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Belfast Health and
Social Care Trust

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Policy Code: BHSCT/HR/PS (01) 2025

Title:	Special Leave Policy		
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Responsible Director:	[REDACTED] Director of Human Resources & Organisational Development		
Policy Type: (tick as appropriate)	*Directorate Specific ☐	Clinical Trust Wide ☐	Non Clinical Trust Wide ☒
If *Directorate Specific please list the name and date of the local Committee/Group that policy was approved		Does this policy have Workforce implications? *Y	
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1.0 INTRODUCTION / SUMMARY OF POLICY

1.1 Background

This policy has been in place since 2011. It aims to provide guidance to staff, managers and Trade Union colleagues on the holistic and comprehensive range of support resources available within the Trust. Many of these support arrangements are now regional including foster leave, carers leave etc.

1.2 Purpose

The Special Leave Policy recognises that, on occasions, employees may require special leave to undertake obligations or attend events outside of their working life. The use of annual leave or flexible leave may not be appropriate for these obligations or events therefore this Policy recognises those events which the Trust considers suitable for the authorisation of special leave

1.3 Objectives

To provide a mechanism to enable staff who need to undertake obligations or events outside of their working life, to do so with appropriate authorisation

2.0 SCOPE OF THE POLICY

The Policies apply to all staff who meet the eligibility criteria.

3.0 ROLES AND RESPONSIBILITIES

The specific responsibilities of Staff, Managers and Human Resources Staff are outlined within the Policy.

4.0 KEY POLICY PRINCIPLES

Special Leave may be defined as leave, either paid or unpaid, given in addition to annual leave in order to help employees balance the demands of home, personal and work responsibilities at times of either urgent, unforeseen and/or parental, carer and public service need.

5.0 IMPLEMENTATION OF POLICY

The Special Leave Policy recognises that, on occasions, employees may require special leave to undertake obligations or attend events outside of their working life. The use of annual leave or flexible leave may not be appropriate for these obligations or events therefore this Policy recognises those events which the Trust considers suitable for the authorisation of special leave.

1. The Special leave Policy outlines those events that the Trust considers suitable for the authorisation of special leave.
2. The Policy outlines the process on how to apply for special leave.

5.1 Dissemination

This policy should be disseminated throughout the Trust as it applies to all Belfast Trust staff.

5.2 Resources

Training on the Special leave Policy will be provided via Information and Awareness sessions, Managers' Toolkit training, the LOOP and on ad hoc basis as and when required.

5.3 Exceptions

Policies are open to all staff within the Belfast Trust who meet the eligibility criteria.

6.0 MONITORING

The Special leave Policy complies with legislative requirements, Agenda for Change Handbook and good practice.

7.0 EVIDENCE BASE/REFERENCES

The Special leave Policy complies with legislative requirements and good practice.

8.0 CONSULTATION PROCESS

Internal stakeholders such as Staff, Trade Unions and Professional Organisations were consulted in the development of this policy. The policy was tabled and approved at the Workforce Governance Policy Review Committee involving Management and Trade Union representatives

9.0 NURSING AND MIDWIFERY STUDENTS

Nursing and/or Midwifery students on pre-registration education programmes, approved under relevant 2018/2019 NMC education standards, must be given the opportunity to have experience of and become proficient in the Special Leave Policy, where required by the student's programme. This experience must be under the appropriate supervision of a registered nurse, registered midwife or registered health and social care professional who is adequately experienced in this skill and who will be accountable for determining the required level of direct or indirect supervision and responsible for signing/countersigning documentation.

Direct and indirect supervision

- Direct supervision means that the supervising registered nurse, registered midwife or registered health and social care professional is actually present and works alongside the student when they are undertaking a delegated role or activity.
- Indirect supervision occurs when the registered nurse, registered midwife or registered health and social care professional does not directly observe the student undertaking a delegated role or activity. (NIPEC, 2020)

This policy has been developed in accordance with the above statement.

10.0 APPENDICES

11.0 **EQUALITY SCREENING**

Under Section 75 of the Northern Ireland Act 1998 the Trust has a legal responsibility to undertake an equality screening of all policies. To fulfil this duty an equality screening template must be completed by the policy author.

To complete an equality screening use this template: (LINK)

For support with completion of the template go to: **Equality Screening Toolkit**

For any queries and/or to obtain approval contact the Planning and Equality Team contact: equalityscreenings@belfasttrust.hscni.net or 028 95 048734

Equality Screenings are public documents and previously completed documents can be viewed at Equality and Human Rights Screening | Belfast Health and Social Care Trust (hscni.net)

12.0 **STATUTORY RURAL IMPACT ASSESSMENT DUTIES**

The Trust has a legal responsibility to have ‘**due regard**’ to rural needs when developing, adopting, implementing or revising policies, and when designing and delivering public services. For more information go to Rural Needs Duties

To satisfy this ‘**due regard duty**’ Trust staff must consider the impact of any policy, proposal or decision on the social and economic needs of people who live in a rural community. For Belfast Trust, this is particularly so when the policy/proposal/decision impacts regional services.

Please tick the box to indicate that you have paid ‘due regard’ to the social and economic needs of the rural community when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services and that a rural impact assessment is not required. ☒

OR

Please complete a Rural Needs Impact Assessment Template if there is an impact on the social and economic needs of people who live in a rural community.

Please go to the: Rural Impact Assessments Toolkit for HSC NI to find out how to undertake a rural impact assessment.

Contact Estella.Dorrian@belfasttrust.hscni.net for further advice

13.0 **STATUTORY EQUALITY DUTIES – MAKING REASONABLE ADJUSTMENTS AND INFORMATION ACCESSIBLE**

Under the Disability Discrimination Act 1995 (as amended) the Trust has a statutory duty to **make reasonable adjustments** in respect of disabled patients/service users/carers/visitors. This includes making all communication (in person, by phone, via email) *and* any information provided (in writing, verbally) accessible using alternative formats. The aim of the reasonable adjustment duty is to reduce or remove any barrier a person with a disability faces when accessing or using goods, facilities and services. This is a non-delegable duty.

Accessible/ Alternative formats can include, for example, information translated into Easy Read format or into Audio format - when a patient/service user/carer/visitor has a learning disability or is visually impaired.

In addition, if a patient/service user/carer/visitor does not speak English as their first language or has poor English, the Trust has a statutory duty **to provide an interpreter** and to **translate written information**. This facilitates informed consent, better understanding and greater independence.

For information, advice and guidance about these duties contact the Trust Planning and Equality Team equality.team@belfasttrust.hscni.net

Please tick the box to indicate that you have developed the policy in accordance with the Trust's legal equality duties and that all staff will make reasonable adjustments and information accessible as appropriate. ☒

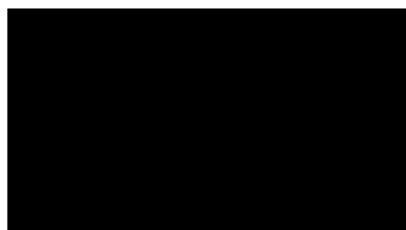
SIGNATORIES

(Policy – Guidance should be signed off by the author of the policy and the identified responsible Director).



Policy Author

Date: 13 October 2025



Director

Date: 13 October 2025



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Special Leave Policy

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INTRODUCTION

The Trust recognises that, on occasions, employees may require special leave to undertake obligations or attend events outside of their working life. The use of annual leave or flexible leave may not be appropriate for these obligations or events therefore this Policy recognises those events, which the Trust considers suitable for the authorisation of special leave.

As a responsible employer seeking to maintain the quality and effectiveness of services, time off for certain events is seen as both necessary and appropriate. This guidance is intended to enable the Trust to continue to function normally, providing safe and effective health and social care whilst enabling staff members to take responsibility for maintaining their health and wellbeing.

This guidance outlines the entitlements of staff and provides advice to managers and staff members on the arrangements which are to be applied to all staff consistently throughout the Trust.

Special Leave may be granted in respect of:

- Time off for Medical and Dental Appointments
- Safe leave (Domestic Abuse)
- Emergency Leave
 - i) Carers
 - ii) Domestic Emergency
- Bereavement Leave
- Marriage / Civil Partnership
- Parental Leave
- Shared Parental Leave
- Unpaid Leave
- Maternity Leave
- Adoption Leave
- Paternity Leave
- Foster Carer Leave
- Surrogacy Leave
- Fertility Treatment Leave
- Miscarriage Leave
- Supporting Premature Babies and their Families
- Child Bereavement Leave

**Maternity Leave, Paternity Leave, Parental Leave, Surrogacy Leave, Shared Parental Leave and Adoption Leave Pay and Provisions and the procedures for applying can be found within the Trusts' Family Policy Pack.*

In addition to these provisions, Special Leave may also be made available in the following circumstances:

- Jury Service
- Attendance at Court as a witness
- Training with the reserve and cadet forces
- Participation in Sporting Events (National / International Level);

MAKING AN APPLICATION

Employees who wish to apply for Special Leave must apply on line via HRPTS through Employee Self Service using the following steps:

Step1: Click “Life and Work Events” to access the Application Form;

Step 2: In the section “Leave Request” click “Submit a Leave Request”

Follow the instructions to complete your request.

An employee who is on maternity leave or sickness absence should complete a paper copy application form and submit to their Line Manager. See appendix 1

Queries and applications for paid time off to undertake Trade Union duties should be addressed in the first instance through the HR Information Service 028 9615 9615.

Please note that all entitlements to Special Leave will be on a pro rata basis.

1.0 TIME-OFF FOR MEDICAL / DENTAL APPOINTMENTS DURING WORK HOURS

This guidance applies to ALL staff who may need time off to attend medical and/or dental appointments during working hours. Time off granted under this policy is essentially a short term response to meet the immediate needs of staff members.

Where frequent appointments need to take place for members of staff with a disability, please refer to the section on Medical Appointments for Disabled Staff.

In some instances, staff who are not disabled may require frequent medical appointments. In these cases, managers are advised to exercise their discretion to ensure that these staff are treated equitably and supported in accordance with HSC values.

It should be noted that this guidance does not apply to expectant mothers (Refer to Maternity Provisions Section 15 Agenda for Change: NHS Terms and Conditions of Service Handbook). Please refer to Section 10 of the Special Leave Policy for time off in relation to fertility treatment. Special consideration has also been made for staff who may meet the definition of disability as per the Disability Discrimination Act 1995 (as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006).

1.1 Roles and Responsibilities - Managers:

- All managers should, with regards to time off work for medical and dental appointments, apply this guidance consistently to all staff.
- Managers are expected to apply this policy with compassion, understanding and enable holistic support of their staff in accordance with HSC values.
- All managers should ensure that the guidance is adhered to by staff, address any situations where staff may potentially misuse or breach the entitlements set out under the guidance and ensure that it is widely communicated to all staff, in particular new staff as part of their induction.
- Ensure that adequate cover arrangements are in place.
- Should be flexible in rearranging shifts if an employee's hospital appointment occurs during their shift pattern.
- Respect the confidentiality of employees' personal information shared as a consequence of medical or dental appointments.
- Seek to support the individual where necessary and particularly where regular or planned appointments may occur.
- Keep a local, confidential record of time off given to employees to attend medical/dental appointments ie. contained within local secure staff files.
- Seek support and guidance from HR in the event of any queries.

1.2 Roles and Responsibilities - Employees:

When making a medical/dental appointment, employees are advised that all appointments should be, where possible, made in the employee's own time. If this is not possible, appointments should be made during the following times:

- (a) Early morning: ie. before 10am.
- (b) Lunch time.
- (c) Late afternoon: ie. after 4pm.

- (d) In the case of Directorates operating a 24 hour service provision, whatever other times are deemed suitable by the Directorate.

- Should notify their manager as soon as they are aware that they have an appointment during their working time.
- Should provide evidence of the appointment, via a hospital appointment card/e-mail or dental appointment card/e-mail, where requested by their manager.
- Should adhere to and not breach or misuse this guidance.

1.3 Making Medical/Dental Appointments

If an employee has tried and has been unable to obtain an appointment in their own time and has requested time off from their Head of Department or Line Manager, it has been agreed that paid time off shall be allocated as follows:

- (1) Up to a maximum of 2 hours for medical / dental appointments on each occasion.
- (2) Up to a maximum of 3 hours for hospital appointments on each occasion.

In cases where staff members have attended a medical / dental appointment and have been absent from the workplace for longer than the time off permitted by the Trust, arrangements should be made by their Head of Department or Line Manager to enable the employee to “repay” the time owed, in excess of the allowances stipulated above by flexi time, annual leave or a time owed arrangement.

Deduction from salaries in respect of repaying the excess of time stipulated will not be permitted. Heads of Departments may use their discretion to increase the agreed time off in unique or exceptional circumstances ie. extensive dental procedures or hospital appointments requiring tests or procedures.

If an employee has a far distance to travel due to their appointment being far away from where they live/ work they may be permitted up to half a day or in exceptional circumstances to be considered on a case by case basis, up to one day. A full day may also be provided in the event that the appointment time takes longer and or other tests or procedures required.

With respect to emergency appointments, this request may be via a telephone call to the line manager. All reasonable efforts will be made to accommodate these.

It is important that employees where possible, should return to work after any appointments if the time is still within their normal work hours and as long as they are fit to do so. If staff are medically unfit to return to work normal sickness absence procedures will apply.

1.4 Medical / Dental Appointments for Dependents¹

Employees who have dependents and are required to accompany them to medical / dental appointments are required to arrange appointments in their own time where possible.

¹ A dependent is defined as being a spouse, child, parent or person living in the same household (though not an staff member, tenant or lodger). It also includes anyone who reasonably relies on the staff member for assistance if they fall ill or for the provision of arrangements for care.

Where this is not possible, an employee may be entitled to request reasonable time off ie. through flexi time, time owed or annual leave. Provisions are made in the Special Leave Policy, under Carer's Leave, for emergency situations.

1.5 Medical Appointments for Disabled Staff

This Policy should be read in conjunction with the Trust's 'Employment of People with Disabilities' Policy and the Disability Toolkit.

With regards an employee with a disability, line managers are expected to exercise discretion and support disabled employees to attend the various appointments as required. Attendance at regular appointments may be referenced by the employee and included in their Disability Passport.

Whilst an individual is entitled to reasonable time off, within the guidelines given above, managers must ensure they discuss with the employee what constitutes reasonable time off and should agree when the employee should supplement the time taken out of work with annual leave or flexi leave. This will depend on the individual's circumstances, eg.:

New or worsening condition:

- A person's disability may have just been recently diagnosed, so that more frequent appointments are required at that time, but once the condition is managed these appointments may become less frequent.
- The effect of a person's disability has changed, meaning that they need more frequent appointments for a limited period of time until the difficulties have abated.

In these cases, the manager should support these more frequent appointments.

Ongoing conditions:

If the employee's condition is either chronic or ongoing and requires frequent appointments on a continuous basis, then the manager should work in conjunction with the employee to formulate a suitable arrangement eg. some extra appointments being given. Advice should be sought from Occupational Health and in these cases, it is essential that the Head of Department seeks advice from Human Resources before confirming any alternative arrangements.

2.0 EMERGENCY LEAVE

2.1 Carers Leave is short-term paid leave to respond to immediate needs of carers arising from unplanned and unforeseen circumstances including :-

- Sudden illness of a child / close relative;
- Breakdown of normal carer arrangements;
- Making arrangements to cope with a longer term care problem;
- Illness of an elderly dependent;

It is expected that employees will use annual leave for non-emergency or recurring scenarios.

It is important that the provision is applied consistently and fairly.

The purpose of this provision is to help employees meet short-term carer's needs. It applies only in circumstances which are unforeseen or where there has been little or no notice of difficulty arising, eg. a child, older person or close relative suddenly becomes ill or where staff are confronted with a childminding problem of which there has been little or no notice.

Where such difficulties have been anticipated eg. several days in advance, then staff would be expected to make alternative arrangements or apply for annual leave. In these circumstances, managers should give sympathetic consideration to the granting of annual leave at short notice.

The provision allows for up to 3 consecutive days leave in any one period of carers leave, however in many circumstances a much shorter duration of leave will be appropriate. The purpose of the leave is to support staff to make alternative arrangements and there is no automatic entitlement to the full three days. Alternative arrangements may include variation of shifts, annual leave or unpaid leave etc.

Carer's wishing to be with their children or dependent relatives in times of illness will normally be expected to take annual leave. However, it may be appropriate to grant a short period of carers leave (eg. ½ to one day) to make alternative care arrangements. Where there is an emergency situation eg. child or older person suddenly becomes ill or has an accident, then a longer period of carers leave may be appropriate.

The provision allows up to a maximum of 12 days in any 12 month period. However this would be regarded as the exception not the norm. Employees experiencing persistent carer difficulties should be advised and supported to make alternative long term caring arrangements. This provision must not be viewed as an additional leave entitlement.

Employees are expected to advise managers immediately, ie. within the first hour of duty. At this stage an agreement should be reached on the duration of the leave and/or any annual leave requirements.

2.2 Domestic Emergency leave is to respond to immediate needs arising from unplanned and unforeseen circumstances for example:

- Burst Pipes/heating failure;
- Home burglary;
- Theft of mode of transport;

Managers should give consideration to the full background of each situation and approve/not approve on a case by case basis. This leave and each application should be considered individually.

Availability will be as follows :-

- ½ - 12 days emergency leave per annual leave year with no leave period exceeding three consecutive working days

The Procedure for Applying for Carers and Emergency Domestic Leave will be as follows :-

- a) The employee should advise their manager immediately of any difficulty in their normal caring arrangements and/or advise specifically what the domestic emergency is;
- b) Contact should be made if possible within the first hour of when the employee should have commenced duty or sooner to seek approval and agreement for an appropriate period of leave to cope with the difficulty;
- c) In discussion with the manager concerning the difficulty, the manager can suggest this type of leave as a solution;
- d) Those staff who are approved carers leave or emergency leave should apply on HRPTS. Please see section “Making an application” on page 7.

3.0 BEREAVEMENT LEAVE

The Trust has discretion to grant special leave with pay in cases of bereavement. As a normal rule, the period of absence authorised will not exceed three days, but since much may depend on individual circumstances the period may, be extended in cases of special hardship and or where the employee is responsible for funeral arrangements up to a further three days, ie. up to a maximum of six days in total.

Bereavement Leave is appropriate:

- In the case of the death of a spouse/partner, child, parent, brother, sister or grandparent; or
- In the case of the death of any other relative ie. in-law or equivalent other than above where special circumstances exist leave may be granted as outlined above;

4.0 CHILD BEREAVEMENT LEAVE

Bereaved parents will be entitled to two weeks contractual child bereavement pay. Pay is calculated on the basis of what the individual would have received had he/she been in work.

Within the Trust, there is no upper age limit of that child. This includes adoptive parents, legal guardians, individuals who are fostering to adopt, and any other parent/child relationship is deemed to be reasonable.

Bereaved parents do not have to take the two weeks of leave at the same time. The employee should agree with their manager the leave they wish to take. It is not compulsory for the employee to take child bereavement leave if they instead, wish to return to work.

Bereaved parents may request to take child bereavement leave at any point up to 56 weeks following the death of their child. Should the parent wish to take child bereavement leave immediately following the death of a child, they shall be able to do so upon informing their manager that they will be absent from work for this purpose. Should the parent wish to take child bereavement leave at another time, after the initial period following the death, they should give their manager reasonable notice of their intention to take the leave at this time.

5.0 MISCARRIAGE LEAVE

All employees regardless of gender who have experienced or been affected by early pregnancy loss or miscarriage, will be entitled to five days paid leave. This includes but is not limited to: miscarriage, abortion, ectopic pregnancy, molar pregnancy and neonatal loss. This is not dependent upon gestation of pregnancy or length of service.

In addition, employees will be offered paid time off for appointments linked to pregnancy loss, for example, medical examinations, scans and tests and mental health-related interventions, if this stretches beyond the time outlined above.

6.0 MARRIAGE / CIVIL PARTNERSHIP LEAVE

Marriage / Civil Partnership Leave is three days paid leave which may be taken by employees at the time of their marriage / civil partnership and which is in addition to annual leave. Should a member of staff divorce and remarry, having been married during their employment previously, a further period of marriage leave can be applied for.

Marriage / Civil Partnership Leave cannot be included in annual leave or used at any other time.

7.0 SAFE LEAVE

Employees that are victims or survivors of domestic violence and sexual abuse can have up to 10 days paid leave per year – with no qualifying period. Safe Leave can help mitigate some of the barriers that employees as victims or survivors face when attempting to seek help and support. It is expected that managers discuss these matters in a sensitive and compassionate way with staff affected. Managers should also direct staff to our virtual resource toolkit:

<https://belfasttrust.pagetiger.com/domestic-sexual-violence-abuse-support-toolkit/1>

and our confidential helpline number 028 950 48667 or e-mail:

domesticandsexualabusesupport@belfasttrust.hscni.net

Employees should apply for Safe leave via a hard copy application form. Please refer to appendix 1. Managers should return application forms for Safe Leave to the Improving Working Lives team, HR.

8.0 PATERNITY LEAVE

Paternity leave is available to:

- A biological father or adoptive father;
- A partner/husband that is not the baby's biological father;
- A female partner in a same sex couple;
- A nominated carer;
- Any other situations will be considered by the Trust.

Paternity leave is paid or unpaid leave of absence and those with 12 months continuous HSC service at the beginning of the week in which the baby is due will be entitled to two weeks leave of absence with full pay which must be taken within 56 days of the child's birth, adoption or surrogacy arrangement. Staff can choose to take one or two whole weeks leave within the 56 days of the child's birth or adoption or surrogacy arrangement.

Those with less than 12 months but more than 26 weeks continuous service will be entitled to two weeks leave paid at Statutory Paternity Pay (SPP) rate which is the same as the Statutory Maternity Pay (SMP) rate.

Those with less than 26 weeks continuous service will be entitled to two weeks unpaid leave.

Paternity leave cannot start until the birth of the baby or date of adoption or surrogacy arrangement.

Paternity leave and pay will operate on a rolling week basis which allows leave to commence on any day of the week.

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

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

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

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

9.0 SHARED PARENTAL LEAVE AND / OR PAY

Shared parental leave starts after the birth of the child or in the case of adoption and or surrogacy arrangement, the child has been placed for adoption.

Shared parental leave is designed to enable working parents to share leave and to take time off in a more flexible way. This will allow both eligible parents to be at home together if this is what they choose. The intention is to allow families more choice over how they look after their children in the first year.

Eligible parents will be able to choose to end their maternity or adoption leave or surrogacy leave early to create leave which they can share with their partner. This is known as Shared Parental Leave.

Shared Parental Pay will be payable where an eligible parent or adopter brings their maternity pay to an early end. The untaken statutory maternity pay will become available as Statutory Shared Parental Pay – up to a maximum of 39 weeks. (Please refer to HSC (GEN) 1/2018).

If you are eligible for Occupational Shared Parental Pay your overall entitlement will be in line with the Trust's Maternity leave policy. You will be entitled to:

- 8 weeks full pay less any occupational maternity/paternity leave and pay that has been taken;
- 18 weeks half pay plus Statutory Maternity Pay or Maternity Allowance;
and
- 13 weeks Statutory Maternity Pay or Maternity Allowance;

Full information on Shared Parental Leave and/or Pay and the procedures for applying can be found within the Trusts' Family Policy Pack available on the loop.

10.0 PARENTAL LEAVE

Eligibility for parental leave which is unpaid leave, is open to any employee with 12 months continuous HSC service who have nominated parental responsibility, ie. surrogacy

- is the parent (named on the birth certificate) of a child who is under 18 years old;
- has adopted a child under the age of 18;
- has acquired formal parental responsibility for a child ie. surrogacy;

Parental leave is leave taken to look after a child or to make arrangements for the child's benefit. The reasons for the leave need not be connected with a child's health, for example, a parent may wish to take parental leave to settle a child at a new playgroup;

Parental leave is unpaid and staff who qualify will have the right to a total of 18 weeks unpaid leave per child. Entitlement will be pro rata for part-time staff.

A maximum of four weeks parental leave can be taken in any one year for each child.

In the case of multiple births there will be a separate entitlement for each child;

Periods of parental leave do not affect the employee's normal annual leave entitlement.

Parental leave must be taken in manageable blocks of one week, or in a minimum of half days at a time or in a pattern providing a reduced working week **up to a maximum of four weeks per child in any given year**. A week is based on the employee's working pattern. If the employee's working week varies, an average working week over a 52 week period is used.

Where a request cannot be accommodated due to service needs, parental leave can be postponed for up to six months but cannot be postponed so that the leave ends after the child's 18th birthday.

It is the responsibility of an employee wishing to pursue parental leave to consult with Payroll Services regarding the reductions in his/her income and any HSC Pension implications and to consult the following website for guidance www.gov.uk/national-insurance regarding National Insurance Contributions and any entitlements.

In the event that both parents of a child are employed by the Trust, they are not permitted to transfer their entitlement from one to the other. Both parents will have the right to access parental leave either simultaneously or subsequently subject to the needs of the service.

Following a period of parental leave, the employee will return to his/her former post or a post with the same terms and conditions and status. The employee will not be disadvantaged by taking parental leave and in the event of a redeployment or redundancy situation, will be treated as if they were working normally.

In the event that an employee leaves the Trust and then takes up appointment at a later date, their qualifying service for entitlement to parental leave may need to be verified with their previous employer.

Parental leave taken with a previous employer will be checked and verified for new employees once an application is made by the employee to ensure the appropriate entitlement is given.

Periods of parental leave will be treated as continuous service. Staff who fall sick during a period of parental leave who submit relevant medical notification in accordance with Trust Policy shall be entitled to payment under the Trust's Occupational Sick Pay Scheme. This period of medically certified sickness shall not count towards the parental leave taken.

11.0 Foster Carers Leave

Foster Carers' Leave is special paid leave and is designed to enable employees who are Trust approved foster carers or supported lodgings hosts (this leave does not apply to those fostering through independent agencies) and who are also employed within Health and Social Care (HSCNI).

Up to five days foster carers' leave with pay will be granted in any leave year. This leave is planned and can be taken to attend foster care training, interview sessions, children's meetings, annual reviews etc. and to help settle a child into a planned foster placement.

The employee must be directly employed in a permanent or fixed term contract with the Trust to avail of this. Employees should indicate to their line manager that they are considering becoming a foster carer or supported lodgings host and keep their manager appraised of their foster journey. If applicable, managers are encouraged to link with their organisation's Fostering and Adoption team for further advice and support.

12.0 FERTILITY TREATMENT LEAVE

Employees are asked, wherever possible, to arrange appointments outside of work. Where this is not possible, employees will be granted up to a total of five working days (not exceeding 37.5 hours) of paid fertility leave, in a 12 month period in order to undertake fertility treatment and attend appointments specifically associated with the IVF process.

The leave can be taken to suit the employee's needs ie. five days in one block or taken on separate days or ½ days as required.

Partners who are employees and would like to attend appointments, will be entitled to a maximum of two days paid leave in a 12 month period.

Employees should apply for Fertility Leave via a hard copy application form. Please refer to appendix 1. Managers should return application forms for Fertility Leave to the Improving Working Lives team, HR.

13.0 SUPPORTING PREMATURE BABIES AND THEIR FAMILIES

Where an employee's baby is born prematurely (before 37th week), the employee will be entitled to extended maternity leave at full pay, by the number of days the baby was born prior to the due date.

Employees/parents returning to work following the birth of a premature baby will be provided with Occupational Health support if necessary to meet their unique needs and in acknowledgement of the premature birth. This support may include the offer of counselling services.

Upon return to work from maternity leave, where an employee's baby is born prematurely as described above and has ongoing medical needs (for example, requiring regular hospital appointments and check-ups), the Trust will follow best practice guidance, consider formal and informal flexible working patterns where appropriate and consider offering additional paid or unpaid leave. Further support and guidance will be provided by the Improving Working Lives Team, HR.

14.0 UNPAID LEAVE

Unpaid leave is for periods of three months or less off work. Applications for Unpaid Special Leave may be granted at the discretion of the manager and are dependent on the needs of the service and the delivery of safe and effective patient care at the time of the application. The majority of annual leave should be exhausted before unpaid leave is awarded. Staff may be permitted to retain a maximum of five days annual leave.

Requests for more than three months unpaid leave should be made under the Trust's Employment Break Scheme found within the Work Life Balance Policy. On return from a period of unpaid leave, an employee will normally resume their former post.

Annual leave is not accrued during periods of unpaid leave.

15.0 UNDERTAKING TRADE UNION DUTIES / TRAINING

The arrangements for this leave are set out in Section 25 of the Agenda for Change Handbook and will also apply to Medical and Dental staff. Applications and queries should be addressed in the first instance through the HR Information Service 028 9615 9615. The pro forma will not be contained here as Trade Union duties, training and other related matters are managed via the Industrial Relations processes.

16.0 TRAINING AND MOBILISATION FOR RESERVE AND CADET FORCES

The Trust supports employees who are members of, or wish to join the Reserve Forces, and acknowledges that the training undertaken by Reservists enables them to develop skills and abilities that are of benefit to the individual and to the HSC. The Trust is committed to granting 3 calendar week's additional paid leave specifically for professional development and training which includes attendance at annual camp in accordance with circular HSC (GEN) 1/2016.

Additional unpaid leave of up to 3 days will be granted for short periods of training provided adequate notice is given and where such training cannot be undertaken in off duty time. Attendance at weekend camps which cannot be undertaken during off-duty will be subject to the same arrangements. In the event of deployment, please refer to the circular.

These provisions apply to employees who are members of the following Reserve Cadet Forces: - Maritime Reserves Royal Naval Reserves (RNR) and Royal Marines Reserves (RMR), Army Reserve and Royal Auxiliary Air Force.

17.0 JURY SERVICE/ATTENDANCE AT COURT AS A WITNESS

Employees who are required to undertake Jury Service must inform their manager at the earliest opportunity. Jury Service Regulations will require an employee to report to the Court over a set period of time, usually two weeks, to confirm whether or not the employee is required to act as a Juror and this should be recorded when employees apply on HRPTS for this leave.

Once the employee is required to attend Court he/she must keep their manager informed of the likely duration of their absence. In addition, if the employee is required to report for Jury Service and is subsequently not required, it is expected that he/she will return to work. If the employee is in any doubt about this, for example due to the time of their release, then they should make contact with their manager to agree the appropriate action.

As soon as the employee receives the first notification from the Court Service, he/she should advise their manager of the dates required.

Employees who are subpoenaed or required to attend court as a witness in connection with the Trust i.e. regarding either a Trust case or criminal proceedings, will be provided with paid leave to attend. Employees who are required to attend court for any other reason and are not subpoenaed should apply for annual leave or unpaid leave to do so.

18.0 ATTENDANCE AT INDUSTRIAL / EMPLOYMENT TRIBUNAL

Employees who are listed as Trust witnesses at either an Employment or Industrial Tribunal will be permitted paid leave for the time they are required to attend.

Employees who are subpoenaed to attend an Employment or Industrial Tribunal as a witness will be provided with paid leave to attend all proceedings. Employees who are required to attend Tribunal for any other reason and are not subpoenaed should apply for annual leave or unpaid leave to do so.

As soon as the employee receives the first notification from the Employment or Industrial Tribunal he/she should advise their manager of the dates required.

18.1 Attendance at Registered Professional Body Hearing

Employees who are registered with a professional body ie. GMC, GDC, NMC, NISCC, HCPC and are required to attend a professional hearing will be provided with paid leave to attend all proceedings.

Employees who are required to attend a professional body hearing as a Trust witness or spokesperson will also be provided with paid leave to attend.

19.0 TIME OFF FOR PUBLIC DUTIES

Employees who hold certain public positions will be permitted reasonable time off to perform the duties (unpaid) associated with them.

This applies to employees who are:

- Justices of the peace;
- Members of a district council;
- Members of district policing partnerships;
- Members of district policing partnerships;
- Member of any statutory tribunal;
- Members of a Health and Social Services Board;
- Members of an Education and Library Board;
- Members of any of the following:
 - the board of Governors of a grant-aided school;
 - members of the governing body of an institution of further education;
 - the managers of a college of education;
- Members of the Council for Catholic Maintained Schools;
- Members of the Northern Ireland Council for the Curriculum;
- Examinations and Assessment Council;
- Members of the General Teaching Council for Northern Ireland;
- Members of a board of visitors appointed under the Prison Act;
- Members of a visiting committee appointed under the Treatment of Offenders Act (Northern Ireland) 1978.

What is reasonable time off?

The amount of time which an employee should be permitted to take off to perform these public duties is defined as that which is reasonable.

Payment for Time off

There is no payment for time off for public duties.

20.0 PARTICIPATION IN SPORTING EVENTS

If an employee is selected to participate in a sporting event at national or International level as a representative of his/her country, additional leave as outlined below will be granted within an annual leave year. If further leave is required over and above this amount, it can be taken as annual and/or unpaid leave, subject to the exigencies of the service.

This provision includes team managers or coaches required to attend the event. It also includes time off for an employee who is the parent/guardian of a child under the age of 16, and who is required to accompany the child while participating in the sporting event.

This provision will also apply to employees who are required to attend the event as a carer or person accompanying a disabled participant. There is no age limit if required to accompany a disabled participant.

- National sporting events – where an employee has received national recognition - up to 2.5 days paid leave and up to a further 7 days unpaid leave;
- International sporting event – where an employee has achieved international recognition – up to 10 days paid leave and 30 days unpaid leave;
- Involvement in an official capacity at national or international sporting events – paid or unpaid leave;

21.0 APPEAL ARRANGEMENTS

In the event that an employee's application for Special Leave is not approved, they may appeal the decision directly to the next level of line manager who should respond to the employee in writing. Further to this, the Trust Grievance procedure may be invoked where the Employee feels there is evidence that the decision has been unfair, not that the application was turned down. In such circumstances, the appeal panel will be set at stage 2. This is the final stage of the Trust internal process.

Special Leave Application Form

If you are off work owing to sickness or maternity leave, please complete the details below

Staff Number	
Employee Name	
Job Title and Band	
Directorate	
Location	
Contracted Hours	

TYPE OF LEAVE (please tick as required) :

Emergency Leave : Urgent Domestic / Carers	☐	Safe Leave	☐
Jury Service	☐	Attendance at Court as a witness	☐
Unpaid leave	☐	Training with the Reserve/Cadet Forces	☐
Marriage / Civil Partnership	☐	Participation in a National / International Sporting Event	☐
Bereavement	☐	Parental Leave	☐
Child Bereavement	☐	Fertility Treatment Leave	☐
Miscarriage Leave	☐	Supporting Premature Babies and their Families	☐
Time off for Public Duties	☐	Attendance at Industrial/Employment Tribunal	☐
Foster Care Leave	☐		

If you are applying for leave under Section A please provide official documentation relating to the specific type of leave ie. Jury Service.

Please provide as much notice as possible to your Line Manager when applying for Special Leave. Where multiple periods of time-off are requested, eg. attendance at court, one application for all the dates should be made at the earliest opportunity.

Please outline below the reason why you require Special Leave, as appropriate:

Dates on which Leave is required: _____ to: _____

Duration of Leave: _____

Signed: _____ Date: _____

.....

To be completed by Manager

Approval has / has not been granted (Please note attendance at court as a witness / jury service is pre-approved). Where approval has not been granted, please specify reason:-

Signed: _____ Date: _____

BLOCK CAPITALS : _____

It should be noted that in the event that the exigencies of the service make it difficult to release an Employee on Special Leave that has already been granted that it may be necessary to postpone or cancel the leave. This would apply mainly to leave for attendance at HPSS meetings or for the purpose of undertaking Trade Union duties / training. Managers should make every effort to prevent the postponement or cancellation of the leave.