from home will have the option to also consider:

- Flexible working (manager may agree revised working hours to enable the employee to fulfil their contracted hours)
- Annual leave
- Unpaid leave

- 16.3 Once the immediate emergency has been addressed, the employee is expected to return to work. If further time off is necessary the employee should request annual leave, unpaid leave or where appropriate agree alternative working hours with their line manager.

- 16.4 The employee must make any request for leave directly to their Line Manager in the first instance, detailing the reasons for the request. If this is not feasible prior to the period of leave, this should be completed retrospectively. (Appendix 1)

17 CARERS LEAVE

Carers leave is provided as an alternative form of leave in addition to time off for emergencies (which is for short term/ emergencies only). As such a request for leave does not provide an automatic right to time off, however the employee's line manager will consider each case carefully.

An example of when carers leave could be considered is when an employee is required to look after someone who has a serious injury or illness, is terminally ill or has a disability

17.1 Eligibility

Employees must have a minimum of 26 weeks service with the CCG before being considered for extended carers leave.

- 17.2 A Manager may grant the employee up to 10 days paid leave based on a full time worker. Additional paid leave may be granted in extreme circumstances however, this request must be approved by a Senior Manager or Director after discussion with an HR representative.

A further 5 days unpaid leave based on a full time worker may be requested, (20 in exceptional circumstances, which will be decided on a case by case basis and must be approved by a Senior Officer or Director) in one leave year. If necessary additional unpaid leave may be granted, up to a combined period of 6 months in total. If additional leave is required for a longer period, the employee may wish to consider a career break. The length of the break will normally be for a minimum of 3 months up to a maximum of 5 years. (Please refer to the Section 12, Sabbatical/Career Break scheme for further information).

- 17.3 The employee must make the request for any leave directly to their Line Manager in the first instance, detailing the reasons for the leave. (Appendix 1)

18 DOCTOR / DENTIST/ MEDICAL APPOINTMENTS

- 18.1 Employees will from time to time need to attend medical, hospital, dental, optician, and other similar appointments. Wherever it is possible to do so, employees (both full time and part time) should endeavour to be flexible and arrange such appointments in their own time or if this is not possible, then at times that will cause the minimum amount of absence from work

- 18.2 Where an employee has no alternative but to attend such appointments during working hours options available are flexibility in working hours, annual leave or

unpaid leave. The line manager will work with the employee to come to a flexible agreement which supports the employee and the needs of the service,

When the appointments become more frequent or the employee has a disability and is required to attend regular appointments (i.e. regular physiotherapy/ attending on-going treatment) the individual should advise their Line Manager in advance of the appointments. The manager shall consider reasonable adjustments to accommodate the disability related requirements including variation of working hours, flexible working hours or using a combination of unpaid and annual leave or paid time off to attend appointments, i.e. at the start or end of the working day.

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

- 18.3 Employees who are pregnant have a statutory right not to be unreasonably refused time off work with pay for antenatal appointments on medical advice. Paid time off in such circumstances will automatically be granted. Please refer to the CCG's Maternity, Maternity Support (Paternity), Adoption and Parental Leave Policy for further guidance.
- 18.4 Any other medical or dental appointment which the employee is requested to attend which is not directly related to their health or wellbeing should be discussed with their line manager or alternatively contact the Workforce Team for further guidance.
- 18.5 Should an employee be required to attend an appointment with a dependant, the employee is required to follow, section 8.1 and 8.2 when requesting time off.
- 18.6 Any Occupational Health appointments which an individual is requested to attend can be taken during working hours unless the employee is already absent from work. All Occupational Health appointments should be managed in accordance with the Management of Attendance Policy. If an employee feels unable to return to work after such an appointment e.g. where they have attended a counselling session, the employee may make a request for annual leave or unpaid with their line manager. Alternatively such an absence may be managed under the CCG's Management of Attendance Policy.

19 SPECIAL LEAVE FOR IN VITRO FERTILISATION (IVF) AND OTHER FERTILITY TREATMENT

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

- 19.2 Any leave requested for appointments will be managed in accordance with section 8 of this policy (doctors/ dentist and medical appointments) up until the point of pregnancy when this will then be managed in accordance with the CCG's Maternity, Maternity Support (Paternity), Adoption and Parental leave Policy. The employee must notify their Line Manager to advise them of any on-going appointments that they will be required to take due to the treatment.

20 ADVERSE WEATHER

It is the duty of each employee to make their own arrangements to get to work at the normal time. However it is recognised at times that employees may experience severe difficulties in getting to and from work as a result of adverse weather and disruption to travel.

- 20.1 For the purpose of this section, 'adverse weather' can be defined as snow, ice, volcanic eruptions, fog and floods which render journeys by road as extremely hazardous. This can be both public and private transport. However employees are expected to make reasonable attempts to attend work for services to be maintained even if this means they arrive late.

- 20.2 If it is not possible for the employee to attend work at their normal base, it should be considered whether there is another base closer to home that they can work in, or work from home. This should be discussed with their direct line Manager in this instance.

Employees not able to attend work or unable to work from home or a separate base will have the option of:

- Flexible Working (manager may agree revised working hours to enable the employee to fulfil their contracted hours).
- Annual leave
- Unpaid leave

21 TIME OFF FOR STUDY

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

22 SABBATICAL/ CAREER BREAK SCHEME

A career break allows the employee to leave their employment on a temporary basis. It can be used for various reasons including, travel, care of an elderly relative or dependant or voluntary work. The purpose of the break is normally linked to personal development outside the usual confines of the job, allowing the employee to return to

work with new ideas and enhanced skills which can benefit both the employee and the organisation.

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

23 MEMBERS OF THE RESERVE FORCES / TERRITORIAL ARMY / CADET FORCES

The reserve forces include the Royal Naval Reserve, Royal Marines Reserve, Territorial Army and the Royal Auxiliary Air Force.

The CCG recognises that many of the skills that reservists gain during their training are transferable to the workplace.

It is a requirement that employees advise their line manager as soon as possible of their intention to become a reservist. This requirement is to allow the department / organisation to deal with the practical implications.

23.1 Eligibility

These provisions apply to all employees

- 23.2 Employees who need time off for activities as reservists are expected to use days out of their normal holiday entitlement. To avoid reservists being unable to take time off when needed, they should apply for any leave they require as soon as possible. This should be submitted in the usual manner to the employee's line manager in accordance with the annual leave policy.
- 23.3 An additional 5 days paid leave and 5 days unpaid leave in any 12 month rolling period will be given to help the reservist meet their commitments. This includes attendance at the annual camp.
- 23.4 Reservists may be 'called up' for military operations, with notice typically given 28 days before mobilisation. Should this occur the employee should present their papers from the Ministry Of Defence to the organisation, outlining the date and possible duration of the employee's mobilisation. During this period of active service, unpaid leave will be granted. Employment will continue without pay, unless specified otherwise by the employee. Staff wishing to preserve pension rights should contact the Pension Department for clarification of their personal circumstances.
- 23.5 Reservists have the right to return to their former posts on terms and conditions no less favourable than those that would have applied if they had not been 'called up'. To exercise the right to be reinstated, the reservist must write to the organisation confirming the employee's intention to return to work within 13 weeks of a return.

- 23.6 The continuity of a reservist's employment is not broken by the period of voluntary mobilisation, if the employee is reinstated within their employment within 6 months of the demobilisation.

24 PUBLIC / CIVIC DUTIES

The CCG shall allow reasonable unpaid time off to staff required to be absent from work for essential civic and public duties of the kinds listed in Section 18 of the Employment Rights Act 1996 and as required by other legislation. Any agreed paid time off will be at the discretion of the line manager and agreed locally. The duties for which an employer is required to permit reasonable time off without pay are with regard to employees who are members of any one of the bodies listed in 14.2, in order to:

- Attend meetings of the body or any of its committees or sub-committees.
- Perform duties approved by the body which need to be done in discharging its functions or those of any of its committees or sub-committees.

- 24.1 In deciding what is reasonable, the manager needs to take into account the time required to perform these duties, the amount of time off which has already been taken, and the effects of the absence on the needs of the service.

- 24.2 Public duties apply to employees who, in an unpaid role are:

- A member of a local authority,
- Justice of the Peace/Magistrate
- A member of any statutory tribunal,
- A member of, in England and Wales, a National Health Service Trust or organisation.
- Members of, in England and Wales, the managing or governing body of an educational establishment maintained by a local education authority.
- Members of the governing body of a grant-maintained school, further or higher education corporation or of a school board or board of management of a college of further education or self-governing school
- A member of, in England and Wales, the National Rivers Authority
- Members of the Broads Authority,
- Members of a Board of Prison Visitors (England and Wales)

This list is not exhaustive and other roles may be determined locally.

- 24.3 Employees are requested to inform their line manager in writing outlining the dates, times and frequency of meetings, visits and training commitments in advance

25 ATTENDANCE AT COURT/ WITNESS IN COURT (which includes attendance at Professional Tribunal, Employment Tribunal or Fitness to Practice Hearings)

25.1 Jury service

- 25.2 Employees may be required to attend court for service as a juror, character witness or witness of fact.
- 25.3 The employee will continue to be paid while on jury service at the normal rate of pay.
- 25.4 In the event that an employee is called up for jury service they should provide their line manager with a copy of the court summons and any relevant documentation at the earliest opportunity in order to discuss cover for the period they will be required for Jury service. The employee will also be provided with a 'Certificate of Loss of Earnings' which will need to be completed by the employee and their line manager. Once submitted the organisation can be reimbursed for the loss of earnings incurred due to being absent.
- 25.5 If it is practicable for the individual to return to work at any point during the period of jury service, they should do so.
- 25.6 **Attending as a witness**
- 25.7 Where an employee is required to give evidence at court on behalf of the organisation, paid leave will be granted for as long as required.
- 25.8 Where an employee is called as a witness by another NHS organisation, paid leave will be granted. The pay will be reclaimed from the relevant organisation.
- 25.9 Unpaid leave will be granted for attendance at court as a witness in respect of matters arising from outside of work, i.e. personal matters. Individuals can claim for expenses occurred and loss of earning through the courts. Please refer to the Crown Prosecution Service website for further information current rates and guidance on how to claim. www.cps.gov.uk

26 EMERGENCY SERVICES

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

26.1 Eligibility

These provisions apply to all employees

- 26.2 Where possible, duties should be undertaken outside of the individual's normal working hours. Annual Leave may however be requested where activities impact in working time.
- 26.3 In addition, to annual leave, a provision of up to 5 days unpaid leave in any rolling 12 month period will be granted to carry out the duties required.

27 RELIGIOUS OBSERVANCE

When an employee seeks leave for a religious festival or cultural observance, employees will be entitled to request the following, subject to the needs of the service:

- Flexibility in arrangement of hours
- Annual leave
- Time off in lieu
- Unpaid leave

27.1 When requesting time off/ leave for a religious observance, employees should provide as much notice as possible to their line manager.

28 EMPLOYMENT INTERVIEWS

28.1 To attend an internal interview within the CCG, paid leave will be granted with the Line Manager's approval and within the needs of the service.

28.2 Paid leave will be granted to attend interviews external to the CCG if the employee is under notice of redundancy or have been notified that they are 'at risk'.

28.3 For any other interviews external to the CCG unpaid leave may be requested or annual leave can be used. Any requests for annual leave should be requested to the line manager in accordance with the CCG's Annual Leave Policy.

29 APPEAL PROCESS

29.1 If the employee feels that an application for other leave has been unreasonably declined they should discuss the matter with the line manager of the manager who dealt with the request in the first instance, putting their case in writing within 5 days. If the manager upholds the decision s/he should respond in writing setting out the reasons for the decision within 5 days.

29.2 If the employee still feels aggrieved by this decision the employee should appeal through the grievance procedure.

Other Leave Application Form

Please refer to the Other Leave Policy for details of eligibility, entitlement, application process and requirements for supporting documentation.

Employee Name: _____

Job Title: _____

Assignment Number: _____

Type of Leave Requested: _____

Reason for Request:
--

Number of Days / Hours Leave Requested: _____

Paid: _____ **Unpaid:** _____

Employee Signature: _____ **Date:** _____

To be completed by Line Manager

Manager Comments:
--

Manager Name: _____

Job Title: _____

Manager Signature: _____ **Date:** _____

cc. Employee Personnel File
CS Workforce Team

One copy to be provided to applicant

Equality Impact Analysis:

For support with completion of this documentation, please see the accompanying guidance and/or contact the Equality Lead in the Yorkshire and Humber Commissioning Support

Equality Impact Analysis

1. Equality Impact Analysis									
Policy / Project / Function:	Other Leave Policy								
Date of Analysis:									
This Equality Impact Analysis was completed by: (Name and Department)	Yorkshire and Humber Commissioning Support Workforce Service								
What are the aims and intended effects of this policy, project or function?	The aim of this policy is to provide guidance to managers in order to ensure a consistent approach to enquiries and applications in respect of leave as referred to within this policy.								
Please list any other policies that are related to or referred to as part of this analysis?	Absence Policy Annual Leave Policy Career Break Policy Further Education and CPD policy Maternity Policy								
Who does the policy, project or function affect? Please Tick ✓	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Employees</td> <td style="text-align: right; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Service Users</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Members of the Public</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Other (List Below)</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	Employees	<input checked="" type="checkbox"/>	Service Users	<input type="checkbox"/>	Members of the Public	<input type="checkbox"/>	Other (List Below)	<input type="checkbox"/>
Employees	<input checked="" type="checkbox"/>								
Service Users	<input type="checkbox"/>								
Members of the Public	<input type="checkbox"/>								
Other (List Below)	<input type="checkbox"/>								

2. Equality Impact Analysis: Screening

	Could this policy have a positive impact on...		Could this policy have a negative impact on...		Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact
	Yes	No	Yes	No	
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This has been considered and has a neutral impact
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This has been considered and has a neutral impact
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This has been considered and has a neutral impact
Disabled People	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gender	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Transgender People	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy and Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marital Status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This has been considered and has a neutral impact
Religion and Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Reasoning					

If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 6

3. Equality Impact Analysis: Equality Data Available

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1. Application success rates <i>Equality Groups</i> 2. Complaints by <i>Equality Groups</i> 3. Service usage and withdrawal of services by <i>Equality Groups</i> 4. Grievances or decisions upheld and dismissed by <i>Equality Groups</i> 5. <i>Previous EIAs</i> 	<p>Yes employee data has been used to support the monitoring of the impact of this policy in the future. The employee data is not included due to the low number of CCG employees and concern around anonymity.</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>North Lincolnshire CCG Employees Joint Trade Union Partnership Policy Group Joint Trade Union Partnership Forum</p>
<p>Promoting Inclusivity How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>This Policy promotes inclusivity, it sets out the leave arrangements that will benefit all staff and additionally some groups with protected characteristics.</p>

4. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)		✓		<p>It is generally the case that proportionately women are more likely to access the employment break for childcare purposes, however, it is open to all. In addition other long term caring responsibilities are often more likely to lie with females, Evidence includes:</p> <ul style="list-style-type: none"> • Just over half (58%) of the 5.41 million people providing some level of unpaid care in England are female and 42% are male. Female carers are representative of 11.9% of the total female population of England and Wales, and male carers are representative of 9% of the male population. Source: ONS 2011 census. • 'Throughout their lives, women are much more likely than men to take on unpaid care responsibilities both for children, and for older people.' Source: Equality and Human Rights Commission How Fair is Britain <p>A higher percentage of the staff employed in the CCG are female. There is a likely positive impact on women. Other leave arrangements considered – neutral impact. Specifically it should be noted that whilst proportionately many more women are carers, the purpose of urgent leave is to deal with urgent issues and could impact equally on men or women.</p>
Race (All Racial Groups)	✓			This has been considered and has a neutral impact
Disability (Mental and Physical)		✓		An employment break may be offered to support an employee suffering a long-term health condition classed as a disability or with adjusting to a new disability.

				Other leave arrangements considered as a neutral impact
Religion or Belief		✓		<ul style="list-style-type: none"> • A career break could be used to facilitate an employee undergoing a religious rite of passage or taking an extended faith related journey – positive impact • PARA 13 Religious Observance: Flexibility in arrangement of hours should support staff to follow their religion/belief – positive impact <p>Other leave arrangements considered – neutral impact</p>
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	✓			This has been considered and has a neutral impact
What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Pregnancy and Maternity		✓		<p>Employees who wish to extend their leave beyond maternity leave could use the employment break policy – positive impact</p> <p>Other leave arrangements considered as a neutral impact</p>
Transgender		✓		<p>An employment break may support an employee undergoing gender reassignment – Positive impact</p> <p>Other leave arrangements considered as a neutral impact</p>
Marital Status	✓			This has been considered and has a neutral impact.
Age	✓			This has been considered and has a neutral impact.

5. Action Planning

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

6. Equality Impact Analysis Findings

Analysis Rating:	<input type="checkbox"/> Red	<input type="checkbox"/> Red/Amber	<input type="checkbox"/> Amber	<input type="checkbox"/> Green
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		Actions	Wording for Policy / Project / Function
<p>Red</p> <p>Stop and remove the policy</p>	<p>Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is recommended that the use of the policy be suspended until further work or analysis is performed.</p>	<p>Remove the policy</p> <p>Complete the action plan above to identify the areas of discrimination and the work or actions which needs to be carried out to minimise the risk of discrimination.</p>	<p>No wording needed as policy is being removed</p>
<p>Red Amber</p> <p>Continue the policy</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.</p>	<p>The policy can be published with the EIA</p> <p>List the justification of the discrimination and source the evidence (i.e. clinical need as advised by NICE).</p> <p>Consider if there are any potential actions which would reduce the risk of discrimination.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason exists which justifies the use of this policy and further professional advice.</p> <p><i>[Insert what the discrimination is and the justification of the discrimination plus any actions which could help what reduce the risk]</i></p>

Equality Impact Findings (continued):

		Actions	Wording for Policy / Project / Function
<p>Amber</p> <p>Adjust the Policy</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>	<p>The policy can be published with the EIA</p> <p>The policy can still be published but the Action Plan must be monitored to ensure that work is being carried out to remove or reduce the discrimination.</p> <p>Any changes identified and made to the service/policy/ strategy etc. should be included in the policy.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><i>[Insert what the discrimination is and what work will be carried out to reduce/eliminate the risk]</i></p>
<p>Green</p> <p>No major change</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>	<p>The policy can be published with the EIA</p> <p>Another EIA must be completed if the policy is changed, reviewed or if any discrimination is identified at a later date</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

Brief Summary/Further comments	
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Approved By		
Job Title:	Name:	Date:

SUSTAINABILITY IMPACT ASSESSMENT

Staff preparing a Policy / Board Report / Committee Report / Service Plan / Project are required to complete a Sustainability Impact Assessment. Sustainability is one of the Trust's key Strategies and the Trust has made a corporate commitment to address the environmental effects of activities across Trust services. The purpose of this Sustainability Impact Assessment is to record any positive or negative impacts that this activity is likely to have on each of the Trust's Sustainability Themes. For assistance with completing the Sustainability Impact Assessment, please refer to the instructions below.

Policy / Report / Service Plan / Project Title:				
Theme (Potential impacts of the activity)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Reduce Carbon Emission from buildings by 12.5% by 2010-11 then 30% by 2020			✓	
New builds and refurbishments over £2million (capital costs) comply with BREEAM Healthcare requirements.			✓	
Reduce the risk of pollution and avoid any breaches in legislation.			✓	
Goods and services are procured more sustainability.			✓	
Reduce carbon emissions from road vehicles.			✓	
Reduce water consumption by 25% by 2020.			✓	
Ensure legal compliance with waste legislation.			✓	
Reduce the amount of waste produced by 5% by 2010 and by 25% by 2020			✓	
Increase the amount of waste being recycled to 40%.			✓	
Sustainability training and communications for employees.			✓	
Partnership working with local groups and organisations to support sustainable development.			✓	
Financial aspects of sustainable development are considered in line with policy requirements and commitments.			✓	

INSTRUCTIONS FOR COMPLETING THE SUSTAINABILITY IMPACT ASSESSMENT

Sustainability is one of the Trust's key Strategies and consequently the Trust has made a corporate commitment to address the environmental effects of its activities across all service areas. The purpose of the Sustainability Impact Assessment is to record any positive or negative impacts that a Policy / Board Report / Committee Report / Service Plan / Project is likely to have on each of the Trust's sustainability themes. The Sustainability Impact Assessment enables any relevant impacts to be identified and potentially managed.

The Sustainability Impact Assessment is based on assessing the impact of the activity against a series of criteria covering environmental sustainability issues. It would be most desirable for activities to score positively in as many areas as possible, although it is likely that some areas will score positively against some themes, and negatively against others.

Using the Sustainability Impact Assessment template

To complete the Sustainability Impact Assessment template, you should consider whether the Policy / Board Report / Committee Report / Service Plan / Project will have a positive or negative impact on each of the themes by placing a mark in the appropriate column. When you think there is likely to be an impact, please provide some annotations regarding the nature of the impact, and any actions that will be taken to address that impact. Users should note that not every theme will be relevant. Where this is the case the 'No Specific Impact' column should be marked. Users should also consider the following tips:

1. Make relative not absolute judgements (e.g. a new energy efficient service would score positively even if it consumes more energy than if no service were provided).
2. Be aware that small positive changes could be outweighed by negative ones (e.g. new energy efficient lighting in the short term may outweigh the benefits of maintaining current lighting).
3. If there are both positive and negative impacts, these need to be recorded in order to give a balanced view. Be objective and unbiased.
4. Concentrate on the most key significant issues - there is the potential to consider the appraisal in a very detailed way. This should be avoided at this stage.
5. Judge a proposal over its whole lifespan and remember that some impacts may change over different timescales.