

EDUCATORS

STAFF HANDBOOK

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GENERAL TERMS AND CONDITIONS OF EMPLOYMENT

These are the current terms and conditions of employment in operation for those employed by the Northern Ireland Medical and Dental Training Agency on the Educator's contract.

The terms and conditions of employment operate except where a contract of employment dictates otherwise. Full policies and procedures can be located at F:\GENERAL\Staff Handbook. This handbook should be used in conjunction with the Consultant Terms and Conditions handbook.

1. HOURS OF WORK

Educators are employed on the basis of programmed activities (PA's). A PA is a period of 4 hours and there are 10 PA's in a week. Educators should discuss and agree the details of how these will be worked with their line manager. NIMDTA's office hours are as follows:

- Monday - Thursday: 8.45am to 5pm
- Friday: 8.30am to 4.30pm

2. DRESS CODE

Employees of the Agency, are expected to be dressed appropriately at all times on the Agency's premises and whilst engaged on the business of the Agency. The code of dress is smart. The Agency does operate a dress-down day on the last Friday of each month in aid of charity.

3. SMOKING POLICY

The Agency operates a no-smoking policy within the building. Smoke breaks are not permitted at any time, therefore anyone wishing to smoke must do so on their tea break and/or lunch break.

4. TELEPHONE & INTERNET USAGE

The use of the telephone and the internet is restricted to usage for the Agency's business. The Agency recognises that there will be instances where employees have to make urgent personal calls, however excessive use of the telephone for personal business is considered to be a disciplinary offence.

5. REMUNERATION

5.1 SALARY

All salaries are paid via BACS on the third last banking day of each month into an account nominated to the Human Resources Department. Payslips will be issued on pay day and will be fully itemised. The close down for the payroll is the 10th of each month, therefore any changes which need to be made to the payroll should be advised to the Human Resources Officer before this deadline.

If you have any queries in relation to your salary you should bring this to the attention of the Human Resources Officer on 028 9040 0024 or ext 247.

5.2 INCREMENTS & INFLATIONARY RISES

Educators appointed on the bottom point of the scale, i.e. GP00 will progress to the next relevant point (to the post to which they have been appointed) upon completion of a years service with the Agency. An inflationary rise will also be applied on 1 April each year.

5.3 MILEAGE ALLOWANCES

The standard mileage allowances shall be paid to employees who use their own vehicle for official journeys. Employees can also claim for miles travelled to work for overtime. Allowances for cars are as follows:

Engine capacity:	Up to 1,000cc	1001 to 1500cc	Over 1500cc
Up to 3,500 miles:	37.4p per mile	47.3p per mile	58.3p per mile
Thereafter:	17.8p per mile	20.1p per mile	22.6p per mile
Passenger allowances:	5p per mile		

Employees who are required to attend a location other than the Agency's offices, will be entitled to claim the standard mileage allowance limited to the distance that would have been travelled in excess of their normal journey to work. Employees who use public transport can also make a claim based on the public transport rate of 24p per mile.

Note that any profit made on mileage claims will affect your tax code for the following tax year. Employees will be advised of this at the end of each tax year.

6. SUPERANNUATION

All employees are entitled to become members of the NHS Pension Scheme. Deductions will be made from your salary at the appropriate rate depending on your grade as per the following:

Annual Pensionable Pay (Full Time Equivalent)	Contribution
Up to £20,224	5%
£20,225 - £66,789 (Linked to AfC Pay Point 17)	6.5%
£66,790 - £105,318 (Linked to AfC Pay Point 49)	7.5%
£105,319 plus	8.5%

7. EYE TEST

The provision of eye and eyesight tests must be funded by the employer. The maximum that the Agency will contribute towards this is £20. Employees should pay for this test and claim the cost back using an expenses form.

Users needing special corrective appliances for display screen work must also be funded by the employer. An employers' liability for costs is restricted to payment of the cost of a basic appliance, therefore if users wish to choose more costly appliances the employer is not obliged to pay for these. Employers may either provide a basic appliance, or may opt to contribute a portion of the total cost of a luxury appliance equal to the cost of the basic appliance. The Agency will pay up to £47 towards this cost.

8. LEAVE

8.1 ANNUAL LEAVE

The amount of annual leave varies according to your length of service as follows:

- Up to 7 years service - 6 weeks
- 7 or more years service - 6 weeks and 2 days

The Agency also observes 10 bank or public holidays. These are as follows:

- New Years Day
- St Patricks Day
- Easter Monday
- Easter Tuesday
- May Day
- 2nd May Bank Holiday
- 12 July
- August Bank Holiday
- Christmas Day
- Boxing Day

Part-time employees will be entitled to paid bank holidays no less than pro-rata to the number of bank holidays for a full-time worker, rounded up to the nearest half day. Any additional entitlement above and beyond the days that they are scheduled to work will be added to their annual leave entitlement.

Employees of the Agency have also agreed to withhold 6 days from their annual leave to close on Good Friday, 13 July and 4 additional days over Christmas. These days will be automatically deducted each year from the leave card of Educators who are based at NIMDTA. Educators who are not based at the Agency's offices will not have any days deducted.

Applications for leave should be submitted to your Manager on your leave card for consideration and approval and should then be forwarded to Human Resources for recording. Annual leave must be taken with due regard to the exigencies of the service. At the end of each year the H R Manager shall collect all leave cards and issue a new one, which will stipulate the amount of annual entitlement and how the figure is reached.

8.1.1 Stipulations regarding the use of annual leave:

- All leave should be taken within the leave year except in exceptional circumstances.
- Subject to the exigencies of the service it may be possible to carry over up to 5 days (pro rata) annual leave to the following year. This must be agreed in advance and signed off by the HR Manager.
- It is expected that leave should be used wisely so as to provide for situations, which may arise towards the end of the year, which will necessitate taking leave.
- Arrangements for summer months should be made as early in the year as possible.
- It is the Agency's policy to grant unpaid leave only in exceptional purposes when all annual leave has been used.

8.2 SICK LEAVE

It is recognised that absence, due to sickness, is sometimes necessary and as such will be treated sympathetically. However, excessive absenteeism and particularly abuse of the system cannot be tolerated and cases of frequent and long-term absence will be reviewed on an ongoing basis. It may, after due consideration lead to termination of the employee's contract with the Agency.

8.2.1 Notification Procedure

All employees must follow the notification procedure, which is as follows:

- As soon the employee knows that they will be unable to attend work they must contact their Manager or the Human Resources Department. Employees should take note of the contact telephone numbers of the key people. **Failure to do so by 10.00 am may result in pay being stopped or suspended.**
- Provide a clear reason for absence and an anticipated return to work date. This information will remain confidential. If the relevant information is not received pay will be stopped or suspended until it is obtained.
- Between 1 and 3 days certification is not normally required.
- From day 4 there is a requirement to provide the H R Manager with a self-certificate, which may be obtained from a doctor's surgery or DHSS office.
- A medical certificate must be supplied after 5 consecutive working days absence to authorise payment of Statutory Sick Pay (SSP). If an employee has failed to return to work following expiration of the first medical certificate, another one must be produced immediately to provide continuous cover.
- When a return to work date is known the employee shall notify their Manager as soon as possible giving as much notice as possible.

The responsibility for submitting medical certificates on time and ensuring that they are received without delay rests with the employee. Failure to ensure submission may result in sickness payments being stopped or suspended.

It is also the responsibility of the employee to maintain regular contact with their Manager or the HR Department to keep the Agency fully informed of progress and the likely timescale for return to work.

8.2.2 Return to Work Interview and Trigger Points

Following each absence from work due to sickness, employees are required to complete the absence notification form (see appendices) that will have been emailed to them. Employees should give this to their Manager, at which time a return to work interview will be conducted. At this stage the Manager will look at the employee's overall absence record and will discuss it with them. **The Agency's trigger point for disciplinary proceedings is on the third occasion of absence in a rolling 12 months.** This interview remains informal until the amount of absence gives cause for serious concern about the employee's welfare and the ability to do their work.

The informal interview is conducted in private. The intention of this interview is to identify if there are any ongoing difficulties, which may result in further absence and to identify if there are any work situations or conditions, which may be contributing to the absence. The return to work interview is not designed to initiate the disciplinary procedure.

8.2.3 Long Term Absence

The Agency views sickness absence exceeding 4 weeks as falling into the category of long-term absenteeism. As soon as this period has lapsed the employee will be contacted by the Human Resources Department in regard to setting up an appointment with the Occupational Health Service. This purpose of this appointment is to determine:

- The prospects of a likely return to the previous employment with or without adjustments
- The time scale for return or if the employee should return on a phased basis
- If a change of duties or hours for a temporary period is required
- If redeployment should be considered
- Whether an incapacity pension or injury benefit application should be considered

If an employee agrees to seek early retirement on the grounds of incapacity this will require processing well in advance so that the first payment of benefit can coincide with the day after their employment with the Agency ceases.

If, after 12 weeks of absence the Agency has not been advised of a return to work date, the employee may be required to visit the Agency or if the employee prefers a Senior Manager will conduct a home visit to them.

8.2.4 Statutory Sick Pay

Statutory sick pay (SSP) is a prescribed minimum level of pay which employers are obliged by statute to pay to employees who are absent from work due to personal sickness for a maximum period of 28 weeks at a time.

8.2.5 Occupational Sick Pay

If you are absent from work due to sickness you may be entitled to Occupational Sick Pay based on your length of service. Sick pay allowance and SSP should not exceed your normal salary and should be adjusted accordingly. The scale of allowances is recorded below:

	Full pay (months)	Half pay (months)
During the first year of service	1	2 (after completing 4mths service)
During the second year of service	2	2
During the third year of service	4	4
During the fourth and fifth years of service	5	5
After completing five years of service	6	6

8.3 MATERNITY LEAVE

8.3.1 Entitlement

An employee working full-time or part-time will be entitled to 39 weeks paid and 13 weeks unpaid maternity leave under the NHS contractual maternity pay scheme. The paid entitlement consists of:

- 8 weeks full pay
- 18 weeks half pay & statutory maternity pay
- 13 weeks statutory maternity pay only

8.3.2 Qualifying Conditions

In order to qualify for this leave, employees must meet the following conditions:

- 12 months continuous service with NIMDTA at the beginning of the 11th week before the expected week of childbirth (EWC)
- Notification to the Agency in writing using the maternity leave request form (see appendices) before the end of the 15th week before the EWC (or if this is not possible, as soon as is reasonably practicable thereafter). Notification must contain:
 - her intention to take maternity leave
 - the date she wishes the leave to start - this can be any date from the beginning of the 11th week before the baby is born
 - that she intends to return to work with the same or another NHS employer for a minimum of 3 months after her maternity leave has ended.
- Providing the Agency with a MATB1 certificate from her midwife or GP giving the expected date of childbirth (EDC).

If the employee wishes to change the maternity leave dates provided, the Agency should be notified at least 28 days in advance.

8.3.3 Antenatal care

Pregnant employees have the right to paid time off for antenatal care, which includes relaxation and parent craft classes as well as appointments for antenatal care.

8.3.4 Sickness prior to childbirth

If an employee is off work, or becomes ill, with a pregnancy-related illness during the last four weeks before the EWC, maternity leave will normally commence at the beginning of the 4th week before the EWC or the beginning of the next week after the employee last worked, whichever is later.

Absence prior to the last four weeks before EWC, supported by a medical statement of incapacity to work, or a self-certificate, shall be treated as sick leave. Odd days of pregnancy-related illness may be disregarded if the employee wishes to continue to work until their previously notified start date.

8.3.5 Premature birth

Where an employee's baby is born prematurely, the employee will be entitled to the same amount of maternity leave and pay as if their baby was born full term.

- If the baby is born before the 11th week before the EWC and the employee has worked during the actual week of childbirth, maternity leave will start on the employee's first day of absence.
- If the baby is born before the 11th week before EWC and the employee has been absent from work on certified sickness during the actual week of childbirth, maternity leave will start the day after the birth.
- If the baby is born before the 11th week before EWC and the baby is in hospital, the employee may split her maternity leave entitlement, taking the minimum two week period immediately after the childbirth and the rest following the baby's discharge from hospital.

8.3.6 Still birth

Where an employee's baby is still born after the 24th week of pregnancy, the employee will be entitled to the same amount of maternity leave and pay as if her baby was born alive.

8.3.7 Miscarriage

Where an employee has a miscarriage before the 25th week of pregnancy, normal sick leave provisions will apply.

8.3.8 Sickness following the end of maternity leave

In the event of illness following the date the employee was due to return to work, normal sick leave provisions will apply.

8.3.9 Keeping in touch

An employee can voluntarily agree to arrangements for keeping in touch whilst on maternity leave to keep up-to-date with developments at work or to facilitate her return. She may work for up to a maximum of 10 KIT days without bringing her maternity leave to an end, however these must not be within the two weeks compulsory maternity leave immediately after the birth. Any days worked will not extend the maternity leave period, but will be paid at basic daily rate. Working for part of a day will count as one KIT day.

8.3.10 Returning to work on flexible arrangements

Employees have the right to request to come back to work on different hours on a temporary or permanent basis. The employee should contact their line manager at least 28 days in advance of their return to work date to discuss the options. If the employee returns to work on a flexible basis for a temporary period, this will not affect her right to return to her job under her original contract at the end of the agreed period.

If following her meeting with her line manager, the employee wishes to request flexible working arrangements on a permanent basis, this must be done in writing. The employee should complete an application for flexible working and return it to the HR Department. If it is not possible to accommodate flexible working arrangements, the Agency will provide written, objectively justified reasons.

8.3.11 Failure to return to work

If an employee who has notified her employer of her intention to return to work for the same or a different NHS employer fails to do so within 15 months of the beginning of maternity leave, she will be liable to refund her maternity pay, less any statutory maternity pay received.

8.3.12 Terms and conditions whilst on maternity leave

- Annual leave will continue to accrue during paid and unpaid maternity leave. Payment in lieu may be considered where accrual of annual leave exceeds normal carry over provisions.
- Pension rights and contributions shall be dealt with in accordance with the NHS Superannuation Regulations.

8.4 PATERNITY LEAVE

Employees are entitled to 2 weeks paternity leave, paid at their full rate, which can be taken in a block of one or two weeks, not odd days. They can choose to start their paternity leave on any day of the week on or following the child's birth. The statutory provisions provide for such leave to be taken within the first 8 weeks following the birth.

Employees must satisfy the following conditions to qualify for paternity leave and pay:

- Have or expect to have responsibility for the child's upbringing
- Be the biological father of the child or the mother's husband or partner
- Have 12 months continuous service at the beginning of the week the baby is due

Under the statutory provisions only one period of leave will be available to employees irrespective of whether more than one child is born as a result of the same pregnancy.

Employees intending to take paternity leave are required to submit a Paternity Leave Request Form (see appendices) to the Human Resources Officer during or before the 15th week before the EDC. Written confirmation of the leave approved will be provided.

8.5 ADOPTION LEAVE

Paid adoptive leave will be available to employees where an approved adoption agency notifies the adopter of a match to a child. To qualify for adoption leave an employee must:

- Be newly matched with a child by an approved adoption agency
- Have worked continuously for their employer for 12 months ending with the week in which they are notified of being matched with the child for adoption.

8.5.1 Length of adoption leave

Adopters will be entitled to up to 39 weeks ordinary adoption leave followed immediately by 13 weeks additional adoption leave. An adopter can decide to start their leave either from the date of the child's placement or from a fixed date, which can be up to 14 days before the expected date of placement. Only one period of leave will be available irrespective of whether more than one child is placed for adoption by the same agency. If the child's placement ends during the adoptive leave period the adopter will be able to continue adoption leave for up to 8 weeks after the end of the placement.

8.5.2 Statutory adoption pay

Statutory adoption pay will be paid by the employer for up to 39 weeks. Paid leave will be commensurate with provisions for maternity leave and will be paid in accordance with maternity pay provisions.

8.5.3 Notice of intention to take adoption leave

Adopters will be required to inform the Agency of their intention to take adoption leave within 7 days of being notified by the adoption agency that they have been matched with a child for adoption. Employees will be required to advise the Human Resources Manager as to when the child will be placed with them and when they want their adoption leave to commence. As part of the application process the employee will be required to provide a copy of their matching certificate from the adoption agency as evidence of their entitlement to statutory adoption pay.

8.5.4 Notice of intention to return to work after adoption leave

Adopters who want to return to work before the end of their adoption leave period must write to the Agency 28 days before they wish to do so.

8.5.5 Adoptive paternity leave and pay

The spouse or partner of the child's adopter is entitled to paternity leave and pay. The same rules apply as for paternity leave.

8.6 PARENTAL LEAVE

Parental leave came into force in December 1999. The parents of a child born or adopted after this date who have been employed by their employer for more than one year are entitled to take 13 weeks unpaid leave to care for the child following the birth or adoption. Each parent is entitled to take 13 weeks for each child under the age of 14 or in the case of disabled children before their 18th birthday.

An employee must give at least 21 days notice of their intention to take parental leave and must specify the dates that it would start and end. The leave can be taken as blocks of one week or more up to a maximum of 4 weeks per annum.

The employer must give justifiable reasons to postponement of this leave if it conflicts with the business needs of the organisation.

8.7 COMPASSIONATE LEAVE

Compassionate leave is available to those staff who have a close relative, mother, father, guardian or child who is suffering from an illness or condition which has been diagnosed as either critical, in the short term or terminal. The Human Resources Manager will examine each individual case and take account of all prevailing circumstances and make a judgement as to what will best meet the needs of both the organisation and the member of staff.

Each situation will be very different, and every attempt will be made to reach a compromise. This should ensure that the needs of the individual are treated sympathetically and that the operational requirements of the Agency are not compromised or disadvantaged.

As this type of leave is designed to enable staff to cope with unplanned and unforeseen demands on an individual basis, entitlement will range from one half day to up to 18 days per year. However, no one period should exceed 6 days and is available up to 3 times per annum. Staff making a claim under compassionate leave should ensure that their line manager is advised promptly of any domestic difficulties she/he is experiencing.

8.8 BEREAVEMENT LEAVE

Bereavement leave is available to those staff who suffer the loss of a relative through death. Whilst it is difficult to assess how the death of someone close to us will affect each of us, this policy is to help ensure that staff are treated with sympathy and consistency at difficult times.

An employee who intends to apply for bereavement leave should ensure that the HR Manager is advised of the situation as soon, as is practicable.

8.9 TIME OFF FOR MEDICAL AND DENTAL APPOINTMENTS

Educators who only work a few PA's per week are required to make medical and dental appointments in their own time. Those who work full-time are entitled to time off to attend appointments, which should be made early morning, during lunchtime or late afternoon to minimise the time needed. Time off is allocated as follows:

- Up to a maximum of 2 hours for standard medical and dental appointments
- Up to a maximum of 3 hours for specialist medical and dental appointments
- Up to a maximum of 4 hours for hospital appointments

Employees must return to work after any appointment if the time is still within their normal working hours. In cases where employees have attended an appointment and have been absent from the workplace for longer than the time permitted by the Agency, arrangements should be made to repay the time owed by annual leave or a time owed arrangement. Discretion may be used in relation to the time awarded if the circumstances are unique.

9. TRAINING AND DEVELOPMENT

The Agency is committed to the support and promotion of staff development and training. It recognises that the efficient and effective functioning of the Agency depends on its support and provision of staff development activities, which are designed to develop the knowledge, skills and attitudes of staff.

Staff development and training may be related to specific job skills, to an individual's career development or to personal development in a broader sense. It may be achieved through a variety of methods e.g. seminars, short courses, workshops, and courses leading to qualifications.

At the heart of staff training and development is the formal appraisal mechanism currently in place for the Agency's administrative staff. The Agency undertakes, where possible, to respond to the development and training needs identified through the appraisal procedure. Should a member of the administrative staff feel that s/he is being unfairly treated with respect to undertaking a staff development or training activity s/he may appeal to the Chief

Executive/Postgraduate Dean. Neither leave nor the reimbursement of expenses can be claimed as a right, but will be awarded at the discretion of the Agency.

9.1 CRITERIA FOR LEAVE AND EXPENSES

Each application for further training or a course of study will be viewed individually on its own merits and the following criteria will be applied:

- The relevance of the study to the performance of current and prospective duties and to the career structure for the grade of staff concerned.
- The opportunities for the applicant to keep abreast of developments in his/her line of work.
- The overriding needs of the service where leave is requested.
- The level of study activity and funding previously afforded.

9.2 FUNDING

If financial assistance is granted the member of staff will receive either:

- **100%** funding - only if the training is considered to be **essential** for carrying out the duties of the post (to include exam fees)
- or**
- **Maximum of 66.6%** (pro rata) funding - this will only be granted if the training or course of study is relevant to the area of work in which the applicant is employed.

Staff who receive full funding will be entitled to travel and subsistence expenses at the rate agreed by the Agency. Staff who receive up to 66.6% (pro rata) funding towards tuition fees to include exam fees are responsible for any additional costs. Where courses are part funded a claim for fees should be submitted after the course of study and if applicable where examinations have been passed. If the course is 100% funded, invoices for fees etc. can be submitted to the Agency's finance department for payment.

Financial assistance for those pursuing professional qualifications is only given for one year and re-application has to be made for each subsequent year until completion of the course of study.

Staff on fixed-term contracts wishing to pursue professional qualifications must have at least one year of appointment left in their contract, or if this is not the case, have received confirmation

that their contract will be renewed for at least another year beyond the current date of termination.

9.3 EXAM LEAVE

The following entitlements apply to exam leave: -

Non-essential courses:

- A half day's exam leave if the exam occurs during the normal working day
- One day's leave per examination (up to a maximum of 3 per year) for study purposes - normally the day prior to the examination.

Essential courses:

- One day's exam leave if the exam occurs during the normal working day
- One day's study leave (up to a maximum of 3 per year), normally the day prior to the exam

Staff required to re-sit examinations will do so in their own time and at their own expense. Leave for part-time staff will be calculated on a pro-rata basis.

Any applications for study leave and exam leave must be made to the Human Resources Manager in advance for approval using the Study Leave Application Form (see appendices). The Human Resources Manager will indicate how much leave will be granted for both the exam and study leave.

9.4 DAY/BLOCK RELEASE

This will only be granted where the training is considered to be **essential** for carrying out the duties of the post.

9.5 NON COMPLETION OF A COURSE FUNDED BY AGENCY

If an employee fails to complete a course funded by the Agency, he/she should be required to reimburse all of the course fees.

10. CAREER BREAK

The career break scheme applies to both male and female employees of the Agency. The scheme covers reasons such as childcare, eldercare, care for another dependant, training, study leave or work abroad. Career breaks may be granted for other reasons although they will not normally be granted for the primary purpose of taking up alternative salaried or wage earning employment. The objectives of the scheme are:

- To give staff the opportunity to leave their employment for a period of time, and return at a later time,
- To retain skills and expertise within the Agency
- To provide new job opportunities within the Agency

10.1 Eligibility

Employees must have satisfactorily completed one year's service to apply for a career break within the Agency. Employees wishing to avail of this scheme should firstly discuss it with their line manager. Following this, an application must be made using the Career Break Application Form (see appendices) providing at least 6 months notice. The application should be submitted to the human resources department for consideration at the next senior management meeting. Applications will be considered on the merit of each individual case; however it may not be feasible for the Agency to grant release in every case. Please note that the date on which a career break begins will be a management decision taking into consideration the circumstances of the application and the time required to fill the vacancy.

It is the responsibility of the employee to inform the HR Manager of any change in circumstances.

10.2 Duration of Career Break

Special leave without pay for a career break may be granted for a period of not less than three months and for any period up to a maximum of 5 years. Breaks can be taken as a single period or as more than one period. The notice period required before the return to work is as follows:

- Break of less than a year - 2 months notice in writing
- Break of more than a year - 6 months notice in writing

10.3 Continuity of Service

Periods of service before and after a career break shall be treated as continuous for conditions of service. The break itself will not count for continuous service purposes or for incremental credit. A period of absence on a career break will not count for Superannuation purposes and employees are advised to contact Superannuation Branch in relation to this.

10.4 Return to Work

If a career break is taken for less than one year, the employee may return to the same job, however if the break is longer than one year, the employee will be guaranteed as similar a job as possible.

If prior to the commencement of a career break an employee was working in a part-time job-sharing arrangement every effort will be made to allow the employee to return on that basis. However, there is no guarantee that this will always be possible and in these circumstances employees may be offered a full time post.

Employees who are unable to resume duty on the due date because of illness will be required to produce supporting medical documentation.

10.5 Promotion

Employees will be free to apply for promotion during the career break. However they would have to accept the promotion at the time of offer and take up duties when required.

10.6 Social Security / Income Tax Arrangements

It is the responsibility of the employee taking a career break to contact their local Social Security Office to determine whether they are entitled to any benefits and to check the position with regard to their National Insurance and Income Tax.

10.7 Appeals

Employees will receive a written explanation of the reason for refusal of all applications. They are entitled to resort to the grievance procedure if a break is refused.

11. REDUNDANCY

The Employment Rights Act 1996 Section 139 states that redundancy arises when employees are dismissed in the following circumstances:

- Where the employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed; or where the employers has ceased, or intends to cease, to carry on the business in the place where the employee was so employed; or
- Where the requirements of the business for employees to carry out work of a particular kind, in the place where they were so employed, have ceased or diminished or are expected to cease or diminish.

11.1 Qualification

To qualify for a redundancy payment, the member of staff must be an employee, working under a contract of employment for an NHS employer. Contracts of employment may be written or verbal, and can be for a fixed period or be continuous. The employee must also have at least 104 weeks continuous full-time or part-time service.

11.2 Definitions

Continuous service means full-time or part-time employment with the present or any previous NHS employer. If more than one NHS employer, there must not have been a break of more than a week between employments.

Reckonable service is calculated on the basis of the service up to the date of termination of the contract, means continuous full-time or part-time employment with the present or any previous NHS employer but with the following additions:

- Where there has been a break in service of 12 months or less the period of employment prior to the break will count as reckonable service;
- Periods of employment as a trainee with a general medical practitioner in accordance with the provisions of the Trainee Practitioner Scheme will count as reckonable service;
- At employer discretion, any period or periods of employment with employers outside the NHS where these are judged to be relevant to NHS employment can be included as reckonable service.

The following employment will not count as reckonable service:

- Employment that has been taken into account for the purposes of a previous redundancy, or loss of office payment by an NHS employer;
- Where the employee has previously been given pension benefits, any employment that has been taken into account for the purposes of those pension benefits.

A month's pay means whichever is the more beneficial of the following calculations:

- 4.35 times a week's pay calculated in accordance with the provisions of Section 221 to 229 of the Employment Rights Act 1996;
- An amount equal to 1/12th of the annual salary in payment at the date of termination of employment.

11.3 Calculation of redundancy payment

The redundancy payment will take the form of a lump sum, dependent on the employee's reckonable service at the date of termination of employment. The lump sum will be calculated on the basis of one month's pay (104) weeks continuous service and a maximum of 24 year's reckonable service being counted. Fractions of a year of reckonable service will not be taken into account.

11.4 Early retirement

Members of the NHS Pension Scheme who are made redundant and meet the qualifying conditions and definitions, may choose to retire early without reduction in the value of pension benefits as an alternative to receiving the full lump sum benefit set out above. To qualify for early retirement the member of staff must:

- Be a member of the NHS pension scheme
- Have at least 2 years continuous service and 2 years qualifying membership
- Have reached the minimum pension age.

11.5 Exclusion from eligibility

Employees shall not be entitled to redundancy payments or early retirement on the grounds of redundancy if:

- They are dismissed for reasons of misconduct, with or without notice; or
- At the date of the termination of the contract have obtained without a break, or with a break not exceeding four weeks, suitable alternative employment with the same or another NHS employer; or

- Unreasonably refuse to accept or apply for suitable alternative employment with the same or another NHS employer; or
- Leave their employment before expiry of notice, except if they are being released early; or
- Are offered a renewal of contract (with the substitution of the new employer for the previous NHS one); or
- Where their employment is transferred to another public service employer who is not an NHS employer.

11.6 Suitable alternative employment

Employers have a responsibility before making a member of staff redundant or agreeing early retirement on grounds of redundancy to seek suitable alternative employment for that person, either in their own organisation or through arrangements with another NHS employer.

Employers should avoid the loss of staff through redundancy wherever possible to retain valuable skills and experience where appropriate within the local health economy. In considering whether a post is suitable alternative employment, regard should be given to the personal circumstances of the employee. Employees, will however, be expected to show some flexibility.

For the purposes of this scheme any suitable alternative employment must be brought to the employee's notice in writing or by electronic means agreed with the employee before the date of termination of contract and with reasonable time for the employee to consider it. The employment should be available not later than four weeks from that date. Where this is done, but the employee fails to make any necessary application, the employee shall be deemed to have refused suitable alternative employment.

11.7 Early release of redundant employees

Employees who have been notified of the termination of their employment on grounds of redundancy, and for whom no suitable alternative employment in the NHS is available, may, during the period of notice, obtain other employment outside the NHS.

If they wish to take this up before the period of notice of redundancy expires the employer will, unless there are compelling reasons to the contrary, release such employees at their request on a mutually agreeable date. That date will become the revised date of redundancy for the purpose of calculating any entitlement to a redundancy payment under this agreement.

11.8 Claim for redundancy payment

Claims for redundancy payment or retirement on the grounds of redundancy must be submitted within 6 months of the date of termination of employment. Before payment is made the employee will certify that:

- They had not obtained, been offered or unreasonably refused to apply for or accept suitable alternative Health Service employment within four weeks of the termination date;
- They understand that payment is made only on this condition and undertake to refund it if this condition is not satisfied.
- If a retrospective pay award is notified after the date of termination of employment then the redundancy payment and/or pension will be recalculated, and any arrears due paid.

11.9 Disputes

An employee who disagrees with the employer's calculation of the amount of redundancy payment or the rejection of a claim for redundancy payment should make representations to the employer via the Agency's grievance procedure.

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

ABSENCE NOTIFICATION FORM (AN1)

Part 1

To be completed by the Line Manager on receiving a report of absence:

When you have completed Part 1 send this to Human Resources and the Employee who is absent.

The Employee **must** complete part 2 **immediately** on their return and send it to Personnel and copy it to their Line Manager for reference.

Full Name			
Department			
First Day of Absence (Date)			
Reason for Absence / Nature of Illness			
Estimated Duration (Days)			
Notification Received on:		At:	
Notification Received from:			
Is the absence the result of an industrial injury / accident at work? (Yes/No)	No		

If Yes, please refer to the Accident Reporting Procedure.

Managers Acknowledgement		Date:	
Date forwarded to Personnel			

Part 2

To be completed by the **Employee** immediately upon their return to work and forwarded to **Personnel** and their **Line Manager** for urgent attention.

First Date of Absence:		Last Date of Absence:	
Total Number of Working Days Lost			

I certify that the information given above is correct.

Signed:		Date:	
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Line Managers Signature

Signed:		Date:	
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Note: Any employee who knowingly submits a certificate containing false information is liable to dismissal.

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY
APPLICATION FOR COMPASSIONATE / BEREAVEMENT LEAVE (CBL1)

SECTION 1: TO BE COMPLETED BY EMPLOYEE		
Name:		
Department:		
Type of leave requested:		
Number of days absence:		
Period:	From:	To:
Reason for absence (please specify):		

Signed (Employee): _____ **Date:** _____

SECTION 2: TO BE COMPLETED BY HUMAN RESOURCES			
Leave approved? (please tick):	Yes		No
No of days approved:			
Authorised by:			
Position:			

All applications must be received by the H R Manager on the first day of the employee returning to work.

Applications will not be considered where an employee has not kept their line manager fully informed about the need to take leave.

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

MATERNITY LEAVE REQUEST FORM (MAT1)

Entitlement (subject to conditions): 8 wks full pay, 18 wks half pay & SMP, 13 wks SMP only

Name:		
Department:		
I wish to commence maternity leave on:		
My expected week of confinement is:		
I wish to take annual leave at the end of the maternity period:		
From:	To:	
I confirm that I will be returning to work with the same / another HPSS employer for a min of 3 months following maternity:		YES / NO
I expect to return to work on:		
I expect to return to work:	Full-time / Part-time	
I wish to have my payments spread out over the maternity leave period:		YES / NO

Signed: _____ Date: _____

I do not expect to return to work and therefore tender my resignation with effect from:

_____ (Date)

Signed: _____ Date: _____

Employees must complete this form and return it to the Human Resources Officer before the end of the 15th week before the EDC. Employees must give 28 days notice of any change to these dates.

A MATB1 FORM AVAILABLE FROM YOUR GP MUST ALSO BE FORWARDED TO THE HUMAN RESOURCES OFFICER

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

PATERNITY LEAVE REQUEST FORM (PA1)

Name:	
Department:	
National Insurance Number:	
The baby is due on:	
If the baby has been born, please enter the actual date of birth and also give the date the baby was due in the above box	
Date of commencement of paternity leave:	
I wish to take the following leave:	One / two weeks
Date of return to work:	
Any additional information:	

You must be able to tick all three boxes below to get Paternity Pay and Paternity Leave. I declare that:

- I am
 - the baby's biological / adoptive father
 - married to or in a civil partnership with the mother
 - living with the mother in an enduring family relationship, but am not an immediate relative

- I have responsibility for the child's upbringing

- I will take time off work to support the mother or care for the child

Signed: _____

Date: _____

The Agency provides 2 weeks full pay for Paternity Leave.

You are required to submit this form, along with a copy of the MATB1 certificate at least 28 days before you wish the paternity leave to start.

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

APPLICATION FOR ADOPTION LEAVE (AL1)

SECTION 1: TO BE COMPLETED BY EMPLOYEE	
Name:	
Department:	
Date of commencement of Adoptive Leave requested:	
Date of return to work:	

Signed: _____

Date: _____

Please note at least 7 days notice is required to apply for adoptive leave.

Where the child is below the age of 18, adoption leave and pay will be in line with the maternity leave and pay provisions.

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

APPLICATION FOR PARENTAL LEAVE (PA1)

SECTION 1: TO BE COMPLETED BY EMPLOYEE		
Name:		
Department:		
Number of days absence:		
Period:	From:	To:
Reason for absence (please specify): 		

Signed: _____

Date: _____

SECTION 2: TO BE COMPLETED BY HUMAN RESOURCES			
Leave approved? (please tick):	Yes		No
No of days approved:			
Authorised by:			
Position:			

There is an entitlement to parental leave for parents with children under the age of 14 or 18 for disabled children.

This leave is unpaid. The leave can either be taken as a block of one week up to a maximum of 4 weeks per year.

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

TRAINING APPROVAL REQUEST FORM (TR1)

Please complete fully and return to the H R Manager

SECTION 1: TO BE COMPLETED BY EMPLOYEE	
Name:	
Department:	
Course Applied for (please include details of course provider)	
Course dates:	
Course fee:	
Please state why you think this application should be supported:	

Signed: _____

Date: _____

SECTION 2: TO BE COMPLETED BY SENIOR MANAGEMENT	
This training should/should not be supported (delete as appropriate)	
Funding to be awarded:	
Authorised by:	
Position:	

NORTHERN IRELAND MEDICAL AND DENTAL TRAINING AGENCY

STUDY LEAVE REQUEST FORM (SL1)

SECTION 1: TO BE COMPLETED BY EMPLOYEE	
Name:	
Department:	
Details of exams to be taken & dates of leave:	
No half days exam leave requested:	
No days study leave requested:	

Signed: _____

Date: _____

SECTION 2: TO BE COMPLETED BY HUMAN RESOURCES	
Leave approved:	YES / NO
If no, no days approved:	
Authorised by:	
Position:	

PLEASE NOTE ENTITLEMENT IS AS FOLLOWS: (Leave for part-time staff will be pro-rata)

NON-ESSENTIAL COURSES

- A half day's exam leave if the exam occurs during the normal working day
- One day's study leave (up to a maximum of 3 per year), normally the day prior to the exam.

ESSENTIAL COURSES

- One day's exam leave if the exam occurs during the normal working day
- One day's study leave (up to a maximum of 3 per year), normally the day prior to the exam

Any applications must be made to the HR Manager in advance for approval. The HR Manager will indicate how much leave will be granted for both the exam and study leave.

