

## LEAVE POLICY

**POLICY**

<b>Reference</b>	HR/0015		
<b>Approving Body</b>	JSPF		
<b>Date Approved</b>	6 <sup>th</sup> March 2023		
<b>Issue Date</b>	March 2023		
<b>For publication to external SFH website</b>	<b>Positive confirmation received from the approving body that the content does not risk the safety of patients or the public:</b>		
	<b>YES</b>	<b>NO</b>	<b>N/A</b>
			X
<b>Version</b>	3		
<b>Summary of Changes from Previous Version</b>	Rights of employee responsibilities updated		
<b>Supersedes</b>	2.1		
<b>Document Category</b>	Human Resources		
<b>Consultation Undertaken</b>	JSPF Sub Group JSPF		
<b>Date of Completion of Equality Impact Assessment</b>	February 2023		
<b>Date of Environmental Impact Assessment (if applicable)</b>	N/A		
<b>Legal and/or Accreditation Implications</b>	Yes		
<b>Target Audience</b>	This policy applies equally to all its employees. It cannot be used NHS national agreements are in place e.g. pay awards		
<b>Review Date</b>	31 March 2026		
<b>Sponsor (Position)</b>	Director of People		
<b>Author (Position &amp; Name)</b>	People Operational Lead, Amber Hardy		
<b>Lead Division/ Directorate</b>	Corporate		
<b>Lead Specialty/ Service/ Department</b>	Human Resources		
<b>Position of Person able to provide Further Guidance/Information</b>	HR Operational Team		
<b>Associated Documents/ Information</b>			<b>Date Associated Documents/ Information was reviewed</b>
N/A			N/A

## CONTENTS

<b>Item</b>	<b>Title</b>	<b>Page</b>
1.0	Introduction	4
2.0	Policy Statement	4
3.0	Definitions / abbreviations	4
4.0	Roles and Responsibilities	5
5.0	Approval	6
6.0	Document Requirements	6
7.0	Monitoring Compliance and Effectiveness	7
8.0	Training and Implementation	8
9.0	Impact Assessments	8
10.0	Evidence Base - Relevant Legislation, National Guidance and Associated SFHFT Documents	8
11.0	Appendices	

## APPENDICIES

<i>Appendix 1</i>	<i>Equality Impact Assessment</i>	10
-------------------	-----------------------------------	----

## 1.0 Introduction

- 1.1 Sherwood Forest Hospitals NHS Foundation Trust (SFHFT) is committed to helping staff balance the demands of both their work and personal needs. Furthermore, the Trust recognises the importance of supporting its employees to achieve a work life- balance, in order to maintain an effective work performance and the continued provision of high quality services.

## 2.0 Policy Statement

- 2.1 The aim of this policy is to provide a uniform and equitable approach to the management of leave for Sherwood Forest Hospitals NHS Foundation Trust employees.
- 2.2 The policy will take into account the entitlements and arrangements defined under NHS Terms & Conditions of Service.

## 3.0 Definitions / abbreviations

- 3.1 This policy is supported by the following guidance documents:

**3.1.1 Annual Leave** - sets out staff entitlements to annual leave and addresses best practice guidance for requesting and authorising annual leave.

**3.1.2 Other Leave** - covers other types of leave for other purposes as follows:

Annual Leave – Agenda for Change

Annual Leave – Medical Staff

Carer / Special Leave/Compassionate Leave

Parental Leave

Career Break Scheme

Leave for Jury Service

Time off for Reservists

Maternity, Paternity, Adoption, Shared Parental Leave and Maternity Support Leave

Time off for IVF Treatment (Enclosed within Maternity guidance for employees)

Time off for Gender Reassignment (Enclosed within Transgender People at Work policy)

Time off for Interviews

## 4.0 Roles and Responsibilities

## Line Managers

Line managers are responsible for the following:

- Managing leave of all kinds in a fair, equitable and effective manner, whilst exercising Manager's discretion as to what is reasonable in individual circumstances;
- Maintaining appropriate staffing levels when authorising leave to ensure that service needs continue to be safely met within budgetary constraints;
- Ensuring all staff are aware of the Trust/Departmental procedure and the requirements of this policy for requesting and booking leave;
- Responding to requests for annual leave within 7 working days;
- Locally monitoring annual leave entitlement on a quarterly basis and reminding staff to take leave as appropriate;
- Ensuring staff take all their annual leave allocation in the relevant leave year;
- Ensuring staff are given opportunities to take leave;
- Ensuring leave is proactively and expediently recorded on the Trust preferred recording system:
- Keeping accurate records (on the Trusts preferred recording system) to monitor the total leave being taken by each employee. Providing written justification for refusing a request for special leave.
- Identifying, and acting on, any abuse of this policy e.g. completing a fact-find initially, as per the Trust's Disciplinary Policy.
- Keeping in touch with staff during extended periods of leave e.g. Family Leave (Maternity, Shared Parental, Adoption Leave) or Career Breaks, to ensure they are appropriately updated and informed.
- Notifying Payroll and HR of any unpaid leave they are authorising in a timely manner so that overpayments do not occur.

## Employees

Employees are responsible for the following:

- Using their annual leave allocation within each relevant leave year;
- Spreading annual leave evenly across the annual leave year as far as possible e.g. taking 25% of leave in each quarter;
- Following Trust practice and procedure when requesting and booking annual leave and giving the required 6 weeks' notice;
- Co-operating with other team members when requesting leave for critical holiday periods;
- Not booking holidays or taking annual leave until it has been agreed with the line manager;
- Giving appropriate notice should they need to cancel annual leave already booked.
- Informing their manager as soon as is practicable of their request/requirement to take a period of other leave;
- Informing their line manager of a change in circumstances which may impact upon their leave entitlement, e.g. aggregate NHS service
- Providing relevant documentation where appropriate to prove that the leave is required;
- Informing their line manager's manager, if they believe their request for leave has been unreasonably refused.
- Keep in touch with their Manager during extended periods of leave e.g. when on a career break or family leave.

## 5.0 Approval

5.1 This Policy was approved at JSPF.

## 6.0 Document Requirements

- 6.1 This document outlines the Trust's arrangements for all forms of authorised leave that are available to members of staff and the guidance for applying for them.
- 6.2 All leave is stated as full-time working days (or equivalent hours). Leave entitlements for part time members and job sharers will be calculated on a pro-rata basis to the proportion of working days or hours that they work, rounded up to the nearest quarter hour.
- 6.3 Employee's contractual entitlements are outlined in the relevant guidance documents. More information can also be found in the Trust's Collective Local Agreement.
- 6.4 All leave is authorised at manager's discretion. The Trust shall not unreasonably refuse a request for leave.
- 6.5 In exceptional circumstances, e.g. where there is formal industrial action taking place, managers may request that annual leave is suspended during that period.
- 6.5 For significant life events e.g. marriage, a person centered approach must be taken.
- 6.6 Abuse by an employee (or group of employees) of the leave arrangements described in this document and guidance documents may result in disciplinary action.
- 6.7 All employees have the right to be treated fairly and with dignity.

## 7.0 Monitoring Compliance and Effectiveness

<b>Minimum Requirement to be Monitored</b>  (WHAT – element of compliance or effectiveness within the document will be monitored)	<b>Responsible Individual</b>  (WHO – is going to monitor this element)	<b>Process for Monitoring e.g. Audit</b>  (HOW – will this element be monitored (method used))	<b>Frequency of Monitoring</b>  (WHEN – will this element be monitored (frequency/ how often))	<b>Responsible Individual or Committee/ Group for Review of Results</b>  (WHERE – Which individual/ committee or group will this be reported to, in what format (eg verbal, formal report etc) and by who)
Annually	JSPF	Audit	Annually	JSPF

## 8.0 Training and Implementation

- 8.1 The content and application of this policy will be discussed as an integral part of all management training programmes
- 8.2 This policy will be available on the staff intranet for all staff to access and will be cascaded to staff via their line management structures. Managers are responsible for ensuring that all staff understand their entitlement to leave as outlined in this policy and are responsible for appropriate application and implementation of the procedures outlined within it.
- 8.3 The purpose of monitoring is to provide assurance that the agreed approach is being followed – this ensures we get things right for patients, use resources well and adhere to our values.

## 9.0 Impact Assessments

- This document has been subject to an Equality Impact Assessment, see completed form at Appendix 3.
- This document is not subject to an Environmental Impact Assessment.

## 10.0 Evidence Base – Relevant Legislation, National Guidance and Associated SFHFT Documents

- 10.1 This policy replaces the Trusts existing Leave Policy and other associated policies.
- 10.2 It links closely with, and should be read in conjunction with, the following Trust guidance documents:

### Evidence Base:

- Employment Rights Act 1996
- Working time regulations 1998
- The Maternity and Parental Leave etc. Regulations 1998
- Agenda for Change Terms and Conditions
- Medical and Dental Terms and Conditions
- Employment Relations Act 1999
- Employment Act 2002
- Work and Families Act 2006
- Children and Families Act 2014
- The Shared Parental Leave Regulations 2014

### Related SFHFT Documents:

- Annual Leave – Agenda for Change
- Annual Leave – Medical Staff
- Carer / Special Leave/Compassionate Leave
- Parental Leave
- Career Break Scheme
- Leave for Jury Service
- Time off for Reservists

- Maternity, Paternity, Adoption, Shared Parental Leave and Maternity Support Leave
- Time off for IVF Treatment (Enclosed within Maternity guidance for employees)
- Time off for Gender Reassignment (Enclosed within Transgender People at Work policy)
- Time off for Interviews

## 11.0 Appendices

- Equality Impact Assessment



**APPENDIX 1 - EQUALITY IMPACT ASSESSMENT FORM (EQIA)**

<b>Name of service/policy/procedure being reviewed: Leave Policy</b>			
<b>New or existing service/policy/procedure: Existing</b>			
<b>Date of Assessment: February 2023</b>			
<b>For the service/policy/procedure and its implementation answer the questions a – c below against each characteristic (if relevant consider breaking the policy or implementation down into areas)</b>			
<b>Protected Characteristic</b>	<b>a) Using data and supporting information, what issues, needs or barriers could the protected characteristic groups' experience? For example, are there any known health inequality or access issues to consider?</b>	<b>b) What is already in place in the policy or its implementation to address any inequalities or barriers to access including under representation at clinics, screening?</b>	<b>c) Please state any barriers that still need to be addressed and any proposed actions to eliminate inequality</b>
<b>The area of policy or its implementation being assessed:</b>			
<b>Race and Ethnicity</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Gender</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Age</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Religion</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Disability</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Sexuality</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Pregnancy and Maternity</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Gender Reassignment</b>	None	Clear guidelines in terms of implementing the policy	None
<b>Marriage and Civil Partnership</b>	None	Clear guidelines in terms of implementing the policy	None

<b>Socio-Economic Factors (i.e. living in a poorer neighbourhood / social deprivation)</b>	None	Clear guidelines in terms of implementing the policy	None
<b>What consultation with protected characteristic groups including patient groups have you carried out?</b>  JSPF			
<b>What data or information did you use in support of this EqIA?</b>  Benchmarked with other organisations and reviewed legislation and ACAS guidelines			
<b>As far as you are aware are there any Human Rights issues be taken into account such as arising from surveys, questionnaires, comments, concerns, complaints or compliments?</b>  No			
<b>Level of impact</b>  From the information provided above and following EQIA guidance document <a href="#">Guidance on how to complete an EIA (click here)</a> , please indicate the perceived level of impact:  Low Level of Impact  For high or medium levels of impact, please forward a copy of this form to the HR Secretaries for inclusion at the next Diversity and Inclusivity meeting.			
<b>Name of Responsible Person undertaking this assessment:</b> People Operational Lead, Amber Hardy			
<b>Signature:</b>			
<b>Date:</b> February 2023			