WORK-LIFE BALANCE POLICY

<table>
<thead>
<tr>
<th>Author</th>
<th>Lynda Gordon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directorate responsible for this Document</td>
<td>Human Resources &amp; Organisational Development</td>
</tr>
<tr>
<td>Date of Issue</td>
<td>September 2011</td>
</tr>
<tr>
<td>Review Date</td>
<td>September 2013</td>
</tr>
<tr>
<td>Policy Number</td>
<td>2.0</td>
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<tr>
<td>Screened by</td>
<td>Equality Assurance Unit</td>
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## Policy Checklist

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<th>Name of Policy:</th>
<th>Work Life Balance Policy</th>
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<tr>
<td>Purpose of Policy:</td>
<td>The purpose of the Work-Life Balance Policy is to enable staff to achieve a balance between their work and caring commitments.</td>
</tr>
<tr>
<td>Directorate responsible for Policy</td>
<td>Human Resources &amp; Organisational Development</td>
</tr>
<tr>
<td>Name &amp; Title of Author:</td>
<td>Lynda Gordon Head of Equality Assurance Unit</td>
</tr>
<tr>
<td>Does this meet criteria of a Policy?</td>
<td>Yes</td>
</tr>
<tr>
<td>Staff side consultation?</td>
<td>Yes</td>
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<tr>
<td>Equality Screened by:</td>
<td>Lynda Gordon/Norma Thompson</td>
</tr>
<tr>
<td>Date Policy submitted to Policy Scrutiny Committee:</td>
<td>12 September 2011</td>
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<td>Members of Policy Scrutiny Committee in Attendance:</td>
<td></td>
</tr>
<tr>
<td>Policy Approved/Rejected/Amended</td>
<td>Amended</td>
</tr>
<tr>
<td>Policy Implementation Plan included?</td>
<td>Yes, guidelines drawn up and placed on intranet</td>
</tr>
<tr>
<td>Any other comments:</td>
<td>Work Life Balance provisions effective immediately</td>
</tr>
<tr>
<td>Date presented to SMT</td>
<td></td>
</tr>
<tr>
<td>Director Responsible</td>
<td>Kieran Donaghy</td>
</tr>
<tr>
<td>SMT Approved/Rejected/Amended</td>
<td></td>
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<tr>
<td>SMT Comments</td>
<td></td>
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<tr>
<td>Date returned to Directorate Lead for implementation (Board Secretary)</td>
<td></td>
</tr>
<tr>
<td>Date received by Board Secretary for database/Intranet/Internet</td>
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</tr>
<tr>
<td>Date for further review</td>
<td>2 year default (and more regularly depending on legislative developments)</td>
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## POLICY DOCUMENT – VERSION CONTROL SHEET

| Title | Title: Work Life Balance Policy  
Version: 2.0  
Reference number/document name: Work Life Balance Policy |
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<thead>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Supersedes</td>
<td>Supersedes: All previous versions of the Trust’s Work-Life Balance Policy and has been updated to reflect the current legislative position.</td>
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</tbody>
</table>
| Originator | Name of Author: Lynda Gordon  
Title: Head of Equality Assurance Unit |
| Policy Scrutiny Committee & SMT approval | Referred for approval by: Lynda Gordon  
Date of Referral: 12 September 2011  
Policy Scrutiny Committee Approval (Date)  
SMT approval (Date) |
| Circulation | Issue Date:  
Circulated By:  
Issued To: All Heads of Service/Department and Line Managers and placed on Intranet |
| Review | Review Date: September 2013  
Responsibility of Lynda Gordon  
Head of Equality Assurance Unit |
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SECTION ONE

THE WORK-LIFE BALANCE POLICY
1.0 Introduction

1.1 The Southern Health & Social Care Trust (hereinafter referred to as ‘the Trust’) is committed to equality of opportunity and recognises the benefits of having in place Work-Life Balance policies.

2.0 Purpose and Aims

2.1 The purpose of the Work-Life Balance Policy is to enable staff to achieve a balance between their work and personal commitments. NB: Other reasons may be considered taking into account the needs of the service.

2.2 The objectives of the Work-Life Balance Policy are to:

2.2.1 enable the Trust to retain the skill and expertise of staff who are no longer able/wish to continue in their usual working pattern;

2.2.2 facilitate staff who wish to continue working at the same time as meeting other commitments;

2.2.3 provide new job opportunities in the Trust;

2.2.4 provide an opportunity for employees to return to employment within the Trust on a flexible basis;

2.2.5 enable the Trust to become an Employer of Choice in line with the Department of Health, Social Services & Public Safety’s Human Resources Strategy 2002.

2.2.6 consider flexible working options as part of the the Trust’s duty to make reasonable adjustments for disabled staff.

3.0 Policy Statement

3.1 The Trust believes that all posts should be considered for flexible working subject to the needs of the service.

4.0 Scope of Policy

4.1 This policy applies to employees in the Trust (who meet the criteria as described within each of the provisions).

5.0 Responsibilities

5.1 The Chief Executive has responsibility for ensuring that there is an appropriate structure for the monitoring and review of arrangements of this Policy.
The Chief Executive has appointed the Director of Human Resources and Organisational Development as Lead Director with responsibility for establishing and monitoring the implementation of this Policy.

5.2 The Director of Human Resources and Organisational Development will provide strategic leadership, direction and oversight of this Policy and its implementation. S/he will ensure that training is provided to managers on the application of this Policy.

5.3 Managers are responsible for implementing this Policy in accordance with the associated Guidelines for Managers (“Work-Life Balance Right to Request and Duty to Consider”).

5.4 Similarly, employees should read the Guidelines for Employees (“Work-Life Balance Right to Request and Duty to Consider”) that support this policy in order that they are aware of their responsibilities when making an application e.g. that they meet the eligibility criteria and that they must have given consideration as to what effect changing their work pattern will have on their job and how, in their opinion, any changes may be accommodated.

6.0 Legislative Framework

6.1 The legislative framework that governs the provision of work-life balance schemes is as follows:-

- Employment (NI) Order 2002
- Flexible Working Regulations 2003
- Sex Discrimination (NI) Order 1986 (as amended)
- Section 75, Northern Ireland Act 1998
- Work and Families (NI) Order 2006
- Health and Safety at Work (NI) Order 1978

NB: This list is not exhaustive, merely illustrative.

6.2 From 6 April 2003 parents of children under the age of six years/18 where disabled, subject to appropriate service requirements, have had the right to request flexible working and a right to have that request considered seriously by their employer. From 18 July 2010 this has been extended to those with who have a child aged 16 years and under. These provisions form part of the Employment (NI) Order 2002. As such eligible staff are able to request a change to the way they work.

6.3 The definition of a Parent under the legislation is “the biological parent, guardian, adopter or foster carer of the child; married to such a person and who lives with the child; the partner of such a person and lives with the child. A partner is a person who (regardless of their sex) lives with the mother or adopter in an enduring family relationship but is not a blood relative”.

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6.4 Further from April 2007, the Work and Families (NI) Order 2006 extends the right to request flexible working by allowing applications to be made by persons who are responsible for substantial and regular care for adults, subject to appropriate service requirements.

6.5 The definition of a carer is an “employee who is or expects to be caring for an adult who is married to, or is the partner or civil partner of the employee; or is a near relative of the employee; or falls into neither category but lives at the same address as the employee. ‘Near relative’ includes parents, parents-in-law, adult children, adopted children, adopted adult children, siblings (including those who are in-laws), uncles, aunts or grandparents and step relatives, or is someone who relies on the employee in a particular emergency.

6.6 The Trust has a number of flexible working initiatives in place which enable staff to balance both work and caring commitments and which recognise the need for flexibility for staff with caring responsibilities that fall outside the remit of the above Flexible Working Regulations and Work and Families (NI) Order e.g. care of older children etc.

7.0 Making an Application

7.1 Applications for consideration of one of the provisions under the Work-Life Balance Policy should be made on the relevant application form in Section Six of this policy and submitted to the individual's Line Manager well in advance, i.e. at least three months of when they wish the new arrangement to take effect. Please refer to the flowchart for the application process in the accompanying guidelines. NB: An application form does not have to be completed for Marriage/Civil Partnership Leave or Compassionate/Bereavement Leave.

7.2 Employees must ensure that they meet the eligibility criteria for each individual scheme before making an application. Under the legislation, normally only one application per year is allowed for those provisions contained within Section 4 of this Policy.

7.3 In all instances the individual will be advised in writing of the outcome. Where a request is approved employees will be notified by Employee Engagement & Relations Department. Where an application cannot be supported the employee will be notified, by their line manager, giving the reason/s for refusal and the right of appeal.

8.0 Appeals Procedure

8.1 Where an employee's request for flexible working has been refused they can appeal the decision, but must do so in writing within 14 working days to the Director of Human Resources and Organisational Development. (Employees should note that this does not infringe upon their right to take a complaint to an external body/agency, however internal dispute resolution mechanisms must be exhausted before recourse to outside redress.)
9.0 Impact on Pay And Benefits

9.1 In the event that an employee reduces their income by pursuing any of the Work-Life Balance Policy provisions, they should consult with the following Departments regarding the impact this will have on National Insurance benefits, Superannuation benefits, salary/regular car user payments and terms & conditions of service.

Superannuation - HSC Superannuation Branch
Waterside House, 75 Dukes Street,
Londonderry – Telephone 02871319000

National Insurance - Department of Health & Social Security
(local office)

State Pension/Benefits - Department of Health & Social Security
(local office)

Salary/Regular Car User Payments - Payroll/Travel Department
St Luke’s Site, Loughgall Rd, Armagh
Telephone – 028 3741 2869

Terms & Conditions - Employee Engagement & Relations Dept
St Luke’s Site, Loughgall Rd,
Armagh – Telephone – 028 3741 2590/91

10.0 Continuous Service

10.1 Periods of service before and after any unpaid leave taken under the Work-Life Balance Policy will be treated as continuous employment for statutory purposes only.

11.0 Return to Work

11.1 Where an employee returns to work within one year, they will return to the same job as far as is reasonably practicable. If however, the break is longer than one year, the employee may return to as similar a job as possible. Employees returning from an employment break will be entitled to return at the equivalent pay band, reflecting increases awarded during the break. Employees will be required to consider all reasonable offers of suitable alternative employment.

12.0 Training and Development

12.1 Employees who participate in Work-Life Balance schemes should have their training and development needs identified by their Line Managers through normal channels, for example, Staff Development and Performance Review process.
13.0 Promotion

13.1 An individual availing of the following Work-Life Balance provisions will be eligible to apply for jobs in the normal way. **It is the responsibility of the employee to maintain contact with their Line Manager in order to receive information on job vacancies that may arise during their period of absence.** Employees should notify their Line Manager of their forwarding address if it differs from their normal correspondence address. Employees will not, however, have an automatic right to carry their current working pattern into the new post and may be required to return to work immediately should they be on one of the leave provisions, e.g. Parental Leave.

14.0 Conduct

14.1 An employee on a Work-Life Balance scheme will be subject to all normal regulations as to conduct.

15.0 Monitoring

15.1 Applications for Work-Life Balance schemes and outcomes will be recorded and monitored throughout the year and reported on annually by the Equality Assurance Unit in partnership with local trade union representatives.

15.2 Monitoring information will be analysed and used to review and revise policies, procedures and guidelines to ensure their continuing effectiveness.

16.0 Review

16.1 In order to assess the operational effectiveness of the Trust’s Work-Life Balance Policy a review will be undertaken at regular intervals and not later than two years following implementation, in partnership with Staff Side.

17.0 Equality and Human Rights Considerations

17.1 This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998. Equality Commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that greatest resources can be devoted to these.

17.2 Using the Equality Commission’s screening criteria, no significant equality implications have been identified. The policy will therefore not be subject to an equality impact assessment.

17.3 Similarly, this policy has been considered under the terms of the Human Rights Act 1998, and was deemed compatible with the European Convention Rights contained in the Act.
18.0 Alternative Formats

18.1 This document can be made available on request in alternative formats, e.g. plain English, Braille, disc, audiocassette, large print, DAISY and in other languages to meet the needs of those who are not fluent in English.

19.0 Copyright

19.1 The supply of information under the Freedom of Information does not give the recipient or organisation that receives it the automatic right to re-use it in anyway that would infringe copyright. This includes, for example, making multiple copies, publishing and issuing copies to the public. Permission to re-use the information must be obtained in advance from the trust.

20.0 General Information/Sources of Advice

20.1 Further information about the Work-Life Balance Policy can be obtained from the:

Employee Engagement and Relations Department, Hill Building, St. Luke’s Site, Loughgall Road, Armagh, BT61 7NQ, Tel: 028 3741 2590/2591, Email: george.hamilton@southerntrust.hscni.net

Or

Equality Assurance Unit, Hill Building, St. Luke’s Site, Loughgall Road, Armagh, BT61 7NQ, Tel: 028 37412522/2643, Fax: 028 3741 2620 E-mail: lynda.gordon@southerntrust.hscni.net
SECTION TWO

RANGE OF STATUTORY PROVISIONS
21. MATERNITY LEAVE

Eligibility for Leave and Pay

21.1 All pregnant employees are entitled to 52 weeks Maternity Leave (which may be paid or unpaid depending on length of service) and can be taken any time from the 11th week before expected week of childbirth.

21.2 Those pregnant employees who have less than 26 weeks continuous service with one or more NHS/HSC employers by the 15th week before expected week of childbirth will be entitled to 52 weeks unpaid Maternity Leave.

21.3 Those pregnant employees who have 26 weeks continuous service with one or more NHS/HSC employers by the 15th week before expected week of childbirth but less than one year and subject to having qualifying average weekly earnings will be entitled to Statutory Maternity Pay (SMP) for the first 39 weeks of Maternity Leave.

21.4 Pregnant employees who have one year’s continuous service with one or more NHS/HSC employers by the 11th week before expected week of childbirth will be entitled to Occupational Maternity Pay (OMP) which is paid at the following rate:-

- First eight weeks of Maternity Leave – full pay inclusive of Statutory Maternity Pay (SMP) or allowances receivable
- Next 18 weeks of Maternity Leave – half pay plus Statutory Maternity Pay or allowances receivable provided that total Maternity Pay does not exceed normal full pay
- Next 13 weeks of Maternity Leave – Statutory Maternity Pay
- Remaining 13 weeks of Maternity Leave – Unpaid

NB: Employees are entitled to SMP subject to qualifying service and earnings requirements. Employees who are not eligible for SMP (as in 21.2 above) may be eligible for Maternity Allowance (MA) and will receive notification of this from the Payroll Department.

In the case of multiple births resulting from the same pregnancy the entitlement remains the same as for a single birth.

Not Returning Following Maternity Leave

21.5 Employees who indicate on their Maternity Leave Application Form (contained in Section Six of this policy) that they do not intend returning to work following Maternity Leave will only be eligible to receive Statutory Maternity Pay subject to service and earnings requirements.

21.6 Employees who indicate on their Maternity Leave Application Form that they intend to return, and subsequently fail to do so for a minimum period of 3 months with the Trust or other HSC/NHS employer, will be liable to refund the whole of their maternity pay, less any Statutory Maternity Pay received.
21.7 In the case of temporary staff, if there is no right of return to be exercised because the contract would have ended if pregnancy and childbirth had not occurred the repayment provisions outlined at paragraph 21.6 will not apply.

**Notice Requirements**

21.8 Pregnant employees must notify their Line Manager before the end of the 15th week before the expected week of childbirth (or if this is not possible, as soon as possible thereafter) of her intention to take Maternity Leave and the date on which she wishes to start her Maternity Leave.

21.9 The employee must complete the Maternity Leave Application Form in Section Six of this policy, which the manager will sign and then forward as soon as possible to the Employee Engagement and Relations Department along with Form MAT B1 which will have been signed by a Doctor or Midwife and will state the Expected Date of Childbirth.

**Changing the Maternity Leave Start Date**

21.10 If the employee subsequently wants to change the date from which she wishes her Maternity Leave to start she should notify her employer at least 28 days beforehand (or, if this is not possible, as soon as is reasonably practicable beforehand).

**Return to Work Early from Maternity Leave**

21.11 Employees must give a minimum of 28 days notice to the Employee Engagement and Relations Department if they wish to return early from their 52 weeks Maternity Leave.

**Temporary Staff**

21.12 Employees on a temporary contract will qualify for Maternity Leave and pay subject to the requirements of paragraphs 21.1 – 21.4.

21.13 Return to work will be subject to further temporary work being available in the same grade and department in which they were employed prior to commencing Maternity Leave. If no further temporary work can be found the statutory dismissal procedure must be followed.

**Health and Safety of Employees Pre and Post Birth**

21.14 Where an employee is pregnant, has recently given birth or is breastfeeding, the employer must carry out a risk assessment of her working conditions. If it is found, or the Occupational Health Department considers, that an employee or her child would be at risk were she to continue with her normal duties the employer should provide suitable alternative work for which the employee will receive her normal rate of pay. Where it is not reasonably practicable to offer suitable alternative work the employee should be given special leave with pay.
21.15 These provisions also apply to an employee who is breastfeeding if it is found that her normal duties would prevent her from successfully breastfeeding her child.

Antenatal Care

21.16 Pregnant employees will be entitled to appropriate paid time off to attend ante-natal appointments.

Premature Birth

21.17 Where an employee’s baby is born prematurely the employee will be entitled to the same amount of Maternity Leave and pay as if her baby was born at full term.

21.18 Where an employee’s baby is born before the 11th week before the expected week of childbirth and the employee has worked during the actual week of childbirth, Maternity Leave will start on the first day of the employee’s absence.

21.19 Where an employee’s baby is born before the 11th week before the expected week of childbirth and the employee has been absent from work on certified sickness absence during the actual week of childbirth, Maternity Leave will start the day after the day of birth.

21.20 Where an employee’s baby is born before the 11th week before the expected week of childbirth and the baby is in hospital the employee may split her Maternity Leave entitlement, taking a minimum period of two weeks leave immediately after childbirth and the rest of her leave following her baby’s discharge from hospital.

Still Birth

21.21 Where an employee’s baby is born dead after the 24th week of pregnancy the employee will be entitled to the same amount of Maternity Leave and pay as if her baby was born alive.

Miscarriage

21.22 Where an employee has a miscarriage before the 25th week of pregnancy normal sick leave provisions will apply as necessary.

Sickness

21.23 If an employee is off work ill, or becomes ill, with a pregnancy related illness during the last four weeks before the expected week of childbirth, Maternity Leave will normally commence the day after the first complete day of absence. Sickness absence prior to the last four weeks before the expected week of childbirth, supported by a medical statement of incapacity for work, or a self-certificate, shall be treated in accordance with normal sick leave provisions as will non pregnancy related sick leave.

21.24 If an employee becomes sick during her Maternity Leave period, their entitlement to Occupational Sick Pay (OSP) and Statutory Sick Pay (SSP) is suspended. However, where an employee gives 28 days notice of return to
work within the Maternity Leave period and then is unfit to return due to sickness, normal OSP and SSP provisions apply from the return date agreed.

**Annual Leave & Statutory Leave**

21.25 Annual leave will continue to accrue during Maternity Leave, whether paid or unpaid, however statutory leave does not accrue during Maternity Leave. Where the amount of accrued annual leave would exceed normal carry over provisions, it may be mutually beneficial to both the employer and employee for the employee to take annual leave before and/or after the formal (paid and unpaid) Maternity Leave period. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed between the employee and employer, well in advance of the maternity leave period commencing.

**Keeping in Touch Days**

21.26 Pregnant employees who are on Maternity Leave may, by mutual agreement, go into work for up to 10 days in order to keep in touch without losing their right to maternity pay or leave. The employee will be paid at their basic daily rate for the hours worked less appropriate Maternity Leave payment for KIT days worked.

21.27 The Trust may also contact an employee who is on Maternity Leave to help her plan her return to work.

**Phased Return to Work**

21.28 A ‘Phased Return to Work following Maternity Leave’ option is available to employees who meet the criteria, further details of which are in the next section of this policy. Where an employee is availing of a phased return to work and has negotiated reduced hours whether on a temporary or permanent arrangement, phased return will be on the basis of the reduced hours.

**Superannuation/National Insurance Contributions**

21.29 Employees paying Superannuation and/or National Insurance are advised to pay any outstanding contributions in respect of any period of unpaid Maternity Leave. These can be paid, in line with the options available, as agreed with the Payroll Department.
22. PHASED RETURN TO WORK FOLLOWING MATERNITY LEAVE

22.1 The Trust acknowledges that pregnancy is an individual experience for each employee and in itself presents its own set of individual circumstances for an employee to deal with. By providing more choice over arrangements during and post pregnancy, the Trust aims to promote good practice in the matter of Maternity Leave provision. It is with this in mind that the following arrangements have been introduced to afford staff the opportunity to return from Maternity Leave on a phased basis.

22.2 Staff can return from Maternity Leave on a Four Week Phased basis with no reduction in their basic pay.

22.3 Where an employee is availing of a phased return to work and has negotiated reduced hours whether on a temporary or permanent arrangement, phased return will be on the basis of the reduced hours.

22.4 Arrangements for a Phased Return to Work may vary from department to department. Detailed below is a schedule setting out the maximum percentage of hours that can be reduced, although, through mutual agreement, staff and managers can amend this providing the total percentage of hours decreased over the four week period does not exceed those stipulated below:

<table>
<thead>
<tr>
<th>Week 1</th>
<th>Week 2</th>
<th>Week 3</th>
<th>Week 4</th>
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<tr>
<td>Reduce hours by 50%</td>
<td>Reduce hours by 25%</td>
<td>Reduce hours by 25%</td>
<td>Reduce hours by 10%</td>
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</tbody>
</table>

This is for example only – other combinations of hours may be negotiated.

Please see ‘Ready Reckoner’ on the next page to assist with calculating the above reductions in the working week. NB: For ease of operation, reduced time has been rounded up to the nearest half an hour.

22.5 The Four Week Phased Return to Work is available to all staff returning from Maternity Leave providing:

22.5.1 they hold the right to return (e.g. appropriate notification given to the Employee Engagement and Relations Department, or in the case of temporary staff if further employment is available);

22.5.2 they return immediately from Maternity Leave; or

22.5.3 they return immediately following a period of planned annual/parental leave only taken after Maternity Leave ceases.

NB: Staff returning from Sick Leave following Maternity Leave will not be eligible for the Phased Return to Work but may be able to avail of other Flexible Working Arrangements.
### Ready Reckoner for Calculating the Reduction in Hours for Those Participating on Phased Return to Work

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<th>Week Two and Three: Reduce by 25%*</th>
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*For ease of operation, reduced time has been rounded up to the nearest half hour.*
23. ORDINARY/ADDITIONAL PATERNITY LEAVE

ORDINARY PATERNITY LEAVE

23.1 The Employment Act 2002 has made it a statutory requirement for employers to provide Ordinary Paternity Leave following the birth or adoption of a child. Therefore, in recognition of the important role that parents play in the development of the child and the challenge it presents, the Trust has reviewed its paternity provisions to ensure adherence to the statutory regulations.

23.2 Ordinary Paternity leave will apply to biological and adoptive fathers, a partner/husband of the mother and/or living with the mother in an enduring family relationship (but not a blood relative) and same sex partners (paragraph 6.3 within Section One refers).

23.3 Ordinary Paternity Leave can be paid/unpaid leave of absence subject to eligibility criteria regarding length of service and qualifying average weekly earnings. Those with 12 months continuous NHS/HSC service at the beginning of the week in which the baby is due will be entitled to two weeks leave of absence with full pay which must be taken within 56 days of the child’s birth or adoption as either a block of one week or two weeks.

23.4 Those with less than 12 months continuous NHS/HSC service but have a minimum of 26 weeks continuous service, at the 15th week before the EDC and subject to qualifying average weekly earnings will be entitled to two weeks leave paid at Ordinary Statutory Paternity Pay (OSPP) rate which is the same as the SMP rate.

23.5 Those with less than 26 weeks continuous service or those who do not meet the qualifying average weekly earnings criteria will be entitled to two weeks unpaid leave (please refer to flowchart overleaf) and staff will be given form OSPP1 to confirm their non-entitlement to OSPP.

23.6 Ordinary Paternity Leave cannot start until the birth of the baby/the date of adoption. Ordinary Paternity Leave and pay will operate on a rolling week basis which allows leave to commence on any day of the week.

23.7 Appropriate paid time off to attend ante-natal appointments will also be given.

23.8 If the baby is born earlier than it is due and if at the due date the employee would have been continuously employed for the 12 months stated above, then the employee will be deemed to have sufficient service.

23.9 An employee who meets the service requirements set out above will be entitled to paid leave in the event of the baby being stillborn after 24 weeks of pregnancy.

23.10 In the case of multiple births resulting from the same pregnancy the entitlement remains the same as for a single birth.
23.11 An employee must notify their Line Manager of their planned date of leave at least 28 days before Ordinary Paternity Leave is expected to start by completing the relevant application form in Section Six of this policy. Where the birth is later than expected, an employee should advise their Line Manager as soon as is reasonably practicable of the actual date of birth.

23.12 Employees who wish to change the start of their planned Ordinary Paternity Leave period, may do so subject to the approval of their Line Manager and in light of the needs of the service at that time. Such requests will not be unreasonably refused.

23.13 Where there is any change to the dates of leave applied for, the Line Manager will be responsible for keeping the Employee Engagement and Relations Department advised.

23.14 There is no entitlement to statutory leave during periods of Paternity Leave.

FLOWCHART – ENTITLEMENTS TO PATERNITY LEAVE WITH PAY

- Will you have 12 months continuous service within the NHS/HSC at the time of the child’s birth?
  - No
  - Yes
  - Are you the biological or adoptive father and/or a partner/husband of the mother and/or living with the mother in an enduring family relationship, but not an immediate relative?
    - No
    - Yes
    - Will you have 26 weeks continuous NHS/HSC service at the 15th week before expected week of childbirth?
      - No
      - Yes
      - Do you have the qualifying average weekly earnings?
        - Yes
        - You have no entitlement to Ordinary Statutory Paternity Pay.
          - You have no entitlement to two weeks unpaid leave to be taken in accordance with the Trust's agreement on Paternity Leave and appropriate time off to attend ante-natal appointments.
        - No
          - You are entitled to two weeks paid leave to be taken in accordance with the Trust's agreement on Paternity Leave and appropriate time off to attend ante-natal appointments.
          - You are entitled to Ordinary Statutory Paternity Pay or 90% of average weekly earnings whichever is the lesser and appropriate time off to attend ante-natal appointments.
          - You have no entitlement to Ordinary Statutory Paternity Pay. You are entitled to two weeks unpaid leave to be taken in accordance with the Trust's agreement on Paternity Leave and appropriate time off to attend ante-natal appointments.
ADDITIONAL STATUTORY PATERNITY LEAVE ENTITLEMENT

23.15 Additional paternity leave allows eligible employees (refer to paragraph 6.3) to take up to 26 weeks’ leave to care for their new child, possibly with additional statutory paternity pay. This leave is only available to qualifying employees if the mother, or the person who is availing of maternity/adoption leave has returned to work and there are at least two weeks of unexpired statutory maternity/adoption leave entitlement remaining. A return to work means the mother has resumed working. A period of annual/sick/parental leave directly after the maternity/adoption leave but during the mother’s statutory maternity/adoption pay or maternity allowance period is not a return to work. However, once the mother has returned to work any subsequent period of leave does not affect the entitlement to additional paternity leave or pay (if applicable).

23.16 Qualifying employees can start their additional paternity leave any time from 20 weeks after the child is born and must be finished by the child’s first birthday. In the case of adoptions the additional paternity leave can be taken any time between 20 and 52 weeks after the child starts living with the adopter (is placed for adoption) for UK adoptions or arrives in Northern Ireland from overseas for overseas adoptions. A minimum of two weeks and a maximum of 26 weeks’ leave can be taken as a single block in complete weeks. If the employee qualifies for additional statutory paternity pay it is only payable during the mother’s 39 week statutory maternity/adoption pay or maternity allowance period.

23.17 To qualify for the additional statutory paternity leave - the employee must have a minimum of 26 weeks continuous service at the 15th week before the EDC and continue to work for the Trust into the week before they wish to take the additional paternity leave – weeks run Sunday to Saturday. In the case of UK adoptions the employee must have a minimum of 26 weeks continuous service at the week the mother/adopter has been matched with a child for adoption and for overseas adoptions the later of either the week official notification was received or the week the employee has been employed by the Trust for 26 continuous weeks.

23.18 To qualify for the additional statutory paternity pay – the requirements for the additional statutory paternity leave (as above) must be met and in addition the employee must meet the qualifying average weekly earnings and the mother/adopter must have satisfied the qualifying conditions to receive Statutory Maternity/Adoption Pay or Maternity Allowance. There also must be a minimum of 2 weeks of the mother/adopter’s entitlement to Statutory Maternity/Adoption Pay or Maternity Allowance remaining and they must have returned to work and stopped receiving payments for Statutory Maternity/Adoption Pay or Maternity Allowance. Additional statutory paternity pay can only be paid during the period where the mother/adopter would have received payments if she had remained on maternity/adoption leave ie the 39 weeks’ maternity pay period.

23.19 Applying for the additional statutory paternity leave - Staff wishing to avail of the additional statutory paternity leave must apply at least eight weeks before they want to take the leave.

23.20 Keeping in touch during your additional paternity leave – you can work up to 10 days, by mutual agreement, during your additional paternity leave without ending your entitlement to additional statutory paternity pay or leave.
24. ADOPTION LEAVE

24.1 Employees wishing to adopt a child who is newly placed for adoption will be entitled to Adoption Leave. Leave will be available to those people who have primary caring responsibilities for the child being adopted.

24.2 Eligibility for Occupational Adoption Pay will be one year’s continuous NHS/HSC service ending with the week in which they are notified of being matched with the child for adoption. This will cover the circumstances where employees are newly matched with the child by an adoption agency.

24.3 Where the child is below the age of 18, adoption leave and pay will be commensurate with Maternity Leave provisions including Phased Return to Work – please refer to the Maternity Leave Scheme.

24.4 If there is an established relationship with the child, such as a long term fostering arrangement prior to the adoption, or when a step-parent is adopting a partner’s children there is scope for local arrangements on the amount of leave and pay in addition to time off for official meetings. NB: Appropriate time off with pay to attend official meetings in the adoption process should also be given.

24.5 If the same employer employs both parents the period of leave and pay, can be paid to one employee or may be shared. One parent should be identified as the primary carer and be entitled to the majority of the leave. The partner of the primary carer is entitled to Ordinary/Additional Paternity Leave – see section 23 for full details.

24.6 Only one period of leave will be made available regardless of whether more than one child is placed for adoption as part of the same arrangement. If a child’s placement breaks down during a period of adoption, the employee may continue to avail of the entitlement for up to a maximum of eight weeks from the date the placement ended.

24.7 Adoption Leave can start from the date the child is placed for adoption or up to 14 days prior to the expected date of placement but not later than the date of placement.

24.8 All applications for this leave should be supported by documentary evidence issued by the Adoption Agency as proof of adoption, for example, the matching certificate should accompany an Adoption Leave application form contained within Section Six of this policy.

24.9 Employees wishing to return to work from Adoption Leave earlier than anticipated must give 28 days notice in writing of their intention to return to work.

24.10 Employees who pay Superannuation and/or National Insurance Contributions can have the same provisions applied as per the Maternity Leave Scheme.
25. PARENTAL LEAVE

25.1 Parental Leave is a period of unpaid absence from work which may be taken by an individual to look after a child or to make arrangements for the good of a child. The reasons for the leave need not be connected with the child’s health. For example, a parent may wish to take parental leave to settle a child in at school.

25.2 The entitlement is 13 weeks, in total (not per year), unpaid leave for those with parental responsibilities for each child under the age of 14, or 18 in the case of adopted children. Where a child is disabled, the entitlement is 18 weeks which can be taken up until the disabled child is 18 years of age.

25.3 Parental Leave is available to all employees with 12 months continuous NHS/HSC service who have nominated parental responsibility for a child under the age of 14 (18 in cases of adopted or disabled children).

25.4 The legal definition of “parental responsibility” includes the following:-

- Parents/Adoptive/Long Term Foster parents
- Same sex partners who have parental responsibility for the child
- Grandparents with a significant parenting role
- Step-parents who can establish parental responsibility for the child.

25.5 Parental Leave is a non transferable right. This means that where both parents/guardians of a child/children work for the Trust they are not permitted to transfer their entitlement to the other parent. However both parents will have the right to access the scheme either simultaneously or subsequently subject to the needs of the service.

25.6 Staff are required to give written notice of their intention to avail of Parental Leave. Normally the notice period should be twice the length of the leave period requested. However in unforeseen circumstances an individual may be permitted to commence a period of leave with a lesser period of notice. Employees may also postpone or cancel leave that has been booked, by local agreement, giving adequate notice.

25.7 Leave arrangements need to be as flexible as possible so that it may be taken in a variety of ways by local agreement. However, staff are encouraged to take leave in manageable breaks of not less than one complete week at a time (i.e. Monday to Sunday) up to a maximum of four weeks per child in any given year subject to the total number allowed. NB: Parents of disabled children are not required to take Parental Leave in blocks of one week.

25.8 Periods of unpaid Parental Leave do not affect the employees normal annual leave entitlement, however there is no statutory leave entitlement during this period.

25.9 Staff should contact the Payroll Department to discuss the implications unpaid parental leave will have on Superannuation & National Insurance Contributions.
25.10 It is reasonable for managers to ask to see proof of a child’s age to establish eligibility for Parental Leave – a Birth Certificate will be the standard document to request.

25.11 In the case of part-time workers, unpaid leave will be in proportion to the time worked e.g. someone who works two days a week will have the right to 26 days’ leave maximum.

25.12 Whilst the Trust will endeavour to facilitate a request for parental leave at the specified time there may be occasions having due regard to the needs of the service where the individual may be asked to postpone their request and agree alternative dates. However, such a postponement cannot be for any longer than six months. NB: If a request for Parental Leave is made immediately after the birth or adoption of a child, it cannot be denied under any circumstances.

25.13 Periods of Parental Leave will be treated as continuous service. Staff who fall sick during a period of Parental Leave who submit relevant medical notification in accordance with Trust Policy shall be entitled to payment under the Trust’s Occupational Sick Pay Scheme. This period of medically certified sickness shall not count towards the Parental Leave taken.
26. TIME OFF FOR DEPENDANTS

26.1 This allows employees to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements. For example:

- If a dependant falls unexpectedly ill, or has been injured or assaulted
- To make longer term care arrangements for a dependant who is ill or injured
- To deal with an unexpected disruption or breakdown of care arrangements for a dependant
- To deal with an unexpected incident involving the employee’s child during school hours

26.2 A dependant is defined as the “a spouse, child or parent of the employee or someone who lives in the same household as part of the family, rather than being a lodger or a tenant. The definition also extends to any person who reasonably relies on the employee for assistance to make care arrangements where that person has fallen ill, or been injured or assaulted”.

26.3 This leave is available to all employees regardless of how long they have worked for the Trust. However the employee must tell their Line Manager as soon as possible why they are away from work and how long they expect to be off.

Note, however, this leave is not intended to allow the employee several days or weeks off to care for their dependant, but to make alternative arrangements for same, where possible. In most situations it is usually adequate to grant a few hours up to one day/shift to allow alternative arrangements to be made. Therefore should the employee require more time than this then an alternative type of leave should be considered instead, for example, annual leave, making time up at a later date, changing off duty, parental leave or unpaid leave.

26.4 Staff should complete the standard Work-Life Balance Application Form at Section Six of this document on return to duty. After return to duty, the absence must be recorded on the employment record.
SECTION THREE

OTHER LEAVE PROVISIONS

Please refer to the associated Guidelines for Managers for further guidance regarding the application of these leave provisions.
27. COMPASSIONATE/BEREAVEMENT LEAVE

27.1 Compassionate Leave is an entitlement that will be provided in the event of an individual suffering a family bereavement.

27.2 Compassionate Leave will normally be provided at the time of the family member’s death and such leave should not normally exceed three days but can be extended up to a maximum of six days in exceptional circumstances. These should be taken as 3 days at the time of the bereavement, but within one week of the date of bereavement. For inquest leave see point 27.7

27.3 The employee may choose to supplement this leave with Annual Leave or Unpaid Leave.

27.4 In the event of the death of extended family members the Trust will normally provide the employee with time off to attend the funeral. Such time may be provided up to a maximum of one day dependent on the circumstances and at the discretion of the Line Manager.

27.5 Staff who need to avail of the Compassionate Leave provision should ensure that their Line Manager is advised promptly on the day the need first arises.

27.6 The period of leave should be agreed with the Line Manager at the time of notification as follows:-

27.6.1 It is recommended that 3 days leave should normally be given for immediate family, i.e.

- Husband/Wife/Partner
- Son/Daughter
- Mother/Father
- Brother/Sister
- Grandparent/Grandchild

However, managers have the discretion to give up to 6 days and in reaching this decision should consider the following:-

- The need to be consistent in how all staff in their department/facility are treated
- Circumstances of the bereavement

And 1 days leave for other relatives, i.e.:

- Aunt/Uncle
- Nephew/Niece
- Son-in-law/Daughter-in-law
- Mother-in-law/Father-in-law
- Brother-in-law/Sister-in-law

27.6.2 Time off to attend the funeral should be granted for other relatives such as cousin or niece/nephews-in-law etc.

27.7 A maximum of one working week’s paid special leave will be granted for staff who are required to attend an inquest following the death of an immediate family member see 27.6.1 above. Any remaining time required by the employee will be granted from their normal annual leave provision.

27.8 There is no requirement to complete an application form for this type of leave.
28. MARRIAGE/CIVIL PARTNERSHIP LEAVE

28.1 Marriage/Civil Partnership Leave is three days paid leave which may be taken by employees at the time of their marriage/civil partnership and which is in addition to Annual Leave.

28.2 Marriage/Civil Partnership Leave cannot be used at any other time.

28.3 The employee should apply in writing to their Line Manager for Marriage/Civil Partnership Leave and the Manager should give written approval for same.

28.4 There is no requirement to complete and application form for this type of leave.
29. LEAVE FOR URGENT DOMESTIC DISTRESS

29.1 This form of leave should cover a range of genuine domestic needs and applies to all employees.

29.2 It can be granted where there is a genuine and unforeseen domestic need, for example, where the employee’s home has been seriously damaged by e.g. fire/explosion/flood, or where there is a sudden breakdown of relationship with a spouse or partner.

29.3 Payment may be made by local agreement, but the expectation is that relatively short periods of leave for emergencies will be paid.

29.4 Note, however, this leave is not intended to allow the employee several days or weeks off. In most situations it is usually adequate to grant a few hours up to one day/shift and therefore should the employee require more time than this then an alternative type of leave should be considered instead, for example, annual leave, making time up at a later date, changing off duty or unpaid leave.
30. FLEXI TIME

30.1 A flexi-time scheme allows employees to choose within a framework of fixed core hours the times they start and finish. The scheme allows for a carry over of excess or deficit hours owed beyond one accounting period (usually one month) within a defined set of parameters.

30.2 The primary group of staff this scheme is aimed at are those who generally work standard days per week and is at the discretion of individual department managers taking into account the needs of the service and other employees within that department and in agreement with Staff Side.

30.3 The scheme is open to permanent and temporary staff as well as those working under part-time arrangements, including job share, on a pro-rata basis.

30.4 Staff may be required to satisfactorily complete their probationary period before commencing the use of this scheme.

30.5 Flexi-time splits the normal working day into core time and flexi-time. Core times are the periods when all employees must be present. Flexible times are the periods when start and finish times will be varied subject to the demands of the job and with agreement of colleagues within the department. The core times will be:

- 10:00 am – 12:00 noon and 2:00 pm – 4:00 pm

The flexi-time will be:

- 8:00 am – 10:00 am and 4:00 pm – 6:00 pm

30.6 All staff working more than six hours must record a minimum break of 30 minutes to be taken between 12:00 noon and 2:00 pm. The standard working day for full time employees will be seven hours 30 minutes.

30.7 A maximum of one standard working day may be carried forward from one month to the next. Members of staff should try to avoid having a deficit of hours.

30.8 Any hours accrued in credit can be taken off with the prior agreement of the Line Manager. An officer may take up to a maximum of one day off per month provided he/she has already accrued the equivalent credit hours. Such leave may be taken in hours, half days or full days. Staff are encouraged to co-operate and agree together a fair share of “popular” days for taking time off.
31. **UNPAID LEAVE**

31.1 The Trust may grant unpaid leave to an employee for a specified period of time. Such leave is granted at the discretion of the Head of Department.

31.2 Staff must have a minimum of 12 months continuous service with the Trust prior to making an application for unpaid leave.

31.2 Up to a maximum of 3 months unpaid leave may be granted and must be approved by the Head of Department. For periods longer than 3 months, consideration should be given to an application under the Employment Break provisions subject to meeting the eligibility criteria.

31.3 Each application will be considered on its merits, taking account of the needs of the service. As with an employment break, unpaid leave will not normally be allowed for the purpose of taking up alternative paid employment.

31.4 On return from a period of unpaid leave, an employee will normally resume their former post. Please refer to paragraph 11 within Section One – ‘Return to Work’.

31.5 If you are currently participating in the Childcare Voucher Scheme you may need to suspend your contributions for the period of unpaid leave. You should seek advice from the nominated Human Resources Officer.

31.6 Staff should contact the Payroll Department to discuss the implications unpaid leave will have on Superannuation & National Insurance Contributions.

31.7 Annual Leave and Statutory Leave entitlements will be reduced and staff should contact their manager regarding their revised entitlements.
SECTION FOUR

WORK-LIFE BALANCE PROVISIONS

Please refer to the associated Guidelines for Employees for further guidance regarding these leave provisions.
32. JOB SHARE

32.1 A Job Share arrangement is simply sharing the responsibilities of a full time job equally between two or more people. The Terms and Conditions of Service attached to the post are also shared including the weekly wage/salary of the post, annual leave, statutory leave and general conditions. For these reasons, job sharing is not the same as part–time work.

32.2 The scheme is open to all current employees who have satisfactorily completed their probationary period and also to new recruits where the job has been advertised as a job share arrangement.

32.3 Each application to have a post designated as shareable will be considered on its individual merits taking into account the needs of the service. Agreement to the application will not be unreasonably withheld.

32.4 Employees can make an application to have their post considered for job share. Where requests are approved the other half of the post will be advertised and appointed through the normal Recruitment and Selection Procedures.

32.5 Where an individual applies to their Line Manager to have their post considered for job share arrangements the Line Manager must consult with the respective senior manager and the Employee Engagement and Relations Department, to consider the suitability of the post for job share. The final decision will rest with senior management within the Directorate concerned.

32.6 Following a decision to share a post, the job share arrangement will continue until it appears to management that the job sharing situation is no longer practical. Full consultation will take place with the individuals concerned.

32.7 If one job sharer leaves their post then the job sharing arrangements will be reviewed with the option to undertake full-time work being offered to the remaining postholder in the first instance.

32.8 Each job share partner will be issued with an individual contract of employment and a job description which clearly defines the duties and responsibilities of the post.

32.9 Terms and Conditions of Service which would be applied on a pro rata basis subject to eligibility will include, salary/wage, occupational sick pay, annual leave/statutory leave/study leave etc. Similarly, Public/Bank holidays will be shared between job share partners on a pro-rata basis.
32.10 All staff including those with Mental Health Officer status who are considering job sharing should note that their Pension/Mental Health Officer status may be adversely affected. Similarly if there is the requirement for staff to use their car for work purposes then the Lump Sum Car User Allowance will also be shared (½ each).

32.11 Where a job share partner accepts the offer of a post and location different than their current post, he/she will not be entitled to payment of excess travelling expenses.

32.12 Those newly appointed to a job share post will be subject to successful completion of the normal six month probationary period. The probationary period will allow the manager to assess the suitability of participants and the feasibility of the job sharing situation. In addition, those participating in a job share for the first time will be subject to a six month trial period in order to assess the viability of the arrangement.

32.13 If it is found that a job share participant is not carrying out their duties satisfactorily this will be dealt with in the same way as an employee appointed to a new post, i.e. the normal capability process may be invoked. This will not necessarily end the job sharing arrangement, however if it is found that the job sharing initiative has not succeeded the post will revert to a full-time job with the initial postholder being offered the full time post.

32.14 Every effort will be taken to ensure an equal balance of the division of responsibility for the job among job share partners. Managers must ensure that job share partners, where necessary, work an appropriate number of common hours to exchange information on work issues.

32.15 Where one job share partner is unable to work for reasons such as illness, Maternity Leave etc. the other partner may be offered the opportunity to cover the hours of the absent partner in the first instance. If the other partner is unable to cover those hours, management will put in place suitable alternative arrangements.

32.16 Where a job share partner works more than their allocated hours, they will be paid at the basic rate of pay. Overtime will only be paid where the employee has worked in excess of the normal full-time hours i.e. 37½.
33. PART-TIME WORKING/VOLUNTARY REDUCED WORKING TIME

33.1 Part-time working/voluntary reduced working time allows staff to reduce their full-time working hours to less than their normal working week. The pattern is agreed between the manager and the employee and may be half days, shorter days or a reduced number of full days per week.

33.2 Whilst some posts may be advertised as part-time, this scheme also enables full-time staff who have satisfactorily completed their probationary period to voluntarily trade income for time off either on a short or long term basis.

33.3 There are numerous methods of working part-time/voluntarily reducing hours, for example, by reducing the hours worked by as little as 5% or as much 50% depending on individual circumstances. Essentially the part-time arrangements should be designed to suit both the needs of the organisation and the individual in such a way as is workable and meets the needs of the service. Therefore, each application will be considered on its individual merits.

33.4 It is recommended that even within part-time arrangements some flexibility exists for both parties. For example, it may be necessary to have some flexibility in the hours to be worked on a particular day.

33.5 Terms and Conditions of Service which would be applied on a pro rata basis subject to eligibility will include, salary/wage, occupational sick pay, annual leave/statutory leave/study leave etc.

33.6 If an individual wishes to revert to full-time work, every effort will be made to accommodate the request, however there will be no right to return to full-time work unless a suitable vacancy exists at the relevant time and may be subject to the normal Recruitment and Selection process.

33.7 Staff will, where possible, be accommodated to undertake part-time hours on a trial basis if desired. In such circumstances, this will be for a defined period. The trial basis may also be a request by management to ensure that the service is not adversely affected by the change in working arrangements.
34. EMPLOYMENT BREAK / CAREER BREAK

34.1 An Employment Break is a period of planned unpaid leave which can be for a minimum period of three months up to a maximum of five years for the duration of an individual’s employment with the NHS/HSC. During the period of the Employment Break the individual will continue to be an employee of the Trust. Applications must be submitted to the individual’s Line Manager at least 3 months prior to when they wish the new arrangements to take effect.

34.2 The Employment Break Scheme is in place to enable the Trust to attract and retain the experience of staff, and therefore there is an expectation that the employee will return to the Trust at the end of their Employment Break.

34.3 An Employment Break is designed to assist those employees who are taking prime responsibility for the care of children/adopting children, and/or have to care for elderly and/or disabled relatives or other dependants.

The scheme is also designed for those who wish to pursue some form of job related academic study/training or to undertake specific work abroad which will support the individual in their ongoing development. Requests for Employment Breaks for others reasons will only be considered in exceptional circumstances. Each applicant will be considered only on the merits of the application.

34.4 An Employment Break is not intended for the purposes of travel abroad.

34.5 Staff on Employment Breaks will not normally be allowed to take up paid employment with another employer except where, for example, work abroad (as indicated in 34.3 above) or charitable work which could broaden experience. In such circumstances written authority from the Trust must be obtained PRIOR to engagement in such activity.

34.6 The scheme is open to all staff who have satisfactorily completed a minimum of 12 months service with the NHS/HSC. In the case of temporary staff, there may be objective justification why this scheme cannot apply in a particular circumstance. However, each case will be considered on its own merits.

34.7 The Trust will make every effort to meet the request of individuals. However, it may not be possible to grant release in every case because of the needs of the service.

34.8 An initial Employment Break application may be extended up to the maximum of five years.
34.9 If, prior to the commencement of an Employment Break, an employee was working in a part-time/job-sharing arrangement, every effort will be made to allow the employee to return on that basis. However, there is no guarantee that this will always be possible and in these circumstances employees may be offered a full-time post.

34.10 Employees who are unable to resume duty on the due date because of illness will be required to produce supporting medical documentation. There may be circumstances depending on the duration of the employment break, employee’s may or may not be eligible for OSP/SSP.

34.11 Where an individual desires to return to work earlier than planned this will be considered in light of any temporary member of staff who has been appointed to cover during the absence of the staff member on the Employment Break.

34.12 Employees on an Employment Break should provide the Employee Engagement and Relations Department with a forwarding address if this is different from the one held on their personal record. Any change to an employee’s details during the break must be notified to the Employee Engagement and Relations Department.

34.13 During an Employment Break the employee will be subject to all normal regulations as to conduct. Disciplinary action may be taken where appropriate.

34.14 It is the responsibility of the employee to maintain contact with their Line Manager during their Employment Break in order that they are fully informed of any internal/external job opportunities which may occur during their absence from work or changes to service provision.

34.15 Employees will be free to apply for promotion during an Employment Break and if they are successful in their application, they would have to accept the appointment at the time of offer and take up the post when required.

34.16 The employee must also make a commitment to attend, where necessary, appropriate training during each year of their Employment Break with the aim of acquiring and maintaining relevant skills, techniques and knowledge to allow them to return to the workplace with an appropriate level of confidence, skill and ability. The number of returner days (maximum of 10 per year) that an employee will be required to work will be determined by the Line Manager/Head of Department. Employees will be paid for the number of returner days they are required to work.
34.17 Staff will be responsible for maintaining their own professional registration during an Employment Break including the meeting of any requirements under such regulations.

34.18 The notice period an employee is required to give the Trust in writing before returning to work should be two months if the break is up to one year and six months if the break is more than one year. Applicants seeking an employment break extension must submit a Work Life Balance Application Form and return to their manager for approval, giving at least three months notice.

34.19 An employee is entitled to return to the same job (as far as reasonably practicable) provided they return to work within one year.

34.20 It should be noted that following any approved application for leave of a duration of more than one year that no guarantee can be given that the employee will return to either their substantive post or within the same Directorate. However, they may return to as similar a job as possible at the equivalent pay band, reflecting increases awarded during the break.

34.21 An employee returning from an Employment Break to a different post must meet the normal Recruitment and Selection Criteria for the post. They may also be required to meet with the manager concerned for an informal discussion which will assist in assessing their suitability.

34.22 Employees returning from such leave will be expected to co-operate with the organisation in accepting reasonable offers of suitable alternative employment. Employees may be offered a post within any of the Trust’s Directorates which may necessitate them being employed at a new work location and in these circumstances excess travelling expenses will not be paid. If an employee refuses to accept reasonable offers of suitable alternative employment, the Trust cannot accept liability for the individual failing to become re-employed.

34.23 During an employment break employees will not accrue annual/statutory leave entitlements. Time spent on an Employment Break will not count towards qualifying service for additional annual leave entitlements and similarly it will not count towards service for contractual redundancy payments.

34.24 If you contribute to the HSC Pension Scheme and wish to continue to contribute to the Scheme during your Employment Break then it is important to note that during the first 6 months you will be responsible for your own share of the contributions and the Trust will continue to pay the employers share. However thereafter you have an option to continue for a further 18 months and you are responsible for both your own and the employers share of the contributions. The maximum period for contributing to the HSC Pension Scheme during an
Employment Break is 24 months. If you wish to continue paying pension contributions it is very important that you contact the Payroll Department on 028 3752 2381 before your Employment Break commences to make arrangements for the collection of the contributions as they must be collected continuously during the Employment Break and cannot be allowed to accumulate and payment made on return from the Employment Break.

34.25 It is also important to note that if you contribute to the Superannuation Scheme the regulations state that anyone out of pensionable employment for 5 years or more cannot rejoin the 1995 Section and will automatically join the 2008 Section on their return to pensionable employment. If you have any queries in relation to clarifying the scheme you currently contribute to or the implications on benefits associated with moving to the 2008 Section you should contact HSC Pension Branch on 02871319000.
35. TERM-TIME WORKING

35.1 Term-time working is a scheme devised to facilitate employees to remain on a contract but who wish to take unpaid leave (minimum of 4 weeks and up to a maximum of 12 weeks. Weeks must be full weeks Monday to Sunday) during the school holidays to care for their children. It has been introduced as a possible option to help those with parental responsibility overcome the major problem of finding childcare during school holidays.

35.2 Term-time working gives employees the right to (unpaid) leave of absence during the school holidays to care for children for whom they have parental responsibility. As this leave is planned well in advance, employees will continue to receive a regular wage/salary each week/month, though at a reduced rate e.g. 10 months’ salary paid over a 12 month period.

35.3 The scheme is open to members of staff who will be assuming parental responsibility for the care of their children. Whilst the Trust will endeavour to meet each individual request there may be an occasion where such a request will have to be refused having taken into consideration the needs of the service.

35.4 Completed applications, including the appropriate Management signatures, must be received in the Employee Engagement and Relations Department no later than 31 January of each year in order that the necessary arrangements can be made with Payroll Department in time for the new salary to become effective from 1 April.

35.5 Where approval has been granted for an individual to participate on the scheme, this approval applies to the current financial year only. Therefore, it should not be assumed that term-time working will remain as the individual’s normal working arrangements thereafter. The scheme, and participants, will be reviewed on a yearly basis to take account of the needs of the service and other staff members. A fresh application should be made each year.

35.6 Only in very exceptional circumstances will an employee be permitted to terminate an approved application for term time working given the time it takes to process an annual application and to recalculate the employee’s salary.

35.7 As your salary is calculated at the beginning of the financial year and averaged over the 52 weeks it therefore follows that no changes can be made to your working arrangements which will impact on your pay during the financial year, e.g change of hours, unpaid leave, etc, unless in very exceptional circumstances.
35.8 Staff should be aware that their annual leave will be reduced according to the number of weeks granted for Term-time. Statutory Leave entitlement may also be reduced if any statutory holidays fall during the Term Time arrangement. Annual/Statutory leave entitlement should be discussed with the Line Manager.

35.9 Staff should contact the Payroll Department to discuss the implications Term Time Working will have on Superannuation & National Insurance Contributions.
36. COMPRESSED WORKING WEEK/TAILORED HOURS

36.1 Compressed working week/tailored hours is essentially a means of working where the working week of an employee is organised in such a way that less than the standard five days are worked.

36.2 Typically the same basic hours are worked in a four or four and a half day week. Therefore a key feature of this scheme is a longer working day for four days of the week enabling the employee to remain full-time whilst working fewer days per week.

36.3 The scheme is open to members of staff who carry the primary responsibility for the care of their children, who are adopting children or who have to care for elderly and/or disabled relatives.

36.4 On approval, the date of commencement of this method of working will be a management decision taking into consideration the circumstances of the application together with the needs of the service.

36.5 In the case of new employees, the normal procedures governing probationary periods will apply.

36.6 Where an employee wishes to terminate this arrangement - to revert to their former pattern of working or a new pattern of working - they must notify their Line Manager/Head of Department in writing giving a minimum of one week's notice. The Line Manager/Head of Department should advise the appropriate Assistant Director of the employee's intention as soon as possible thereafter. Arrangements will be made to facilitate the employee, as soon as practical.

Note: There is no automatic right to return to a former pattern of working.
37. STAGGERED HOURS

37.1 Staggered working hours almost replicates the idea of spilt shifts. In the appropriate circumstances it can be exceptionally useful for those with primary caring responsibilities.

37.2 Staggered hours may be used, for example, if a member of staff needs to attend to the needs of a child or an elderly and/or disabled relative over the lunch time period. The individual can work, for example, 8.00 am - 11.30 am and 2.00 pm - 6.00 pm, or 9.00 am - 1.30 pm and 6:00 pm - 9:00 pm to facilitate the collection of children from school and the supervision of homework. This would still allow the individual to meet their caring responsibilities and continue to work their contractual hours of work.

37.3 The scheme is open to all members of staff who carry the primary responsibility for the care of their children, who are adopting children or who have to care for elderly and/or disabled relatives.

37.4 On approval, the date of commencement of this method of working will be a management decision taking into consideration the circumstances of the application together with the needs of the service.

37.5 Where an employee wishes to terminate this arrangement - to revert to their former pattern of working - they must notify their Line Manager/Head of Department in writing giving a minimum of one week's notice. The Line Manager/Head of Department should advise the appropriate Assistant Director of the employee’s intention as soon as possible thereafter. Arrangements will be made to facilitate the employee, as soon as practical.

Note: There is no automatic right to return to a former pattern of working.
38. WORK BREAK

38.1 This provision only applies to staff currently at work and is not an extension of long term sick leave. A work break is a break of a minimum period of one month not normally exceeding 6 months to provide a break from work where staff are having to cope with exceptional circumstances. For example – care of a partner/child/dependant during a life threatening, critical or terminal illness or to assist with their rehabilitation after such an illness. Other exceptional circumstances beyond the examples provided above may be considered depending on their individual merits. A Work Break will cease when there is no further requirement to provide care for the dependant.

38.2 Employees on a Work Break will receive half of their normal remuneration.

38.3 Annual leave and statutory leave will be on a pro-rata basis.

38.4 This scheme is open to employees with continuous service of at least six months with the Trust.

38.5 On approval, the date of the commencement of the work break will be a management decision taking into consideration the circumstances of the individual together with the needs of the service.

38.6 An employee wishing to extend a work break (subject to a maximum of 6 months) should advise their Line Manager as soon as possible. This request will be considered on its individual merits.
39. WORKING FROM HOME

39.1 The Trust has investigated the issues surrounding home working and currently does not have a policy that enables staff to request to work from home. However, to ensure compliance with the legislation, provision should be made by Heads of Department to consider individual requests from staff who wish to exercise their statutory right to request homeworking.

39.2 Requests should be made on an ad-hoc basis and homeworking should only be granted in exceptional circumstances where the member of staff has a specific or urgent piece of work to complete and where it would be a more effective use of time to enable the employee to work from home.

39.3 Homeworking should not be granted on a permanent or regular basis nor should it become an established pattern of working. Careful consideration should be given as to how homeworking impacts on the provision of services, and other staff, and Heads of Department should ensure that it is monitored closely. In all cases guidance should be sought from the Employee Engagement and Relations Department or Equality Assurance Unit.
SECTION FIVE

SUPPORT WITH CHILD CARE NEEDS
40. CHILDCARE VOUCHERS

40.1 Childcare vouchers are a form of paying for eligible registered childcare. The vouchers are exempt from Tax, National Insurance Contributions (NIC) and superannuation contributions and therefore offer potential savings for working parents who use them to pay for registered childcare.

40.2 Employees voluntarily give up part of their salary in exchange for childcare E-vouchers. This amount of money is then lodged into an account which will be set up for employees by Employers for Childcare. Employees can then access this account to transfer money to their chosen childcare provider(s).

40.3 When calculating payments such as overtime or un-social hours payments, the employee’s total remuneration package will be used i.e. their original salary before vouchers are deducted.

40.4 In the event of a pay increase the employee will receive any relevant pay awards based on their original salary i.e. salary before vouchers are deducted.

40.5 If an employee goes on Maternity Leave, this is regarded as being a ‘life change event’ and the employee can decide to leave the scheme and stop receiving childcare vouchers. If an employee opts to continue receiving childcare vouchers their salary will continue to be reduced by the same amount and they will continue to receive the same value in childcare vouchers whilst they are on paid Maternity Leave.

40.6 If an employee should go on sick leave, while on full sick pay their salary will continue to be reduced by the value of their childcare vouchers. If they are off on long-term sickness this would be regarded as a ‘life change event’ and the scheme arrangement can be reviewed.

40.7 Childcare vouchers will affect superannuation contributions, therefore advice should be sought from HSC Superannuation Branch, contact details in paragraph 9.1 (page 5) of this policy.

40.8 In the event of redundancy, any redundancy pay would be based on the employee’s gross salary.

40.9 For further information, contact Employers for Childcare Vouchers by phone on 0800 028 3008 or email business@employersforchildcare.org or click on the following link to access the relevant pages on child care information on Her Majesty’s Revenue and Customs website http://www.hmrc.gov.uk/childcare/
SECTION SIX

WORK-LIFE BALANCE APPLICATION FORMS

Please click on the relevant link below

Maternity Leave Application Form
Paternity Leave Application Form (for two weeks)
Additional Paternity Application Form
Adoption Leave Application Form
Work-Life Balance Application Form
SECTION SEVEN

READY RECKONER OF PROVISIONS AND ELIGIBILITY CRITERIA
### STATUTORY PROVISIONS (SECTION 2)

<table>
<thead>
<tr>
<th>NAME OF PROVISION</th>
<th>SUMMARY</th>
<th>ELIGIBILITY CRITERIA</th>
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| **Maternity Leave** | All pregnant employees are entitled to 52 weeks Maternity Leave (ML).  
- To receive Statutory Maternity Pay which is £128.73 per week as at April 2011. NB: this changes every April.  
- To receive Occupational Maternity Pay – First eight weeks full pay inc. SMP or allowances receivable. Next 18 weeks half pay plus SMP or allowances receivable provided that total Maternity Pay does not exceed normal full pay. Next 13 weeks Statutory Maternity Pay. Last 13 weeks unpaid. | No eligibility criteria for the 52 weeks Maternity Leave, however eligibility re. payment differs depending on length of service - see below.  
- Employees must have 26 weeks continuous service by the 15th week before expected week of childbirth and have qualifying average weekly earnings. Those staff who do not meet the criteria may be eligible for Maternity Allowance.  
- Employees must have more than one year’s continuous NHS/HSC service at the 11th week before expected week of childbirth. |
| **Phased Return to Work Following Maternity Leave (Non-Statutory)** | Allows employees returning from Maternity Leave to do so on a part-time basis for the first four weeks. For example:-  
- 1st week reduce hours by 50%  
- 2nd and 3rd week – reduce hours by 25%  
- 4th week – reduce hours by 10%  
*NB: Calculated on a pro-rata basis for part-time staff.* | Must hold right to return (i.e. have given appropriate notice to manager), be returning immediately after period of Maternity Leave or planned Annual Leave/Parental Leave, be returning to substantive post. Staff returning from Sick Leave following Maternity Leave will not be eligible but may be able to avail of other flexible working arrangements. |
| **Ordinary/Additional Paternity Leave** | Ordinary Paternity Leave - two weeks either paid/unpaid leave of absence to be taken within first 56 days of child’s birth/adoption. Must be taken in a block of one week or two weeks.  
- Additional Paternity Leave – minimum of 2 weeks up | Employees must be the biological or adoptive father and/or a partner/husband of the mother and/or living with the mother in an enduring family relationship (but not a blood relative) and includes same sex partners. |
### Section Seven – Ready Reckoner of Provisions and Eligibility Criteria

<table>
<thead>
<tr>
<th>NAME OF PROVISION</th>
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<tbody>
<tr>
<td>(continues overleaf)</td>
<td>to a maximum of 26 weeks taken as a single block any time from 20 weeks after the birth and finish by the child’s first birthday. In case of adoption, anytime between 20 and 52 weeks after the child starts living with the adopter (is placed for adoption) for UK adoptions or arrives in Northern Ireland for overseas adoptions.</td>
<td>□ Less than 26 weeks continuous NHS/HSC service or staff who do not have the qualifying average weekly earnings to qualify of Ordinary Statutory Paternity Pay (OSPP).</td>
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<tr>
<td></td>
<td>□ Unpaid Ordinary/Additional Statutory Paternity Leave*</td>
<td>□ Must have 26 weeks continuous NHS/HSC Service at the 15th week before expected week of childbirth and have the qualifying average weekly earnings.</td>
</tr>
<tr>
<td></td>
<td>□ To receive Ordinary/Additional Statutory Paternity Pay (paid at Statutory Maternity Pay rate – see above)*</td>
<td>□ Must have 12 months continuous NHS/HSC Service at the beginning of the week the baby is due.</td>
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<td></td>
<td>□ To receive full pay.</td>
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<td></td>
<td>* To qualify for Additional Statutory Paternity Leave the mother must have returned to work and there must be a minimum of two weeks maternity/adoption leave entitlement remaining. To qualify for Additional Statutory Paternity Pay the mother must have returned to work and have satisfied the qualifying conditions to receive Statutory Maternity/Adoption Pay or Maternity Allowance and there must be a minimum of two weeks Statutory Maternity/Adoption Pay or Maternity Allowance remaining.</td>
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<tr>
<td>NAME OF PROVISION</td>
<td>SUMMARY</td>
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| Adoption Leave (inc. Phased Return to Work) | For employees wishing to adopt a child who is newly placed for adoption  
  - Occupational Adoption Pay | Leave available to those who have primary caring responsibilities for the child being adopted.  
  - Same as Maternity Provisions – see above. |
| Parental Leave | Unpaid absence to look after a child or to make arrangements for the good of a child under the age of 14, or 18 if the child is disabled or adopted. Entitlement is 13 weeks unpaid leave in total, not per year (18 weeks in the case of a disabled child). | All employees who have 12 months continuous service with the NHS/HSC.  
  - Must be taken as minimum of one week at a time up to a maximum of 4 weeks in any given year subject to total number allowed. |
| Time Off for Dependents | This allows employees to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements e.g. a dependant falling ill, breakdown of childcare arrangements etc. | No length of service requirements. |

Note, this leave is **not** intended to allow the employee several days or weeks off to care for their dependant.
## OTHER LEAVE PROVISIONS (SECTION 3)

<table>
<thead>
<tr>
<th>NAME OF PROVISION</th>
<th>SUMMARY</th>
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<tbody>
<tr>
<td>Compassionate/ Bereavement Leave</td>
<td>Should not normally exceed 3 days but can be extended up to a maximum of 6 days. <em>Please refer to guidance notes for Managers.</em></td>
<td>No length of service requirements.</td>
</tr>
<tr>
<td>Marriage/ Civil Partnership Leave</td>
<td>3 days paid leave to be taken by employees at the time of their marriage/civil partnership.</td>
<td>No length of service requirements. Three days in addition to annual leave but can only be used at this time.</td>
</tr>
</tbody>
</table>
| Leave for Urgent Domestic Distress | To allow staff time to deal with a range of urgent domestic circumstances.  
If the need for time off continues, other options may be considered, such as annual leave, unpaid leave, employment break etc. | All employees who encounter a genuine urgent domestic need. *Please refer to guidance notes for Managers.* |
| Flexi Time                        | Allows employees to choose within a framework of fixed core hours the times they start and finish.  
Core hours – 10am-12 noon and 2pm-4pm.  
Flexi time – 8am-10am and 4pm-6pm. | Flexi time operates at the discretion of each department.  
Employees may be required to satisfactorily complete their probationary period before commencing the use of this scheme. |
| Unpaid Leave                      | May be granted for a specified period of time. Up to three months approved by the head of department.  
For periods longer than 3 months, consideration should be given to an application under the Employment Break provision. | Must have completed 12 months continuous service with the Trust.  
Each application considered on its individual merits.  
Not normally allowed for the purpose of taking up alternative paid employment. |
## WORK-LIFE BALANCE PROVISIONS (SECTION 4)

<table>
<thead>
<tr>
<th>NAME OF PROVISION</th>
<th>SUMMARY</th>
<th>ELIGIBILITY CRITERIA</th>
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<tbody>
<tr>
<td>Job Share</td>
<td>❑ Sharing responsibilities, terms, conditions and salary of a full-time job between two or more people.  ❑ Current employees can ask to have their post considered for job share</td>
<td>❑ Open to all employees who have satisfactorily completed their probationary period</td>
</tr>
<tr>
<td>Part-Time Working/ Voluntary Reduced Working Time</td>
<td>❑ Allows staff to reduce their full-time working hours to less than their normal working week. Whilst some posts may be advertised as part-time, this scheme enables full-time staff to voluntarily trade income for time off either on a short or long term basis, usually up to a maximum of 50%.</td>
<td>❑ Open to all employees who have satisfactorily completed their probationary period.</td>
</tr>
<tr>
<td>Employment Break</td>
<td>❑ Period of planned unpaid leave which can be a minimum of three months up to a maximum of five years for the duration of the individual’s employment within the NHS/HSC. Designed to assist those taking prime responsibility for the care of children/adopting children and/or have to care for elderly and/or disabled relatives or other dependants. It is not intended for the purposes of travel.</td>
<td>❑ Open to all staff who have satisfactorily completed a minimum of 12 months service with the NHS/HSC</td>
</tr>
<tr>
<td>Term Time</td>
<td>❑ Designed to facilitate employees to remain on a contract but who wish to take unpaid leave during the school holidays to care for their children. (minimum of 4 weeks up to a maximum of 12 weeks)  ❑ Reduced salary will be spread over the 12 months.  ❑ Approval applies to current school year only.</td>
<td>❑ Open to members of staff who will be assuming the primary responsibility for children for whom they have parental responsibility.  ❑ Applications must be received by 31 January each year for the new salary to become effective by 1 April (if approved).</td>
</tr>
<tr>
<td>NAME OF PROVISION</td>
<td>SUMMARY</td>
<td>ELIGIBILITY CRITERIA</td>
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<tr>
<td>Compressed Working Week/ Tailored Hours</td>
<td>Where the working week is organised so that less than the normal five days are worked, e.g. same hours are worked over a four or four and a half day period.</td>
<td>Open to members of staff who carry the primary responsibility for the care of their children, who are adopting children or who have to care for elderly and/or disabled relatives. For new employees, normal probationary periods apply.</td>
</tr>
<tr>
<td>Staggered Hours</td>
<td>Replicates the idea of split shifts e.g. if a member of staff has to attend to the needs of a child or an elderly and/or disabled relative over the lunch time period they may work e.g. 8am-11.30am and 2pm-6pm.</td>
<td>Open to members of staff who carry the primary responsibility for the care of their children, who are adopting children or who have to care for elderly and/or disabled relatives. No length of service requirements.</td>
</tr>
<tr>
<td>Work Break</td>
<td>Is a break of a minimum period of one month not normally exceeding 6 months to provide a break from work where staff are having to cope with exceptional circumstances, e.g. care of a partner/child/dependant during a life threatening, critical or terminal illness or to assist with their rehabilitations after such an illness.</td>
<td>Open to employees with continuous service of at least six months with the Trust.</td>
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## SUPPORT WITH CHILD CARE NEEDS

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<tr>
<th>NAME OF PROVISION</th>
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<tbody>
<tr>
<td>Childcare Vouchers</td>
<td>A form of paying for eligible registered childcare. Vouchers are exempt from Tax, National Insurance Contributions (NIC) and Superannuation contributions and therefore offer potential savings.</td>
<td>No eligibility criteria. Employees voluntarily give up part of their salary in exchange for childcare E-vouchers.</td>
</tr>
</tbody>
</table>