



Additional Annual Leave and Career Break Policy

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Version control

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This Policy applies to all employees of Transport for the North (TfN) and is intended to enhance the quality of working life by providing employees with an option to request a period of extended, unpaid leave which is in addition to normal Annual Leave entitlements and other Statutory Provisions relating, but not limited to Parental, Shared Parental and Adoption Leave, Maternity and Paternity Leave, Time Off for Dependents and the Right to Apply to Work Flexibly.

1. Introduction

This Policy has two options:

- Additional Annual Leave within the annual leave cycle
- Career Break Leave which may span leave cycles.

Entitlement to additional annual leave is not a right but will be considered by TfN in light of operational needs. The employee's Line Manager in consultation with Head of HR must agree that the employee can be granted requested leave.

Additional Annual Leave will only be agreed when the period of absence will not require cover to meet the needs of TfN.

2. Additional Annual Leave Purchase

Employees can request up to a maximum of 8 days of Additional Annual Leave, pro-rated for part-time employees, in any one annual leave year.

A call for Additional Annual Leave will be made to all employees on an annual basis normally in January/February. Applications outside of this time period will only be considered in exceptional circumstances and on a case-by-case basis.

Additional Annual Leave is administered under a Salary Sacrifice arrangement and enables an employee, with the agreement of TfN, to change their contract of employment by reducing their gross pay and increasing their annual leave entitlement.

The Additional Annual Leave purchase has the potential to reduce the employee's tax and National Insurance payments and to reduce the employer's liability for National Insurance by the use of a formal Salary Sacrifice arrangement which changes the employee's terms and conditions of employment.

The calculation of the salary reduction will be based on the employee's basic rate of pay as at 01 April of the participating year.

The Additional Annual Leave must be taken within the annual leave year for which the contract of employment was amended and the employee's gross basic salary reduced. A request for Additional Annual Leave must include details of when the leave is to be taken to help the Line Manager plan for the absence.

Once committed, the employee may only withdraw from the Additional Annual Leave purchased during the agreed period in exceptional circumstances and with the agreement of their Line Manager, Head of HR and Operational Board Member. At least one month in advance, the employee will be required to sign a written agreement to the change to their contract of employment in advance of any salary reduction and before leave is taken.

Where the employee is unable to take their leave due to prolonged sickness, maternity leave or adoption leave, the circumstances will be considered on a case-by-case basis.

On termination of employment, reconciliation will be made of the employee's annual leave entitlement. The employee will be required to take any outstanding annual leave during their notice period. Only under exceptional circumstances will payment be made in lieu. If the employee has taken in excess of their proportionate annual leave in the leave year, he/she will be required to repay the equivalent salary through a deduction from their final salary.

3. Career Break

The maximum period of Career Break Leave allowed under this Policy is one year, every 5 years. The minimum period of leave allowed under this Policy is 8 weeks. Leave granted for a Career Break will be unpaid.

An application must be made at least 8 weeks prior to the commencement of leave.

A Career Break Application may be for one of the following reasons. This list is illustrative rather than exhaustive:

- To care for elderly relatives or other dependents
- Bereavement/compassionate reasons
- Voluntary work
- Travelling
- Study.

The duration of the Career Break and TfN's ability to grant it will depend on the team's ability to continue to perform its function efficiently and maintain service levels.

The decision to support a Career Break Application under this Policy rests with an appropriate Line Manager in consultation with Head of HR.

The HR & Skills Representative will write to the employee advising them of:

- The date the Career Break will start and end
- The reason for the Career Break
- The terms under which early termination of the Career Break can be made
- Arrangements for maintaining contact with TfN
- Confirm that no further applications can be made within the next five years.

During the Career Break an employee will, where reasonably possible:

- Provide a forwarding address for correspondence
- Keep in regular contact with their Line Manager
- Attend consultation meetings
- Continue to uphold TfN's employment, Policies and Code of Conduct.

A Career Break approved under this Policy will count for the purpose of continuous service and any days where an employee attends work during the Career Break will be paid their normal salary for those days.

Employees will return to their original position at the end of the Career Break. However, this condition will no longer apply when an employee's position is made redundant. In the event that this situation may arise, the employee will be fully consulted at all stages of the process.

The salary paid on return will be the incremental point reached by the employee at the date of the commencement of the Career Break.

Annual Leave will not be accrued during the Career Break. However, where an employee is required to attend work, annual leave will subsequently be accrued on a pro rata basis.

Annual Leave accrued prior to commencement of the Career Break must be taken as part of the Career Break. The duration of the Career Break will be adjusted accordingly.

Employees on a Career Break will be excluded from TfN's Sick Pay. However, periods of leave taken under this Procedure will count towards continuous service for the purpose of calculating Sick Pay entitlements.

Undertaking any paid employment during the Career Break is prohibited, without the prior consent of TfN.

An employee who wishes to return to work before the agreed expiry date of the period of unpaid leave must give a minimum of 28 days' notice. This will be at the discretion of TfN.

An employee who fails to return to work in accordance with agreed timescales may be subject to TfN's Disciplinary Policy.

An employee who does not wish to return to work at the end of their Career Break must give notice in writing and in accordance with the terms of their Contract of Employment.

4. Eligibility

Employees with a minimum of three years' service with TfN, at the date on which the application is made, are entitled to make an application.

Previous service with other Local Government Authorities will not count as continuous service for the purposes of this scheme.

The approval of a Career Break Application will be at the discretion of TfN as it does not constitute an employee right.

5. Approval Process

The relevant Line Manager will initially receive the written applications and will consider the application having regard to the following points:

- The operational requirements of the service in which the post is based, including any planned structural changes
- The burden of any additional cost for cover which may be incurred (additional cost will usually lead to the request being denied)
- Any detrimental effect on the ability to meet customer demand
- Any detrimental impact on the quality of service.

Automatic refusal will apply where an employee is currently subject to on-going Performance Improvement or Disciplinary Policy at the time the application is made.

The Line Manager may need to discuss an application with the employee before reaching his/her decision, as in some cases, an application may need to be amended. If there are competing requests, the team may be invited to put forward solutions as to how the requests can be accepted without compromising service delivery. The focus should always be on making the arrangements work wherever possible.

When all matters have been considered, a written request to participate in the additional scheme should be passed to HR & Skills Team for final consideration.

6. Appeal

Employees must be given written reasons for the refusal of any application, if they request it. An employee who is dissatisfied with any decision made in respect of this Policy should instigate the appeals process as set out in the TfN's Grievance Policy.

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