



London Ambulance Service **NHS**  
NHS Trust

## Special Leave Policy

## **DOCUMENT PROFILE and CONTROL**

**Purpose of the document:** To set out the eligibility and provisions for short-term special leave.

**Sponsor Department:** Human Resources

**Author/Reviewer:** Senior HR Manager (South). To be reviewed by May 2018.

**Document Status:** Final

| <b>Amendment History</b> |          |                           |  |
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| 05/05/15                 | 2.3      | Senior HR Manager         | Minor cosmetic changes - additional paragraphs on Reserve Forces mobilisation. |
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**\*Version Control Note:** All documents in development are indicated by minor versions i.e. 0.1; 0.2 etc. The first version of a document to be approved for release is given major version 1.0. Upon review the first version of a revised document is given the designation 1.1, the second 1.2 etc. until the revised version is approved, whereupon it becomes version 2.0. The system continues in numerical order each time a document is reviewed and approved.

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| <b>Links to Related documents or references providing additional information</b> |              |                |
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## **1 Introduction**

1.1 It is recognised that employees will at different times need time off to deal with domestic and other issues. This policy sets out what assistance may be available in such circumstances.

## **2 Scope**

2.1 All employees are eligible to apply for short-term special leave under the terms of this Policy.

## **3 Objectives**

3.1 The objective of the Policy is to assist employees to manage their domestic and other commitments whilst balancing this with the need to meet work responsibilities.

3.2 Consideration of granting leave under the Policy should be fair and equitable and with due regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

## **4 Responsibilities**

4.1 Staff are required when making any requests under this Policy to provide any relevant documentation as requested.

4.2 Managers are responsible for considering any employee's request made under this Policy.

## **5 Requests for Special Leave**

5.1 Employees should contact their manager in the first instance who will consider whether a change/swap in shift or change in rest day will help accommodate staff needs. Those who are day/office workers may identify other ways of making up time lost e.g. working at a weekend

5.2 A special leave form - LA51 - will need to be completed for record purposes, but the timing of the written request will depend on the circumstances.

## **6 Leave provisions – Domestic Matters**

6.1 These provisions are intended to assist employees in dealing with unexpected emergencies such as a sudden illness/injury or a sudden breakdown in care arrangements affecting a dependant and to make any necessary longer-term arrangements.

6.2A dependant, for the purposes of this policy is: husband; wife; partner, civil partner, child or parent of the employee. Additionally it may also include someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

6.3 In consideration of granting paid or unpaid leave, the manager needs to consider all relevant matters such as: the nature of any illness; previous requests for special leave; the level of outstanding annual leave; and the ability of others in the employee's household to provide support to the dependant (see also paragraph 5.1 above).

#### 6.4 Illness or injury

6.4.1 Employees will be allowed to take a reasonable amount of time off to deal with illness or injury concerning a dependant and to make any long term arrangements.

6.4.2 Paid special leave may be granted of one day for illness and up to three days for serious illness.

6.4.3 In normal circumstances, paid special leave for illness or injury of dependants should not exceed three days in any one rolling-year.

#### 6.5 Breakdown in care arrangements

6.5.1 Employees may be allowed reasonable unpaid time off when their normal care arrangements break down. This will allow the employee to look after the dependant in the short term and/or set up other arrangements.

#### 6.6 Unexpected incident involving the employee's child during school hours

6.6.1 An employee may take reasonable unpaid time off to deal with a serious and exceptional incident involving her or his child during school hours

#### 6.7 Death of a family member

6.7.1 Paid leave of up to two days may be agreed for an employee who has to take time off to manage funeral arrangements for a member of her/his family. This will include husband/wife/partner, **civil partner**, brother, sister, child, parent, grandparent or grandchild.

6.7.2 Paid leave of one day may be agreed to attend a funeral for a family member. In addition to those identified above, paid leave to attend a funeral will also be extended to child-in-law or parent-in-law.

6.7.3 This leave may be extended if overseas travel is necessary.

## **7 Other leave provisions**

### **7.1 Civic or similar roles - Councillor, School Governor, Justice of the Peace (magistrate)**

- 7.1.1 Employees, as far as possible, are asked to arrange their involvement in such roles outside of their working hours. It is expected that staff will undertake these responsibilities in such a way that they minimise the impact upon their jobs. The shift patterns that most staff work should facilitate this.
- 7.1.2 Before making a firm commitment to undertake such duties, the employee must discuss the expected responsibilities with their manager. This is with a view to the manager and staff member agreeing how to accommodate these civic responsibilities whilst minimising any impact upon their attendance at work.
- 7.1.3 A maximum of three paid days per year may be agreed for school governors and councillors. Magistrates will be entitled to a total of 16 days paid leave per year. On days when the magistrate is required only to attend either a morning or afternoon sitting then they may choose either to work the balance of the day, have it deducted from the balance of the 16 days or take it as annual leave.
- 7.1.4 N.B. The separate leave provisions identified in the above paragraph may not be aggregated.

### **7.2 Reserve Forces**

- 7.2.1 If a member of staff is considering joining the Reserve forces then they should first discuss it with their line manager. The manager should consult with the Resource Centre to ensure that there is the staffing capacity available to enable the necessary time off.
- 7.2.2 Up to one week's paid leave per year will be granted for those in the TA or Reserve forces for annual camp. This must be taken as one episode. If the leave period required is greater, then the balance must be taken as annual or unpaid leave.
- 7.2.3 Staff should provide as much notice as possible, and leave may be deferred subject to operational pressures.
- 7.2.4 It is expected that staff should make every effort to re-arrange their shifts in order that they are able to carry out their Reserve forces duties in their off-duty time from the LAS. If employees are required to undergo short periods of training (normally Saturdays and Sundays) additional to annual camp, and are unable to arrange for such training to be undertaken in off-duty time, they may be granted up to two days' additional special leave, with pay, for this purpose.

### 7.3 Mobilisation

7.3.1 If an employee is to be mobilised then both the Trust and the Reservist will be notified of the date when he or she is required to report for duty and a period of pre-mobilisation training.

7.3.2 As soon as a Reservist receives a call-out notice, he or she should inform the Trust. The Trust should also receive an information pack, which sets out the date and possible duration of mobilisation as well as their statutory rights and obligations and how to apply for financial assistance. Both Reservist and employer have the right to apply for an exemption or deferral of mobilisation under certain exceptional circumstances.

7.3.3 Mobilisation is unpaid and will be managed in line with other the Trust's Employment Break Policy.

## **8 Special leave for other purposes**

8.1 Staff may request special leave for other purposes. These should be considered in line with the principles that are laid out above. In reaching a decision on whether to grant leave, the manager should take into account the individual circumstances, service needs, the amount of annual leave available to the individual and their general service record.

## **9 Length of leave**

9.1 The terms 'day' and 'week' when used in this policy equate to the employee's contractual day and week - 7.5 / 37.5 hours respectively (pro-rata for part-time staff). Special leave and pay will be taken, and paid, in hours. When necessary, consideration will be given to extending leave, and if appropriate, pay, to the equivalent duration of the shift that the employee was due to work e.g. when attending a funeral.

## **10 Documentation**

10.1 Employees may be asked to supply relevant documentation to support any request for short term special leave.

10.2 Copies of the documentation and LAS51 should be maintained in the employee's HR file in case of further queries/appeal.

## **11 Applications that are declined**

11.1 If an application is declined then employees will be provided with a short explanation outlining the reasons for the decision on the LA51.

11.2 Employees who wish to appeal against such a decision, are able to appeal to the next-in-line manager, who will make the final decision on the matter. No further appeal is allowed under the Trust's procedures.

## **12 Review**

12.1 Any special leave that is likely to be requested on an ongoing basis e.g. for civic or military duties is granted on a discretionary basis and may be reviewed by individual managers against changing service needs. The manager may make the decision to defer or stop the special leave. This would be subject to the same appeal process detailed in paragraph 11.2.

12.2 Additionally the provision of special leave may be reviewed on a Trust-wide basis in order to identify uptake and to consider its impact on service needs.

## **13 Recording special leave**

13.1 All special leave should be recorded on the appropriate information systems.

## **14 Further information**

14.1 Further guidance is available from HR managers in the first instance.



| <b>IMPLEMENTATION PLAN</b>    |  |   |  |                                     |
|-------------------------------|--|---|--|-------------------------------------|
| <b>Intended Audience</b>      | For all LAS staff  |   |  |                                     |
| <b>Dissemination</b>          | Available to all staff on the Pulse  |   |  |                                     |
| <b>Communications</b>         | Revised Procedure to be announced in the RIB and a link provided to the document |   |  |                                     |
| <b>Training</b>               |  |   |  |                                     |
| <b>Monitoring:</b>            |  |   |  |                                     |
| <b>Aspect to be monitored</b> | <b>Frequency of monitoring AND Tool used</b>                                     | <b>Individual/ team responsible for carrying out monitoring AND Committee/ group where results are reported</b> | <b>Committee/ group responsible for monitoring outcomes/ recommendations</b> | <b>How learning will take place</b> |
| Take up of special leave.     | ongoing  | HR  | Workforce Committee  | Feedback from Workforce Committee   |