

## British Transport Police Authority

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### *Attendance Policy*

<b>Author</b>	L. Barrick
<b>Date approved</b>	March 2011
<b>Date last reviewed</b>	
<b>Date of next review</b>	March 2012
<b>Protective marking</b>	Not Protectively Marked
<b>EIA</b>	Completed 30/03/11

## Revision History

Date	Version	Description	Author
19 October 2011	1.1	Amended to reflect the new time off in lieu arrangements	L. Barrick
02 November	2.0	Final amendments following SMT feedback	L. Barrick

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## **1 AIM**

- 1.1 The aim of this policy is to allow employees to balance the demands and responsibilities of life outside work alongside work commitments. There are statutory entitlements to time off and situations in which the BTPA uses discretion and goes beyond statutory requirements<sup>1</sup>.

## **2 OVERVIEW**

- 2.1 British Transport Police Authority (the BTPA) is committed to maintaining a high level of attendance from all employees. This is essential to the maintenance of an efficient and effective organisation.
- 2.2 This policy is designed to:
- Maximise attendance at work by employees' and support those who require leave.
  - Minimise the disruption caused by frequent leave by attempting (where suitable) to accommodate employee's needs in relation to leave.
- 2.3 This SOP will outline the responsibilities of managers in relation to authorising time off and justifying the absence.

## **3 SCOPE AND DEFINITIONS**

### **3.1 Scope**

- 3.1.1 This policy applies to all staff employed by the BTPA. This includes those who are full time, part time or on a fixed term contract. Agency staff will be covered by their individual agencies contractual terms and conditions.
- 3.1.2 This policy covers all forms of leave with the exception of sick absence, maternity, paternity, adoption, parental and fertility treatment leave. These are covered in the BTPA Sickness Absence Policy and Maternity and Family Friendly SOP.

### **3.2 Definitions**

#### **3.2.1 Dependants**

- 3.2.2 The term 'dependant' is used throughout this document. A dependant is someone who reasonably relies on an employee for assistance. It does not include tenants or boarders living in the family home, or someone who lives in the household as an employee, such as a live-in nanny.

### **3.3 Equal Opportunities Statement**

- 3.3.1 All employees have a responsibility to ensure that no unlawful discrimination occurs on the grounds of age, colour, disability, ethnic origin, family commitments, gender, gender dysphoria, marital status - marriage or civil partnership, nationality, national origins, political beliefs, race, religion or belief, sexual orientation, trade union activity or any other unacceptable grounds when operating this policy.

## **4 HOURS OF DUTY**

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<sup>1</sup> For example: THE BTPA has higher annual leave entitlements than the statutory minimum (Working Time Directive 1998)

4.1 Staff are expected to work an average of 37 hours per week exclusive of meal breaks.

## **5 PUBLIC HOLIDAYS**

### **5.1 Public Holiday Entitlements**

5.1.1 The public holiday entitlements<sup>2</sup> for all staff are eight days per annum as follows:

New Years Day (01 January)	One day
Good Friday	One day
Easter Monday	One day
May Day	First Monday in May
Spring	Last Monday in May
Late Summer	Last Monday in August
Christmas Day (25 December)	One day
Boxing Day (26 December)	One day

### **5.2 Re-allocation of Christian Public Holidays to Other Religious Holidays**

5.2.1 Employees' may choose to re-allocate the three public holidays related to the Christian calendar to other religious festivals/holidays. These are Good Friday, Easter Monday and Christmas Day. This can be done via the Absence Record Form, Appendix A of this SOP, and submitted to the employees' manager.

5.2.2 Where it is inconvenient for an employee to re-allocate the Christian public holidays, annual leave can be applied for in the normal manner.

5.2.3 Where staff choose to work normally on the three Christian public holidays, and re-allocate these to other days in line with their own faith, they should be directed to where to work on those days if different from their normal place of work. Managers will also need to consider any health and safety issues if the employee is working in isolation e.g. in a building that is otherwise 'closed'.

5.2.4 If an employee re-allocates a Christian public holiday, they will not receive enhanced pay when working on the actual public holiday<sup>3</sup>. Requests for re-allocation must be filed on the employee's personal file for audit purposes.

## **6 ANNUAL LEAVE**

6.1 The police staff annual leave entitlement for management and non-management grades as follows:

Up to 5 years service	5 weeks, 3 days (28 days)
After 5 years service	6 weeks (30 days)

<sup>2</sup> This entitlement is in addition to annual leave entitlements.

<sup>3</sup> Refer to [Diversity Notice 04/06](#) - Re-allocation of Christian Bank/Public Holidays.

6.1.2 Annual leave will be taken at times authorised and approved by the employee's manager, who will take into account any local circumstances.

6.1.3 Managers should not refuse annual leave requests without a justifiable operational reason, if reasonable notice has been provided.

## **7 FLEXI-TIME & TIME OFF IN LIEU**

7.1 BTPA's office operating hours are 09.00 – 17.00 with core hours of business from 10.00 – 16.00 during which it is essential that the office is fully functioning and is not left unmanned.

7.2 Time off in lieu (TOIL) can be stored and taken following additional hours worked, with a minimum one hour claim and 30 minute units thereafter. A maximum of one day every two weeks may be taken as TOIL. Additional hours must be approved by line managers and will then be logged by the Office Support Manager. Requests for TOIL must be approved by the Chief Executive, as with annual leave, and notified to the Office Support Manager for logging. A standard working day is 7 hours 30 minutes.

## **8 TIME OFF FOR TERRITORIAL ARMY TRAINING**

8.1 All staff who are members of the Territorial Army should be granted two weeks leave annually to attend camp. This will be paid at the standard rate of pay for the two weeks at camp.

## **9 TIME OFF FOR SELF DEVELOPMENT**

9.1 All staff undertaking training for any courses directly related to their employment may be entitled to day release where it is a requirement of the course. The decision should be made by the Senior Management Team (SMT).

9.2 All staff receiving financial support may be granted up to five days study leave in one year at the discretion of SMT. All changes of duties necessary to undertake a course of study must be approved by the SMT.

9.3 Where an individual is self funding a course of study which will directly benefit them in their job role and support the BTPA's objectives, five days study leave per year will be granted as per paragraph 9.2.

## **10 WORKING TIME REGULATIONS**

### **10.1 Agreement with Transport Salaried Staff Association**

10.1.1 BTP has an agreement for the purposes of the Working Time Regulations 1998 with the Transport Salaried Staff' Association (TSSA) which has been adopted by the BTPA. The main points are summarised in this policy. A full copy of the agreement can be accessed from the TSSA<sup>4</sup> and is also available on the HR Department intranet site.

#### 10.1.2 Working Time

10.1.2.1 For the purpose of the WTR, working time shall include:

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<sup>4</sup> Further information on the TSSA can be accessed via their internet site [www.tssa.org.uk](http://www.tssa.org.uk).

- When working at the Chief Executive's disposal and carrying out their activities or duties.
- Travel on the Chief Executive's instructions to any place of duty that is not the employee's usual place of duty.
- Such periods when the employee, when on call is interrupted
- For a work related matter (over the telephone or otherwise).
- Time that the employee is undertaking BTPA sponsored relevant training.
- Travelling time as a result of recall to duty.
- Travel to and from work related courses other than at the normal place of duty.

### 10.1.3 Maximum Working Week

10.1.3.1 The reference period for the 48 hour average maximum working week shall be 17 weeks.

### 10.1.4 Night Working

10.1.4.1 For the purposes of the application of the Working Time Regulations 1998 "Night Time" shall comprise of the period 2300-0600.

10.1.4.2 The reference period for the purposes of Regulation 6(1) of the WTR shall be 17 weeks.

### 10.1.5 In-Work Rest

10.1.5.1 The seven day period for the purposes of Regulation 11 of the WTR shall commence at 0600 on each Monday morning.

### 10.1.6 Daily Rest

10.1.6.1 It is agreed that a duty roster shall make provisions for an interval of not less than eleven consecutive hours rest between the end of each of an employees' daily periods of duty and the next, unless the local staff representatives agrees otherwise subject to their being given compensatory rest.

10.1.6.2 Where, due to the exigencies of duty an employee is recalled to duty and is therefore precluded from having a rest period of not less than eleven consecutive hours in a 24 hour period, the employee will be entitled to compensatory rest. Compensatory rest is a period of rest equal to the duration of any time spent working during what would otherwise have been a rest period.

10.1.6.3 It is now agreed that compensatory rest need not be taken out of working time and need not be paid. Sufficient rest will generally be given if, over a period of time (such as a fortnight) each employee has, on average, at least 92 hours "non working" time each week.

## **TIME OFF FOR ALL EMPLOYEES**

## **11 ANNUAL LEAVE**

### **11.1 General Principles**

- 11.1.1 The annual leave year follows the calendar year from 01 January to 31 December.
- 11.1.2 Annual leave requests should be submitted to provide as much notice as possible, allowing managers to make arrangements in relation to resourcing requirements.
- 11.1.3 Annual leave must not be used instead of sick leave as this produces a false representation of the sickness levels. False reporting may also prevent an individual from being monitored for unsatisfactory attendance and does not allow for the individuals medical needs to be addressed, for example assistance from the FHQ Occupational Health Advisor. Managers could also receive claims of discrimination or unfair treatment, as the granting of annual leave instead of sick leave is not permitted within the BTPA Sickness Absence Policy.
- 11.1.4 Where an employee is ill whilst on annual leave, they may apply to have their leave reinstated, by applying to their line manager. This will depend on the correct reporting procedures having been complied with and will only apply where the sickness is supported by a medical certificate or through following the correct self-certificate procedures.
- 11.1.5 If an employee is absent through certified sickness and wishes to take annual leave (either individual days or for travel within the UK or abroad), this may be agreed by the line manager if it is supported by a letter from their medical practitioner stating that it will not hinder the recovery process. Any annual leave taken will be deducted from the employee's annual leave entitlement and recorded as annual leave and not sick leave.
- 11.1.6 An employee who is unable to take annual leave within the normal leave year because of long term sickness will be entitled to accrue outstanding annual leave for that year. Accrued leave must be cleared as soon as possible, subject to exigencies of the service and with management approval.
- 11.1.7 Employees on suspension should not accumulate annual leave. Annual leave should be taken as normal throughout a period suspension. This should be authorised following the usual annual leave recording procedures.
- 11.2 Carrying Forward Untaken Annual Leave**
- 11.2.1 An employee may carry a maximum of five days leave forward into the new leave year. Any annual leave taken forward must be used by 31 March.
- 11.3 Payment for Untaken Annual Leave**
- 11.3.1 Payment for an excessive accumulation of annual leave will only be made in exceptional circumstances. The decision must be made by the Chief Executive. In such cases, payments will not normally exceed five days. Any additional outstanding leave would be carried over into the following year with permission from the manager.
- 11.4 Employees Travelling Abroad for Annual Leave**



11.4.1 Employees are advised to contact the Foreign and Commonwealth Office<sup>5</sup> in the first instance, when travelling abroad for annual leave, should they have any concerns over security risks in the country of their destination.

## **11.5 Employees Leaving BTPA**

11.5.1 Where an employee leaves BTPA before reaching normal retirement age, they will be entitled to annual leave calculated on a pro-rata basis and in accordance with their leaving date<sup>6</sup>.

11.5.2 The BTPA allows employees to receive their full year's annual leave upon 'final' retirement<sup>7</sup>. Any sum paid in lieu will be paid at the basic rate. However, if the individual takes their full annual leave prior to their retirement date, they will receive their basic salary.<sup>8</sup>

11.5.3 Where an employee has utilised their full annual leave entitlement and subsequently leaves BTPA prior to 31 December of that year, the annual leave will be deducted from their final pay.

11.5.4 Employees transferring to another police authority/service are not entitled to transfer annual leave. They will be considered as having left BTPA.

## **11.6 Recording Annual Leave**

11.6.1 Annual leave should be approved by managers and recorded on the Holiday spreadsheet.

## **11.7 Pro- Rata Annual Leave Calculations**

11.7.1 Annual leave is calculated on a pro-rata basis to the exact day of entitlement. Please refer to table 23.7.1 for guidance on pro-rating annual leave.

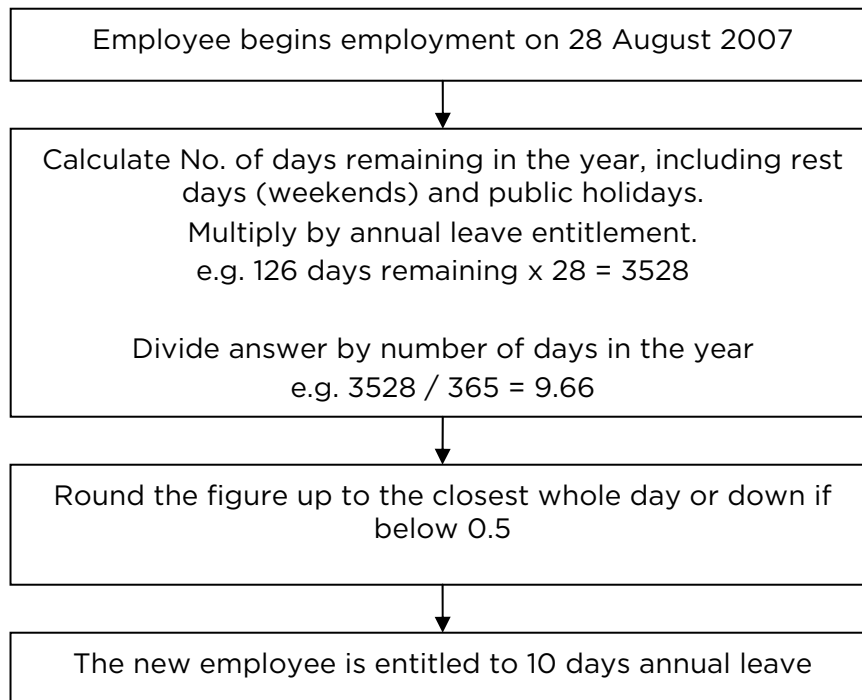
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<sup>5</sup> Refer to the Foreign and Commonwealth Office website at [www.fco.gov.uk](http://www.fco.gov.uk)

<sup>6</sup> Advice regarding notice periods should be sought from HRBC or the Employee Relations Section, FHQ.

<sup>7</sup> 'Final retirement' refers to retirement whereby the individual is not re-employed by the BTPA.

<sup>8</sup> Example: If an employee retires on 01 March, they will accrue annual leave from 01 January to 28 February. For this period, they will be paid the basic rate, plus any applicable allowances. Thereafter, (01 March to 31 December) they will be paid the remainder of the annual leave entitlement at basic rate only.



- 11.7.2 Calculated days must be rounded to the closest whole day, however half days may be taken as annual leave.
- 11.7.3 Employees leaving BTPA will have the option to take their annual leave before their finishing date (if appropriate), or be paid their annual leave entitlement at the standard rate of pay within their last pay.
- 11.7.4 New employees to BTPA will be entitled to their contractual leave entitlement on a pro-rata basis.
- 11.7.5 Employees transferring between BTPA and BTP may transfer their entitlements to their new organisation. The employee must inform their new location of any annual leave commitments as soon as possible.

## **12 PART TIME ANNUAL LEAVE**

- 12.1 There is no universal definition of part-time working and in practice it means working anything less than full time hours i.e. 37 hours.
- 12.2 Part-time employees have the right to be treated no less favourably than full time employees.
- 12.3 Part-time employee's annual leave entitlement will be calculated on both the basis of the number of hours and number of days worked. Calculated days must be rounded to the closest whole day, however half days may be taken as annual leave.
- 12.4 Further information on part-time working can be found in the Flexible Working SOP.

## **13 EMPLOYMENT BREAKS**

- 13.1 The purpose of an employment break is to enable employees to have a period of unpaid leave, up to a maximum of five years and return in the same grade. During this break employees remain members of the BTPA. Owing to the size of the organisation it will be unusual for an employment break to be granted without exceptional circumstances.
- 13.2 The employment break is unpaid leave, it will not qualify as reckonable service.
- 13.3 Full information on employment breaks can be found in Flexible Working SOP.

## **14 TIME OFF FOR WORSHIP/RELIGIOUS OBSERVANCE**

### **14.1 Religious festivals/extended leave**

- 14.1.1 The Employment Equality (Religion or Belief) Regulations 2003 do not require an employer to provide time off for the observance of religion or belief. However, as an equality and diversity employer, the BTPA recognises that employees may have different faiths or religion.
- 14.1.2 Employees with relatives abroad may have particular religious/cultural needs for occasional extended leave for births, weddings and deaths. Managers should agree to such requests if reasonable and practical. Special leave should also be considered favourably and within reason when those with a particular religion or belief are in a period of bereavement/mourning and their faith requires them to follow a specific ritual.
- 14.1.3 Employees and managers may obtain further information relating to religious festivals and events from the Diversity Section, FHQ.

### **14.2 Working Practices**

- 14.2.1 The BTPA is aware that some religions and cultures have a requirement for their members to pray or meditate on a regular basis. The BTPA, where possible, will make available a room for prayer or private contemplation. This may be an existing office or other work area. Those responsible for dealing with such requests are required to do their utmost to accommodate them. However, it must be recognised that it may not always be possible to provide dedicated facilities owing to limited accommodation at the BTPA office. Where the BTPA cannot accommodate the employee, they may leave the work place to attend an area for prayer or meditation. This will be in agreement with the manager.
- 14.2.2 Where no severe disruption is caused, staff will be allowed time within the working day to practice their faith<sup>9</sup>.
- 14.2.3 Employees may, where possible and at the manager's discretion, be allowed to leave their place of work to attend a religious event. This will not be classed as duty time and should be recorded through the relevant time keeping systems. Managers will attempt to re-schedule rest days or grant leave to enable employees to attend religious festivals.
- 14.2.4 Managers should consider those who have particular faiths<sup>10</sup> and avoid any conflict when co-ordinating meetings and interviews when religious festivals are held.

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<sup>9</sup> Any arrangements made should be agreed by the employee's manager.

<sup>10</sup> For further information about religious festivals, please refer to the Diversity Section, FHQ or local

## **15 SPECIAL LEAVE**

### **15.1 Bereavement Leave**

- 15.1.1 The BTPA appreciates the importance of supporting its employees during a period of bereavement.
- 15.1.2 Managers should assess each individual employee's needs in relation to a request for bereavement leave. In exceptional circumstances such as a death overseas, managers have the discretion to extend the entitlement to paid special leave or unpaid leave after seeking advice from the Business Manager.
- 15.1.3 Up to five days paid leave may be granted by the employee's manager. In cases of special need, up to an additional three days' paid special leave may be granted. If further leave beyond these three days is required, the employee will be expected to take annual leave. However, in exceptional circumstances, further paid or unpaid leave, may be granted with agreement from the employee's manager, and Chief Executive.
- 15.1.4 All employees, regardless of their service are eligible for bereavement leave.
- 15.1.5 Upon returning to work, the employee's manager must conduct a return to work interview<sup>11</sup> to ensure that the needs of the employee and the BTPA are recognised and met.

### **15.2 Compassionate Leave**

- 15.2.1 The BTPA appreciates the importance of allowing time off to employees when someone very close to them is severely ill (especially if there is a danger of death), or a serious accident has occurred or other extenuating circumstances.
- 15.2.2 Each case of compassionate leave is treated individually. At the discretion of the employee's manager, a period of up to three days paid leave may be granted in the first instance, with a possible extension of two days if necessary to a total of five days. It is essential that any agreement between the manager and employee is documented, using the BTPA Absence Record Form. A referral to Care First for support should also be considered by the employee's manager.
- 15.2.3 Upon request the manager must produce justification (recorded onto the absence form) for authorising the extension up to five days, as this must only be granted in exceptional circumstances.
- 15.2.4 In some cases, it may be appropriate for the absence to be split between compassionate leave and annual leave, and unpaid leave depending on how many days are necessary.
- 15.2.5 If any payment is to be deducted from the employee's salary for unpaid leave, the employee's manager must inform the OSM who has the responsibility to notify the Payroll Section, FHQ.
- 15.2.6 Upon returning to work, the employee's manager must conduct a return to work interview to ensure that the needs of the employee and the BTPA are recognised and met.

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Diversity Groups.

<sup>11</sup> Refer to Sickness Absence SOP for further guidance on Return to Work Interviews.

### **15.3 Exceptional Domestic Circumstances**

15.3.1 Employees will be granted one day's leave at the standard rate of pay, owing to an incident at home, such as fire, flooding, burglary or other exceptional circumstances. This leave will be granted with agreement from the employee's manager and should be recorded on the Absence Record Form Appendix A.

### **15.4 Medical Appointments**

15.4.1 Employees should make every effort to ensure that personal medical appointments are attended outside normal working hours. The BTPA are aware that this is not always possible; therefore appointments should be made at a time where minimal disruption will occur.

15.4.2 Approval will only be granted by managers, when a request for leave to attend a medical appointment is requested in advance, except in the case of an emergency. Duty hours may be modified by the manager to accommodate the appointment.

15.4.3 Employees must be able to produce a record of appointment upon request. This should be attached to the Absence Record Form Appendix A.

15.4.4 Where appointments (medical or counselling) are arranged for an employee to see the BTPA external occupational health supplier, the employee must attend the appointment. The employee should inform their manager of the appointment time and obtain authorisation to attend. Further information on medical appointments is contained in the BTPA Sickness Absence Policy.

### **15.5 Time Off to Care for Dependants**

15.5.1 Time off for dependants is a right allowing employees to take a reasonable amount of time off work to deal with certain unexpected situations with regards to dependants and to make any necessary longer-term arrangements<sup>12</sup>.

15.5.2 The right does not include an entitlement to pay. However, with the managers agreement the employee should be granted up to the maximum of two days paid leave where deemed appropriate. Refer to the Maternity and Family Friendly SOP for full information.

## **16 PAID ABSENCE WITHIN DUTY TIME**

### **16.1 Accompanying an Employee to a Disciplinary/Grievance Hearing**

16.1.1 Employees have a right to request a colleague or a certified representative (this could be a representative from a support organisation or staff association) to represent them at a disciplinary/grievance hearing. This time is classed as normal paid working time.

16.1.2 The representative will be granted duty time to perform 'friending or welfare' duties and should arrange this with their manager in advance.

### **16.2 Attendance as a Witness at Employment Tribunal**

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<sup>12</sup> Obtained from the Employment Relations Act 1999.

16.2.1 Employees appearing as a witness at an Employment Tribunal on behalf of the applicant or the BTPA will be paid for their time at the tribunal giving evidence and travelling to and from the hearing<sup>13</sup>.

### **16.3 Time off for Trade Union and Staff Associations Representation**

16.3.1 The BTPA may grant employees, who are accredited representatives of an independent trade union or staff association which the BTPA recognises<sup>14</sup>, to take reasonable and paid time off to carry out certain duties and activities and undergo certain training.

16.3.2 Managers may also allow Trade Union/Staff Association members' reasonable time off, to take part in Trade Union/Staff Association activity, subject to the exigencies of the service.

16.3.3 Reasonable notice must be given to the employee's manager and approval to be obtained in advance of each occasion that time off is required.

16.3.4 The manager, when requested to grant time off in respect of an employee, must be satisfied that it is reasonably consistent with the provisions submitted. Before agreeing time off, the manager must be satisfied that reasonable service levels can be maintained.

16.3.5 The representative must indicate the nature of the business for which time off is requested, the expected period of absence and where they can be contacted.

16.3.6 It is to the advantage of both managers and employees that accredited representatives should attend approved training courses which are likely to assist them in proper discharge of their duties. Managers have the duty to see relevant programmes and prospectuses in advance<sup>15</sup>.

### **16.4 Time off for Health and Safety Representation**

16.4.1 The BTPA will grant employees, who are Health and Safety Representatives, to take reasonable and paid time off to carry out certain duties and activities and undergo certain training.

16.4.2 Reasonable notice must be given to the employee's manager and approval to be obtained in advance of each occasion that time off is required.

16.4.3 The manager, when requested to grant time off in respect of an employee, must be satisfied that it is reasonably consistent with the provisions submitted. Before agreeing time off, the manager must be satisfied that reasonable service and safety levels can be maintained.

### **16.5 Time off for Support Group Activities - Committee Members**

16.5.1 The BTPA has agreed, on occasions deemed suitable, to grant employees, who are committee members/area representatives of support groups e.g. LINK, WSF, SAME etc reasonable time off to carry out functions and duties of a

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<sup>13</sup> Source: Employee Relations Notice 04/05.

<sup>14</sup> TSSA is the recognised Union for Police Staff.

<sup>15</sup> Source: Employee Relations Notice 09/05.

Support Group committee member, this includes the attendance at meetings, events, conferences and participating in Support Group related training. This facility is offered to Support Groups in good faith and it should be noted that they are not expected to conflict with the operational requirements of the BTPA. The provision of these facilities must be supported by the individual's line manager, who has the right to refuse a request that will result in the BTPA being unable to carry out its operational duties and commitments. With this in mind, the BTPA asks that Support Groups follow, where possible, the advice detailed below to keep refusals to minimum:

- Provide details of committee meeting dates at least 12 weeks before they are due to take place, producing yearly schedules is highly recommended;
- Consult with other Support Groups when scheduling meetings to try and ensure meetings are not taking place on the same day;
- Provide details of additional meetings, conferences, training and Support Group activities at least 12 weeks before they are due to take place;
- Consult with other Support Groups where clashes do occur to agree the importance and priority of the issues;
- Attempt, where possible, to utilise local representatives to service meetings/events etc.

16.5.2 Approved duty time agreed for Support Group Activities will not qualify for any additional/enhanced payments, including overtime. Any expenses incurred in relation to a Support Group committee member carrying out their duties are the responsibility of the Support Group in question and will be met from the relevant Support Group budget.

## **16.6 Time off for Support Group Conferences / Events - All Employees**

16.6.1 The BTPA recognises that its Employee Support Groups have objectives which are in line with and compliment the BTPA's vision and Diversity Strategy. Support Groups hold conferences and events that are viewed by the BTPA as learning/educational opportunities and as such it is recommended that approval for attendance at such events should be given to those employees that will benefit from the experience and be able to bring back their learning to share with others. The BTPA will seek to facilitate, where possible, attendance at conferences/events for these reasons, subject to operational commitments and work priorities.

16.6.2 Employees wishing to attend a support group conference/event must complete the BTPA Absence Record Form. The employee's manager must approve this form before forwarding it to the OSM.

16.6.3 The OSM is responsible for collating and checking applications to ensure consistency of approach and to allow monitoring of absences.

16.6.4 Where a number of absences are likely, applications to attend must be forwarded to the SMT or their nominated representative for approval.

16.6.5 Where overnight accommodation, travel and other expenses are necessary and are agreed in advance, it will be the responsibility of the BTPA to meet these costs, with appropriate approval in the usual manner.

- 16.6.6 Approved attendance in duty time will not qualify for any additional/enhanced payments, including overtime.
- 16.6.7 Advice should be issued to invitees which outlines acceptable travel arrangements (the organiser of the event should arrange) and clarity on any expenses and allowance issues that may arise. The OSM may advise on this.
- 16.6.8 Internal training courses will be paid working time, however paid working time to attend any external events, conferences, meetings etc. will be with the managers agreement<sup>16</sup>.

## **16.7 Employees Under Notice of Redundancy**

- 16.7.1 An employee who has been continuously employed for two years or more and who is under notice of dismissal by reason of redundancy is entitled to reasonable time off 'during working hours' to look for new employment or to make arrangements for training for future employment. This will be paid time off.

## **16.8 Relocation, Redundancy and Resettlement Arrangements**

- 16.8.1 Reasonable time off up to a maximum of five days may be granted to an employee who has been declared redundant for the purpose of visiting the location of a post for which the employee is contemplating submitting an application and which if successful, would necessitate movement of place of residence.
- 16.8.2 This will be paid time off plus reasonable travel expenses to the location. In cases where such visits involve staying over night at the location visited, the employee will be reimbursed reasonable expenses incurred up to a maximum of scale expenses for one day and night in respect of the employee and their partner on each occasion overnight expenses are incurred.

## **16.9 Attending an Internal Employment Interview**

- 16.9.1 Employees will be granted time off to attend an internal interview. This will be included as normal working time.

## **16.10 Jury Service**

- 16.10.1 As the result of a change to Schedule 33 of the Criminal Justice Act 2003, which amended Schedule 1 (Part 1) of the Juries Act 1974, with effect from 05 April 2004 police staff are no longer exempt from jury service.
- 16.10.2 Jury service normally lasts for ten working days. If a trial is likely to last longer, the court will instruct accordingly.
- 16.10.3 The BTPA will grant leave at the standard rate of pay to all employees summoned for jury service. This will be on full pay.
- 16.10.4 Employees will receive full basic pay and any permanent allowances to which they are entitled during the period of jury service.
- 16.10.5 Higher Grade Duty payment shall continue to be paid during periods of jury duty only for employees that have been performing the higher grade duty for a

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<sup>16</sup> This will dependant on whether the event is work related and the nature of the event.



period of six months. Staff cannot claim any BTPA allowances other than those identified above, whilst on jury service.

## **16.11 Blood and Bone Marrow Donors**

16.11.1 Employees who donate blood will be granted paid leave to attend the appointment.

16.11.2 Employees who become bone marrow donors will be granted paid leave to allow for donation and recuperation. The number of days should be agreed in advance.

16.11.3 Based on medical advice, any additional days necessary should be recorded as normal sickness absence.

## **17 UNPAID ABSENCE WITHIN DUTY TIME**

### **17.1 Attending Non Work Related Seminars, Conferences and Events**

17.1.1 There is a requirement to achieve a balance between encouraging the growth in the opportunities for employees to participate in events, while at the same time paying due regard to matters of efficiency in the allocation of resources, fair treatment of participants and the operational needs of the service.

### **17.2 Employees Involved in Charitable Events**

17.2.1 Employees involved in charitable events will not be granted any paid time off to attend. However, arrangements may be agreed between employee and manager (where it is appropriate to do so) to modify hours of duty to accommodate the time off required.

### **17.3 Cosmetic and Laser Eye Surgery Leave**

17.3.1 Where an employee requires time off for cosmetic surgery or laser eye surgery, the employee must produce a valid reason from a medical professional or Optician to be entitled to paid time off duty.

17.3.2 Where cosmetic surgery is certified by a medical professional indicating that surgery is essential to the employee's health or wellbeing then this would be a valid reason for an employee to receive paid time off duty and statutory sick pay.

17.3.3 If surgery is to be carried out without this certification and absence from work is required then arrangements for annual leave or unpaid leave (where approved) must be made in advance.

### **17.4 Civic/Public Duties**

17.4.1 Employees have a right to unpaid time off to perform specified public duties, as follows:

- Justices of the Peace
- Members of a local authority .
- Members of the managing or governing body of an educational establishment.
- Members of a health service or education body.
- Members of the Environment Agency.

- Employment tribunal panel member.

17.4.2 The duties for which an employer is required to permit reasonable time off are any of the duties of a justice of the peace or as regards membership of any one of the bodies listed above, to:

- attend meetings of the body or any of its committees or sub-committees; or
- perform duties approved by the body.

17.4.3 Requests for leave should be made through the Absence Record Form Appendix A, and must be recorded on staff files.

## **17.5 Non Work Related Court Attendance**

17.5.1 Leave without pay will be granted to employees attending court on subpoena, witness summons or required by the court to attend in any capacity. Any pay lost in this way should, if possible, be recovered from the party requiring the attendance or from the court where witnesses are paid out of public funds.

## **18 LEAVE WITHOUT PAY**

18.1 Leave without pay will only be considered subject to:

- duty commitments,
- the duration of the request, and
- the exceptional nature of the requirement.

Authorisation will only be granted with the agreement of the manager.

18.2 Leave without pay will only be considered where all other avenues for leave have been considered.

## **19 ADVERSE WEATHER ARRANGEMENTS**

19.1 Where adverse weather conditions make it impossible for employees to report for duties, employees should:

- work from home (where equipment is accessible);
- have annual leave deducted from their entitlement; or
- work from an accessible location (where agreed with manager and equipment is accessible); or
- take unpaid leave.

19.2 Employees must make contact with their manager to discuss the options available and seek relevant authorisation.

## **20 TRANSPORT STRIKES AND DISRUPTIONS TO TRAVEL**

20.1 Where a transport strike or disruption to travel services occurs, employees are still expected to attend for duty via a different means of transport.

20.2 Employees unable to attend their place of duty, due to travel disruption or cancellations, may;

- work from home (where equipment is accessible);
- have annual leave deducted from their entitlement; or

- work from an accessible location (where agreed with manager and equipment is accessible).

20.3 Employees must make contact with their manager to discuss the options available and seek relevant authorisation.

## **21 EMPLOYEES SENT HOME FROM WORK**

21.1 Employees who are sent home from work owing to emergency situations i.e. unsafe building conditions will be granted duty time until suitable alternative arrangements are made. Managers should consult the Contingency Planning Department for details of contingency plans.

## **22 ABUSE OF ATTENDANCE PROCEDURES**

22.1 Employees must comply with the Misconduct and Unsatisfactory Performance or Attendance Policy which covers the Standards of Professional Behaviour, including the abuse special leave.

22.2 Employees must be able to produce certification or evidence of absence upon request. Where managers consider entitlements to absence are being abused, the employee may be subject to disciplinary procedures.

## **23 CONFIDENTIALITY**

23.1 All individuals involved in the leave application process have a responsibility to maintain the confidentiality of the personal information in their possession.

23.2 Completed records and forms must be marked 'Restricted - staff' in accordance with the Document Protective Marking Policy.

## **24 SUPPORT FOR EMPLOYEES**

### Care First

24.1.1 Care First provide a round the clock service giving confidential advice, information and counselling to all BTP and BTPA employees. Care First can be contacted 24 hours on 0800 774 319.

### Support Groups

24.2.1 There are a number of sources of support available for employees who may require assistance when dealing with situations covered in this SOP.

**AMP:** Association of Muslim Police.

**BAWP:** British Association for Woman in Policing.

**CPA:** Christian Police Association.

**DESA:** Disability Equality Support Association.

**LINK:** Support Network for Lesbian, Gay, Bi-sexual and Transgender employees.

National Association of Retired BTP Officers

**SAME:** Support Association for Minority Ethnic Staff.

**TSSA:** Trade union for people in travel and transport.

**WSF:** Woman's Strategic Forum.

## **25 AUDIT AND COMPLIANCE**

25.1 This policy will be reviewed on a bi-annual basis.

25.2 If there are high levels of non-compliance with this policy prior to the formal review, these will be addressed through an internal audit process.

## **26 RECORD KEEPING AND MONITORING**

26.1 Administration, including record management, will be undertaken by the OSM. It is their responsibility to ensure that data is captured, managed and preserved in an organised system that maintains its integrity, security and authenticity in compliance with the BTP/A Data Protection Act Policy and Document Protective Marking Policy.

26.2 OSM will ensure that records are securely maintained to prevent unauthorised access, alteration, damage or removal. The level of security will reflect the sensitivity and importance of the contents in a manner that protects the interests of both BTPA and its employees.

26.3 All employment and personal records will be kept in confidential storage for the required length of time as set out in the Records Retention and Disposal Policy.

## **27 REFERENCES AND LEGISLATION**

27.1 The Attendance policy will be subject to regular review and BTPA reserves the right to amend the procedure from time to time in accordance with any requirements of law or good employment practice. Employees will be given reasonable notice of any such changes.

## **28 FURTHER INFORMATION**

### **28.1 Related Policies and Information**

- Flexible Working SOP
- Grievance Resolution SOP
- Maternity and Family Friendly SOP
- Occupational Health SOP
- Self Development SOP
- Sickness Absence Policy
- Discipline SOP
- Records Retention and Disposal Policy
- Document Protective Marking Policy

- Misconduct and Unsatisfactory Performance

## **29.2 Guidance and Advice**

29.2 Guidance and advice is available from:

- Business Manager
- Line Managers

## **30 APPENDICES**

- Appendix A: BTPA Absence Record Form
- Appendix B: Frequently Asked Questions