

Date implemented: 9th October 2006

Date amended: 27th October 2010

**Human Resources & Workforce
Development**

EXTENDED LEAVE SCHEME

CONTENTS

1. INTRODUCTION.....	3
2. Eligibility	3
3. Making a request.....	3
4. Declined requests	4
5. Scheme Details	4
6. Maintaining Contact	5
7. Further Information.....	6
8. EXTENDED LEAVE SCHEME SUMMARY	6

1. INTRODUCTION

- 1.1 The aim of the scheme is to supplement existing leave provision and offer unpaid extended leave for a period of up to 6 months.
- 1.2 Should you wish to apply for a longer period of unpaid leave, you should consult the Council's Career Break Scheme.
- 1.3 The purpose of both schemes is to improve recruitment and retention by allowing permanent staff additional time off for specific reasons subject to the needs of the business.

2. ELIGIBILITY

- 2.1 To apply, you must be a permanent employee of the Council and have at least 26 weeks qualifying service with Tower Hamlets by the date of submission of your application.
- 2.2 You must give as much notice as possible to your manager of the date of your request to start leave but it is recognised that in some cases the request will be at short notice due to an emergency situation.
- 2.3 You must take any accrued outstanding annual leave first before the extended leave can commence.
- 2.4 Extended leave will not normally be granted for more than 6 months and may be refused or the timing of the leave negotiated, where the level of absence is such that it will adversely affect the service.

3. MAKING A REQUEST

- 3.1 You must submit a request by completing the form attached as Appendix 2 and submit this to your manager. You must state whether your request is being made under the statutory rights under the Flexible Working Regulations. To be eligible for this statutory right, you must have been continuously employed by the Council for at least 26 weeks and have a child under 16, or under 18 if your child is disabled.
- 3.2 Your manager will consider the request and submit this to a third tier manager or above for approval. They will then consider your manager's comments and feedback to your manager.
- 3.3 Your manager will notify you of the outcome of your application within 28 days of receiving your request and forward a copy of your application to the HR & WD Central Services team for placing on your personal file. If your application is approved, you should be aware that unpaid leave will have implications on your pension and National Insurance Contributions. You are advised to contact the Pensions section for detailed advice.

- 3.4 Under the Flexible Working Regulations, your manager can only consider one statutory request to work flexibly every twelve months. However the Council will consider all requests when received including requests for other types of flexible working options. You will only be entitled to have one application heard in accordance with your statutory rights.

4. DECLINED REQUESTS

- 4.1 The Council aims to deliver responsive and high quality services and your manager therefore, has to consider any potential impact that your absence may have on service delivery. Managers will need to decline requests where there is likely to be a detrimental effect on the ability to meet customer demand, quality, performance or some other business reason such as the ability to re-organise work. In circumstances where you believe that your request has not been properly considered, you may wish to appeal.
- 4.2 If you are a parent and have submitted a statutory request under the Flexible Working Regulations, you will be entitled to a two stage appeal process.
- 4.3 The first stage will be to make your appeal in writing within 14 days after receiving written notice that your request has been declined. When appealing, you will have to set out the grounds for your appeal and ensure that it is dated. Your appeal will be then be heard by a more senior manager to the one that originally considered your application, within 14 days. You are entitled to be accompanied by a colleague or a trade union representative. Where the decision is taken by a third tier manager, an independent third tier manager can hear your appeal and likewise for a Service Head. You will receive written notice of the outcome of the appeal. You also have a further right of appeal, which will be considered under the final stage of the Grievance Procedure.
- 4.4 Should you not have a statutory right under the Flexible Working Resolutions, and you wish to appeal, you can seek resolution through the Final Stage of the Grievance Procedure. You must put your appeal in writing to your Corporate Director (and also send a copy to the HR & WD Senior Business Partner who covers your Directorate). The Corporate Directorate (or her/his nominated deputy) will then convene a meeting. The reply from the Corporate Director (or her/his nominated deputy) will then be the final response by the Council.

5. SCHEME DETAILS

- 5.1 You must notify your manager at least one month before your return date to confirm that you are intending to return. Contact details should be left with your manager before departure (e.g. a forwarding address, e-mail or someone who can be contacted) should you fail to provide notice of return.
- 5.2 You should not undertake any paid employment during this period of extended leave as you are still employed by the Council unless you have already obtained express written. The HR & WD Central Services team will be able to provide advice where necessary.

Any action contrary to this would result in the period of extended leave being stopped and you would be deemed to have resigned.

- 5.3 If for any unforeseen reason, for example due to sickness, you are unable to return on the specified date, you must contact your manager immediately to determine whether, at the absolute discretion of the Council, your return date can be changed. You will not be allowed to claim sick pay before commencing work.
- 5.4 You are required to sign on the application form that you understand and accept in particular, that if for whatever reason, if you fail to return by the date specified or any other date which has been agreed in writing, you will be notifying the Council that your failure to return constitutes your resignation from employment with the Council and will be accepted as such by the Council.
- 5.5 If you wish to resign whilst on extended leave, you must submit your resignation in writing at least one month prior to your expected date of return.
- 5.6 Managers must inform the HR & WD Central Services team about resignations or non returns so that administrative procedures can be followed.
- 5.7 If you have a lease car you should consider the following options:-
- Paying the termination cost to the lease company
 - Continuing to pay the full amount of the lease during the period of unpaid leave.

Upon your return to work, you may not retain eligibility for a lease car.

- 5.8 You will not be able to reclaim any holidays or sick pay during extended leave. Annual leave is only accrued in accordance with actual months worked.
- 5.9 During the period of your extended leave, continuity of service is maintained and the contract of employment continues to apply throughout the period.

6. MAINTAINING CONTACT

- 6.1 In order for the HR & WD Central Services team to maintain contact and provide relevant information that may affect your employment whilst on extended leave, it is your responsibility to provide correct and up to date address or contact details. This is to ensure that in the event of any operational reviews and reorganisations that affect you, your manager can invite you to take part in the consultation process. If exceptionally a post is deleted, the Council would endeavour to redeploy you in line with the Handling Organisational Change Procedure but can not delay restructuring as a result of those on leave.
- 6.2 It will be your responsibility to make regular contact with your manager to be updated on Council news and developments in your professional field.

7. FURTHER INFORMATION

- 7.1 If you have any queries regarding this procedure, please contact the HR & WD Central Services team.

8. EXTENDED LEAVE SCHEME SUMMARY

