

Carers and Special Leave Policy and Procedure (including Bereavement, Parental Leave, Civic and Public Duties and Domestic Emergencies)

Ratification Process

Lead Author:	Senior OD & HR Manager, C&P CCG
Developed by:	Senior OD & HR Manager, C&P CCG
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Cambridgeshire & Peterborough CCG

Carers and Special Leave Policy and Procedure including Bereavement, Parental Leave, Civic and Public Duties and Domestic Emergencies

Document Control Sheet

Development and Consultation:	This policy was developed by the CCG HR team and consulted upon with senior managers and staff representatives. This policy has been approved through the Joint Consultation and Negotiating Partnership (JCNP).
Dissemination	All new and updated policies and procedures are notified to senior managers via email for dissemination to their staff. Notification is also sent to all staff via the bi-weekly staff newsletters.
Implementation	All staff and managers. Line managers have an additional duty to authorise in accordance with the policy.
Training	The CCG HR team will organise to inform managers of this policy.
Audit	The CCG HR Team will hold a database of all policies and a reminder will be sent when a policy is due for renewal.
Review	This policy will be reviewed by the CCG HR Team and JCNP every two years, unless an earlier review is required e.g. due to changes in legislation or in NHS direction.
Links with other documents	This policy should be read in conjunction with: CCG Adverse Weather Policy CCG Annual Leave Policy and Procedure CCG Employment Breaks Policy and Procedure CCG Flexible Working Policy and Procedure CCG Grievance Policy and Procedure CCG Learning and Development Policy and Procedure CCG Managing Sickness Absence and Attendance at Work Policy and Procedure CCG Maternity, Paternity and Adoption Leave Policy and Procedure CCG Retirement Policy and Procedure

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Revisions

Version	Page, section	Description of change	Date approved
2	Page 2	Links with other documents updated to include reference to CCG Employment Breaks Policy and Procedure; CCG Flexible Working Policy and Procedure; CCG Grievance Policy and Procedure; CCG Learning and Development Policy and Procedure; CCG Maternity, Paternity and Adoption Leave Policy and Procedure; and CCG Retirement Policy and Procedure	02/03/2016
2	Page 6, section 4.6	Name of 24 hours counselling service updated, due to company name change	02/03/2016

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Cambridgeshire & Peterborough CCG

Carers and Special Leave Policy and Procedure including Bereavement, Parental Leave, Civic and Public Duties and Domestic Emergencies

1. Introduction

- 1.1. Cambridgeshire and Peterborough Clinical Commissioning Group (CCG) understands that an empathetic, helpful and practical response should be adopted towards employees who have caring responsibilities. The organisation recognises that all employees face difficulties from time to time in balancing the demands of domestic and family matters with work.
- 1.2. We also recognise that such issues are not new, and the CCG and its managers will continue to deal with these on a day to day basis, ensuring that individual needs are addressed appropriately within the framework of service delivery and provision.

2. Purpose

- 2.1. The CCG understands that its employees are critical to successful healthcare. In order to attract and retain high quality staff, the organisation will maintain and develop initiatives to support staff in achieving an appropriate work life balance.
- 2.2. The organisation understands that people can become a carer at any stage in their lives for a variety of reasons and may need help to balance any additional caring responsibilities they may have.
- 2.3. Wherever possible the CCG will aim to meet individual needs of staff with regard to working hours and time off to address their caring responsibilities. However, service delivery and quality (including health & safety, and legislative requirements) must not be compromised.

3. Scope

- 3.1. This policy applies to all staff, regardless of hours worked and working patterns, provided the eligibility criteria are met.
- 3.2. This policy is intended to provide support and leave for staff to help them balance the demands of home and work life at times of urgent and/or unforeseen need. For longer periods of leave, or for contractual flexible working arrangements, staff should refer to the CCG Flexible Working Policy and Procedure, CCG Flexitime Working Policy and Procedure or the CCG Career Break Scheme Policy and Procedure. For leave during periods of adverse weather conditions staff should refer to the CCG Adverse Weather Policy.
- 3.3. This policy is designed to help staff to care for children and dependants through the provision of paid and unpaid leave, in line with the Employment Relations Act (1999), the Work and Families Act 2006, the Employment Act 2002, Equality Act 2010 and the NHS Agenda for Change Terms and Conditions.

3.4. This policy outlines support available for carers and provides for leave to be taken in the following categories:

- a. Time off for dependants
- b. Parental leave
- c. Domestic incidents
- d. Civic and public duties
- e. Other special leave.

3.5. For leave relating to maternity, paternity or adoption staff should refer to the CCG Maternity, Paternity and Adoption Policy and Procedure.

4. Support for Carers

4.1. The CCG recognises that a significant proportion of its staff are carers and that people working in healthcare are often expected to do more than other family members when it comes to caring for a relative. The organisation is committed to providing support to carers by providing leave for particular circumstances as outlined in section 3.4 above.

4.2. Staff can make telephone calls during the day to make arrangements and check that all is well if care demands increase, (by provision of reasonable time to do so, and use of personal mobile phones, public telephones or pin number, where this facility is available).

4.3. Carers can refer to, and make use of: flexible working/work–life balance policies and temporarily reduced hours (e.g. job share, part time working, term time only, employment breaks).

4.4. Carers are given time off to care, as detailed in section 5 below.

4.5. Carers are given career development opportunities that respect their commitments.

4.6. Carers are given support through the Insight Wellbeing at Work counselling service which provides a 24-hour helpline and access to face to face counselling sessions: www.oakdalegroup.co.uk, telephone 0800 027 7844).

4.7. Carers can get access to information on local carer support groups, counselling networks and social security entitlements from Human Resources or through the Social Services Department.

5. Time Off for Dependants/ Domestic Incidents

5.1. Employees are entitled to time off work to deal with certain unexpected or sudden emergencies with dependants or domestic incidents, and to make any necessary longer-term arrangements.

5.2. The leave is essentially short-term (usually one working day) arising from the varied domestic situations that arise from time to time. This type of leave is not designed to

provide extra time off where circumstances allow sufficient time to plan ahead or where it is reasonable to use alternative forms of leave, such as Annual Leave. If the need for time off continues, other options may be considered, such as a career break or alternative temporary working arrangements at the discretion of the line manager.

5.3. Managers are expected to apply these guidelines taking into consideration the particular needs and circumstances of each individual and the needs of the service. Any extension to the suggested periods of leave should be discussed with Human Resources. There is no service qualification for this form of leave.

5.4. Dependants

The definition of a 'dependant' under the Employment Relations Act (1999) is a:

- a. spouse;
- b. partner;
- c. child;
- d. parent;
- e. anyone who relies on the employee for help or to make arrangements (e.g. someone other than a lodger, tenant, employee or boarder who lives in the same household as the employee). It also includes any person who reasonably relies on the employee either for assistance if the person falls ill, is injured or assaulted, or to make arrangements for the provision of care in the event of illness or injury.

5.5. Examples of when leave may be needed in respect of dependants are as follows:

- a. to help when a dependant is ill, gives birth or is injured or assaulted;
- b. to arrange for an ill or injured dependant to be cared for;
- c. because a dependant's care arrangements are unexpectedly changed;
- d. as a result of the death of a dependant;
- e. to deal with an incident involving a child which occurs unexpectedly in school time.

5.6. Domestic Incidents

Domestic incidents can be defined as incidents which occur in the home, or which affect a member of the employee's family or someone for whom the employee is responsible. The incident has to be one that requires the immediate attention of the employee. Examples could include fire, flood, burglary, serious incidents, and attendance during critical illness or bereavements. It can also include where there has been unexpected disruption or termination of arrangements for the care of a dependant. It should be read in conjunction with the Adverse Weather Policy in cases where extreme weather conditions or Public Transport breakdown causes employee absence.

5.7. Duration and Arrangements for Taking Leave

5.7.1. The leave is essentially short-term, allowing the employee time to deal with the immediate matters or make alternative arrangements where care

has been disrupted. This type of leave is not designed to provide extra time off where circumstances allow sufficient time to plan ahead or where it is reasonable to use alternative forms of leave. If the need for time off continues, other options may be considered, such as a career break or alternative temporary working arrangements.

- 5.7.2. Paid time off for dependents, domestic incidents or bereavement collectively should not exceed 10 working days in 12 months, pro rata for part time staff. These limits are extended for some cases of bereavement (see section 5.8 below). Unpaid Leave or Annual Leave may be used to extend this leave at the discretion of line managers.
- 5.7.3. Wherever possible employees should be encouraged to take flexi-time or time off in lieu to cover situations where paid time off is not granted. For example, the time off required to attend a family crisis such as the child's school requiring the urgent attendance of the employee, should be managed flexibly by varying the employee's working hours/ patterns.
- 5.7.4. In an immediate and urgent situation, the employee should be released from duty and arrangements made with them to contact their Line Manager within 24 hours to confirm the duration of the leave.
- 5.7.5. Entitlement to leave is conditional on the individual remaining in contact with their Line Manager. Staff must provide an address and telephone number where they may be contacted, if not at their home address. Support and advice may be obtained from the Occupational Health Service and/or Human Resources.

Where reasonably practicable, staff should apply for such leave using the Carers and Special Leave Application Form in Appendix 1. In some emergency situations the form may be completed after the leave has been taken, subject to verbal approval being granted prior to the period of leave being taken.

5.8. Bereavement

- 5.8.1. Employees will be granted the following paid time off as follows:

Type of Bereavement	Leave Entitlement
Death of a spouse/partner or child	Up to ten days leave
Bereavement of other immediate family, e.g. parent, sibling	Up to six days
If the employee is not taking bereavement leave but is acting as Executor of a Will	Up to three days leave
Death of other relative/dependant	Up to one day to attend the funeral

5.8.2. These are suggested amounts of leave to support consistency across the CCG, however in relation to bereavement, individual line managers have discretion to take into account the particular circumstances of the situation or employees religious beliefs in determining the amount of leave to be given, within these guidelines.

5.9. Caring for sick or injured dependants

5.9.1. Employees will be granted the following paid time off per annum:

Type of Carer's Leave	Leave Entitlement
Illness/injury of spouse/partner or child	Up to eight days leave to provide care and to make alternative arrangements
Illness/injury of other dependant or close family	Up to five days leave
Breakdown of normal carer arrangements	Up to 3 days for caring and to make alternative arrangements.

5.9.2. Managers can agree to extend the period of paid/unpaid time off depending on the circumstances of the particular case.

6. Parental Leave

6.1. Eligible employees are entitled to unpaid parental leave in order to 'care for a child', which is defined as looking after the welfare of a child and can include making arrangements for the care of a child. Parents can use it for spending more time with their children and to strike a better balance between their work and family commitments, such as settling the child into new childcare arrangements or visiting new schools. Employees have a right to parental leave if they are named on the birth or adoption certificate or have 'parental responsibility' under the Children Act (1989), which could include step parents, foster parents, the biological parent who may not necessarily live with the child, adoptive parents or legal guardians.

6.2. To qualify for parental leave, employees must have evidence of 12 months continuous service within the NHS by the expected date of birth or legal adoption or fostering. Continuous service can be verified through payroll records, payslips and employer references.

6.3. Employees are eligible for 18 weeks unpaid parental leave for each child. Part-time staff have a pro rata entitlement (e.g. a week's leave for someone who works 3 days per week will be 3 days). This is cumulative between NHS employers. Any parental leave taken by a member of staff in the organisation will be taken into account by any future NHS employer: there is no entitlement to 18 weeks leave from each NHS employer.

- 6.4. Employees can choose to take a maximum of 18 weeks unpaid parental leave at any time up until the child's 18th birthday;
- 6.5. Each parent can take parental leave for each child, subject to the above provisions. In cases of multiple births or the adoption of more than one child, each parent is eligible to take up to 18 weeks leave for each child.
- 6.6. Mothers may take parental leave immediately after a period of maternity leave, (normal and extended).
- 6.7. Parental leave can be taken in blocks of whole weeks at a time (pro rata for part time staff) up to a maximum of four weeks in any one leave year (i.e. 1 April – 31 March). Parts of weeks, such as single days, will count as whole weeks. Only in the case of leave taken for disabled children, can the leave be taken and counted in single days.
- 6.8. Employees must give 21 calendar days' notice of their intention to take leave.
- 6.9. The organisation may request that the leave is postponed, (for example where this would have a detrimental impact on services), for a period of up to six months. The manager must discuss the postponement with the employee and give them notice of the postponement in writing no later than seven working days after the employee has given notice of their intention to take leave. The manager must state the reason for the postponement and set new dates for the leave, which should be for the same length of time as the original leave requested.
- 6.10. The employment contract will continue during the leave. At the end of a period of parental leave, the employee is guaranteed the right to return to the same job, (if the leave is for four weeks or less), or if not practicable and the leave is for a longer period, to a similar job which has the same or better status and terms and conditions as the old job.

7. Record Keeping

- 7.1. Employees are entitled to a total of 18 weeks unpaid parental leave, so managers will need to check how much parental leave an employee has already had with previous employers on appointment. Employees will not be due any more leave unless they have completed 12 months continuous service with the CCG and/ or with other NHS employers.
- 7.2. Staff will be required to show the birth certificate, adoption papers, proof of entitlement to disability living allowance (for children with disabilities) or other applicable documentation when applying for parental leave as proof of eligibility and to advise on the cut-off date for the entitlement, i.e. the child's 18th birthday.
- 7.3. Staff must complete the Parental Leave Application Form in Appendix 2 when applying for parental leave. If such an application is turned down, the employee will be given a written explanation.

8. Special Leave for Civic & Public Duties

8.1. The aim of such leave is to help staff balance their civic and public responsibilities with work responsibilities and is essentially short-term, and normally not unforeseen.

8.2. Special leave may be available for attendance on:

- a. Jury service;
- b. Training with voluntary reserve and cadet forces;
- c. Attendance as a witness at appeal hearings;
- d. Duties as a Special Constable.

8.3. This does not cover leave for staff to attend court as an expert witness, which will be at the Line Managers' discretion.

8.4. Jury Service

If you have been called up for jury service you should:

- a. Let your employer know how long you will need off and what arrangements need to be made for cover in your absence;
- b. Provide a copy of the Confirmation of Jury Service letter you receive from the court to your employer.

8.5. Jury Service in most cases lasts around 10 days and Jurors are usually warned in advance if a trial is expected to last a long time.

8.6. Any employee who is called for Jury Service will continue to receive their basic pay during this time, excluding any allowances or enhancements. The Court Service will advise you on the allowances you are able to claim in respect of expenses, other loss of earnings and benefits, subject to a maximum fixed by the Court Service.

8.7. The CCG will generally approve leave for Jury Service, however in exceptional circumstances we may request that you ask for your Jury Service to be deferred.

8.8. Public duties

Public duties for which special leave is provided are in accordance with the Employment Rights Act (1996). Examples are membership of boards of certain institutions including Trusts and Health Authorities.

8.9. Paid special leave is not expected to exceed 18 days (pro rata for part time) in any 12-month period. Annual leave can be used to extend Special Leave.

8.10. The criteria for reasonable time off depends on how much time off is required for the performance of the duties in question, how much time off the staff member has already received in respect of these duties and the effect of the absence on the running of the department/service.

8.11. Should special leave be granted, any fees received for attending the above should be passed over to the CCG. Staff should not benefit financially as a result of special leave.

8.12. Staff must complete the Application for Carers or Special Leave form in Appendix 1 when applying for leave. If such an application is denied, the employee will be given a written explanation.

9. Other Special Leave

There may be other circumstances in which staff may wish to take special leave, many of which are dealt with under other CCG policies and procedures:

9.1. Time off for training & development or to sit exams
Please see the CCG Learning & Development Policy and Procedure, and the CCG Facilities and Time Off for Trade Union Duties and Activities.

9.2. Time off to adapt to a new disability or a worsening disability
Please see the CCG Managing Sickness Absence and Attendance at Work Policy and Procedure.

9.3. Maternity, paternity and adoption leave
Please see the CCG Maternity, Paternity and Adoption Leave Policy and Procedure.

9.4. Employment/ career breaks and sabbaticals
Please see the CCG Employment Break Scheme Policy and Procedure.

9.5. Pre-retirement leave
Staff may take up the flexible retirement options outlined in the Department of Health Flexible Retirement guidelines available from the Pensions Officer. Reasonable time off should also be given to attend pre-retirement training courses available in the organisation.

9.6. Staff may request time off for special or personal reasons that do not fall within the provisions for other types of leave, such as time off for non-Christian religious festivals or to do voluntary or community work. In these circumstances, managers should use their discretion, taking into account the need to retain and motivate good employees, the needs of the service and any other precedents, granting paid or unpaid leave as reasonable. Advice should always be sought from Human Resources when in doubt. In these circumstances, where special leave is granted, staff should complete the Application for Carers and Special Leave form in Appendix 1.

10. Notification & Authorisation

10.1. Staff should complete the Application for Carers and Special Leave form in Appendix 1 or the Application for Parental Leave form in Appendix 2, as appropriate, to request leave.

- 10.2. Staff should make a request for leave to their Line Manager, confirming the reason for the leave and also the duration of leave required. If unpaid leave is approved, the Line Manager should complete a P3 Amendment form.
- 10.3. It is recognised that there may be instances when it is not possible for employees to complete a Carers Leave Application Form because of the urgency of the situation. In these instances employees should contact their Line Manager to discuss the request verbally. The employee on their return will then complete the appropriate form.
- 10.4. Line Managers should inform individuals of their decision as quickly as possible, and no later than 10 working days after the request is received. In most cases a decision will be given within a few days. Notification should be verbally in the first instance and then in writing. Line Managers should ensure that the relevant section of the Application for Carers and Special Leave form in Appendix 1 or the Application for Parental Leave in Appendix 2 is completed as appropriate and a copy of any correspondence is attached. All completed forms and relevant correspondence should be passed to Human Resources to place on the employee's personnel file.

11. Appeals

Where an employee feels their request has not received full consideration by their Line Manager, they will have the right to refer to the CCG Grievance Policy and Procedure.

12. Monitoring

Records will be kept of all applications and outcomes on each employee's personnel file, held by Human Resources.



***Cambridgeshire and Peterborough
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Leave, Civic and Public Duties and Domestic Emergencies

Appendix 1 – Application for Carers and Special Leave

Part One: to be completed by employee requesting Carers or Special Leave

Employee Name	
Assignment Number	
Job Title	
Base Location	
Directorate	
Number of Hours worked per week	
Details of Carers or Special Leave Requested	
Leave start date	
Leave end date	
Reason for requesting Carers/ Special Leave	
Employee Signature	
Date	

Part Two: to be completed by employee's Line Manager

Line Manager Name	
Job Title	
Directorate	

I authorise the above named member of staff to take PAID/UNPAID* (deleted as appropriate) Leave, as below:	
Leave start date	
Leave end date	
If denied, please give reasons for declining request with a written explanation	
Line Manager Signature	
Date	

Please note, once completed this form should be placed on the employee's personnel file, and a copy retained by the employee.

If a Line Manager has authorised any UNPAID leave, a P3 form should be submitted to SERCO in this respect and a copy of the P3 also placed on the employee's HR personnel file.



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Appendix 2 – Application for Parental Leave

Employee Name	
Assignment Number	
Job Title	
Base Location	
Directorate	
Number of Hours worked per week	
Details of Parental Leave Requested	
Length of NHS Continuous Service (with C&P CCG or other NHS employer)	
Entitlement used in current financial year	
Number of weeks required	
Leave start date	
Leave end date	
Employee Signature	
Date	

Part Two: to be completed by employee's Line Manager

Line Manager Name	
Job Title	
Directorate	
Leave Agreed	Yes / No (delete as appropriate)

If denied, please give reasons for declining request with a written explanation

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Line Manager Signature

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Date

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Please note, once completed this form should be placed on the employee's personnel file, and a copy retained by the employee.

If a Line Manager has authorised any UNPAID leave, a P3 form should be submitted to SERCO in this respect and a copy of the P3 also placed on the employee's personnel file.