



Leave Policy

Report by the Director for Digital & Resources

1.0 Summary

- 1.1 This report seeks approval of the Adur & Worthing Councils Leave Policy.
- 1.2 The proposed new Adur and Worthing Councils Leave Policy is attached as Appendix 1, and would replace the current Adur and Worthing Councils Leave Policy which is within the Worklife Balance Policy (Appendix 2).

2.0 Background

- 2.1 The current Leave Policy within the Worklife Balance Policy was agreed in January 2015.
- 2.2 The organisation is currently reviewing all the HR policies and this policy has been reviewed as part of Phase 2 of that policy review project.
- 2.3 Adur and Worthing Councils are committed to all its staff being able to enjoy a quality of life and the leave policy is intended to help staff achieve a healthy worklife balance.
- 2.3 The policy applies to all staff at Adur and Worthing Councils.

3.0 Proposals

- 3.1 The aim of this policy is to provide a standard and equitable approach to the management and calculation of annual leave and public holiday entitlements for staff.
- 3.2 The changes to the policy and the rationale for those changes are detailed in Appendix 3.

4.0 Legal

- 4.1 The Councils have various legal obligations in relation to leave arrangements for staff. These are set out in the attached Leave Policy.
- 4.2 The Leave Policy is not a contractual policy and therefore does not form part of the terms and conditions of employment.

5.0 Financial implications

- 5.1 The previous policy allowed staff to sell up to one week's leave. However prior to exercising this option, managers had to identify sufficient budget to fund the cost of the purchased leave. This could occur when staff were covering for a vacancy, extended absence or were working on a project.
- 5.2 The removal of the selling leave option is unlikely to have an impact on the Councils budgets.

6.0 Recommendation

- 6.1 The Joint Staff Committee is recommended to approve the Leave Policy with an implementation date of 1st April 2019.

Local Government Act 1972

Background Papers:

The Leave Policy within the Adur and Worthing Councils current Worklife Balance Policy is available at [Leave Policy within the Worklife Balance Policy](#)

Contact Officer:

Heidi Christmas
Head of Human Resources
Worthing Town Hall
Direct Dialling No 01903 221183
Email:heidi.christmas@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

- 1.1 Ensuring that the Councils provide a standard and equitable approach to the management and calculation of annual leave and public holiday entitlements for staff.

2.0 Specific Action Plans

- 2.1 Matter considered and no issues identified.

3.0 Sustainability Issues

- 3.1 Matter considered and no issues identified.

4.0 Equality Issues

- 4.1 The Equality Impact Assessment for the policy is attached as Appendix 4.

5.0 Community Safety Issues (Section 17)

- 5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

- 6.1 Matter considered and no issues identified.

7.0 Reputation

- 7.1 Failure to have an agreed consistent approach to the various types of statutory leave entitlements could result in negative reputational damage to the Councils.

8.0 Consultations

- 8.1 Unison have been consulted with and have agreed the policy.

9.0 Risk Assessment

- 9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

- 10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

- 11.1 Matter considered and no issues identified.

12.0 Partnership Working

- 12.1 Matter considered and no issues identified.



ADUR & WORTHING
COUNCILS

Leave Policy

1.0 Overview

- 1.1 The Councils are committed to all its staff being able to enjoy a quality of life. This leave policy is intended to help staff achieve a healthy work-life balance and to provide a standard and equitable approach to the management and calculation of annual leave and public holiday entitlements for staff.
- 1.2 Areas covered in this policy include annual leave; carrying forward and buying leave; career breaks; special paid leave; time off for religious observance and other paid and unpaid leave.
- 1.3 This policy covers all staff working for the Councils (employees and workers).
- 1.4 This policy does not form part of any individual's contract of employment and it may be amended.

2.0 Areas of responsibility

- 2.1 All staff have the responsibility for complying with this policy. Individual areas of responsibility are:
 - **Corporate Leadership Team** – publicising the policy
 - **HR team** - reviewing this policy to ensure it is effective and advising managers on the interpretation and consistent application of the policy and on best practice
 - **Managers** - responsible for managing leave to ensure individuals are taking their leave at regular intervals across the year and taking account of employee needs whilst bearing in mind the business needs, when considering annual leave applications and allowing employees to take approved annual leave undisturbed unless it is essential for operational reasons and possible for the individual to cancel or postpone it
 - **Staff** – making annual leave requests in good time, not making any plans for leave until their leave request has been approved and being proactive in taking their leave entitlement in line with Working Time Regulations.

3.0 Annual Leave

- 3.1 The annual leave period for the Councils spans from 1 April to 31 March each year. Staff are entitled to an amount of annual leave, determined by spinal column point and service length

as shown on the table below. The amount of leave includes two statutory days which may be taken at any time throughout the year.

3.2 The amounts below will be applied pro rata to part-time workers.

Salary equivalent to	Hours Entitlement including statutory days	Hour entitlement including statutory days after five years' service
Up to SCP11	185 hours	214.6 hours
SCP 12-22	192.4 hours	229.4 hours
SCP 23-33	207.2 hours	229.4 hours
SCP 34 and above	229.4 hours	251.6 hours

3.3 Statutory bank holidays are in addition to the above leave entitlements and are applied pro rata to part-time staff. For details of how bank holiday entitlement is calculated for part-time staff, please see the 'bank holiday and part-time workers' fact sheet available on the intranet.

3.4 Any periods of leave an individual wishes to take must be agreed in advance between member of staff and line manager as soon as possible. Staff are encouraged to put in leave requests as early as possible to ensure their request can be accommodated and any holiday plans should not be made until the line manager has authorised the leave. Managers authorising leave should do so within 5 working days of receipt of the request and have discretion to approve or reject leave requests in line with service requirements.

3.5 For the avoidance of doubt, the first four weeks of the leave you take in any holiday year shall be deemed to be the leave derived from regulation 13 of the Working Time Regulations 1998 (SI 1998/1833) and the remainder shall be deemed to be derived from regulation 13A of those Regulations.

3.5 It is the line manager's responsibility for looking out for the welfare of their members of staff. This includes ensuring they are taking regular periods of leave across the year.

3.6 Usually where a number of employees all seek holiday leave on the same date(s), the manager will grant holiday leave on the basis of "first come, first served". However, a manager will be required to discuss periods of leave that are particularly sought after (i.e. Christmas) with the team to come to a mutually agreed arrangement. Where agreement cannot be reached by consensus, the manager's decision will be final.

3.7 Requests for annual leave should be made electronically via the online system.

Sickness during periods of holiday

- 3.8 If a member of staff is sick or injured during a holiday period and would have been incapable of work, he/she may choose to treat the period of incapacity as sick leave and reclaim the affected days of holiday.
- 3.9 Staff already on sick leave before a pre-arranged period of holiday may choose to cancel any days of holiday that coincide with the period of incapacity and treat them as sick leave.
- 3.10 Sick pay will only be paid for such days if the individual complies with the Council's Sickness Management Policy, including notifying the manager immediately of the incapacity and obtaining medical evidence, even if the individual is abroad.
- 3.11 Dishonest claims or other abuse of this policy will be treated as misconduct under the Council's Disciplinary Procedure.

New and departing members of staff

- 3.12 New members of staff who start working for the Councils mid-way through the year will have their leave entitlement calculated on a pro-rata basis for each completed calendar day of service in the current leave year.
- 3.13 Members of staff must take their leave before leaving the Councils - it is not common practice for annual leave to be paid upon departure. The only exception to this is where it is not possible for an individual to take their leave due to service needs; in this case departing members of staff will be paid for any contractual leave allocation untaken.
- 3.14 Staff who voluntarily move from another organisation covered by the Modification Order to the Councils, i.e. another local authority or service as a civilian in a police authority are entitled to keep their continuous service for the purposes of annual leave entitlement in accordance with the table detailed in 3.2.

4.0 Carrying leave forward

- 4.1 As a minimum, staff must ensure that they take all their statutory leave within the annual leave year in which it falls. This equates to is 207.2 hours/28 days (pro rata for part -time employees) including bank holidays.
- 4.2 It is the expectation, however, that all employees will take their full contractual leave entitlement (as outlined in the table detailed in 3.2) in each year. The only exceptions to this would be if the manager has not been able to allow an employee to take their leave due to business reasons or as set out in paragraphs 3.12-3.30 above.

- 4.3 Staff must have at least 26 weeks service before requesting to carry forward leave. Staff who are on a temporary contract of less than one year are not entitled to carry forward leave.
- 4.4 Anyone who requests to carry forward leave, usually no more than the equivalent of one working week (pro rata for part time staff), should agree in advance with their manager when this leave will be taken, which will usually be in the 8 first weeks of the new financial year.
- 4.5 To request to carry forward leave, an individual must speak to their line manager and submit their request online by the 1st March (or via their manager if they do not have online access). The request will be approved or turned down within a reasonable timeframe (usually no more than 14 calendar days) to allow for the employee to make alternative arrangements.
- 4.6 Approval of any request will depend on whether operational needs can be met during the period requested.
- 4.7 Carrying forward leave is a discretionary benefit.

Long-term sickness absence and holiday entitlement

- 4.8 Holiday entitlement continues to accrue during periods of sick leave.
- 4.9 If the member of staff is on a period of sick leave which spans two holiday years, or if he/she returns to work after sick leave so close to the end of the holiday year that they cannot reasonably take their remaining holiday, they may carry over unused holiday to the following leave year.
- 4.10 Any holiday that is carried over under this rule but is not taken within 18 months of the end of the holiday year in which it accrued will be lost.
- 4.11 Alternatively you can choose to take your paid holiday during your sick leave, in which case you will be paid at your normal rate.

Family leave and holiday entitlement

- 4.12 Holiday entitlement continues to accrue during periods of maternity, paternity, adoption, parental or shared parental leave (referred to collectively in this policy as family leave).
- 4.13 Staff who are planning a period of family leave that is likely to last beyond the end of the holiday year should discuss their holiday plans with their manager in good time before starting the family leave. Any holiday entitlement for the year that cannot reasonably be taken before starting the family leave can be carried over to the next holiday year.
- 4.14 For the avoidance of doubt this covers the full holiday entitlement.

- 4.15 Any holiday carried over should be taken within three months of returning to work after the family leave.

5.0 Buying Leave

- 5.1 The Councils appreciate that some people may desire to buy leave in order to fulfil childcare arrangements or to have a greater work-life balance whilst not impacting their pension contributions. The Councils, therefore, allow staff the option of buying up to 5 days additional annual leave (or the equivalent hours of one contractual week for part-time and non-standard hour workers) in each leave year.
- 5.2 This is subject to approval from the Head of Service. The request will not be unreasonably refused but will only be granted if operational needs can be met and there are sufficient funds within the section salary budget to accommodate the request (e.g. to make cover arrangements). Applications will be handled on a first come, first served, basis.
- 5.3 Buying leave is effectively unpaid leave, which will be deducted from the individual's net salary (after deductions have been made for pension and national insurance contributions as well as tax) based on the individual's basic substantive hourly rate at the time the salary deduction is processed.
- 5.4 Additional leave bought in one year cannot be carried forward to another leave year.
- 5.5 The salary deduction will be made in the next available salary payment after the request is received by Human Resources or may be spread over a number of months. Further details of this can be provided by the Payroll team.
- 5.6 Employees wishing to buy leave are advised to check with the relevant authorities on whether entitlement to tax credits or state benefits such as statutory sick pay and statutory maternity pay etc. could be affected.
- 5.7 Buying leave is discretionary.

6.0 Career breaks

- 6.1 A career break is an unpaid extended period of time away from work. Employees must have at least 26 weeks service before requesting a career break.
- 6.2 A career break is usually a period of a minimum of six months, but no more than twelve months of leave. On an individual's return to the organisation, they are entitled to terms and conditions no less favourable than if they had not been absent. Where it is not possible to return to the same post, the Councils are committed (as far as is reasonably practicable) to finding an alternative post.

- 6.3 Where a restructure is taking place in the team/service area in which the individual works during the period of time that an individual is taking a career break, they will be involved in the consultation process as explained in the Managing Change Policy.
- 6.4 Employees will need to apply for a career break using the procedure outlined in the toolkit.
- 6.5 The period they are absent will count as continuous service e.g. when calculating length of service for other purposes e.g. maternity leave.
- 6.6 Any accrued but untaken annual leave must be taken before a career break commences. If an individual has taken more leave than they are entitled to, the appropriate deduction will be made from salary before the career break commences.
- 6.7 If the employee pays into the pension scheme, it is the responsibility of the individual to look into any impact the career break will have on their pension and make any necessary arrangements.
- 6.8 The Councils will not pay any pension contributions during an individual's career break. On return (within 30 days) if the individual wishes to 'buy back' pension lost during the period of unpaid leave, they would pay one third of the cost and the Councils would pay two thirds of the cost. If the individual makes a request after the 30 day period, they will be solely liable for the full cost of buying back their pension contributions.
- 6.9 Agreeing to an individual's career break is discretionary.

7.0 Special paid leave

- 7.1 The primary purpose of special paid leave is to help employees to come to terms with the death of a loved one, a serious illness or injury involving a loved one, or take one day off at short notice to deal with emergency situations involving a dependant (i.e. a spouse, partner, child, parent, or someone who depends on the employee for care). The day off is to put in place arrangements needed to cover the care going forward.
- 7.2 An emergency may be:
- an illness that has unexpectedly worsened
 - an injury, assault or incident
 - if a dependant goes into labour unexpectedly
 - disruption of care arrangements (i.e. unforeseen school closure with no prior notification)
- 7.3 Special paid leave is not suitable for situations where advance notice is given (i.e. to take a dependant to hospital for an appointment or planned school inset days). This should be covered through other forms of leave as detailed in this or the flexible working policy.
- 7.4 Managers have the discretion to grant special paid leave depending on the circumstances of individual cases.

- 7.5 Individuals will not usually be granted more than five days special paid leave and usually given no more than one day to deal with any emergency involving a dependant. The below are the typical factors that will be taken into consideration in determining the amount of special paid leave approved on a case-by-case basis:
- The relationship of the employee to the deceased/critically ill
 - Whether the employee is attending to the affairs of the deceased
 - Whether travel is needed to attend a funeral
- 7.6 All other cases of special paid leave (e.g. the serious illness of an immediate family member) are to be decided on a case-by-case basis.
- 7.7 Anything more than five days must be agreed by the appropriate Head of Service.
- 7.8 Anything more than four weeks must be agreed by the appropriate Director and a referral must be put into Occupational Health. The maximum amount of time that can be awarded is three months.
- 7.9 There may be other supportive measures taken, such as unpaid leave, flexible working and opportunities to work from home (where possible in line with occupational requirements) or a temporary reduction in hours.
- 7.10 The Councils note that employees have the right to a reasonable amount of time off to deal with an emergency involving a dependant and that this will be unpaid if the time off required is over and above what can be taken as special paid leave.
- 7.11 The individual must tell their manager if they need time off to care for a dependant or when they hear of the death, serious illness or injury involving a loved one. This is ideally before the individual leaves work or as soon as possible.
- 7.12 The Councils want to ensure individuals are supported adequately. As such, if an individual has taken special paid leave, this should be discussed as part of the regular 1:1s between the manager and individual.
- 7.13 The Councils recognise that many of its staff have caring responsibilities which may require support and flexibility. Individuals are encouraged to access the employee assistance programme detailed on the intranet or in the place of work and may wish to look at the flexible working policy for details about how they can request flexibility in their role to support their caring responsibilities.
- 7.14 Special paid leave is discretionary.
- ## 8.0 Time off for religious observance
- 8.1 The Councils wish to support requests, in line with service needs, for individuals to take time off during religious festivals, which are not covered by statutory public holidays.

- 8.2 Line Managers should use discretion in granting annual leave, unpaid leave or supporting individuals to use accrued hours when considering requests for such leave.
- 8.3 It is recommended that staff make their request for time off as soon as the dates are known in order to facilitate the effective planning of leave arrangements. Line Managers should keep in mind that some religious festivals are determined by the lunar calendar, and therefore dates change from year to year.
- 8.4 Managers will be expected to consider such requests in accordance with service needs, and accommodate requests where reasonable to do so.
- 8.5 Managers have the discretion to allow individuals to work from home on UK Christmas and Easter bank holidays (paid at standard rate) and for them to reschedule these days off to celebrate their religious festivals. This will only be allowed where it is possible for the individual to work from home, there are no responsibilities for dependants on these days, and where this altered working arrangement can be accommodated in line with the needs of the service.
- 8.6 If individuals require a prayer room for religious use during the day, they should speak to their manager who will show them the facilities available for their use.

9.0 Other paid and unpaid leave

- 9.1 There are occasions where employees of the Councils are entitled to paid leave. The below table outlines the occasions and time off that may be granted in each circumstance:

Scenario	Paid leave granted per year
Election duties	Paid leave as necessary
School governors	Such leave as thought reasonable in the particular circumstance by the Head of Service
Jury Service	An employee receiving a summons to serve on a jury must report the fact to his/her Head of Service, who shall grant leave of absence unless exemption is secured. An employee serving as a juror shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors Allowances Regulations. The Council shall then deduct from the employee's full pay an amount equal to the allowance received.
Membership of the staff side of any established national or other joint negotiating body operating within local government	Such leave as may be necessary for meetings of any such body i.e. national joint council (NJC)
Service as a magistrate	Up to a maximum of 18 paid days in any one year from

	the date the service starts
Membership of another local authority	Up to a maximum of 18 paid days in any one year from the date the membership starts
Service in non-regular forces of special constabulary	Up to a maximum of 18 paid days in any one year from the date the service starts
Volunteering	Refer to the volunteering policy

- 9.2 Individuals may not be able to hold multiple of the above roles where the total leave would be unsustainable for the organisation (i.e. serving as a magistrate and a school governor) and should talk with their manager if they wish to take on any of these roles.
- 9.3 Unpaid leave (not covered by any other section of the leave policy) will be granted only exceptionally. This means that the relevant Head of Service thinks it is reasonable for an employee to be absent, but where paid leave would not be justified and annual or accrued leave cannot be taken.

Adur District Council
Worthing Borough Council

Leave Policy

(Appendix S)

Date Agreed: May 2012

Date Amended: May 2013

Date amended by HR: 20.12.14

Date Agreed by Management Team: 30.12.14

Date Agreed by JONG: 20.01.15

Contact: Human Resources Section

Updated 02.02.2015

Leave – Contents

	<i>Page</i>
Scope.....	1
Leave.....	2
Annual leave.....	2
Maternity leave.....	3
Maternity support / Paternity leave.....	4
Additional Paternity Leave.....	4
Adoption leave and pay.....	5
Parental leave.....	6
Shared Parental Leave	6
Compassionate leave.....	7
Study leave.....	7
Career breaks.....	7
Other paid leave.....	8
Volunteering.....	9
Other unpaid leave.....	9
Appealing against a refusal for Flexible Working.....	9
Appendix One - Maternity Scheme.....	10 - 15
Appendix Two – Paternity Scheme.....	16 - 20

Scope

This policy applies to all employees of the Council.

Policy to be reviewed

The Work Life Balance Policy will be kept up to date in line with any new legislation and is relevant to the needs of the councils and its employees. The Councils reserve the right to alter or add to the policy from time to time, as appropriate.

Legislative Framework

The Councils will work within the existing legislative framework which includes abiding by the:

- The Working Time Directive 1998
- Health and Safety at Work Act 1974.
- Employment Protection Act 1975
- Human Rights Act 1998
- Part time workers Regulations 2000
- Employment Rights Act 1996
- Employment Act 2002
- Work and Families Act 2006
- Equalities Act 2010

Leave

Annual Leave

The annual leave entitlement attached to a post is shown in the initial letter of appointment and is linked to NJC spinal column points (SCP) and length of service.

Your annual leave will be in accordance with the table below. This table is also shown on the leave record card, issued annually and in the MyView Time Management Module.

The Joint Staff Committee agreed that from 1 January 2013 compulsory closure of offices of the councils between 27 December and 2 January shall cease and the discretionary days leave that have been awarded to staff since 2002 in Worthing and 2000 in Adur, be added to employees' annual leave entitlement, to be taken in accordance with normal annual leave practice and the needs of the individual services. The entitlements shown below include the two discretionary days.

The entitlements below also include the two statutory days which may be taken by arrangement at any time throughout the year. Statutory Bank Holidays are in addition to these entitlements.

Salary Equivalent To	Hour Entitlement Including Statutory Days	Hours Entitlement Including Statutory Days + 5 Years' Service
Up to SCP 21	185 hours	214.6 hours
SCP 22 – SP28	192.4 hours	229.4 hours
SCP 29 - SP39	207.2 hours	229.4 hours
SCP40 and over	229.4 hours	251.6 hours

The entitlement to additional leave due to the attainment of five years continuous service with one or more local authorities is effective from the 5th anniversary of the person's date of commencement in local government service as a civilian in a police authority counts as local authority service for this purpose.

The timing of leave will be by prior agreement between an employee and his/her line manager.

The annual leave period is from 1st April to the following 31st March. In exceptional circumstances and by prior agreement between an employee and the relevant Head of Service, up to 1 weeks' worth of annual leave may be carried forward to the next leave year. Any other applications for leave to be carried forward would be considered by the relevant Director on an exceptional basis.

In order to achieve its aims of improving flexibility in working arrangements and becoming an Employer of Choice, the Council is providing employee with more flexibility over the amount of annual leave they may take in a leave year, including the banking of leave to allow for additional or extended period of leave in a leave year. Please refer to the Buying, Selling and Banking of Annual Leave Policy for further information.

An employee who is promoted from one grade to another, or whose salary is advanced within the grade is entitled to the leave appropriate to his/her new salary, with effect from the first day of the increase in salary, on a pro rata basis for the remainder of that leave year.

An employee transferring from the service of one local authority to another carries forward his/her leave entitlement. An employee who leaves local government service shall be allowed one 365th (or 366th in the case of a leap year) of his/her leave entitlement for each completed calendar day of service in the current leave year.

In the event of an employee falling sick during the period of his/her annual leave he/she should be regarded as being on sick leave from the date of their Statement of Fitness for Work, and further annual leave should be suspended from that date. Any statutory holiday entitlement (up to the equivalent of 28 days) not taken at the end of the leave year due to a period of sickness absence may be carried forward to the following year or paid in lieu with the agreement of the Executive Head of Service and Human Resources.

Employees can choose to take holiday instead of sick leave. For example, if an employee is not entitled to sick pay.

Maternity leave counts as service for the purpose of calculating leave entitlement regardless of length of service.

Part time employees will have the scheme relating to annual leave calculated on a pro rata basis.

New entrants to the council shall be entitled to annual leave proportionate to the completed calendar day of service during their first leave year.

The taking of adequate holiday is considered essential for the health and safety of staff and productivity of the workforce. The Council has the provision for staff to buy, sell and bank annual leave, please refer to the appropriate policy, available from Human Resources.

Maternity leave

There are statutory provisions relating to maternity leave and pay for all pregnant employees, regardless of their length of service or hours per week that they work. These are set out in detail in Part 2 of the National Agreement on Pay and Conditions of Service for Local Government staff (the "Green Book") and are also contained in the statement of conditions of service employees receive on joining the council (see Appendix One).

Pension Regulations whilst on Maternity Leave

Employees who contribute to the local government pension scheme should read carefully the Maternity Scheme.

Maternity Support/Paternity Leave

Employees are entitled to two weeks paid leave in order to care for an expectant mother at or around the time of birth, regardless of their length of service.

- The two weeks will be paid at 90% pay or the current statutory amounts whichever is the highest.

Leave will be granted provided that the employee is the person nominated by the expectant mother as the primary provider of support at or around the time of birth. In most cases, this will be the expectant mother's husband or partner, but otherwise will be a close relative or someone who has a caring relationship with the mother and child.

To apply for maternity support leave employees are asked to complete the application form and enclose a clear photocopy of the expectant mother's certificate of expected confinement (MAT B1). Certain details are requested on the form so that the council is able to monitor the use of this leave scheme. Section 2 of the form needs to be completed by the expectant mother.

Obviously, you may not know the exact date that the leave will need to be taken, as in most cases this will depend on when the baby is born. However, employees need to submit the form to their Executive Head as early as possible but no later than 15 weeks before the expected date of childbirth so that the line manager knows that the employee will be absent around that time.

The employee must take all the leave within 56 days of the birth of the child. This leave can only be taken in a 1 week or 2 week block (not as 2 one week blocks or individual days).

Further details of the scheme, together with an application form, are available from Human Resources.

Additional Paternity Leave

Changes in legislation with effect from 03 April 2011 will entitle employees to Additional Paternity Leave. This is a minimum of two weeks and maximum of 26 weeks which can be taken when the baby is 20 weeks old and before the baby is one year old which must be taken in a single continuous blocks in multiples of a week. Full details of these entitlements including pay will be issued in due course. Full details are in Appendix Two.

Adoption leave and Pay

Adoption Leave

This is the leave that parents who adopt children take during the period up to adopting the child/children, and subsequently.

If the employee has had less than 26 weeks continuous local government service by the date they are notified of a new match with a child they will not be entitled to adoption leave.

If the employee has had at least 26 weeks of continuous local government service (ending with the week the employee is notified by the adoption agency of the new match) they will be entitled to 26 weeks of ordinary adoption leave (OAL) and 26 weeks additional adoption leave (AAL), a total of 52 weeks.

"New match" means that adoption leave does not apply to adoption by existing foster carers or stepfamilies.

Statutory Adoption Pay

The employee will normally be entitled to Statutory Adoption Pay (SAP) for up to 39 weeks. If your average weekly earnings are £97 or more (before tax), Statutory Adoption Pay is paid at £124.88 or 90 per cent of your average weekly earnings if this is less.

Notification

To start the leave period employees must give notice in writing to their Executive Head within 7 days of being notified of the new match by the adoption agency.

To be entitled to Statutory Adoption Pay the employee must notify the Executive Head in writing at least 28 days before they want the SAP to be paid.

Adoption Leave can start up to 14 days before the date of the placement.

Employees must also provide a copy of the adoption certificate within three months of the adoption.

If the employee wishes to return within the agreed adoption leave period they must write to the Executive Head at least 56 days before they expect to return.

Parental leave

Parental leave is for parents, adoptive parents, legal guardians and stepparents to care for their children.

If an employee has a baby, adopts a child or becomes a legal guardian or stepparent of a child and they have completed one year's continuous service with the Council they are entitled to take up to 13 weeks **unpaid** leave for each child, to be taken up until the child is five. With effect from 1st April 2015 this entitlement is extended until the child is eighteen.

If the child is disabled (in receipt of disability living allowance) then this right lasts until the child is 18 years old.

If the child has been adopted, the right lasts until five years from the date of placement for adoption or until the child reaches the age of 18, whichever is the earlier.

On applying for parental leave, the employee must produce a copy of the child's birth certificate. If this does not show proof of parental responsibility the employee may be required to produce further evidence e.g. adoption papers.

Parental leave must be taken in blocks of at least one week up to a maximum of four weeks per child in any one year. Any part weeks that are taken count as a week's parental leave, except for parents of disabled children who can take blocks of one day. The council is flexible as to how the leave should be taken, whether as a single block or as variable blocks over the first five years of the child's life.

The timing of leave will be granted at the discretion of the relevant Executive Head taking into account the needs of the employee and operational requirements.

An employee is required to give his/her Executive Head at least 21 days written notice requesting parental leave. This must include the dates the leave will begin and end.

Shared Parental Leave

Shared parental leave is a type of leave that is available to parents and adoptive parents with babies due on or after 5 April 2015. Shared parental leave enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date.

Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave.

Full details can be found in the shared parental Leave Policy

Compassionate leave

Executive Heads will have discretion to grant compassionate leave (with pay) for up to a maximum of five working days, depending on the circumstances of individual cases and in accordance with the following guidelines.

- In the case of the death of a member of the person's immediate family i.e. husband, wife, partner, son or daughter, five days compassionate leave.
- In the case of the death of either parent of the employee or their spouse or partner, three days compassionate leave but if the employee is attending to the affairs of the deceased, five days compassionate leave.
- In any other case involving the death of a relative, one day's compassionate leave. However, more time may be granted at the Executive Head's discretion if the employee is attending to the affairs of the deceased or if attendance at the funeral involves an overnight stay away from home.
- In all other cases compassionate leave to be granted at the Executive Head's discretion, whether the application arises as a result of a death or for any other reason e.g. the serious illness of an immediate family member, or some other domestic crisis. In the exceptional situation where a partner or child who is terminally ill there can be paid leave up to a maximum of three months. In this case the leave must be approved by the appropriate Strategic Director, after consulting the Executive Head of Corporate & Cultural Services.

Study leave

For each exam related to an approved training course, staff are entitled to half a day paid time off for revision in addition to the time to sit the exam. If staff attend a formal revision course, they are entitled to paid time off for this purpose, the actual amount to be determined by the Executive Head in consultation with the Head of Corporate Strategy.

Career breaks

Career breaks involve an extended period of time away from work that is unpaid.

Employees will need to request in writing at least 28 days before the date they wish to take a career break, to their Executive Head. The Executive Head will consider the operational effects on the other members of the team. The Executive Head will meet with the employee to consider a clear business case, balanced with the employee's wishes. Within 14 days of the meeting the Executive Head will respond in writing to the employee with a copy to Human Resources giving reasons for the decision.

The career break will normally be for not less than six months but not more than twelve months. The employee is entitled to return to the job they were employed to do before they went on the career break. On their return they are entitled to terms and conditions no less favourable than if they had not been absent. Where it is not practical by reason of redundancy for the council to permit the employee to return to the same job, then they are entitled to be offered a suitable alternative vacancy where one exists. If not returning to the same job employees should also refer to the Employment Stability Policy.

In their absence they will not accrue annual leave. The period they are absent will however count as continuous service e.g. when calculating length of service for other purposes e.g. maternity leave.

If the employee normally pays into the pension scheme this will obviously be affected and it is the responsibility of the individual employee to look into this and make any necessary arrangements.

Please note that for the first 30 days of your absence both the Council and you are responsible for pension contributions on the pay you would have received in that period. This will be deducted from pay before the commencement of your career break.

After the first 30 days the Council will not be responsible for paying employers contributions should you decide to pay back pension contributions for your career break. Should you wish to do this you must notify the Payroll Section within 30 days of returning to work.

An employee may only request a career break once they have worked for the Council for at least 26 weeks.

Other paid leave

Membership of another local authority. Not more than 18 paid days in any one year from the date the membership starts.

Service as a magistrate. Not more than 18 paid days in any one year from the date the service starts.

Service in non-regular forces or special constabulary. Not more than 18 paid days in any one year from the date the service starts.

Membership of the staff side of any established national or other joint negotiating body operating within local government. Such leave as may be necessary for meetings of any such body.

Trade Unions. Meetings and other activities of a recognised trade union. Such leave as may be thought reasonable in the particular circumstance by the Executive Head.

Election duties. Paid leave as necessary.

Jury Service. An employee receiving a summons to serve on a jury must report the fact to his/her Executive Head, who shall grant leave of absence unless exemption is secured. An employee serving as a juror shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors Allowances Regulations. The council shall then deduct from the employee's full pay an amount equal to the allowance received.

Job Interviews. Paid leave up to a maximum of three days per year may be granted to employees attending job interviews with any employer, where the leave is requested prior to the interview. It cannot be claimed retrospectively. Paid leave will only be granted to employees who have completed at least one year's service with the Council. The line manager may require proof of the interview.

School Governors. An employee who is a school governor will be given such paid leave as may be thought reasonable by his/her Executive Head.

Volunteering

Each member of Council staff has three days, or the part-time equivalent, to volunteer within the communities of Adur District or Worthing Borough. The discretion lies with your line Manager if you are in your probation period or on a temporary contract.

You can take your three days in hourly blocks. You can use them for existing volunteering or new arrangements and this includes time taken weekends and evenings - with time given in lieu.

In order to use your hours, you should first read the V-enterprise policy on the intranet and then complete the necessary form. At all stages of planning, you should include your line Manager and seek their approval from the outset.

Other unpaid leave

Unpaid leave (not covered by any other section of the Work Life Balance Policy) will be granted only exceptionally. This means that the relevant Executive Head thinks it is reasonable for an employee to be absent but where paid leave would not be justified and annual leave cannot be taken.

are currently subject to Income Tax and National Insurance deductions, but not currently pensions. The allowance will continue to be payable for periods of absence due to sickness and will be linked to the period of paid sickness entitlement, with the Management Team reserving the right to review each case on its individual merits, if appropriate.

Appealing against the refusal of a request made under the work life balance policy

If an employee puts in writing a request for any of the flexible working conditions or benefits contained within the Work Life Balance Policy and the request is denied by the Executive Head then the employee has a right of appeal, through the appropriate stages of the council's Grievance Policy.

In all cases where Executive Heads / Strategic Directors receive a request for flexible working, they must consider the following points and keep a written record of the reasons for their decision.

Employers must have a business reason for refusing a request for flexible working. It must be one or more of the following:

- Burden of additional cost
- Detrimental effect on ability to meet customer demand
- Inability to re-organise work among existing staff
- Inability to recruit extra staff
- Detrimental impact on quality, performance
- Insufficient work at the times the employee wants to work

- Planned structural changes
- Operational impossibility
- Inadequate security for staff
- Any other justifiable reason

Maternity Scheme

Information for pregnant employees

Introduction

This document explains entitlement, which you may have in accordance with the council maternity scheme. This scheme applies to all pregnant employees.

The scheme applies to all pregnant employees regardless of the number of hours worked per week.

The scheme complies with rights you may have under the Employment Protection (Consolidation) Act, the Trade Union Reform and Employment Rights Act, the Employment Act 2002 and the Work and Families Act 2006. Nothing in the provisions provides less favourable rights than statutory rights. The details below have also been incorporated into the terms and conditions of employment for local government staff, the Green Book.

Definitions

A weeks pay:

Means where there are normal working hours, this is the amount payable under your current contract of employment for a normal week's work.

Where there are no normal working hours, this is an average week's pay worked out from the previous 12 weeks preceding the date on which the last complete week ended, although not counting any week for which you received no pay.

Expected date of childbirth

Childbirth is defined as the birth of a living child, or the birth of a child whether living or stillborn after 24 weeks of pregnancy. The expected date of childbirth (EDC) is the date which your GP or midwife calculates that your baby is due.

The expected week of childbirth (EWC) is the week, starting on a Sunday and ending on a Saturday in which the expected date of childbirth falls.

Continuous local government service

In general this is service with any local authority where you have had no breaks in service or breaks between different contracts of employment. If you are not sure whether your service is continuous or not, please seek advice from Human Resources.

Maternity Leave

All employees are entitled to Ordinary Maternity Leave (OML) of 26 weeks.

All employees are also entitled to take Additional Maternity Leave (AML) of 26 weeks, which will follow on from your Ordinary Maternity Leave, a total of 52 weeks maternity leave.

Maternity leave shall commence no earlier than 11 weeks before the EWC or from the time of the childbirth if that is earlier. However, if your manager has any concerns about your medical fitness to work beyond the 11th week before the EWC, this will be discussed with you and you may be asked to obtain a medical certificate to show whether you are fit to work.

It is a legal requirement that you must take maternity leave during the two weeks after your confinement.

Sickness absence that is pregnancy related that occurs at or after the 4th week before the EWC will act as an automatic commencement of maternity leave.

Notification requirements

Using form MAT/L2 you should notify your Executive Head at least 15 weeks before your absence begins (or as soon as reasonably practicable) that you are pregnant, giving your expected date of confinement supported by a certificate of expected confinement MAT B1, issued by your GP or midwife, and stating the date that you wish to start your maternity leave.

Within 28 days of receipt of form MAT/L2, Human Resources will write to you stating your expected date of return from maternity leave, should you take your full entitlement.

Maternity Pay

Payments to employees who have less than one year's continuous local government service at the beginning of the 11th week before the EWC:

Shall be the employee's entitlement to Statutory Maternity Pay (SMP), if eligible.

Depending upon your weekly earnings and the statutory qualifying conditions you may be entitled to SMP. If so, you will be entitled to a maximum of 39 weeks SMP, which will be paid during your 26 weeks OML and for 13 weeks of your AML. This will be paid to you by the Payroll Section. SMP will cease if you return to work before the end of the 39 week period.

If you do not qualify for SMP you may be entitled to a Maternity Allowance (MA) from the Benefits Agency. The Payroll Section will issue you with form SMP1 that you should take to your local Benefits Agency office.

Payments for employees who have completed one year's continuous local government service by the 11th week before the EWC:

Shall be as follows:

- For the first six weeks of absence you shall be entitled to 9/10th of a weeks' pay .
- If you state in writing that you intend to return to work you will receive the subsequent 12 weeks at half pay (plus SMP) without deduction unless the combined amount of pay and benefits exceeds your normal full pay.
- Alternatively the 12 weeks OMP can be paid on any other mutually agreed distribution, over the paid maternity leave period.
- For the remaining 21 weeks of your paid maternity leave period you will receive only SMP, if you are eligible.
- You must return to local authority employment for a period of at least three months, unless the council decides you have a good reason not to do so. The Strategic Director will make this decision in conjunction with your Executive Head of Service.
- In the event of you not returning for at least three months as planned and there being no accepted good cause then you will need to refund the monies paid by the council. Payments made to you by way of SMP are not refundable.
- If you are not intending to return to work after your maternity leave then payments after the first six weeks shall be 33 weeks of your entitlement to SMP only, if you are eligible.
- There is a further entitlement to 13 weeks Additional Maternity Leave, which is unpaid.

Temporary contract information

If you are on a temporary contract which expires whilst you are on maternity leave and providing the post is still required in the section, you have the right to have your contract extended. If it is not required or funding no longer exists, your temporary contract will come to an end. If you are unsure about your specific circumstances you should contact Human Resources.

Right to return to work

You are entitled to return to the job you were employed to do before you went on maternity leave. On your return you are entitled to terms and conditions no less favourable than if you had not been absent.

Where it is not practical by reason of redundancy for the council to permit you to return to the same job then you are entitled to be offered a suitable alternative vacancy where one exists.

If you wish to return to work before the end of the Ordinary Maternity Leave period then you must notify the council in writing at least 28 days before the day you propose to return.

If you wish to return before the end of the Additional Maternity Leave period you must notify the council in writing at least 56 days before the day you propose to return.

You do not need to notify a date of return if this is either the Ordinary Maternity Leave period or the Additional Maternity Leave period as this date will be worked out in advance and will be recorded on form MAT/L2.

If you are unable to return to work on the expected day due to sickness the absence will be covered by the sickness scheme in the normal way.

If you are unable to return to work on the expected day because of an interruption of work (whether due to industrial action or some other reason that would make it unreasonable to expect you to do so) then you may return when work resumes, or as soon as reasonably practicable thereafter.

Keeping in touch days

Employees may, by agreement with their line manager, do up to 10 days' work known as 'keeping in touch days' (KIT days) under their contract of employment during their maternity leave period.

You may work for up to 10 days without bringing your maternity leave to an end or losing your SMP or MA. You can work during ordinary or additional maternity leave but you can not work during the two weeks of compulsory maternity leave immediately after the birth.

KIT days can be used for any work-related activity including training, conferences or meetings. Working for part of one day will count as one KIT day work.

Employees will be paid at their normal hourly rate of pay (for each hour worked), which will be offset against any SMP that is due.

As your employer, the Council can also make reasonable contact with you during your leave, for example, to discuss your return to work.

Relationship to sickness and annual leave

Maternity leave is not treated as sick leave and will not therefore be taken into account for the calculation of the period of entitlement of sickness leave/pay.

OML and AML shall be regarded as continuous service for the purposes of the council's sickness, maternity and annual leave schemes.

Annual leave, and bank holidays, continue to accrue during both Ordinary and Additional Maternity Leave.

If you take OML either with or without AML and you return to work in a new annual leave year then you will only be allowed to carry forward 5 days annual leave. The rest of the

annual leave will be paid to you, through Payroll, so that you do not have an excessive amount of accrued leave to take on your return to work.

Relationship to pension regulations

If you do contribute to the local government pension scheme then for the whole period of the OML you must pay pension contributions. Your contributions will be based on the actual remuneration (including SMP) that you receive.

If you take AML, 13 weeks of which is unpaid, you have a choice whether or not to pay pension contributions for the period of the unpaid leave. The Payroll Section will write to you at the appropriate time asking you to notify the council of your decision.

For the remaining 13 weeks of AML, pension contributions are based on the actual remuneration you receive immediately before the previous 13 week AML period.

If you choose not to pay pension contributions for the remaining 13 weeks AML period this period will not count as service for pension purposes.

All pregnant employees

All pregnant employees have the right to paid time off to attend antenatal care, provided that the doctor or midwife has advised such care. If you request such time off, your manager may ask to see your appointment card as confirmation of your visit, although this would not be necessary for your first visit.

Consideration will be given to any health and safety implications if you are pregnant or breast feeding, identified by a risk assessment by your line manager. Further information is available in the policy and guidance booklet *New and Expectant Mothers*.

If any other medical or welfare problems arise during your pregnancy or maternity leave, advice or help can be obtained from your manager. Confidential advice may also be obtained from Human Resources staff or the Corporate and Public Safety Manager.

Paternal Leave

Introduction

This document explains entitlements, which you may have in accordance with the Council's paternity leave scheme. This scheme sets out the statutory rights and responsibilities of employees who wish to take paternity leave. It applies to all employees whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child and that child is born on or after 03 April 2011.

Ordinary Paternity Leave

2.1 Ordinary Paternity Leave Entitlements

- Two weeks ordinary paternity leave at or around the time of birth regardless of length of service with the Council
- This leave must be taken in a single block of one or two week (not as individual days or 2 one week blocks).
- Ordinary paternity leave must be taken within 56 days (eight weeks) of the birth of the child

Ordinary paternity leave is granted in addition to an employee's normal annual leave entitlement.

Eligibility criteria

To qualify for Ordinary Paternity leave you must:

- be the baby's biological father, or married to or in a civil partnership with the mother, or living with the mother in an enduring relationship, but not be an immediate relative;
- have or expect to have responsibility for the upbringing of the child;
- be making the request to help care for the child or to support the child's mother.

Notification requirements

Obviously, you may not know the exact date you will need to take leave, as in most cases this will depend on when they baby is born. However, you will need to:

- request in writing using appendix 1 as early as possible but no later than 15 weeks before the expected date of confinement (as shown on the MAT B1 certificate).
- Section 1 of the form to be completed by you with a clear photocopy of the MAT B1.

- Section 2 of the form is to be completed by the expectant mother.
- The completed form must be sent to your Executive Head of Service.

2.4 Ordinary Paternity Leave Pay

- Up to two weeks will be paid at 90% of pay or £128.73 per week, whichever is the highest.

Statutory paternity pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

Additional Paternity Leave

3.1 Additional Paternity Leave Entitlements

- Up to 26 weeks additional paternity leave within the first year of the child's life provided that the mother has returned to work
- The earliest that additional paternity leave can commence is 20 weeks after the child's birth.
- Additional paternity leave must end on or before the child's first birthday.
- This leave must be taken as a single block of complete weeks.
- The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks.
- Leave will commence on a chosen start date which will be specified in the leave notice (see notification requirements).

Annual leave and bank holiday entitlements continue to accrue during ordinary and additional paternity leave.

You are encouraged to take any outstanding annual leave due to you before the commencement of additional paternity leave. Employees are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during additional paternity leave, you will only be allowed to carry forward five days annual leave. The rest of the annual leave will be paid to you so that you do not have an excessive amount accrued leave to take on your return to work.

3.2 Eligibility Criteria

To qualify for Additional Paternity Leave you must satisfy all of the points below:

- You must be the baby's biological father, or married to or in a civil partnership with the mother, or living with the mother in an enduring relationship, but not be an immediate relative;
- You must have or expect to have responsibility for the upbringing of the child (apart from the mother's responsibility);

- You must be taking the leave to care for the child;
- You must have a minimum of 26 weeks service with this Council by the end of the 15th week before the expected date of confinement (as detailed on the MAT B1 certificate) i.e by week 25 of pregnancy;
- You must remain in continuous employment with the Council until the week before the additional paternity leave commences;
- The mother must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance;
- The mother must have returned to work.

3.3 Notification requirements

You will need to:

- Request in writing by completing and submitting Appendix 2 as early as possible but no later than 8 weeks before you intend the additional paternity leave and statutory paternity pay (if applicable) to commence

All items on the form must be completed as this information is required by law and additional paternity leave and pay cannot be granted without it.

At the same time the mother will need to:

- Complete and submit Appendix 3 which confirms personal details and information relating to maternity leave being taken and intention to return to the workplace.

All items on the form must be completed as this information is required by law and additional paternity leave and pay cannot be granted without it.

- Both forms must be signed and passed to your Executive Head of Service or such person as they delegate / determine.

In some cases the Council may need and therefore request from you, the name and business address of the mother's employer and a copy of the child's birth certificate. This must be supplied within 28 days of the request.

If, once your request for Additional Paternity Leave has been granted, you need to bring forward, postpone or cancel the date of commencement you must advise Human Resources in writing as soon as possible but no less than six weeks before the new start date.

Human Resources will respond in writing to a notification of additional paternity leave plans within 28 days confirming relevant start and end dates of additional paternity leave.

3.4 Additional Statutory Paternity Pay

- Is £128.73 per week, or 90% of your average weekly earnings, if this figure is lower.

You are entitled to statutory paternity pay if:

- You have given proper notification and you meet all of the eligibility criteria detailed above;
- the mother has at least two weeks of her maternity pay period that remains unexpired.
- your average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earning limit for national insurance contributions.

Statutory paternity pay is payable whether or not you intend to return to work after your additional paternity leave.

3.5 Keeping in touch days

You may, by agreement with your Manager, do up to 10 day's work now as 'keeping in touch days' (KIT days) under your contract of employment during additional paternity leave.

You can work for up to 10 days without bringing your additional paternity leave or pay to an end. KIT days can be used for any work-related activity including training, conferences or meetings.

Working for part of one day will count as one KIT day worked. You will be paid at your normal hourly rate of pay (for each hour worked), which will be offset against any Statutory Paternity Pay that is due.

The council reserves the right to maintain reasonable contact with you from time to time during additional paternity leave. This may be to discuss your plans for return to work, discuss any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

3.6 Returning to work after Additional Paternity Leave

You are entitled to return to the job you were employed to do before you went on ordinary or additional paternity leave. On your return you are entitled to the same terms and conditions of employment as if you had not been absent.

You will have been advised in writing by the Council of the end date of your additional paternity leave and you are expected to return on the next working day after this date.

If you are unable to return to work on the expected day due to sickness the absence will be covered by the Sickness Absence Policy in the normal way. If you are unable to return to work on the expected day because of an interruption to work (whether due to industrial action or some other reason that would make it unreasonable to expect you to do so) then you may return when work resumes, or as soon as reasonably practicable thereafter.

If you wish to return to work earlier than the expected return date you must notify Human Resources in writing at least six weeks before the date of your early return. If you decide not to return to work after additional paternity leave, you must give notice as soon as possible and in accordance with the terms and conditions of your employment.

Signed: Date:
Alex Bailey, Chief Executive

Signed: Date:
UNISON

Policy changes & rationale

Leave Policy

What's changed?	Old policy	New policy	Why?
Amalgamation of 'leave policy', 'buying and selling of annual leave policy' and certain sections in the 'leave' policy (i.e. compassionate leave)	Multiple, disjointed policies	One new 'leave' policy covering all the options	To amalgamate related policies and put all the relevant details together
Removal of selling leave	Individuals can buy and sell 5 days leave each year	Individuals cannot sell leave, but they can buy five days of leave and carry forward one working week of leave into the next financial year with consent of manager.	The Councils have a duty of care to employees and believe that all employees should take their full entitlement of annual leave each year or, if there are exceptional circumstances, carry up to a week of leave forward and use it within the first 8 weeks of the financial year.
Change from 'compassionate leave' to 'special paid leave'	Inflexible parameters for granting employees compassionate leave for individuals grieving a serious illness or death of close family member	The criteria for special leave is more flexible and has been extended to involve time off for dependants with one paid day available to put arrangements in place if a dependant falls ill unexpectedly.	To acknowledge that our employees need flexibility when a dependant is unwell and to provide more flexibility to support our employees if a close family member is very unwell or has died.

Study leave	Included in leave policy	To feature in learning and development policy (to be reviewed in 2019)	Study leave is connected to learning and development - it is felt that this option fits better in the L&D policy.
Time off for interviews	Paid leave of up to three days for attending interviews with an employer.	Removal of this option	The 'Managing People Change Policy' has the provision for someone being entitled to time off for interview when their job is being made redundant. It is felt that this is the only instance when an individual should be entitled to paid time off to attend a job interview.



ADUR & WORTHING
COUNCILS

Equality Impact Assessment – Leave Policy

Name of project/policy/strategy (hereafter referred to as “initiative”):

Leave Policy

Provide a brief summary (bullet points) of the aims of the initiative and main activities:

A review and amalgamation of the current leave policy and buying and selling of leave policy including:

- the removal of the option to sell annual leave
- the change from compassionate leave to special paid leave
- the removal of study leave (to be included in the Learning & Development Policy)

Project Manager: Amy Newnham/Lisa Hayhurst

Date: March 2019

Stage 1: ‘Screening’

This stage establishes whether a proposed initiative will have an impact on equality groups, (age, disability, gender, race, religion/belief, sexual orientation), or whether it is “equality neutral” (i.e. have no effect either positive or negative). So for example in the case of gender impact, consider whether men and women are affected differently.

Q.1. Who will benefit from this initiative? Is there likely to be a positive impact on specific equality groups (whether or not they are intended beneficiaries), and if so, how? Or is it clear at this stage that it will be equality “neutral”? i.e. will have no particular effect on any group.

The policy allows the Councils to support their staff with managing their families alongside their work commitments in a fair and consistent way.

Managers will benefit from this policy as it provides greater clarity around what leave employees are entitled to in relation to maternity, adoption, parental and paternity leave

Employees – clarity about what leave and financial support is available

Equality considerations:

Age – those who are younger are more likely to have children of an age that this policy would apply to

Disability – there is specific guidance in the policy around managing the sickness absences of an individual with a disability covered by the Equality Act. On recommendation from occupational health, the organisation will always consider reasonable adjustments for those with a disability to ensure they are not at a disadvantage. In addition, managers are directed in the policy to contact their HR Business Partner for advice if an individual has a disability. The Equality Act does not

preclude a manager from managing the sickness of an individual with a disability, but does set out that adjustments must be in place and this is strongly outlined in the new policy.

Gender Reassignment – Section 16 of the Equality Act 2010 provides that it is unlawful for an employer to treat a transsexual employee less favourably in relation to gender reassignment

Marriage and civil partnership - equality implications due to marriage and civil partnership have been considered and none have been found.

Pregnancy & Maternity – the policy clearly outlines that managers should contact their HR Business Partner for advice if an absence is due to pregnancy and that having sickness absence due to pregnancy should not contribute to an individual's sickness record or be included in any formal sickness management proceedings.

Race/ethnicity - equality implications due to race/ethnicity have been considered and none have been found.

Religion & belief - equality implications due to faith/belief have been considered and none have been found.

Sexual orientation – equality implications due to sexuality have been considered and none have been found.

Sex – equality implications due to sex have been considered and none have been found.

Q.2. Is there likely to be an adverse impact on one or more equality group as a result of this initiative? If so, who may be affected and why? Or is it clear at this stage that it will be equality “neutral”?

Consultation has taken place with Unison and no significant concerns have been raised about equality issues.

Q.3. Is the impact of the initiative - whether positive or negative - significant enough to warrant a more detailed assessment (Stage 2 - see guidance)? If not, will there be monitoring and review to assess the impact over a period of time? Briefly (bullet points) give reasons for your answer and any steps you are taking to address particular issues, including any consultation with staff or external groups/agencies.

Due to the response in Q2, it is felt that a more detailed assessment is not required at this time. The policy will be reviewed in 12 months' time and at this point, the equality impact assessment will also be reviewed to ensure that the impact on those covered by the Equality Act remains “neutral”.

