

Extended Authorised Absence (EAA) Policy

Contents

		Page
1.	Introduction	1
2.	Details of the Scheme	1
3.	Reasons for taking an EAA	2
4.	Conditions of Service During a Period of EAA	2
5.	Keeping in Contact	4
6.	Organisational Changes During EAA	4
7.	Returning to Work	4
8.	Salary on Return to Work	5
9.	Resignation During EAA	5
10.	Application Procedure	5
11.	Refusal of EAA	6
12.	Equality Impact Assessment and Monitoring	6
13.	Data Protection	6

Wyre Council Extended Authorised Absence (EAA) Policy

1. Introduction

- 1.1 The Council is committed to equality of opportunity in employment for all staff and to developing work practices and human resource policies that support work-life balance. The Council has developed an EAA scheme to enable employees to take extended periods of unpaid time away from work and to help employees strike a balance between paid work and personal life.
- 1.2 The aims of the EAA Scheme are to attract and retain staff by demonstrating a commitment to their long-term career and personal development, to reduce the number of leavers and resulting recruitment and training costs, to support the Council's Equal Opportunities Policy and to contribute to work-life balance.

2. Details of the Scheme

- 2.1 All periods of EAA are unpaid.
- 2.2 A request for EAA would not normally be considered from an employee who has less than 12 months continuous service.
- 2.3 All requests for EAA will be subject to operational requirements. Consideration will be given to the following issues:
- The technical skills of the employee and the range of similar skills within the Council.
 - The knowledge of the employee and the availability of similar knowledge within the Council.
 - The investment in training and development that has been made by the Council to develop the employee's competence within his/her post.
 - The impact on service delivery and the workload of other employees.
 - The ability/need to recruit a temporary appointment to cover the period of absence and the cost involved.
 - The likely benefits to be realised by the employee and the Council
 - Whether the absence could assist in a career progression opportunity for another member of staff
- 2.4 Employees may apply for a period of EAA of between three months and two years depending on their individual needs. The maximum of two years ensures that Wyre as a council does not find itself at a disadvantage covering roles with limited resources.

- 2.5 A period of EAA may be taken in addition to Maternity Leave, Adoption Leave or Parental Leave or other statutory entitlements that may be available (see appropriate policies).
- 2.6 An employee may seek to take more than one EAA period, but there must be at least three years between each period.

3. Reasons for Taking an EAA

- 3.1 EAA could be taken for any of the reasons listed below, or simply to have a break from paid employment. Possible reasons for a period of EAA could include:

Childcare responsibilities
Caring responsibilities
Travel
Study
To pursue a personal interest
To undertake Territorial Army activities

- 3.2 In certain circumstances EAA may not be the most appropriate arrangement for an employee. Human Resources will ensure that the individual concerned is advised of any suitable alternatives and that these options are fully discussed before any final decisions are made. These alternatives could include: special leave, maternity leave, adoption leave, parental leave, or flexible working.

4. Conditions of Service During a Period of EAA

4.1 Duration

The duration of the EAA will be clearly specified and agreed before commencement of the break, and an employee will not be entitled to return to work before the expected end of the period. However the Council will consider requests to return earlier than previously agreed.

4.2 Service Accrual

The period of the EAA will not be regarded as a break in service in relation to continuity of employment for the purposes of calculation of notice periods and redundancy payments.

However:

The period of EAA will not count as qualifying service for the following:

- incremental progression
- calculation of increased annual leave entitlement
- calculation of increased sick pay entitlement
- long service award

4.3 **Pay and Benefits**

All periods of EAA are unpaid.

The period of EAA is therefore not subject to the sickness absence scheme nor counted for sick pay purposes or occupational maternity pay / adoption leave pay or paternity pay.

There is no entitlement to contractual or statutory annual leave or bank holidays during a career break. There will be no accrual of annual leave during the period of the EAA.

All annual leave, bank holiday entitlement, flexi, TOIL etc. accrued should be taken prior to commencement of the Career Break. No payment in lieu of outstanding leave will be made and no "carry over" of leave allowed unless the employee has been unable to take it because of operational reasons. Any annual leave that has been taken but yet not accrued by the employee will be deducted from the employee's last payment of their salary.

4.4 **Local Government Pension Scheme**

Whilst you are on a period of EAA you will not accrue benefits in the pension scheme which will affect the amount you are entitled to on retirement. Therefore you have the option to pay Additional Pension Contributions (APCs) when you return to work to cover any 'lost' pension.

If you elect to buy back all of your lost pension within 30 days of returning to work then the cost of the contract will be split with the Council paying 2/3rds of the cost. However if your election is received after 30 days of returning to work, or if you elect to purchase some, but not all, of your lost pension you must fund 100% of the APC yourself.

Further information on buying back of lost pension can be attained from Human Resources.

Employees on authorised leave of absence from the Pension Scheme will remain eligible for death-in-service benefits

4.5 **Other Conditions**

- Employees who are required to maintain professional registration will be expected to meet the cost of re-registering on return to work.
- An employee must obtain consent from the Council if they are undertaking paid work for another organisation during EAA. Such consent will not be unreasonably withheld and the requirement is primarily designed to avoid any conflict of interest.
- Employees can continue membership of a trade union and would still be subject to the benefits of membership, providing that subscriptions are kept up to date. The employee would have to make their own arrangements to pay the trade union subscriptions.
- Employees will need to relinquish the Council's property i.e. mobile telephones, laptops, keys, protective clothing etc. prior to an employee commencing their EAA.

- Employees will continue to be subject to, and will abide by Wyre Council's policies and code of conduct during the period of their EAA.
- Contact details and emergency contact information must be kept up to date during the EAA.

5. Keeping in Contact

- 5.1 The employee's Line Manager shall ensure that contact is maintained with employees who are taking EAA. This may include, for example, provision of information through email or inviting them to seminars, training sessions or social events that the Council may organise.
- 5.2 It is particularly important that employees are invited, where practicable, to any training which may be connected with the introduction of new courses, systems or procedures and are kept up-to-date with information on changes which may affect them, such as pay awards, Directorate or section reorganisations or new legislation. Any time spent on such training will be compensated for by the equivalent time off when the employee returns to work.
- 5.3 In addition, employees taking an EAA are encouraged to keep in contact with their section/team during the EAA.

6. Organisational Changes During EAA

- 6.1 If organisational changes occur, the Council will ensure that employees taking an EAA are involved in any consultations or other appropriate procedures as far as possible on the same basis as all other affected employees.
- 6.2 Where an employee's post is likely to become subject to redundancy during the EAA the Council will inform the employee as required by statute and the Council's procedures. It is the employee's responsibility to ensure that the Council has up to date contact details, and is available for consultation.

7. Returning to Work

- 7.1 The actual date of return will be subject to mutual agreement between the employee and the relevant Head of Service or Service Director.
- 7.2 In order to ensure the effectiveness of the EAA Policy, the Council will seek, as far as possible, to place an employee returning from EAA in his/her former job or suitable alternative employment.
- 7.3 Line managers will consider whether it is necessary to arrange for a special period of induction, retraining or re-familiarisation on return to work.
- 7.4 Failure to return at the agreed end date of the EAA will be subject to the provisions of the relevant policy and could result in the termination of the employee's contract of employment.

- 7.5 A request from an employee who wishes to return to work prematurely will be considered, taking into account the reasons, any relevant business considerations and the need to be fair and equitable in the treatment of any temporary replacement.

8. Salary on Return to Work

- 8.1 At the end of EAA, an employee will return to their previous salary uplifted for any agreed pay awards.

9. Resignation During EAA

- 9.1 If an employee decides to resign during EAA, they must submit a written statement of resignation to the Head of Business Support. The contract of employment will normally cease from the date when the resignation is received, i.e. it is not expected that a notice period will be worked.

10. Application Procedure

Employees who wish to take EAA should follow the procedures detailed below:

- 10.1 Apply to his/her Head of Service or Service Director at least three months in advance of the proposed start date of the period of EAA, using the EAA Application Form and forward a copy of the form to the Human Resources team.
- 10.2 A representative of the Human Resources team will arrange to meet with the employee and his/her line manager in order to clarify any aspect that may need resolution.
- 10.3 The Head of Service/ Service Director will consider the request in consultation with a representative of the Human Resources team and the Line Manager and they may decide to approve or refuse the request.
- 10.4 EAA may be refused for operational or financial reasons. If the application is refused, the Head of Service or Service Director will provide reasons for the refusal in writing to the applicant.
- 10.5 If the employee concerned is dissatisfied with the decision, they should follow the procedure laid out below (refusal of EEA).
- 10.6 The date for commencement and termination of the EAA will be by mutual agreement between the employee and their Head of Service or Service Director and will need to take into account outstanding work activities and arrangements for temporary staffing.
- 10.7 Before the EAA commences the relevant line manager should carry out a pre-break interview. The interviews should cover areas of mutual interest including:
- Mechanisms for keeping in touch.
 - Name of contact person.
 - Arrangements for any periods of work/training.
 - Arrangements for returning to work.
 - Pension.

- 10.8 A written record of the pre-break interview should be forwarded to the Human Resources team for entry on to the employee's personnel file.
- 10.9 On returning to work, after completion of the EAA, the employee should be welcomed back by the line manager with a re-entry interview. The interview should cover areas of mutual interest such as:
- Changes within the section/team and Council.
 - Employee's salary, working pattern, pro rata holiday entitlement etc.

11. Refusal of EAA

- 11.1 Staff who feel that they have been unreasonably refused EAA or who feel that they have been victimised for requesting one should, in the first instance, raise the matter with their Head of Service or Service Director and inform the Head of Business Support. They can also consult with their trade union and have the right to raise the matter through the grievance procedure.
- 11.2 The Head of Business Support shall record all complaints. All applications, agreements and refusals shall be monitored, with the aim of bringing about consistency between Directorates/Sections in the way that policies related to work-life balance are implemented throughout the Council.
- 11.3 None of the conditions within this policy affect an employee's right to benefit from any contractual or statutory rights that may govern the entitlement to other forms of leave/absence (paid or unpaid). Any advice or guidance required on these matters can be gained from the Human Resources team.

12. Equality Impact Assessment and Monitoring

- 12.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

13. Data Protection

- 13.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection requirements.