NHS
Cornwall and
Isles of Scilly

Time off policy

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	9 July 2018		Updates made to managing leave during adverse weather and to time off volunteers. Also updated to include all colleagues not just those on Agenda for Change.
	6 September 2019		Amended to include a section on sexual orientation and gender identity expression as recommended by the patient experience and quality manager
	4 December 2019		School governors' section, from previous policy guidance.
V1	March 2021	Tricia Phillips, POD team	Update for review period and accessibility.
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V.3	November 2021	POD team	Final accessibility checks completed.
V.4	January 2023	POD team	Inclusion of pension provision for career breaks
V.5	October 2024	POD team	Updates include baby loss and parent bereavement, linking to people promise and language changed to promote kind culture.
V.6	February 2025	POD team	Introducing neonatal leave.

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1. Introduction

NHS Cornwall and Isles of Scilly Integrated Care Board (the ICB) strives to support all colleagues to fulfil their duties at work. From time to time, you colleagues may need to request time off from work that would not be considered as annual leave but would not be certified as sickness absence. This people policy provides support, advice and guidance on what is expected from you, how you can expect to be treated, and how you can access support.

2. Purpose

The purpose of this policy is to:

- describe the types of time off you might need to request
- help managers support people fairly, with kindness and understanding
- ensure everyone is aware how to request and grant time off

Following the principles of equality, a decision to approve time off for 1 individual may not always be the same as for another.

3. Responsibilities

Everyone is expected to treat someone who needs time off work, with fairness, kindness and understanding.

It is the manager's responsibility to support a colleague with kindness, compassion and flexibility and consider requests for time off on a case by case basis. Each person is different, and individuals may also need temporary work adjustments or other levels of support.

4. Procedure

Principles

If you need time off work that isn't sickness absence or annual leave, it's important that you understand the relevant sections of this policy and how they relate to your particular circumstances, so you understand how to make a request. If you are affected by a family emergency, bereavement or something that is very stressful for you, please consider telling someone at work so that you can access the support available to you. It is usually best to talk to your manager, but if you do not feel comfortable with this, find someone else you can talk to easily. This could be a member of the POD team, occupational health, a trades union representative, a friend, or someone else.

You may also wish to consider contacting the 'Employee Assistance Programme' (EAP), which is a free telephone counselling service. If you do not know how to access this, please contact the people and organisational development team (POD).

Managers will consider your request on its own merits following the guidance within this policy for the circumstances and type of leave you need. They will also consider;

- our NHS People Promise
- promoting a kind and caring culture
- whether there is any other way of solving the problem
- any previous time off you've needed
- any additional hours you may have worked

Making a request

Let your manager know you want to make a request for time off, as soon as possible. The more notice you give, the more time there will be to try and make alternative arrangements and cover you in your absence. Requests for time off should be recorded on a time off request form. If it's not possible to complete the form before your leave, please make sure you do it when you return to work. The form will ensure accurate records are kept and your time off is logged on ESR so you are paid correctly.

Give your manager as much information as possible about why you need to take time off. This will help them make an informed decision. In cases of an emergency when you can't come to work, contact your manager as soon as you can to explain why you are off and when you are likely to return.

If you are at work and need to leave to take some time off at very short notice, your manager should be compassionate and help you. They should also carefully consider how they will respect your privacy and explain your sudden absence to other colleagues. It may be necessary to simply tell others that you need to take some time off.

Remember, sometimes it might be appropriate for your manager to suggest that any time off is taken as annual leave, unpaid leave or time off in lieu. This will depend on your personal circumstances. If you've had previous time off, your manager may want to explore whether you need support with any ongoing issues. There may be a more appropriate, sustainable solution. For example, temporarily reducing your hours or work pattern may help, although it will, of course, depend on the nature of your requests.

If you take unpaid leave, it may affect your annual leave entitlement, pension contributions or other benefits.

Taking time off is not an automatic right and the amount of time off suggested for particular circumstances talked about within this policy should never be considered as an allowance to be used up. We want managers to be caring and considerate and support colleagues during a period of uncertainty, a bereavement or a family emergency however, managers can reasonably refuse requests for time off.

If your manager does refuse a request for time off, they should always tell you why.

If you feel they have refused your request for time off unreasonably, try to talk to them about it in the first instance. If this doesn't resolve the issue, then you can talk to the POD team to resolve informally or use the ICB's grievance procedure.

If you go ahead and take time off that isn't authorised, it might be classed as unauthorised absence and there could be repercussions under the ICBs disciplinary procedure.

5. Reasons for requesting time off

There are several reasons why you might need time off from work and the following provisions can be considered where appropriate, along with the possibility of taking annual leave, TOIL and unpaid leave.

Attending court, tribunal or appeal hearing as a witness

You can have paid time off if you are requested by a court to appear before them as a witness, including tribunals and appeal hearings. You might be reimbursed separately by the court, and in this instance, you should always let us know.

If you are asked to attend court, let your manager know as soon as possible and complete the time off request form. The more notice you give, the more time your manager will have to make alternative arrangements to cover your absence.

Bereaved Parents

The ICB has a separate policy to compassionately support people who lose a pregnancy or baby before the 24th week of pregnancy.

For the purpose of this section, a bereaved parent is anyone who had responsibility as one of the primary carers for a child who has died. This includes adoptive parents, legal guardians, individuals who are fostering to adopt, and any other parent/child relationship. For example, grandparents who have had caring responsibilities for a child, or instances where someone other than the biological parent is the primary carer (this could be the case where the parents of the child have separated).

All bereaved parents will be entitled to two weeks' leave with occupational child bereavement pay (pro-rated for part time staff) which will include any entitlement to statutory parental bereavement pay. Pay is calculated on the basis of what the individual would have received had they been at work. Bereaved parents do not have to take the 2 weeks of leave in a continuous block and can take it at any point up to 56 weeks following the death of the child. If you are a bereaved parent, we are really very sorry. Please agree with your manager the leave you wish to take. Taking child bereavement leave is an individual choice, it is not compulsory for anyone to take child bereavement leave.

If you are the parent of a baby which is stillborn, or you've experienced neonatal loss, again we are so sorry for your loss. You are still entitled to the same amount of maternity leave and pay. Please see the Maternity Leave Policy.

Care for children and adults

Your caring needs might be very simple; knowing that you can leave work on time or go home or make a telephone call at work to check everything is in order may be reassuring for you. However if caring demands increase for example, to attend hospital appointments, because a dependant is ill, because your normal care arrangements break down or you need to put new arrangements in place, we can support you with;

- carer leave
- an employment break
- foster parent or legal guardian leave
- parental leave
- agreeing a more flexible working pattern or a reduction in working hours

If you experience a short-term caring emergency, we can allow you up to 1-working week's paid leave, pro rata for part time colleagues, in any 12-month period. This leave does not need to be taken as a block of 1 week and can be taken in single days up to the equivalent time allowed.

Please let your line manager know the relationship of your relative or dependant and the extent to which they depend on you. You should also discuss what other support mechanisms are available and whether the reason for requesting the leave is likely to recur. This is the information needed to decide and agree with you how much paid leave is appropriate. If more leave is required, you can discuss what other mechanisms might be appropriate to support you.

Companion at internal hearing

You have the right to request reasonable paid time off during normal working hours to accompany another ICB colleague to a disciplinary or grievance hearing, or a meeting to discuss a flexible working request. The right to request a companion will be noted in the invitation to the meeting.

If the date or time is not convenient, the colleague, whose meeting it is, can suggest an alternative date and time to be held within 5 working days of the original scheduled meeting.

If you need to request for time off for these purposes, speak to your line manager and use the time off request form, as soon as is reasonably practicable to allow time to make the necessary arrangements.

Compassionate / bereavement leave

Mangers should adopt a kind and caring approach which supports bereaved colleagues, recognising that people can experience bereavement in very different ways.

We will support colleagues who are bereaved through the death of a spouse or partner, parent, sibling, grandparent, with up to 1 working week's paid leave. The leave does not need to be taken in a single period.

An additional 3 extra days, (pro rata for part time colleagues) can be granted if you are responsible for funeral arrangements, involved in setting estate matters or need to travel and stay away from home to attend a funeral.

If you are bereaved by the death of an extended family member or friend, we will support you with 1 day of paid leave.

Everyone is likely to have different circumstances and so managers can also consider using annual leave, TOIL, unpaid time off to support additional time off if it's appropriate.

Doctor, dentist, and other health appointments

Support and wellbeing is a key principle of our people promise. Although there is no automatic right to paid time off for medical appointments, where you are unable to arrange appointments outside of normal work hours, and can't arrange them for the start or end of the working day a manager may permit a reasonable amount of paid time off work.

In determining what is reasonable, a manager can review any previous medical, dental, or other health appointments taken and any additional hours that an individual has worked to understand what would be reasonable.

Your manager may ask you to try and rearrange appointments or to take unpaid time off, but should regard our principles of fairness and equity and be mindful of reasonable adjustments you might have in place in place, particularly if you have protected characteristics. For example, if you have a disability, you may be entitled to a reasonable amount of paid time off to attend appointments.

Emergency leave

We understand that from time to time, you may experience emergency situations at home which could include:

- providing assistance on an occasion when a dependent suddenly falls ill, gives birth, or is injured
- making arrangements for the provision of care for a dependent who is suddenly ill or injured
- dealing with an emergency domestic situation such as flood, fire, or burglary

However, emergency leave does not apply to planned events such as domestic repairs, refurbishment, building or trades work, installation of appliances, home deliveries.

You can be granted paid emergency leave on up to and not exceeding 3 occasions within any 12-month period. On each occasion you should only take the time off that is required to deal with the immediate crisis. This might be 1 day, or you may only need to take part of a day.

If you need more time than this, your manager has the discretion to agree any unpaid leave or annual leave at short notice. If the need for time off continues, you should discuss other options with you manager, such as annual leave, a temporary reduction in hours, parental leave, or an employment break.

Managers should agree leave in a consistent and fair manner and consider other team members.

If you are given notice of dismissal by reason of redundancy

If you have been given notice of dismissal by reason of redundancy, you have a statutory right to a reasonable amount of paid time off work to help secure future employment, for example, to attend job interviews and/or relevant training for new roles.

You should discuss your needs at your consultation 1 to 1 meeting, and complete a time off request form.

We will make every effort to support paid time off in these circumstances, although there may be occasions where service constraints restrict what can be offered. Please provide a much notice as possible when asking for time off.

Employment break

If you have accrued 12 months continuous service, you are entitled to make a request for an unpaid employment break. Applications should be made in writing to your line manager and you can ask for a minimum of 3 months to a maximum of 12 months off. Managers will consider and all applications in line with section 36 of the agenda for change handbook

There are some implications for your pension if you take an employment break. For the first 6 months of any unpaid leave, you and the ICB will continue to pay pension contributions due. This will mean setting up a direct debit arrangement with the finance team for the duration of the leave period. If you are off more than 6 months you become responsible for paying both yours and the ICB's contributions. Please see the pension fact sheet for more information.

Extreme weather

Your safety is of paramount importance and you should not put yourself at risk by trying to travel for work during extreme weather conditions. If you are expected at an office and unable to attend because of extreme weather, you can talk to your manager about;

- taking annual leave or unpaid leave or as time owing
- working from home or remotely where this is possible
- go to a different work location which is safer to get to

If adverse weather also effects your arrangements for caring responsibilities, such as school closures, and you need time off to look after dependents you might need to consider carers leave.

If your manager agrees later arrival or earlier departure times due to extreme weather conditions, your pay will not be affected.

Arrangements for working at a different locations or different working hours due to extreme weather are should always be agreed with your manager.

Fertility treatment

Whilst there is no statutory entitlement to time off, if you are undergoing fertility treatment and have at least 12 months continuous service we offer you the usual maternity, maternity support, or paternity benefits from the point of confirmed pregnancy.

If you cannot arrange appointments outside of work, we will support you up to 5 working days of paid fertility leave in a 12 months period to immediately preceding that date in order to undertake fertility treatment and attend appointments specifically associated with your IVF process. You can take fertility treatment paid leave in a 5 day block or as separate days, or half days.

If you need more time off, then please speak to your manager about taking annual leave or unpaid leave.

Gender re-assignment

You have the right to request reasonable time off for gender reassignment and associated appointments or treatment. If, however, the side effects of treatment make you unwell, normal sick leave and pay provisions will apply. Gender reassignment is a protected characteristic under the Equality Act 2010 and so you will not be penalised for taking time off for treatment associated with gender and we will treat you kindly and with consideration, maintaining your privacy.

Health and safety representative duties and training

If you are a safety representative, appointed by a recognised trade union to represent the health and safety interests of members within the ICB, we will give you reasonable paid time off to enable you to perform your function and undergo relevant training.

Similarly, if you are a first aiders or fire warden for the ICB, you can also have reasonable paid time off to attend relevant training.

Job interviews

Colleagues can request a reasonable amount of paid time off to attend interviews either within the ICB or another NHS organisation. Such requests are at the discretion of line managers and colleagues may be required to make use of annual leave, unpaid leave, time off in lieu or time owing where the interview is out of county, or the assessment process is more than 1 day.

Colleagues will be expected to take annual leave or unpaid leave to attend interviews with non-NHS employers. The exception to this is where a colleague is under notice of dismissal on grounds of redundancy when all reasonable requests for time off to attend interviews should be accommodated.

A request for time off for these purposes should be made to the manager as soon as is practical to allow the manager time to make the necessary arrangements. Colleagues should use the time off request form for such requests.
On receipt of a request form, managers should respond to the colleagues as soon as is practical. If the manager cannot permit time off due to service constraints, the manager will need to discuss these reasons with the individual.

Jury service

Any colleague who is called up for jury service will be given paid time off work for that purpose.

The colleagues should provide their line manager with the relevant letters documenting the summons to attend and a copy of this should be placed on the colleagues' personal file.

If it transpires that attendance at court is for part of the week, the member of colleagues should be reminded that they should return to work on the first day after their name has been removed from the list of jurors.

Whilst the ICB cannot refuse a colleagues time off from work to attend jury service, an application can be made to the court to excuse the colleague from jury service or have the summons deferred if his or her absence from work is likely to cause substantial disruption to the business.

Colleagues should notify their line manager and complete the time off request form as soon as possible after a summons is received and managers should respond to the colleague as soon as is practical.

Neonatal leave

Neonatal leave is to provide support to parents (the biological mother, father, or the primary carer) of a child who is born prematurely or requires neonatal care in a hospital setting. You can take neonatal leave if your baby needs neonatal care for a continuous period of at least 7 days following birth.

If you were continuously employed with the ICB for at least 26 weeks before your baby's birth, you will receive Statutory Maternity Pay (SMP) during the neonatal leave. This means that the first 6 weeks of neonatal leave will be paid at 90% of the average weekly earnings and after the first 6 weeks, the remaining neonatal leave will be paid at a statutory flat rate, as defined by government regulations.

If you were not employed by the ICB for at least 26 weeks before your baby's birth, you will be entitled to unpaid neonatal leave, unless otherwise agreed by your manager.

You may be asked to provide a discharge letter or statement from the hospital to confirm that your baby needed to stay in a neonatal ward.

Neonatal leave is distinct from maternity or paternity leave, but it can be taken in conjunction with those leaves, depending on your circumstances. You may be permitted to use annual leave to extend your neonatal leave, subject to agreement with your line manager.

Parental leave

If you have 1 years of continuous service and you have a caring responsibility for a child, you can apply for up to 18 weeks' unpaid leave up until the child is 18.

The minimum length of parental leave is 1 week and is usually taken as a block of time. However, subject to discussion with your line manager, you can also take parental leave as a reduction to weekly hours until the leave period is exhausted. You can take a maximum of 4 weeks' per year.

You can also add unpaid parental leave to periods of maternity or adoption leave, subject to approval from your manager.

You should request any parental leave from your manager with as much notice as possible. You should also complete the time off request form.
If leave is approved, managers should complete 2 contract amendment forms (CAFs) The first CAF is for when the colleague starts their parental leave, and second CAF should be completed for when the colleague returns so that their pay is suspended and reinstated appropriately.

Pregnancy and baby loss

The ICB has a separate policy to support people need during this difficult time in their life, and to help managers and colleagues know how to support people affected, with kindness and understanding.

Public duties as magistrate or member of local authority

If you intend to undertake public duties such as justice of the peace or local councillor, you should seek approval from your line manager before you make any formal application for the public office.

Where you have the relevant approval and, where possible, have provided advanced notice of any dates you wish to take time off work for public duties, you will be allowed reasonable time off which will normally be on an unpaid basis.

It might be possible to be paid for some of the time taken, depending on the circumstances. However, any payment of time must take account of any monies received from the relevant authority in respect of the public duties, which you would be obliged to declare, and should not exceed your usual pay.

Your manager can refuse time off if it's excessive or causes operational difficulties. In these cases you would be able to request time off out of your annual leave entitlement, subject to the normal authorisation practice.

Sabbatical

Sabbaticals are employments breaks which allow you to develop your career or pursue a topic of special interest. If a sabbatical is of mutual benefit to your and the ICB, you may be paid for your time off, otherwise the arrangement will be on an unpaid basis.

To apply for a sabbatical you will need to provide an outline plan and structure of your career development with your application. You will also need an agreement in principle from the organisation you are planning to work for, or the establishment you intend to study at.

Sabbaticals do not result in a break of service, but the time spent will not be included in the calculation of entitlement to annual leave, redundancy, sick pay, and maternity leave.

Arrangements for requesting, agreeing, and recording requests for a sabbatical will otherwise follow those arrangements outlined in section 36 of the agenda for change handbook for employment breaks.

The same pensions implications apply to unpaid sabbaticals as employment breaks. For the first 6 months, you and the ICB will continue to pay pension contributions due. This will mean setting up a standing order arrangement with the finance team for the duration of the leave period. If you are off more than 6 months you become responsible for paying both yours and the ICB's contributions. Please see the pension fact sheet for more information.

Study leave

You may have the right to ask for time off work for training or study. Study leave can include leave to attend a course face to face or virtually or to complete assignments for a course. To ask for training or study:

- you must have at least 26 weeks' service
- the training must be intended to help you with your job

If you have had approval to complete a learning or training activity which is being paid for by the ICB, you can apply for paid study leave in accordance with the external learning guidance. As a guiding principle, line managers can award the following paid leave up to:

- 7.5 hours per week to attend classes or lectures during normal working hours
- 2 weeks per calendar year to attend residential study activity
- 0.5 day for each final exam

If you are paying for the cost of the learning and training activity yourself, you may also request additional time off to support your attendance on the course or to complete your study. Your manager can use their discretion to decide what time off can be granted, but it should not be more than the guidance provided above.

For further information please refer to the relevant sections in the external learning agreement guidance.

Army reserve service and training with the reserve or cadet forces

If you are a member of the army reserve service or serving as reservists in the armed forces or as a cadet, are entitled to 1 week's paid leave (pro rata for part time colleagues) to attend annual camp or undergo training.

Tell your manager as soon as you know you need time off and apply using the time off form.

Mobilisation

If as a reservist, you wish to apply for voluntary mobilisation, you should gain agreement from your line manager before making an application. In the event of compulsory mobilisation, you can request an exemption or deferral; however, grounds for doing so are extremely limited.

The ministry of defence (MOD) is not obliged to give notice of mobilisation but will usually aim to give 28 days' notice. The MOD will issue a mobilisation pack to you and ICB setting out the relevant dates and duration of mobilisation, usually between 3 and 12 months.

During mobilisation, you won't be paid by us, but will receive pay in lieu of your usual monthly salary from the MOD. Where line managers anticipate additional costs for example, paying overtime to other colleagues to cover the work or the cost of a recruitment and selection exercise, financial assistance may be sought from the MOD and managers should contact POD in the first instance.

During the mobilisation period, your job will be held open for you. Following mobilisation, you will be entitled to up to 1 month's leave, funded by the MOD. During this time you will need to contact your line manager and talk about your arrangements for returning to work.

Trade union and colleague representatives

Trade union representatives are colleagues who are appointed by an independent union recognised by the ICB for the purposes of collective bargaining under the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992.

Trade union learning representatives are similarly appointed colleagues of the ICB and promote and enable learning and training in the workplace.

Colleague representatives are colleagues of the ICB who have volunteered to participate in working groups and other forum to promote the health, wellbeing, and work and life balance of colleagues.

Trade union and colleague representatives will be granted reasonable paid time off to carry out their duties and to undertake any training identified as relevant to their role as a representative.

Trade union member activities

If you are a member of a recognised trade union you can have reasonable time off to take part in trade union activity, in so far as it not represent industrial action. For example, you could have reasonable time off to vote on strike action but would not be granted time off to participate in strike action.

Volunteering

There is no restriction if you wish to use your personal time to volunteer your services to outside organisations such as charities, schools, hospital, or prison visiting, if it does not create a conflict of interest or adversely affect the ICB.

If you wish to undertake voluntary work during working hours there is an entitlement of up to 2-paid days a year. This entitlement is pro rata for part time colleagues. These can be taken as half or full days and should be agreed in advance by your line manager,

The right to take paid time off to volunteer depends on whether you have had or are planning to use any other paid leave for voluntary work under another section of this policy, for example as school governor.

You can have reasonable paid time off to attend meetings as a school governor. Please supply a copy of proof of election and meeting schedule to your manager when requesting this leave.

Volunteering will not be permitted in the following circumstances:

- if there is a detriment to service delivery
- in connection with party political activity
- where there is a conflict of interest with you job role or objectives
- activity that is likely to bring the employer into disrepute

- in connection with religious activities

This does not include voluntary work set up by a religious organisation to help them to support the community.

Tell your manager as soon as you know you need time off and apply using the time off form.

6. Implementation plans and monitoring effectiveness

POD monitor compliance and effectiveness of this policy through submission of regular reports to the people and organisational governance committee. POD ensure any subsequent recommendations are undertaken and incorporated into this policy if appropriate.

7. Update and review

This policy will be updated every 3 years or when there is a substantial change required.

8. Policies referred to in this document

- Grievance and dignity at work policy
- External learning policy
- Pregnancy and baby loss policy

Appendix 1: Equality impact assessment

Name of policy or service to be assessed: Time off policy
Department or section: POD
Date of assessment: 21 January 2021
Person(s) responsible for the assessment: Tricia Phillips
Is this a new or existing policy? Existing

Aims, objectives and purpose of the policy

Describe the aims, objectives, and purpose of the policy
To provide employees with time away from work for situations other that sickness absence. To ensure that employees are supported during difficult times.
To offer equitable leave provisions, recognising the emotional and practical at time of stress or difficulty. To outline the statutory requirements, set out situations where enhanced, local provisions may apply within the ICB; and ensure that all managers and colleagues are aware of the process for the requesting and granting of time off.

To help colleagues and managers understand the parameters for applying discretion when assessing each request on its own merits as a decision to award time off for one individual may not always be the same for another.

Who is intended to benefit from this policy, and in what way?
All colleagues of the ICB.

What outcomes are wanted from this policy?
To ensure that the ICB has a consistent approach to dealing with individuals' requests for time off.

What factors or forces could contribute or detract from the outcomes?
Implementation of refreshed policy. Line manager and colleague awareness of parameters for discretion.

Who are the main stakeholders in relation to the policy?
All colleagues of the ICB.

Who implements the policy, and who is responsible for the policy?
POD.

Differential impacts

Perspective of race, nationality and/or ethnic origin

Does this have a positive or negative impact on black, Asian and minority ethnic (BAME)?
Different cultural and religious practices may dictate varying needs for time off, for example for bereavement and carers leave. An example might be mourning periods or ceremonies (e.g., extended mourning periods for some cultures or traveling for funerals).

How will any negative impact be mitigated?
The policy includes flexibility for different mourning practices. The existence of this policy and procedure should ensure that the ICB, through its managers, adopts a caring approach when individuals submit a request for time off. Employees should feel comfortable discussing specific needs related to their cultural or religious background

Perspective of sex

Does this have a positive or negative impact on people who identify as male, female or intersex?
Women, particularly those with caregiving responsibilities, may be disproportionately affected by the need to take time off.

How will any negative impact be mitigated?
The policy includes provisions for flexible or extended leave for those who take on caregiving roles, are parents or those who experience a death.

Perspective of disability

What is the positive or negative differential impact on people from the perspective of disability?
This policy is designed to protect all colleagues and does not impact on any 1 group of people over another. The decisions to approve time off will be determined by business need.

How will any negative impact be mitigated?
The existence of this policy and procedure should ensure that the ICB, through its managers, adopts a consistent approach when individuals submit a request for time off. This includes those individuals covered by protected characteristics as defined in the Equality Act 2010. The ICB respects colleagues from all racial backgrounds as evidenced in its human rights statement and guidance.

Perspective of sexual orientation

Does this have a positive or negative impact on people who identify as heterosexual, lesbian, gay, bisexual, pansexual or asexual?
Same-sex partners, chosen families, and non-biological relationships are recognised in this policy.
How will any negative impact be mitigated?
The policy includes close personal relationships, not limited to biological or legal ties, ensuring inclusivity for LGBTQ+ employees. This ensures that time off is available for all purposes, regardless of the nature of the relationship.

Perspective of age

What is the positive or negative differential impact on people from the perspective of age?

It's possible that older employees might experience more frequent bereavements, particularly those related to family members such as parents. Younger employees may also face bereavements, but the types of relationships (e.g., friends, cousins) may differ. Bereaved parents are specifically supported by this policy as are those who need to take time off to care for dependants of any age.

How will any negative impact be mitigated?

There is flexibility in the policy and it is sensitive to various types of bereavements, not only immediate family. For example, younger employees who lose close friends are considered for bereavement leave on compassionate grounds.

Perspective of religion or belief

What is the positive or negative differential impact on people from the perspective of religion or belief?
Bereavement practices differ widely across religious groups, with some requiring extended periods for mourning or specific rituals that may last for several days or weeks.

How will any negative impact be mitigated?
The policy includes provisions that account for religious observances and ceremonies. Flexible return-to-work options after the leave can accommodate extended religious requirements.

Perspective of marriage and civil partnership

What is the positive or negative differential impact on people from the perspective of marriage and civil partnership? This is particularly relevant for employment policies.
Employees from single income families may face additional financial pressures which can be exacerbated by the need to take time off work.

How will any negative impact be mitigated?
In some circumstances leave can be fully paid, in others there is provision in the policy to be flexible with annual leave, TOIL etc to prevent colleagues receiving reduced pay when they need time off.

Perspective of gender re-assignment

Does this have a positive or negative impact on people who identify as trans or transgender, non-binary or gender fluid?
Gender reassignment and the need for time of for reasons related to transitioning are recognised in this policy.

How will any negative impact be mitigated?
Perspective of pregnancy and maternity

Does this have a positive or negative impact on people who are pregnant, breast-feeding mothers, or those on maternity leave?

Bereaved parents are recognised in this policy, as are new parents, parents with caring responsibilities and parents who may need time off for caring emergencies.

How will any negative impact be mitigated?
The existence of this policy and procedure should ensure that the ICB, through its managers, adopts a consistent, sensitive and caring approach to new parents. Parents who are bereaved and parents who need time of for caring emergencies.

Other identified groups

This policy is designed to protect all colleagues and does not impact on any one group of people over another. The decisions to approve time off will be determined by business need.

How will any negative impact be mitigated?
The existence of this policy and procedure should ensure that the ICB, through its managers, adopts a consistent approach when individuals submit a request for time off. This includes all groups of people regardless of any protected characteristic. The ICB respects colleagues from all racial backgrounds as evidenced in its human rights statement and guidance.

Human rights values

How have the core human rights values of fairness, respect, equality, dignity, and autonomy been considered in the formulation of this policy, service, or strategy?

This policy and procedure are based on the principles of fairness and equality relating to the statutory right that applies to every colleague to request flexible working.

Which of the human rights articles does this document impact?
☐ To life
☐ Not to be tortured or treated in an inhuman or degrading way
☐ To liberty and security
☐ To a fair trial
☐ To respect for home and family life, and correspondence
☐ To freedom of thought, conscience, and religion
☐ To freedom of expression
☐ To freedom of assembly and association
☐ To marry and found a family
☒ Not to be discriminated against in relation to the enjoyment of any of the rights contained in the European Convention
☐ To peaceful enjoyment of possessions

What existing evidence (either presumed or otherwise) do you have for this?

This policy and procedure is based on the principles of fairness and equality relating to the statutory right to time off work and enhanced local provision and complies with the Equality Act 2010

How will you ensure that those responsible for implementing the policy are aware of the human rights implications and equipped to deal with them?
Ensure that any person involved in the creation of this policy is fully conversant with the Equality Act 2010

Public Services (Social Value) Act 2012

The ICB is committed and obliged to fulfil the requirements of the Public Services (Social Value) Act 2012. This Act requires the organisations to consider how services commissioned or procured might improve the economic, social, and environmental wellbeing of an area.

Please describe how this will support and contribute to the local system, wider system, and community.

Please consider:

- The inclusion of small medium size enterprises (SMEs) in the process and supply chain
- Economic – promote skills, tackle worklessness, maintain employment, increase volunteer hours to support the community and promote inclusion
- Social – reduce anti-social behaviour, tackle exclusion by promoting inclusion including to vulnerable groups
- Environmental – support local, reduce congestion.

This policy strives to support all colleagues to fulfil their duties at work, tackling exclusion by providing an avenue so that colleagues can take time off from work for emergencies that would not be considered as annual leave but would not be certified as sickness absence.

Describe how the policy contributes towards eliminating discrimination, harassment, and victimisation.
The policy sets out the scope for individuals to request time off and describes the level of entitlement. The policy also explains how managers should objectively consider requests to ensure that the granting of time off is fair and consistent.

Describe how the policy contributes towards advancing equality of opportunity.
The policy sets out the scope for individuals to request time off and describes the level of entitlement. The policy also explains how managers should objectively consider requests to ensure that the granting of time off is fair and consistent. It offers flexible leave arrangements for employees with unique or extended needs, such as religious observances or cultural practices.

Describe how the policy contributes towards promoting good relations between people with protected characteristics.

The policy clearly communicates why people might need time off and emphasises inclusivity, encouraging employees to speak openly about their needs during bereavement and other times of need.

If the differential impacts identified are positive, explain how this policy is legitimate positive action and will improve outcomes, services and/or the working environment for that group of people.
Not applicable.

Explain what amendments have been made to the policy or mitigating actions have been taken, and when they were made.
The amendments include greater clarity over the provision for time off and updates the section on parental leave considering current legislation.

If the negative impacts identified have been unable to be mitigated through amendment to the policy or other mitigating actions, explain what your next steps are using the following equality impact assessment action plan.
Not applicable.

Signed (completing officer): Jo Tomlinson

Date: September 2024

Signed (head of department or section): Emma Goudge

Date: September 2024