



# Family Friendly Policy

## Document Control Sheet

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This policy supersedes all previous issues.

## Version Control - Table of Revisions

All changes to the document must be recorded within the 'Table of Revisions'.

<b>Version number</b>	<b>Document section/ page number</b>	<b>Description of change and reason (e.g. initial review by author/ requested at approval group)</b>	<b>Author/ Reviewer</b>	<b>Date revised</b>
03	Whole document	Policy transferred over to new corporate template	K Forsyth	June 2017
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This page should not be longer than one single page.

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## 1. Introduction

This document contains guidance for employees on the Trust's approach to balancing family commitments with work commitments.

This document contains the Trust's current procedures. Each specifies the section of the workforce to whom it applies and the applicable eligibility criteria.

The policies and procedures contained within this document have been implemented following consultation with the recognised Trade Unions and the Trust's Joint Consultative Committee.

The policies within this document do not form part of any employee's contract of employment and we may amend them at any time. We may also vary the procedures contained within them, including any time limits, as appropriate in any case. The most recent version of this document can be found on QPulse. If you print any part of this document and subsequently revisit it, it may not be the latest version and so you should always check.

## 2. Purpose

NEAS wants to ensure appropriate support is in place for employees in a range of situations which we have grouped together as family friendly. This policy provides managers and employees with information on the Trusts approach.

## 3. Scope

This policy applies to all employees. The Trust recognises the challenges faced by employees in the workplace and wishes to ensure appropriate systems and processes are in place.

## 4. Duties - Roles & Responsibilities

### 4.1 Chief Executive

The Executive Team has overall responsibility for the effective operation of these policies and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policies and ensuring their maintenance and review has been delegated to the Head of Human Resources.

### 4.2 Managers

Managers have a specific responsibility to ensure the fair application of these policies and all members of staff are responsible for supporting colleagues and ensuring the success of these policies.

### 4.3 All staff

All staff within North East Ambulance Service NHS Foundation Trust are responsible for ensuring that the principles outlined within this policy are universally applied.

## 5. Glossary of Terms

This policy uses the following terms:

Term	Description
<b>Maternity leave</b>	Benefits that apply to employees who have 12 months of reckonable service within the NHS at the beginning of the 11 <sup>th</sup> week before the expected week of childbirth.
<b>Paternity leave</b>	Paternity leave is a period of up to two weeks' consecutive leave taken when a child is born or placed with an employee for adoption.
<b>Parental leave</b>	Statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.
<b>Career break</b>	Times when employees may want or need to take a period of time away from work.
<b>Flexible working</b>	Gives eligible employees an opportunity to request a change to their working pattern in accordance with the statutory scheme.
<b>Emergency short notice for dependents</b>	Occasions when you will need to take time off work to deal with unexpected events involving one of your dependents.
<b>Adoption leave</b>	Arrangements for employees who are adopting a child through a UK adoption agency.
<b>Shared parental leave</b>	Employees and their spouse or partner may be eligible to opt into a scheme which gives them more flexibility to share the leave and pay available in the first year after the birth of their child.
<b>Compassionate leave</b>	To help you cope with the death of a close relative, deal with necessary arrangements and attend their funeral

## 6. Family Friendly Procedures

### 6.1 Maternity

This procedure applies to employees of the Trust. An employee is an individual who has entered into or works under a contract of employment. It does not apply to agency workers or self-employed contractors.

The Trust offers enhanced maternity benefits to employees who have 12 months of reckonable service within the NHS at the beginning of the 11<sup>th</sup> week before the expected week of childbirth.

Enhanced contractual maternity arrangements and the contractual procedure that should be followed are set out within the NHS Terms and Conditions of Service Handbook, currently section 15 of amendment number 35. For eligibility criteria please refer to section 15.

Managers and employees must follow the contractual procedure contained within section 15 of amendment number 35 and the Additional Procedural Arrangements set out below.

The purpose of this procedure is to:

- build upon section 15 of amendment number 35, to enhance parts of the procedure by the addition of local arrangements that are not covered by the NHS Terms and Conditions of Service Handbook and which help to maintain effective communication and ensure safety in the workplace;
- confirm the position on statutory maternity leave and pay for those employees who become pregnant prior to achieving 12 months of reckonable service within the NHS at the beginning of the 11<sup>th</sup> week before the expected week of childbirth and who are not entitled to the contractual benefits contained within the NHS Terms and Conditions of Service Handbook.

#### 6.1.1 Additional Procedural Arrangements

These arrangements apply in addition to those set out within the NHS Terms and Conditions of Service Handbook.

Employees should notify us as soon as possible that they are pregnant. This is important as there may be health and safety matters for us to consider and we need to be able to promptly identify them.

Upon receipt of a notification that an employee intends to take maternity leave, an employee's line manager will arrange a meeting to discuss any relevant matters including but not limited to:

- Any forms that need to be completed;
- The date on which the employee wishes to start maternity leave;

- Ground rules for the employee's safety in the workplace;
- Arrangements for an initial risk assessment and regular risk assessments at key stages throughout the pregnancy;
- Any adjustments that need to be made, including how and when these will be reviewed;
- Whether the employee qualifies for contractual maternity leave and pay under the terms of the NHS Terms and Conditions of Service Handbook and if not, whether the employee will qualify for statutory leave and pay, and in each situation, how much leave and pay are available;
- Whether the employee intends to return to work with the same or another NHS employer for a minimum period of three months after the maternity leave has ended (a condition of receiving enhanced maternity benefits);
- The date upon which the employee intends to return;
- Work planning and operational arrangements during the pregnancy and the employee's absence;
- Flexible and agile working opportunities (including Shared Parental Leave);
- Accrued and future holiday entitlements and how they will be used;
- The impact of maternity related absence on any loan or salary sacrifice arrangements;
- Any other questions that an employee may have.

Line managers will hold regular meetings with employees to check on their welfare and their needs within the workplace. This is very important for ensuring safety and wellbeing, as it helps us to identify any specific needs that we can accommodate to help an employee to stay healthy and remain in work during the pregnancy. Action points should always be agreed and brief notes should always be taken. There is no requirement, however, for these meetings to be overly formal and they can be held at the request of an employee or a line manager as and when the need arises and without the need for notice. While some employees may like to discuss matters in a private location, others may be happy to take some time out to catch up and review their wellbeing over a drink in the canteen or at lunch.

Line managers should request support from an HR advisor in advance of any meetings under this procedure to ensure that:

- they are well informed and capable of discussing options and solutions informally and constructively with employees; and
- the procedure is properly adhered to.

Shortly before an employee's maternity leave is due to start, a line manager should

arrange a meeting to discuss the arrangements for covering their work and the opportunities for the employee to remain in contact, should they wish to do so, during their leave. Unless an employee requests otherwise, they will remain on circulation lists for internal news, job vacancies, training and work-related social events. The employee may prefer communication via a private email address, rather than a Trust email address, during their leave, and this should be arranged.

The outcome of any meeting and any action points will always be confirmed to the employee promptly in writing after a meeting. Email correspondence is quicker and is to be encouraged in the interests of prompt follow-up.

In prescribed circumstances, special arrangements apply in relation to employees who are engaged on fixed term contracts or training contracts. In such situations, please refer to section 15 of the NHS Terms and Conditions of Service Handbook (currently amendment number 35).

### 6.1.2 Statutory Maternity Leave and Pay

Employees who do not meet the minimum service requirements to qualify for enhanced maternity benefits are entitled to up to 52 weeks' maternity leave, consisting of 26 weeks' ordinary maternity leave (**OML**) and 26 weeks' additional maternity leave (**AML**).

In order to qualify for Statutory Maternity Pay (**SMP**), employees must follow the procedure set out below:

- Before the end of the fifteenth week before the week that you expect to give birth (qualifying week), or as soon as reasonably practical afterwards, you must tell us:
  - a) the week in which your doctor or midwife expects you to give birth (expected week of childbirth); and
  - b) the date on which you would like to start your maternity leave (intended start date).
- We will write to you within 28 days to tell you the date we will expect you to return to work if you take your full maternity leave entitlement (expected return date).
- Once you receive a certificate from a doctor or midwife confirming your expected week of childbirth (MATB1), you must provide us with a copy.
- The earliest you can start maternity leave is 11 weeks before the expected week of childbirth (unless your child is born prematurely before that date).
- If you want to change your intended start date please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original intended start date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.
- Your maternity leave should normally start on the intended start date. However, it

may start earlier if you give birth before your intended start date, or if you are absent for a pregnancy-related reason in the last four weeks before your expected week of childbirth. In either of those cases, maternity leave will start on the following day.

- The law provides that we cannot allow you to work during the two weeks following childbirth.

You are entitled to SMP for up to 39 weeks if:

- you have been continuously employed by the Trust for at least 26 weeks at the end of the qualifying week and are still employed by us during that week (if you are a casual worker, you may qualify to take leave, but you would not necessarily qualify to be paid);
- your average weekly earnings during the 8 weeks ending with the qualifying week are not less than the lower earnings limit set by the government;
- you provide us with a doctor's or midwife's certificate (MAT B1 form) stating your expected week of childbirth;
- you give at least 28 days' notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; and
- you are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

Provided you are eligible, the first 6 weeks of SMP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year. For the current rates, please contact the HR department.

### **6.1.3 Annual Leave**

Holiday entitlement will continue to accrue during maternity leave. If your maternity leave will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your maternity leave can be carried over and will not be lost. It must be taken within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting your maternity leave. All holiday dates are subject to approval by your manager.

### **6.1.4 Keeping in touch**

We may make reasonable contact with you from time to time during your maternity leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may work (including attending training) on up to ten "keeping-in-touch" days during your maternity leave. This is not compulsory and must be discussed and agreed with your line manager, in partnership with HR.

You will be paid at your normal basic rate of pay for time spent working on a

keeping-in-touch day and this will be inclusive of any maternity pay entitlement.

### 6.1.5 Shared Parental Leave

In some cases, an employee and their spouse or partner may be eligible to opt into the Shared Parental Leave (SPL) scheme, which gives them more flexibility to share the leave and pay available in the first year after the birth of their child. Employees will need to give us at least eight weeks' notice to opt into SPL, and they must remain on maternity leave until at least two weeks after birth. For information about SPL, see our Shared Parental Leave (Birth) Policy.

### 6.1.6 Pensions

If you are a member of the pension scheme, we shall make employer pension contributions during OML and any period of paid AML, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any maternity pay you are receiving, unless you inform the Human Resources Department, who will inform the Pensions Administrator, that you wish to make up any shortfall.

### 6.1.7 Terms and conditions of employment

All the terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay, which (if you do not qualify for enhanced pay under the NHS Terms and Conditions of Service Handbook) are modified by the SMP scheme.

### 6.1.8 NHS Terms and Conditions of Service Handbook

Please refer to the section on maternity leave and pay for further details.

## 6.2 Maternity Support (Paternity) Procedure

This policy and procedure applies to employees. An **employee** is an individual who has entered into or works under a contract of employment.

This policy and procedure outlines the situations in which an employee may be entitled to paternity leave and paternity pay, and sets out the arrangements for taking it.

Enhanced maternity support (paternity) entitlements are set out within the NHS Terms and Conditions of Service Handbook, currently section 35 of amendment number 35. For eligibility criteria please refer to section 35.

In some cases you and your spouse or partner may be eligible to opt into the Shared Parental Leave ("SPL") scheme, which gives you more flexibility to share the leave and pay available in the first year after the birth or placement (in adoption situations) of your child. This does not affect your right to take two weeks' paternity leave

around the time of birth. For information about SPL, see our Shared Parental Leave (Birth) or (Adoption) Policies.

### **6.2.1 Entitlement to Paternity Leave**

Paternity leave is available on the birth of a child if either:

- you are the father (biological and adoptive) husband, civil partner, partner (including same sex partners) with the mother or adopter and will have some responsibility for the child's upbringing.
- you are the spouse, civil partner or cohabiting partner (including same sex partners) of the biological mother and will have the main responsibility (with the mother) for the child's upbringing.

Paternity leave is available where a child is placed with you for adoption by an adoption agency. In such cases you may be entitled to take adoption leave instead (see our Adoption Policy). However, adoption leave may only be taken by one adoptive parent. Paternity leave is available to the other adoptive parent (of either sex).

### **6.2.2 Paternity Leave**

Paternity leave is a period of up to two weeks' consecutive leave taken when a child is born or placed with you for adoption. You can start your leave on the date of birth or placement, or later, provided it is taken within eight weeks (56 days) of the birth or placement. If the baby is premature the period ends eight weeks after the start of the expected week of childbirth.

To take paternity leave, you must give us written notice by the end of the 15th week before the expected week of childbirth (or no more than seven days after the adoption agency notified you of being matched with a child), or as soon as you reasonably can, stating:

- the expected week of childbirth;
- whether you intend to take one week or two weeks' leave; and
- when you would like your leave to start.

You can change the intended start date by giving us 28 days' notice or, if this is not possible, as much notice as you can.

### **6.2.3 Enhanced Occupational Maternity Support (Paternity) Pay**

Employees who have 12 months' continuous service with one or more NHS employer(s) at the beginning of the week in which the baby is due are entitled to enhanced pay during maternity support (paternity) leave. Please refer to the section on occupational pay during maternity support (paternity) leave within the NHS Terms and Conditions of Service Handbook (amendment 35), currently contained within section 35.

### 6.2.4 Statutory Paternity Pay

If you do not qualify for enhanced contractual occupational pay under the NHS Terms and Conditions of Service Handbook, you may qualify for Statutory Paternity Pay ("SPP").

SPP is payable during the 2 weeks of paternity leave, provided you have at least 26 weeks of continuous employment with the Trust ending with the qualifying week (the 15th week before the expected week of childbirth or the week in which the adoption agency notified you of a match) and your average earnings are not less than the lower earnings limit set by the government each tax year. If you are a casual worker, you may qualify to take leave, but you may not qualify to be paid.

The rate of SPP is set by the government each tax year. For the current rates, please contact the HR department.

### 6.2.5 Prior to Paternity Leave

Prior to paternity leave commencing and in good time to help the employee to be prepared for the leave, the employee's line manager will arrange a meeting to discuss any relevant matters, including but not limited to:

- entitlement to leave and pay;
- accrued holiday entitlement and arrangements for taking holiday;
- arrangements to hand over work during leave and for the employee's return to work;
- flexible working and shared parental leave;
- the impact of paternity related absence on any loan or salary sacrifice arrangements;
- any questions that the employee may have.

### 6.2.6 During Paternity Leave

All the terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay, which (if you do not qualify for enhanced pay under the NHS Terms and Conditions of Service Handbook) are modified by the SPP scheme.

Holiday entitlement will continue to accrue during paternity leave. If your paternity leave will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your paternity leave can be carried over and will not be lost. It must be taken within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting your paternity leave. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we shall make employer pension contributions during paternity leave, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any paternity pay you are receiving, unless you inform Human Resources, who will inform the Pensions Administrator that you wish to make up any shortfall.

### **6.2.7 Returning to Work**

You must return to work after paternity leave on the expected return date unless you tell us otherwise.

Following your 2 weeks of paternity leave, you are entitled to return to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

If you want to change your hours or other working arrangements you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide to make use of shared parental leave, please refer to our Shared Parental Leave Policy and Procedure and follow the instructions within.

If you decide you do not want to return to work, you should give notice of resignation in accordance with your contract of employment.

## **6.3 Time Off for Antenatal Appointments Procedure**

This procedure outlines the statutory right to take time off to attend antenatal appointments.

This policy applies to employees and agency workers. It does not apply to self-employed contractors.

If you are an agency worker, the rights set out in this policy only apply to you once you have worked in the same role with us for at least 12 continuous weeks (which may include more than one assignment). For these purposes we will ignore any breaks due to holiday or other leave to which you are entitled, breaks due to workplace closure, breaks due to industrial action, breaks of up to 28 weeks in cases of sickness or jury service, and breaks of up to 6 weeks for any other reason. We will treat breaks due to pregnancy or childbirth up to 26 weeks after birth, and any statutory maternity, paternity or adoption leave, as time worked.

### **6.3.1 Time off if you are pregnant**

If you are pregnant you may take reasonable paid time off during working hours for antenatal appointments. This may include any relaxation or parenting classes that your doctor, midwife or health visitor has advised you to attend.

Please try to give us as much notice as possible of the appointment. We may ask

you to provide the following, unless it is the first appointment and unless you have already provided them to us (in which case, we won't ask to see them again):

- a certificate from the doctor, midwife or health visitor stating that you are pregnant; and
- an appointment card.

### **6.3.2 Time off for accompanying a pregnant woman: eligibility**

In accordance with legislation, you may take unpaid time off to accompany a pregnant woman to an antenatal appointment if you have a "qualifying relationship" with the woman or the child. This means that either:

- you are the baby's father; (biological and adoptive) husband, civil partner, partner (including same sex partners) who live with the mother or adopter and will have some responsibility for the child's upbringing.
- you are the pregnant woman's spouse, civil partner or cohabiting partner (including same sex partner) or she has undergone assisted conception and at that time you were her wife, civil partner or same sex partners and gave the required legal notices to be treated in law as the second female parent;
- you are one of the intended parents in a surrogacy arrangement and expect to obtain a parental order in respect of the child.

There is no statutory right to paid time off. The Trust has adopted the position that you may make a request to change your shift in order to accompany a pregnant woman, so that you do not lose any pay. We may not always be able to accommodate your request but our expectation is that your line manager, WFM and RSD will make proper attempts to accommodate your request.

If you are line manager, or you work within WFM or RSD and you receive a request for a shift swap from an employee, you must contact the Head of HR to discuss before communicating any decision.

### **6.3.3 Time off for accompanying a pregnant woman: how to book time off**

Please give your line manager as much notice of the appointment as possible. You must provide us with a signed statement providing the date and time of the appointment and confirming:

- that you meet one of the eligibility criteria set out above;
- that the purpose of the time off is to accompany the pregnant woman to an antenatal appointment; and
- that the appointment has been made on the advice of a registered medical practitioner, registered midwife or registered nurse.

### 6.3.4 Time off for accompanying a pregnant woman: amount of time off

You may take time off to accompany a pregnant woman to up to two antenatal appointments in relation to each pregnancy.

If you wish to take time off to attend further antenatal appointments, you should request annual leave.

## 6.4 Adoption Arrangements

This procedure applies to employees. An **employee** is an individual who has entered into or works under a contract of employment. It does not apply agency workers or self-employed contractors.

This procedure outlines the situations in which an employee may be entitled to adoption leave and pay, and sets out the arrangements for taking it. This policy sets out the arrangements for adoption leave and pay for employees who are adopting a child through a UK adoption agency. If you are adopting through an overseas adoption agency, the Head of HR will advise you of the relevant requirements.

Enhanced contractual adoption arrangements are set out within the NHS Terms and Conditions of Service Handbook, currently section 35 of amendment number 35. For eligibility criteria please refer to section 35.

In some cases you and your spouse or partner may be eligible to opt into the Shared Parental Leave ("SPL") scheme, which gives you more flexibility to share the leave and pay available in the first year after the placement of your child.

For information about SPL, see our Shared Parental Leave (Adoption) Procedure below.

### 6.4.1 Entitlement to Adoption Leave

You are entitled to adoption leave if you meet all of the following conditions:

- You are adopting a child through a UK or overseas adoption agency;
- The adoption agency has given you written notice that it has matched you with a child for adoption and tells you the date the child is expected to be placed into your care with a view to adoption ("Expected Placement Date");
- You have notified the agency that you agree to the child being placed with you on the Expected Placement Date;
- Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave).

The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave ("OAL") and 26 weeks' Additional Adoption Leave ("AAL").

### 6.4.2 Notification Requirements

Not more than seven days after the agency notifies you in writing that it has matched you with a child (or where that is not reasonably practicable, as soon as reasonably practicable), you must give us notice in writing of the Expected Placement Date, and your intended start date for adoption leave ("Intended Start Date").

We will then write to you within 28 days to inform you of your expected return date assuming you take your full entitlement to adoption leave.

Once you receive the matching certificate issued by the adoption agency, you must provide us with a copy.

### **6.4.3 Prior to Adoption Leave**

Prior to adoption leave commencing and in good time to help the employee to be prepared for the leave, the employee's line manager will arrange a meeting to discuss any relevant matters, including but not limited to:

- entitlement to leave and pay;
- accrued holiday entitlement and arrangements for taking holiday;
- arrangements to hand over work during leave and for the employee's return to work;
- flexible working and shared parental leave;
- the impact of adoption related absence on any loan or salary sacrifice arrangements;
- any questions that the employee may have.

### **6.4.4 Starting Adoption Leave**

OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later.

If you want to change your Intended Start Date please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.

### **6.4.5 Statutory Adoption Pay**

If you do not qualify for enhanced contractual occupational adoption pay under the NHS Terms and Conditions of Service Handbook, you may qualify for Statutory Adoption Pay ("SAP").

SAP is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the qualifying week and your average earnings are not less than the lower earnings limit set by the government each tax year (so if you are a casual worker, you may qualify to take leave, but you may not qualify to be

paid). The first six weeks of SAP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year. For the current rates, please contact the HR department.

#### **6.4.6 During Adoption Leave**

All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay, which (if you do not qualify for enhanced pay under the NHS Terms and Conditions of Service Handbook) are modified by the SAP scheme.

Annual leave entitlement will continue to accrue at the rate provided under your contract and will not be lost. If your adoption leave will continue into the next holiday year, any holiday entitlement that is not taken before starting your adoption leave can be carried over and must be taken within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting your adoption leave. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we shall make employer pension contributions during OAL and any further period of paid adoption leave based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any adoption pay you are receiving, unless you inform Human Resources, who will notify the Pensions Administrator that you wish to make up any shortfall.

#### **6.4.7 Keeping in touch**

We may make reasonable contact with you from time to time during your adoption leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may work (including attending training) on up to ten "keeping-in-touch" days during your adoption leave. This is not compulsory and must be discussed and agreed with your line manager, in partnership with HR.

You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any adoption pay entitlement.

#### **6.4.8 Returning to work**

You must return to work on the expected return date unless you tell us otherwise. If you wish to return to work early, you must give us at least eight weeks' notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the expected return date if you request annual leave or parental leave, which will be at our discretion.

You are entitled to return to work in the position you held before starting adoption leave, on the same terms of employment. However, if you have taken AAL and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not

less favourable.

If you want to change your hours or other working arrangements on return from adoption leave you should make a request under our Flexible Working Policy.

It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract of employment.

## **6.5 Time Off for Adoption Appointments**

This procedure outlines the statutory right to take time off to attend adoption appointments.

This procedure applies to employees and agency workers. It does not apply to self-employed contractors.

If you are an agency worker, the rights set out in this policy only apply to you once you have worked in the same role with us for at least 12 continuous weeks (which may include more than one assignment). For these purposes we will ignore any breaks due to holiday or other leave to which you are entitled, breaks due to workplace closure, breaks due to industrial action, breaks of up to 28 weeks in cases of sickness or jury service, and breaks of up to 6 weeks for any other reason. We will treat breaks due to pregnancy or childbirth up to 26 weeks after birth, and any statutory maternity, paternity or adoption leave, as time worked.

### **6.5.1 Time off for an adoption appointment**

An adoption appointment is an appointment arranged by an adoption agency (or at the agency's request) for you to have contact with a child who is to be placed with you for adoption, or for any other purpose related to the adoption.

You may take time off to attend an adoption appointment once the agency has notified you that a child is to be placed with you for adoption but before the child is actually placed with you.

### **6.5.2 If you are adopting a child with another person**

Where you and your partner are adopting a child, you must decide between you who will be treated as the primary adopter and who will be treated as the secondary adopter for the purposes of time off. You must tell us your decision the first time you request time off for an adoption appointment. This will affect how much time you can take off and whether it is paid.

You would usually choose to be the primary adopter if you intend to take adoption leave when the child is placed with you. You would not be able to take paternity leave if you have elected to be the primary adopter.

You would usually choose to be the secondary adopter if you intend to take paternity leave when the child is placed with you, although you may be able to take adoption leave if your partner is not taking it.

### **6.5.3 If you are adopting a child alone**

If you are adopting a child alone, you are treated as the primary adopter.

### **6.5.4 If you are adopting more than one child**

If the agency is placing more than one child with you as part of the same arrangement, this is treated as one adoption and will not increase the number of appointments you can take time off to attend. Any time off under this policy must be taken before the first child is placed with you.

### **6.5.5 Amount of time off**

If you are adopting on your own or have elected to be the primary adopter, you may take paid time off to attend an adoption appointment on up to five occasions in relation to any particular adoption.

If you are the secondary adopter, you may take unpaid time off to attend an adoption appointment on up to two occasions only. The Trust has adopted the position that you may make a request to change your shift in order to accompany the primary adopter to an appointment, so that you do not lose any pay. We may not always be able to accommodate your request but our expectation is that your line manager, WFM and RSD will make proper attempts to accommodate your request.

If you are line manager, or you work within WFM or RSD and you receive a request for a shift swap from an employee, you must contact the Head of HR to discuss before communicating any decision.

If you wish to take time off to attend further appointments beyond the two set out within this policy, you should request annual leave.

### **6.5.6 How to book time off**

Please give us as much notice of the appointment as possible. You must provide your manager with a signed statement or an email confirming:

- The date and time of the appointment.
- That the appointment has been arranged or requested by the adoption agency.
- Whether you are adopting a child alone or jointly with another person.
- If you are adopting with another person, whether you are electing to take paid or unpaid time off.

If you are an agency worker you may have to notify your agency as well. You should check with the agency.

We may sometimes ask you to try and rearrange an appointment where it is reasonable to do so. In exceptional circumstances we reserve the right to refuse a request for a particular appointment but we will not do so without good reason.

## 6.6 Shared Parental Leave (Birth) Procedure

This policy outlines the arrangements for shared parental leave and pay in relation to the birth of a child. If you are adopting a child please see the Shared Parental Leave (Adoption) Policy instead.

This policy applies to employees. An **employee** is an individual who has entered into or works under a contract of employment. It does not apply to bank workers, agency workers or self-employed contractors.

### 6.6.1 Frequently used terms

The definitions in this paragraph apply in this policy.

"Expected week of childbirth (EWC)"	the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born;
"Parent"	one of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner, including same sex partners, if not the father);
"Partner"	your spouse or civil partner (including same sex partners);
"Qualifying Week"	the fifteenth week before the EWC.

### 6.6.2 What is Shared Parental Leave?

Shared parental leave ("SPL") is a form of leave that may be available if your child is expected to be born on or after 5 April 2015.

It gives you and your partner more flexibility in how to share the care of your child in the first year after birth than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

### 6.6.3 Entitlement to SPL

You are entitled to SPL in relation to the birth of a child if:

- you are the child's mother, and share the main responsibility for the care of the child with the child's father or with your partner (including same sex partners):
- you are the child's father and share the main responsibility for the care of the

child with the child's mother; or

- you are the mother's partner (including same sex partners) and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

- you must have at least 26 weeks continuous employment with the Trust by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
- the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC and had average weekly earnings of at least £30 during 13 of those weeks; and
- you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth.

If you are the child's father or the mother's partner (including same sex partners), you should consider using your two weeks' ordinary paternity leave (OPL) before taking SPL. Once you start SPL you will lose any untaken paternity leave entitlement.

Unless parents qualify for and opt into SPL, the only entitlement that the child's father or the mother's partner will have will be two weeks' OPL and pay. Please note that the concept of additional paternity leave has now been abolished.

#### **6.6.4 Opting in to Shared Parental Leave and Pay**

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice giving:

- your name and the name of the other parent;
- if you are the child's mother, the start and end dates of your maternity leave;
- if you are the child's father or the mother's partner (including same sex partners), the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period;
- the total SPL available, which is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken;

- how many weeks of the available SPL will be allocated to you and how many to the other parent (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of the SMP or MA period taken or to be taken);
- how many weeks of available ShPP will be allocated to you and how much to the other parent (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
- declarations by you and the other parent that you both meet the statutory conditions to enable you to take SPL and ShPP.

### 6.6.5 Ending Maternity Leave

If you are the child's mother and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your maternity leave (a "curtailment notice") before you can take SPL. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme or a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

The other parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have given the curtailment notice.

The curtailment notice is binding and cannot usually be revoked. You can only revoke a curtailment notice if maternity leave has not yet ended and one of the following applies:

- if you realise that neither you nor the other parent are in fact eligible for SPL or ShPP, in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
- if you gave the curtailment notice before giving birth, you can revoke it in writing up to six weeks after birth; or
- if the other parent has died.

Once you have revoked a curtailment notice you will be unable to opt back into the SPL scheme, unless you gave the curtailment notice before giving birth.

### **6.6.6 Ending your partner's Maternity Leave or Pay**

If you are not the mother, but the mother is still on maternity leave or claiming SMP or maternity allowance (MA), you will only be able to take SPL once she has either:

- returned to work;
- given her employer a curtailment notice to end her maternity leave;
- given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
- given the benefits office a curtailment notice to end her MA (if she is not entitled to maternity leave or SMP).

### **6.6.7 Evidence of Entitlement**

You must also provide on request:

- A copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
- The name and address of the other parent's employer (or a declaration that they have no employer or that they are self-employed).

### **6.6.8 Booking your SPL dates**

Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.

The period of leave notice can either give the dates you want to take leave or, if the child has not been born yet, it can state the number of days after birth that you want the leave to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth and wish to take SPL straight afterwards.

Leave must be taken in blocks of at least one week.

If your period of leave notice gives a single continuous block of SPL you will be entitled to take the leave set out in the notice.

If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out below.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

### **6.6.9 Procedure for requesting split periods of SPL**

In general, a period of leave notice should set out a single continuous block of leave.

We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your manager and HR in good time before formally submitting your period of leave notice (usually 4-6 weeks in advance). This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

- choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
- withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case the notice will not be counted and you may submit a new one if you choose).

#### **6.6.10 Changing the dates or cancelling your SPL**

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date and the new start date.

You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date and the new end date.

You can combine split periods of leave into a single continuous period of leave by notifying us in writing at least eight weeks before the start date of the first period.

You can request that a continuous period of leave be split into two or more discontinuous periods with periods of work in between.

A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:

- the variation is a result of your child being born earlier or later than the EWC;
- the variation is at our request; or
- we agree otherwise.

### 6.6.11 Premature Birth

Where the child is born early (before the beginning of the EWC), you may be able to start SPL in the eight weeks following birth even though you cannot give eight weeks' notice. The following rules apply:

- If you have given a period of leave notice to start SPL on a set date in the eight weeks following the EWC, but your child is born early, you can move the SPL start date forward by the same number of days, provided you notify us in writing of the change as soon as you can. (If your period of leave notice already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary.)
- If your child is born more than eight weeks early and you want to take SPL in the eight weeks following birth, please submit your opt-in notice and your period of leave notice as soon as you can.

### 6.6.12 Shared Parental Pay

You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SMP or MA claimed by you or your partner) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid by employers at a rate set by the government each year.

You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

You will qualify for Enhanced Trust Shared Parental Pay (ETSP) if you have been continuously employed during the 12 month period ending with the Qualifying Week and did not take any maternity, adoption or shared parental leave during the 12 months ending with the Qualifying Week.

ETSP is paid at the full rate of your normal basic salary for the first 8 weeks and at half basic salary for the next 18 weeks. Any period of NHS maternity or paternity pay for the same child will count towards your ETSP entitlement.

ETSP is only paid if you are receiving ShPP for the same period, and includes the ShPP due.

Payment of ETSP is conditional upon you confirming in writing, before starting SPL, that you intend to return to work for at least three months after the end your SPL. If you later decide not to return to work for this minimum period, you must repay any ETSP (but not ShPP).

### 6.6.13 Prior to Shared Parental Leave

Prior to SPL commencing and in good time to help the employee to be prepared for

the leave, the employee's line manager will arrange a meeting to discuss any relevant matters, including but not limited to:

- entitlement to leave and pay;
- accrued holiday entitlement and arrangements for taking holiday;
- arrangements to hand over work during leave and for the employee's return to work;
- flexible working;
- the impact of SPL on any loan or salary sacrifice arrangements;
- any questions that the employee may have.

#### **6.6.14 During Shared Parental Leave**

Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

Annual leave entitlement will continue to accrue at the rate provided under your contract and will not be lost. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting SPL.

All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Human Resources Department that you wish to make up any shortfall.

#### **6.6.15 Keeping in touch**

We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during maternity leave. KIT days are not compulsory and must be discussed and agreed with your line manager and the Human Resources Department.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any ShPP entitlement.

### 6.6.16 Returning to work

If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If you have already given us three period of leave notices you will not be able to end your SPL early without our agreement.

If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written period of leave notice at least eight weeks before the date you were due to return to work. If you have already given us three period of leave notices you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see the appropriate section of the Family Friendly Policies), subject to the needs of the business.

You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

- if your SPL and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- if you took SPL consecutively with more than four weeks of ordinary parental leave.

If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract. This may have an impact on your entitlement to Enhanced Trust Shared Parental Pay.

## 6.7 Shared Parental Leave (Adoption) Procedure

This policy outlines the arrangements for shared parental leave and pay in relation to the adoption of a child. If you or your partner are pregnant or have given birth please see the Shared Parental Leave (Birth) Policy instead.

This policy applies to employees. An **employee** is an individual who has entered into or works under a contract of employment. It does not apply to bank workers, agency workers or self-employed contractors.

### 6.7.1 Frequently used terms

The definitions in this paragraph apply in this policy.

**"Partner"** your spouse, civil partner or someone living with you in an enduring family relationship at the time the child is placed for

adoption, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew;

**"Qualifying Week"** the week the adoption agency notifies you that you have been matched with a child for adoption.

### 6.7.2 What is Shared Parental Leave?

Shared parental leave ("**SPL**") is a form of leave that may be available where a child is placed with you and/or your partner for adoption on or after 5 April 2015.

It gives you and your partner more flexibility in how to share the care in the first year after your child is placed with you for adoption than simply taking adoption and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

### 6.7.3 Entitlement

You may be entitled to SPL if an adoption agency has placed a child with you and/or your partner for adoption, or where a child is placed with you and/or your partner as foster parents under a "fostering for adoption" or "concurrent planning" scheme. You must intend to share the main responsibility for the care of the child with your partner.

The following conditions must be fulfilled:

- you must have at least 26 weeks continuous employment with the Trust by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
- your partner must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the Qualifying Week and had average weekly earnings of at least £30 during 13 of those weeks; and
- you and your partner must give the necessary statutory notices and declarations as summarised below, including notice to end adoption leave or statutory adoption pay (**SAP**).

Either you or your partner must qualify for statutory adoption leave and/or SAP and must take at least two weeks of adoption leave and/or pay.

If your partner is taking adoption leave and/or claiming SAP, you may be entitled to two weeks' paternity leave and pay. You should consider using this before taking SPL. Once you start SPL entitlement you will lose any untaken paternity leave entitlement.

Please note that the concept of additional paternity leave has now been abolished.

The total amount of SPL available is 52 weeks, less the weeks of adoption leave taken by either you or partner (or the weeks in which your partner has been in

receipt of SAP if they were not entitled to adoption leave).

#### **6.7.4 Opting in to Shared Parental Leave and Pay**

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice which includes:

- your name and your partner's name;
- if you are taking adoption leave, your adoption leave start and end dates;
- if you are not taking adoption leave, your partner's adoption leave start and end dates, or if your partner is not entitled to adoption leave, the start and end dates of their SAP;
- the total SPL available, which is 52 weeks minus the number of weeks' adoption leave or SAP taken or to be taken by you or your partner;
- how many weeks of the available SPL will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of SAP taken or to be taken);
- how many weeks of the available ShPP will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and

declarations by you and your partner that you both meet the statutory conditions to enable you to take SPL and ShPP.

#### **6.7.5 Ending your Adoption Leave**

If you are taking or intend to take adoption leave and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your adoption leave (a curtailment notice). The notice must state the date your adoption leave will end. You can give the notice before or after adoption leave starts, but you must take at least two weeks' adoption leave.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme or a written declaration that your partner has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

If your partner is eligible to take SPL from their employer they cannot start it until you

have given us your curtailment notice.

The curtailment notice is binding on you and cannot usually be revoked. You can only revoke a curtailment notice if your adoption leave has not yet ended and one of the following applies:

- if you realise that neither you nor your partner are in fact eligible for SPL or ShPP, in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
- if your partner has died.

Once you have revoked a curtailment notice you will be unable to opt back in to the SPL scheme.

### **6.7.6 Ending your Partner's Adoption Leave or Pay**

If your partner is taking adoption leave or claiming SAP from their employer, you will only be able to take SPL once your partner has either:

- returned to work;
- given their employer a curtailment notice to end adoption leave; or
- given their employer a curtailment notice to end SAP (if they are entitled to SAP but not adoption leave).

### **6.7.7 Evidence of Entitlement**

You must provide on request:

- One or more documents from the adoption agency showing the agency's name and address and the expected placement date; and

The name and address of your partner's employer (or a declaration that they have no employer or that they are self-employed).

### **6.7.8 Booking your SPL dates**

Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.

The period of leave notice can either give the dates you want to take SPL or, if the child has not been placed with you yet, it can state the number of days after the placement that you want the SPL to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of placement and wish to take SPL straight afterwards.

Leave must be taken in blocks of at least one week.

If your period of leave notice gives dates for a single continuous block of SPL you will be entitled to take the leave set out in the notice.

If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out below.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

### **6.7.9 Procedure for requesting split periods of SPL**

In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your manager and HR in good time before formally submitting your period of leave notice (usually 4-6 weeks in advance). This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

- choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
- withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case it will not be counted and you may submit a new one if you choose).

### **6.7.10 Changing the dates or cancelling your SPL**

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date and the new start date.

You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date and the new end date.

You can change split periods of leave into a single continuous period of leave by notifying us in writing at least eight weeks before the start date.

You can request that a continuous period of leave be split into two or more discontinuous periods with periods of work in between.

A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:

- the variation is a result of the child being placed with you earlier or later than the expected placement date;
- the variation is at our request; or
- we agree otherwise.

### **6.7.11 Shared Parental Pay**

You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SAP claimed by you or your partner) provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year.

You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

You will qualify for Enhanced Trust Shared Parental Pay (ETSP) if you have been continuously employed during the 12 month period ending with the Qualifying Week and did not take any maternity, adoption or shared parental leave during the 12 months ending with the Qualifying Week.

ETSP is paid at the full rate of your normal basic salary for the first 8 weeks and at half basic salary for the next 18 weeks. Any period of NHS maternity or paternity pay for the same child will count towards your ETSP entitlement.

ETSP is only paid if you are receiving ShPP for the same period, and includes the ShPP due.

Payment of ETSP is conditional upon you confirming in writing, before starting SPL, that you intend to return to work for at least three months after the end your SPL. If you later decide not to return to work for this minimum period, you must repay any ETSP (but not ShPP).

### **6.7.12 Prior to Shared Parental Leave**

Prior to SPL commencing and in good time to help the employee to be prepared for the leave, the employee's line manager will arrange a meeting to discuss any relevant matters, including but not limited to:

- entitlement to leave and pay;

- accrued holiday entitlement and arrangements for taking holiday;
- arrangements to hand over work during leave and for the employee's return to work;
- flexible working;
- the impact of SPL on any loan or salary sacrifice arrangements;
- any questions that the employee may have.

### **6.7.13 During Shared Parental Leave**

Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

Annual leave entitlement will continue to accrue at the rate provided under your contract and will not be lost. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules.

Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Human Resources Department that you wish to make up any shortfall.

### **6.7.14 Keeping in touch**

We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during adoption leave. KIT days are not compulsory and must be discussed and agreed with your line manager and the Human Resources Department.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any ShPP.

### **6.7.15 Returning to work**

If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If you have already given us three period of leave notices you

will not be able to end your SPL early without our agreement.

If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written notice at least eight weeks before the date you were due to return to work. If you have already given us three period of leave notices you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our Employee Friendly Policy), subject to the needs of our business.

You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

- if your SPL and any adoption or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- if you took SPL consecutively with more than four weeks of ordinary parental leave.

If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract. This may have an impact on your entitlement to Enhanced Trust Shared Parental Pay.

## 6.8 Parental Leave Procedure

This document summarises the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.

It applies to employees. An **employee** is an individual who has entered into or works under a contract of employment. It does not apply to agency workers, bank workers, volunteers or the self-employed.

You will not be subjected to any detriment for taking time off under this policy.

Parental leave is summarised within the NHS Terms and Conditions of Service (currently section 35 of amendment 35).

### 6.8.1 Entitlement to parental leave

To be eligible for parental leave, you must:

- have at least one year's continuous employment with us;
- have or expect to have responsibility for a child; and

- be taking the leave to spend time with or otherwise care for the child.

You have responsibility for a child if you are the biological or adoptive parent or have legal parental responsibility in some other way, for example under a court order.

Eligible employees are entitled to take up to 18 weeks' parental leave in relation to each child.

You must tell us of any parental leave you have taken while working for another employer as this counts towards your 18-week entitlement.

### **6.8.2 Taking parental leave**

In most cases, parental leave can only be taken in blocks of a week or a whole number of weeks, and you may not take more than four weeks' parental leave a year in relation to each child. Parental leave can be taken up to the child's 18th birthday.

Special rules apply where your child is disabled, which for these purposes means entitled to a disability living allowance, armed forces independence allowance or personal independence payment. You can take parental leave in respect of that child in blocks of less than one week. However, there is still a limit of 4 weeks a year for each child and 18 weeks in total for each child.

### **6.8.3 Notification requirements**

You must notify your line manager and Human Resources of your intention to take parental leave at least 21 days in advance. It would be helpful if you can give this notice in writing by email to both your line manager and Human Resources.

Your notification should include the start and end dates of the requested period of leave.

If you wish to start parental leave immediately on the birth of a child, you must give notice at least 21 days before the expected week of childbirth, or if this is not possible, give as much notice as you can.

If you wish to start parental leave immediately on having a child placed with you for adoption, you should give notice at least 21 days before the expected week of placement, or if this is not possible, give as much notice as you can.

### **6.8.4 Evidence of entitlement**

We may ask to see evidence of:

- your responsibility or expected responsibility for the child such as birth certificate, adoption or matching certificate, parental responsibility agreement or court order.
- the child's date of birth or date of adoption placement.

### **6.8.5 Our right to postpone parental leave**

Although we will try to accommodate your request for parental leave, we may postpone your requested leave where it would unduly disrupt our business (for example, if it would leave us short-staffed or unable to complete work on time). If a line manager, WFM or RSD believes it is necessary to reject a request, the proposal must be discussed with the Head of HR in advance.

We will discuss alternative dates with you, and notify you in writing of the reason for postponement and the new start and end dates, within seven days of receiving your request for parental leave.

We cannot postpone parental leave if you have requested it to start immediately on the birth or adoption of a child.

We cannot postpone parental leave for more than six months, or beyond the child's 18th birthday (if sooner).

#### **6.8.6 Terms and conditions during parental leave**

Parental leave is unpaid. You will not be entitled to employer pension contributions in respect of the period of leave.

Your employment contract will remain in force, and holiday entitlement will continue to accrue. You will remain bound by your duties of good faith and confidentiality, and any contractual restrictions on accepting gifts and benefits, or working for another business.

#### **6.8.7 Operational arrangements for managers**

The manager will ensure that a copy of the letter to the employee confirming parental leave arrangements is forwarded to HR/Payroll/WFM and RDS for action.

### **6.9 Emergency Short Notice Time Off for Dependents Procedure**

The law recognises and we respect that there may be occasions when you will need to take time off work to deal with unexpected events involving one of your dependants.

The statutory right to time off for dependants gives all employees the right to take a reasonable amount of unpaid time off work to deal with emergency situations affecting their dependants that arise without notice. However, the Trust is committed to supporting employees to enable them to deal with emergencies and will consider making a payment of full pay on the first day of an emergency.

For periods of absence that can be planned, employees should refer to other policies, and make use of compassionate leave, annual leave, unpaid parental leave etc as applicable to the situation.

This policy applies to employees. An **employee** is an individual who has entered into or works under a contract of employment. It does not apply to agency workers, bank workers, volunteers or the self-employed.

You will not be subjected to any detriment for taking time off under this policy.

Leave/time off for domestic reasons is summarised within the NHS Terms and Conditions of Service (currently section 35 of amendment 35).

### **6.9.1 Reasonable unpaid time off**

You have a right to take a reasonable amount of unpaid time off work when it is necessary to:

- provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
- make longer-term care arrangements for a dependant who is ill or injured;
- take action required in consequence of the death of a dependant;
- deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant (such as a child-minder falling ill); and/or
- deal with an unexpected incident involving your child while a school or another educational establishment is responsible for them.

A dependant for the purposes of this policy is:

- your spouse, civil partner, parent or child;
- a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee; or
- anyone else who reasonably relies on you to provide assistance, make arrangements or take action of the kind referred to in this paragraph.

This policy applies to time off to take action that is necessary because of an immediate or unexpected crisis. This policy does not apply where you need to take planned time off or provide longer-term care for a dependant. If this is the case, you should take advice from your line manager and the Human Resources Department.

Whether action is considered necessary will depend on the circumstances, including the nature of the problem, the closeness of the relationship between you and the dependant, and whether anyone else is available to assist. Action is unlikely to be considered necessary if you knew of a problem in advance but did not try to make alternative care arrangements.

Reasonable time off in relation to a particular problem will not normally be more than one or two days. However, we will always consider each set of circumstances on their facts.

### **6.9.2 Exercising the right to time off**

You will only be entitled to time off under this policy if, as soon as is reasonably practicable, you tell your line manager:

- the reason for your absence; and
- how long you expect to be away from work.

If you fail to notify us as set out above, you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.

We may in some cases ask you to provide evidence for your reasons for taking the time off, either in advance or on your return to work. Suspected abuse of this policy will be dealt with as a disciplinary issue under our Disciplinary Procedure.

### **6.9.3 Operational arrangements for managers**

Managers should ensure that the relevant notification confirming special leave and whether paid or unpaid is forwarded to HR/Payroll/WFM and RSD for appropriate action.

### **6.9.4 Discretion to pay in connection with emergency leave for dependents**

The Trust is committed to supporting employees in emergency situations. On your return to work, we will discuss the circumstances of your absence with you and we may decide in our absolute discretion to pay you for one day of emergency leave (payable on up to a maximum of two occasions in any rolling 12 month period).

To avoid the abuse of our discretion, we will expect you to explain the emergency situation to us during the meeting and tell us about the disruption it caused you. In so far as possible, you should bring along any information connected to the emergency (text messages, emails, invoices, hospital letters etc).

It is important that emergency leave arrangements are not abused so that we can continue to support those employees who need our support, while balancing the effective operation of the Trust as a front line emergency service provider.

If it becomes apparent that any emergency-related absence was fraudulent or not properly within the spirit of the emergency leave provisions, we will not pay you any dependency leave pay. We may also take disciplinary action against you.

There is no right to appeal against the exercise of our discretion. If you are dissatisfied with any decision, you may raise a complaint informally to your manager or formally, under our grievance procedure.

We will record our decision and the reasons for it and store the record securely within Human Resources.

Human Resources will regularly review the decisions we make, in the interests of monitoring the consistency and fairness of our approach across the Trust.

## **6.10 Flexible Working Requests Procedure**

This flexible working policy gives eligible employees an opportunity to request a change to their working pattern in accordance with the statutory scheme.

This policy applies to employees. An **employee** is an individual who has entered into or works under a contract of employment. It does not apply to agency workers, bank workers, volunteers or the self-employed.

You will not be subjected to any detriment for exercising a right to request flexible working under this policy.

We will deal with flexible working requests in a reasonable manner and within a reasonable time. In any event, the time between making a request and notifying you of a final decision (including the outcome of any appeal) will be less than three months unless we have agreed a longer period with you.

The statutory flexible working scheme is supported by an Acas statutory code of practice, *Code of Practice on Handling in a reasonable manner requests to work flexibly* and a non-statutory guide, *Handling requests to work flexibly in a reasonable manner: an Acas guide*. Managers should familiarise themselves with these documents and ensure that they act at all times in accordance with the following principles (for full details, refer to the ACAS documents):

- Consider the request carefully;
- Deal with a request promptly;
- Ensure that the whole process of discussions (from start to end) does not take longer than three months.

Managers should be aware that the NHS Terms and Conditions of Service include a section on Flexible Working Arrangements (currently section 34 of amendment no. 35). It contains guidance on the types of flexible working that the Trust should try to accommodate and so you are required to have regard to it when considering flexible working applications and when discussing the options with employees.

Managers must also be aware that some employees may have a characteristic that is protected by the Equality Act 2010. Care should be taken to avoid discrimination at all times. Each request should be properly considered against the Trust's operational requirements in accordance with this policy, the Acas Code of Practice and the Equality Act 2010. Advice should be sought from Human Resources as appropriate.

### 6.10.1 Eligibility

To be eligible to make a flexible working request under the legislation, you must:

- be an employee;
- have worked for us continuously for at least 26 weeks at the date your request is made; and
- not have made a flexible working request during the last 12 months.

In extenuating situations, for example, where circumstances have changed, the Trust may consider a further request within the 12 month period since the last request.

This is entirely at the discretion of the Trust.

### **6.10.2 What is a flexible working request?**

A flexible working request under this policy means a request to do any or all of the following:

- to reduce or vary your working hours;
- to reduce or vary the days you work;
- to work from a different location (for example, from home).

### **6.10.3 Making a flexible working request**

Your flexible working request should be submitted to your line manager and Human Resources in writing by email and dated. It should:

- state that it is a flexible working request;
- explain the change being requested and propose a start date;
- identify the impact the change would have on the business and how that might be dealt with; and
- state whether you have made any previous flexible working requests.

### **6.10.4 Meeting**

Promptly upon receipt of your request, we will arrange a meeting at a convenient time and place to discuss it. You may choose to be accompanied at the meeting by a Trade Union representative or a colleague of your choice. They will be entitled to speak and confer privately with you, but may not answer questions on your behalf.

We may decide to grant your request in full without a meeting, in which case we will write to you with our decision.

### **6.10.5 Decision**

We will inform you in writing of our decision as soon as possible after the meeting and in any event within two weeks, unless longer timescales are agreed with you.

If your request is accepted, we will write to you with details of the new working arrangements and the date on which they will commence. You will be asked to sign and return a copy of the letter.

If we cannot immediately accept your request we may require you to undertake a trial period before reaching a final decision on your request.

Unless otherwise agreed, changes to your terms of employment will be permanent.

We may reject your request for one or more of the following business reasons:

- the burden of additional costs;
- detrimental effect on ability to meet customer demand;
- inability to reorganise work among existing staff;
- inability to recruit additional staff;
- detrimental impact on quality;
- detrimental impact on performance;
- insufficiency of work during the periods that you propose to work; or
- planned changes.

If a manager is unable to accept a request, they must discuss the proposal with HR and be able to demonstrate the grounds for rejecting the request, with supporting evidence.

If we are unable to agree to your request, we will discuss our reasons with you to try and reach an agreement.

If we are ultimately unable to accommodate your request, we will write to tell you which reasons apply in your case. We will also set out the appeal procedure.

We will record our decision and the reasons for it and store the record securely within Human Resources.

Human Resources will regularly review the decisions we make, in the interests of monitoring the consistency and fairness of our approach across the Trust.

#### **6.10.6 Appeal**

You may appeal in writing within 14 days of receiving our written decision. This includes a decision following a trial period.

Your appeal must be dated and must set out the grounds on which you are appealing.

We will hold a meeting with you to discuss your appeal. You may bring a Trade Union representative or colleague to the meeting.

We will tell you in writing of our final decision as soon as possible after the appeal meeting, including reasons. There is no further right of appeal.

#### **6.11 Compassionate Leave Procedure**

Compassionate leave is designed to help you cope with the death of a close relative, deal with necessary arrangements and attend their funeral. It may also be granted where a close relative is seriously or critically ill.

This policy applies to employees. It does not apply to agency workers, bank workers, volunteers or the self-employed.

### **6.11.1 Entitlement**

Our current practice is to allow you to take paid compassionate leave of up to five days in respect of a spouse or partner, child, stepchild, grandchild, parent, step-parent, parent-in-law, grandparent, brother or sister, stepbrother or stepsister, or brother or sister-in-law.

We will not normally grant paid compassionate leave in respect of any other relative or close friend. In such circumstances, we may grant unpaid leave, or you may make an annual leave request. We may have to refuse a request for compassionate leave in these situations and we will give you a written explanation of the reasons (most likely by email). If you are dissatisfied with this decision, you may make a complaint under our Grievance Procedure.

If you are unable to return to work following an authorised period of compassionate leave you should contact your line manager and the Human Resources Department. It may be appropriate to take a period of annual leave, subject to your manager's approval, or we may at our discretion grant you further unpaid leave in those circumstances.

### **6.11.2 Requesting compassionate leave**

We recognise that it may not always be possible to request compassionate leave in advance. However, where it is possible, you should make a request to your line manager. You should tell them the reasons for your request and the number of days of leave you would like to take.

Where it is not possible to request leave in advance you should contact your line manager as soon as possible to tell them the reason for your absence and the number of days you expect to be absent. Someone can do this on your behalf if necessary.

## **6.12 Career Break Procedure**

We recognise that there are times when employees may want or need to take a period of time away from work. We are committed to long-term career development and to retaining staff wherever possible and so we permit employees to apply for an unpaid career break under this policy.

A career break can provide staff with an opportunity for personal development (such as extended periods of travel, voluntary service, employment overseas or to pursue further education) or to fulfil personal or domestic commitments (i.e. childcare, eldercare, care for a dependant). However, a career break may not be the most appropriate way of meeting your needs and, in some cases, we may suggest a more appropriate alternative.

We will not allow a career break for the purpose of taking up alternative employment within the UK or starting a personal business venture.

This policy applies to employees. It does not apply to agency workers, bank workers, volunteers or the self-employed.

Managers should be aware that the NHS Terms and Conditions of Service include a section on Career Break Arrangements (currently section 36 of amendment no. 35). It contains guidance on the types of career breaks that the Trust can sometimes accommodate and so you are required to have regard to it when considering career break applications and when discussing the options and the implications with employees.

### **6.12.1 Eligibility**

To be considered for a career break, you must have at least 12 months' continuous employment with the Trust and a good record of performance.

### **6.12.2 Application process**

You should first discuss the career break you wish to take informally with your line manager to outline the reason for your request, the proposed length of your absence and consider how your workload might be managed while you are away.

You should then submit a written application for a career break to your line manager and HR by email at least three months before the anticipated start date. In exceptional circumstances we may waive this time limit.

Your application should set out:

- the reason for your proposed career break;
- the dates between which you wish to take your career break;
- whether you have previously taken any career breaks and, if so, the dates between which you have taken them;
- the benefits to our business, if any, of your proposed career break; and
- how you consider your work can be covered in your absence.

### **6.12.3 Responding to your application**

Each application will be considered on its own merits. You should not commit yourself to plans before your application for a career break has been agreed by us in writing.

When considering your application the following are examples of the factors that will be taken into account:

- The purpose of, or reasons for, the career break.
- The period of absence requested.

- Your performance record.
- The number and length of any previous career breaks taken.
- The operational needs of our business.
- The need to retain your skills, knowledge and experience.
- Our ability to cover your duties on a temporary basis.
- The potential benefits of the proposed career break.

We will try to respond to your request in writing within two weeks of receipt of your written application.

We may hold a meeting to discuss your request if we think this will be helpful.

If your request for a career break is refused we will explain the reasons for our decision.

If we accept your request we will write to confirm the start and return dates for your career break and will set out the changes to your terms of employment. You must sign and return a copy of the letter to accept the changes and until this is received your career break will not have been agreed.

#### **6.12.4 Conditions for taking a career break**

Career breaks can be granted for between three months and five years.

You will not be required to resign from employment.

Provided that you return to work within twelve months, we will return you to the job in which you were employed before your career break.

If we cannot return you to the same job, we will take reasonable steps to find you a similar job to that in which you worked before your break.

Your continuity of service (for employment law purposes) will be preserved during your career break.

NHS continuity of service will be suspended during your career break.

In some cases, we may only be able to agree to a career break on condition that you keep in touch with us (on terms to be agreed) and/or that you remain available (by way of example and without limitation):

- To cover for holidays, sickness absence or to assist during peak workloads; or
- To attend training courses or meetings to be updated on workplace developments.

You may not take more than one career break while working for us.

### **6.12.5 During a career break**

Where possible, you will be given notice of any requirement to attend work or any keeping-in-touch days during your career break. These will be paid at the rate of pay applicable before the start of your career break and any period of work during a career break will count towards your service-related benefits.

Unless specifically agreed at the time your career break is approved, you will not be obliged to do any work or attend any events during a career break and will not be penalised for declining to do so; nor is your line manager obliged to offer you work while you are on a career break. Any arrangements for working during the career break must be agreed with your line manager including the work to be done and arrangements for payment. Work could include any activity done under the contract of employment, but may also include training or other events.

You will share in the responsibility for keeping in touch with us and with your department during your career break. Your line manager will keep you up to date with changes in policy, personnel, developments and news.

You should make arrangements to be kept up to date with developments with your line manager. You are expected to maintain any professional links and to keep up to date with any significant developments in your area of work.

You must tell your line manager and HR about any change of address or other contact or personal details during your career break.

In the event that during your absence the role from which you are taking a career break is affected by reorganisation, restructuring or redundancy, every effort will be made to consult with you as appropriate.

You must obtain prior written approval from your manager before undertaking paid work for anyone else during your career break. Line managers are required to seek advice from HR before agreeing to any such requests.

### **6.12.6 Returning from a career break**

We are committed, as far as is reasonably practicable, to offering you the opportunity to return to the post you held before your career break or prior consideration for any post within the same undertaking doing the same type of work at the same grade as you carried out before your career break (when you return within 12 months).

If your career break is for longer than twelve months, we will try to return you to as similar a job as possible.

When approving your request for a career break we will agree when you will need to contact us before your return date to confirm arrangements. It is likely to be three months before your return date in respect of career breaks of twelve months or less and six months before your return date in respect of career breaks of longer than twelve months' duration.

Consideration will be given to a request to return earlier than an agreed date although it may not be possible to accommodate such a request.

You will return to work at the salary level that was applicable prior to the start of your career break (equivalent band and point) and any cost of living increases that took place during your absence will be reflected in your pay on your return. For the avoidance of doubt, cost of living increases will not be back-paid and will take effect (going forward) on your return to work.

If you are prevented from returning to work on your return date due to ill-health, you must contact us as soon as possible in accordance with our Sickness Absence Policy.

If you are unable to return to work in accordance with previously agreed arrangements for any reason other than ill-health you must immediately contact your line manager. You should give us as much notice as you can. In exceptional cases, consideration might be given to extending the period of your career break, providing that your overall period of absence does not exceed five years.

If you wish to terminate your employment while on a career break, unless the amount of notice required from you to do so has been varied by agreement with us, you will be required to give notice in accordance with the terms of your contract.

On your return your line manager will organise for you to attend a re-induction process. This will include training on any new systems or procedures that have been introduced during your absence and briefing on any changes that have taken place that will affect you.

### **6.12.7 Pension Arrangements**

It is the employee's responsibility to contact NHS Pensions to understand any impact of a career break on their pension.

## **7. Training Required for Compliance with this Policy**

The Trust has a duty to provide information to all employees about this policy. A copy will be included on our QPulse Policy database and information will be contained on our intranet.

It is the responsibility of each Head of Department/Senior Manager to impart this information through publicity and team briefings and employees will be expected to familiarise themselves with the details and abide by the policy.

## **8. Equality and Diversity**

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

grounds of any protected characteristic (Equality Act 2010). An equality analysis has been undertaken for this policy, in accordance with the Equality Act (2010).

Details of this assessment are stored within the central register for Equality Analysis Assessments maintained within the Equality and Diversity team within the Communications and Engagement department.

## **9. Monitoring Compliance with and Effectiveness of this Policy**

### **9.1 Compliance and Effectiveness Monitoring**

Arrangements for the monitoring of compliance with this policy and of the effectiveness of the policy will be undertaken through an annual report at the HR Strategy Group. Please see below for further information.

**9.2 Compliance and Effectiveness Monitoring Table for this policy**

Process in the policy	Monitoring and audit					
	Key Performance Indicators (KPI)/ Criteria	Method	Who By	Committee	Frequency	Learning/ Action Plan
Annual HR Report	Flexible Working Request	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Maternity Leave	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Paternity Leave	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Career Break Requests	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Returning from Career Break	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Compassionate Leave	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Emergency Short Notice for Dependent Requests	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Parental Leave Requests	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Adoption Leave Requests	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	
	Shared parental Leave Requests	HR Metrics Report	Andrew Harris	HR Strategy Group	Annual	

## 10. Consultation and Review of this Policy

This policy has been reviewed in consultation with the recognised Trade Unions and Joint Consultative Committee (JCC).

## 11. Implementation of this Policy

This policy has been implemented following consultation with the recognised Trade Unions and Joint Consultative Committee (JCC).

## 12. References

This document refers to the following guidance, including national and international standards:

Handling requests to work flexibly in a reasonable manner: an ACAS guide

<http://www.acas.org.uk/index.aspx?articleid=4859>

## 13. Associated Documentation

This policy refers to the following Trust documents:

- Disciplinary Policy (POL-WOD-HR-7)
- Grievance Policy (POL-WOD-HR-9)
- Annual Leave Policy (POL-WOD-HR-18)

## 14. Appendices

None