

Family, Compassionate & Other Leave Policy

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What is in this policy?

This policy provides guidance on the various types of leave available to support employees to balance their responsibilities at work with their personal commitments.

This policy applies to all UHBW employees including those that TUPE transferred from Weston Area Health NHS Trust in April 2020.

Our Pro-equity approach

Pro-Equity is inclusion in everything we do, even when people aren't looking. It is embracing full hearted care by making UHBW a better place to work, building a place where everyone feels truly safe to be themselves. Where our differences are our strengths, and everyone feels like they belong here, because they do.

To be Pro-Equity:

- We must be against that which prevents it. We will be anti-racist, anti-ableist, anti-sexist, anti-homophobic ... we will be actively against all forms of discrimination.
- We will address our practices and culture in a compassionate way.
- We will have difficult and uncomfortable conversations so that we can listen to learn, grow, and change to make things fair, because right now, they are not.

Our commitment

This won't be easy, but it will be worth it. Because by doing this we can make a real difference to the lives we touch. Not just for colleagues, but for everyone. Patients. Family. Community. We're all in. We're committed to Pro-Equity. We're committed to being and doing better, for everyone. We are Team UHBW.

Document Change Control				
Date of Version	Version Number	Lead for Revisions	Type of Revision	Description of Revision
November 2021	1	HR Specialist	new	New policy combining Special leave, Time off for Civic duties, Emp23 Leave Policy
June 2022	1.1	HR Specialist	minor	Clarification that compassionate leave is paid leave. Addition of 3 months unpaid leave for main carer
February 2023	1.2	HR Specialist	minor	Addition of leave allowance for Special Constables to section 6.5
October 2023	1.3	HR Specialist	minor	Addition of leave for elective cosmetic surgery should be annual leave.
November 2023	1.4	HR Specialist	minor	Amendment to section 6.12 Jury service pay & inclusion of witnesses.
March 2024	1.5	HR Specialist	minor	Inclusion of compassionate leave for team attending funeral of a colleague/patient Section 6.2
April 2024	1.6	HR Specialist	minor	Inclusion of statutory Carer's Leave Section 6.5.
	1.7			Replacement of reference to obsolete Grievance Policy with Respecting Everyone Policy.
May 2024	1.8	HR Specialist	minor	Addition of Pregnancy & Baby Loss Leave, section 6.4
Nov 2024	1.9	HR Policy Manager	minor	Addition of information on unpaid leave for employees on a skilled worker visa.
April 2025	2.0	HR Policy Manager	Scheduled review	Section 6.2 compassionate leave length and reasons for duration clarified. Added Neonatal Care Leave & Pay Added Pro-equity promise

Sign off Process and Dates	
Groups consulted	Date agreed
Joint Union Committee	20/03/25
HR Policy Group	01/04/2025

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1. Introduction

UHBW believes that people at work are happier, more effective and committed when they are able to strike a proper balance between work and their lives outside of work.

UHBW recognises that employees should be supported in trying to implement a work life balance. Employees are entitled by law to time off work in particular circumstances (usually unpaid). This policy incorporates the statutory requirements and also sets out situations where enhanced terms apply.

2. Purpose

This policy provides guidance on the various types of leave available to support employees to balance their responsibilities at work with their personal commitments. It contains all leave arrangements except Annual Leave, Paternity Leave, Maternity Leave and Adoption Leave which are covered in individual policies due to their size and complexity.

3. Scope

This policy applies to all employees of UHBW including those that TUPE transferred from Weston Area Health NHS Trust in April 2020.

4. Definitions

4.1 Dependant

A dependant is the child, partner or parent of an employee or someone else who lives with them as a member of their family, or someone who relies on them in an emergency. Managers should interpret this flexibly to include others with a close relationship to a colleague.

4.2 A day

For the purposes of this policy, a day is a single full working day, regardless of the length of the shift the employee would be expected to work on that day.

4.3 A week

For the purposes of this policy, a week is an employee's contracted weekly working hours, pro-rated down for part-time staff.

5. Duties, Roles and Responsibilities

5.1 Line managers

- (a) Treat all requests for leave under this policy fairly and equally considering the circumstances of each request.
- (b) Record any leave granted under this policy and complete any necessary e-forms.

- (c) Must have fair reason to turn down a request for leave and provide a written explanation if required.

5.2 Employees

- (a) Give as much notice as reasonably possible when requesting leave.
- (b) Request and record leave using the Annual Leave form.
- (a) Inform their manager as soon as possible if unavailable for work in an emergency.
- (b) Keep in contact with their line manager during leave as agreed.

6. Types of Leave

This policy contains a range of leave to provide choice, practical help, support and flexibility when needed. Managers should interpret the policy in a flexible and caring way. They should, wherever possible and appropriate approve requests for leave, bearing in mind workplace demands and individual circumstances. Support and advice is available from People Services.

6.1 Emergency Domestic Leave

Emergency domestic leave is paid time off to deal with a sudden and urgent unexpected need to care for a dependant or deal with an emergency at home. This applies to many and varied situations, for example;

- A breakdown in childcare
- A dependant or close relative falls ill or is taken into hospital
- Fire, burglary or flood

A day's paid leave will be agreed initially and usually no more than 3 days may be granted per year. If further time off is necessary, manager and employee should meet to discuss how to support this, for example the use of annual leave or unpaid leave.

Emergency leave will normally have to be requested and agreed at short notice. Employees should contact their manager as soon as possible to make them aware of the issue and how long they expect to be away. Only when it has not been possible, despite best efforts, to contact their manager can the employee take the leave without agreement. However, they must contact their line manager as soon as possible and no later than the next working day.

6.2 Compassionate Leave

The purpose of compassionate leave is to help employees to come to terms with personal issues such as a serious illness or injury of a loved one, serious personal relationship problems or the death of a loved one. It includes time off for any arrangements which may need to be made and time to attend funerals. Family situations differ and each case should be viewed with empathy and understanding.

The amount of leave will depend on individual circumstances, for example personal relationships, home responsibilities and travel distances. The time allowed can range from just a few hours up to a working week's paid leave which is often sufficient.

In circumstances where 1 week is insufficient, managers can extend compassionate leave to 2 working weeks' paid leave. Each case will be viewed sympathetically and the amount of leave agreed will depend on the employee's circumstances, such as travel distances and level of responsibility for arrangements. Advice is available from People Services for line managers and colleagues. Compassionate leave can be taken as one episode or split depending on circumstances.

Where several members of a team are affected by the loss of a colleague or patient, managers should enable as many people as possible to attend the funeral subject to service needs.

Employees should inform their manager of the need to take compassionate leave as soon as reasonably possible.

Managers should consider what further support can be provided and sensitive consideration should be given to the use of the Health & Wellness at Work Policy in addition to compassionate leave.

UHBW recognises that anyone requesting compassionate leave may be facing a difficult time in their lives. Information on our employee assistance programme and a full menu of wellbeing guides and videos are available on the Workplace Wellbeing SharePoint.

6.3 *Child Bereavement Leave*

All bereaved parents will be eligible for a minimum of 2 weeks of child bereavement leave. A bereaved parent will not be required to demonstrate any eligibility criteria to access bereavement leave or pay. Where both parents of a deceased child work for UHBW this leave will apply to both.

This leave can be used in the event of the death of a child from 24 weeks of pregnancy onwards. There is no requirement for the child to be under the age of 18. This leave can be taken immediately or at another time. Bereaved parents do not have to take the two weeks of leave in a continuous block and may request to take child bereavement leave at any point up to 56 weeks following the death of the child.

Employees should let their manager know of their intentions as soon as they are able to. Full details can be found in Section 23 of the [NHS terms and conditions handbook](#).

6.4 *Pregnancy and Baby Loss*

UHBW offers colleagues up to 10 days paid leave for the mother (or parent who was pregnant), and up to 5 days paid leave for the partner. Leave days are given on a pro-rata basis and pay is calculated based on what the individual would have received had they been at work. Please see the Pregnancy & Baby Loss Policy for more information.

This includes, but is not limited to: miscarriage, ectopic pregnancy, molar pregnancy, and termination of pregnancy and is not dependent upon how long someone has been pregnant or length of service.

A Fit Note is not required, unless additional time off from work is needed. This paid time off does not count towards review prompts for Health and Wellness at Work Policy purposes.

In addition, colleagues are offered paid time-off for appointments linked to pregnancy or baby loss, for example, medical examinations, scans and tests and mental health related interventions, if this stretches beyond the time outlined above.

It is the manager's responsibility to support their team member with kindness, compassion and flexibility. Each person is different, and individuals may also need temporary work adjustments, or other levels of support. All requests to work flexibly following a loss will be treated with understanding and sensitivity. This may include home working for a period of time (where practical) or changing someone's hours of work or shift pattern.

6.5 Unpaid Parental Leave

Employees who have nominated caring responsibility for a child, up to their 18th birthday, are eligible for Parental Leave. The right to parental leave entitles all employees who have completed one year's continuous NHS service to take a period of unpaid leave to care for each child aged up to 18.

Both parents can take parental leave of up to 18 weeks unpaid leave per child, to be taken in periods of at least one week at a time. In cases where the child is disabled, parental leave may be taken in days rather than in weeks. A maximum of four weeks can be taken in any one year.

Parents can start taking parental leave as soon as a child is born or placed for adoption, or as soon as they have completed one year's continuous NHS service, whichever is later. Periods of parental leave will not affect continuity of service. Further information is available on [Gov.uk](https://www.gov.uk).

6.6 Carer's Leave

There is a statutory entitlement to up to 1 week unpaid [Carer's Leave](#) every 12 months to give or arrange care for a dependant. The dependant does not have to be a family member, it can be anyone who relies on them for care, who has:

- a physical or mental illness or injury that means they're expected to need care for more than three months
- a disability (as [defined in the Equality Act 2010](#))
- care needs because of their old age.

Managers cannot refuse a carer's leave request but can ask the employee to take it at a different time but only if the employee's absence would cause serious disruption to the service and must:

- agree another date within one month of the requested date for the leave
- put the reason for the delay and new date in writing to the employee within 7 days of the original request, and before the requested start date of the leave

UHBW also allows employees to take up to 3 months' unpaid leave where they are the main carer. This may be taken as one block or as separate days depending on the needs of the individual and the service. This unpaid leave must be authorised by the line manager and may also require divisional approval through the Pay Control Panel process. Authorisation will depend on the reason for the request, consideration of service needs and how the leave will be covered.

Please see [section 7.3](#) for the effect of unpaid leave on pension contributions.

6.7 Civic and Public Duties

Employees are entitled to reasonable time off for certain public duties, for example a magistrate, local authority councillor or school governor and for duties as a Special Constable.

If an employee is considering taking on public duties, they must advise their line manager before doing so to discuss the extent of the commitment and the implications for their work. Please read the Secondary Employment Policy.

Employees can take 6 paid and 6 unpaid days off in any 12 month period for public duties as listed on [Gov.uk](#) or as a Special Constable. The exceptions to this are trade union representatives who are covered by the Trade Union Facilities Agreement and jury service which is covered [here](#).

More unpaid days can be requested, but these are at the discretion of the manager who should take into account the needs of the service.

6.8 Fertility Treatment

Employees attending outpatient appointments associated with their fertility treatment cycle can take paid leave for up to 3 appointments in any 12-month period.

6.9 Fostering Leave

Fostering leave is available for foster parents to help settle children into the family home. Unpaid leave of up to 3 days in any 12-month period can be taken as fostering leave.

6.10 Gender reassignment

Employees attending outpatient appointments associated with their transition can take paid leave for up to 3 appointments in any 12-month period.

6.11 Health appointments

Where possible, employees should make appointments with a doctor, dentist, hospital department or other health professional outside their normal working hours. Where this is not possible, they should be made at a time which will result in the least impact on the service.

Employees should attend work before and after their appointment. For any appointment in working time, staff will be required to make up the time or take annual leave by agreement with their manager.

Exceptions to this may apply where appointments are in connection with an employee's disability. Please seek advice from People Services.

6.12 Cosmetic Surgery

Where cosmetic surgery is needed for clinical reasons, e.g. reconstructive surgery following trauma, the absence will be treated as sickness absence. Elective cosmetic surgery and a planned period of convalescence are not considered sickness absence and should be requested as annual leave in the normal way. Unpaid leave may be granted at the discretion of the manager if the colleague has no annual leave remaining. Absence beyond the normal recovery period will be considered sickness absence.

6.13 Interview Leave

Time off with pay will be given to attend interviews for jobs within the NHS. Time off for interviews with other employers will usually be granted as annual leave.

Staff who are on the redeployment register will be allowed time to attend all interviews. This will be paid leave unless the employee is signed off from work and has exhausted their Occupational Sick Pay.

6.14 Jury Service

Colleagues who are required to attend court on jury service, or as a witness, will receive their normal rate of pay. Jury service normally lasts for 10 working days, but may be longer. The employee should contact their line manager as soon as possible to discuss the matter and share the notification document from the court.

Expenses for items such as travel or food are claimed through HM Courts & Tribunals Service and not through UHBW. Information is available on [Gov.uk](https://www.gov.uk)

6.15 Professional Leave for M&D staff

Professional leave should be used for any work outside of the requirements of the curriculum and/or the employer/host organisation for professional bodies such as Royal Colleges, Faculties or the GMC/GDC. Time off should be accommodated appropriately, and the clinician should not be required to take annual or study leave. Clinicians should provide rota coordinators with as much notice as possible to effectively plan the roster.

6.16 Reserve forces leave

Employees who are armed forces reserves are entitled to 2 weeks paid leave to attend annual camp or equivalent training. Additional unpaid leave may be granted for short periods of training provided adequate notice is given and where such training cannot be undertaken in off-duty time.

One weeks paid leave is available for cadet leaders to attend annual camp or equivalent continuous training.

The Armed Forces Reserve Policy covers the management of employees who are members of the British Reserve Forces.

6.17 Violent Incidents

Up to 2 working days paid leave is available to employees who have been involved in a serious or violent incident at work. This should be agreed with their manager, having sought any necessary Occupational Health advice. Please also see the Health & Wellness at Work Policy for information on sickness as a due to an injury/illness at work.

6.18 Severe Weather

Employees unable to attend work because of severe weather should agree with their manager to either take annual or unpaid leave or to make the time up. Alternatively, they may work from home or at an alternative location if appropriate.

6.19 Honours and Civic Awards Leave

A day's paid leave is available for employees to attend a ceremony to receive an honour or a civic award.

6.20 Short Term Unpaid Leave

For long term unpaid leave, please see Employment Breaks [section 6.21](#).

If an employee has used their annual leave allowance they can request unpaid leave of normally up to 2 weeks in total, in any one year. This may be for travel or attending to family business for example.

Employees on a skilled worker visa must not take more than 4 weeks unpaid leave in a calendar year, whether a single period or several absences which cumulatively total more than 4 weeks. A break of more than 4 weeks unpaid leave would be a breach of their visa conditions which has implications up to and including curtailing the visa. Please seek advice from People Services.

Unpaid leave must be authorised by the line manager but may also require divisional approval through the Pay Control Panel process. Authorisation will depend on the reason for the request, consideration of service needs and how the leave will be covered.

Please see [section 7.3](#) for the effect of unpaid leave on pension contributions.

6.21 Employment Breaks

UHBW recognises that there may be times that employees wish to take a substantial unpaid break. An employment break allows employees to take time out from work and helps UHBW retain skilled and experienced staff. An employment break may be taken for a variety of reasons, for example to care for dependants, to study, to do voluntary work, or travel.

Employees with at least 12 months continuous service will be considered for an employment break of between 3 months and 5 years. There is no automatic right to an employment break.

Employees on a skilled worker visa are not allowed to have more than 4 weeks unpaid leave in a calendar year except for statutory permissible absences (maternity leave, parental leave, adoption leave, any shared parental leave, sick leave, industrial action or jury service), therefore cannot apply for an employment break.

Please see the Employment Break Policy and Section 34 of the NHS terms and conditions [handbook](#).

6.22 Neonatal Care Leave & Pay

Neonatal Care Leave & Pay provides additional leave and pay for parents of babies who require neonatal care, with a right to up to 12 weeks' leave and pay. The Act provides eligible parents with dedicated time to care for their newborn babies during a challenging period, without impacting their existing parental leave entitlements.

There are two categories of statutory neonatal care leave depending on when the employee takes the leave: tier 1 period leave and tier 2 period leave.

Neonatal care leave

The minimum period of neonatal care leave is one week and a maximum period of 12 weeks. This is in addition to existing parental leave entitlements and must be taken within a 68-week period. This leave entitlement is a day one right, and no minimum service period is required.

Employees will be entitled to take one week's neonatal care leave for every uninterrupted week their baby receives neonatal care and can be taken in week-long increments.

Eligibility for neonatal care leave

Parents are eligible if the baby was born on or after 6 April 2025 and has received medical or palliative neonatal care for at least seven consecutive days within the first 28 days after birth. There are three categories of medical care within the Act that constitute as neonatal care:

1. Any medical care received in hospital.
2. Medical care received elsewhere following discharge from an inpatient stay hospital. The care must be under the direction of a consultant and includes ongoing monitoring and visits to the child by healthcare professionals.
3. Palliative or end of life care.

Neonatal care pay

Eligible parents who meet minimum requirements relating to continuity of employment (at least 26 weeks by the end of the relevant week, dependant on the type of family related pay the

employee is entitled to) and earnings to be paid during that leave will receive the weekly rate of statutory neonatal care pay.

Eligibility for statutory neonatal care pay

Parents are eligible if they have 26 weeks or more of service by the end of the relevant qualifying week. The relevant qualifying week will be different dependent on the type of family related pay the employee is entitled to as per [government eligibility criteria](#) and have earnings on average of at least £123 a week.

Tier 1 period leave details

This begins when the baby starts receiving neonatal care and up to a week post discharge. This period of leave ends on the seventh day after the day the baby stops receiving neonatal care.

Tier 1 leave can be taken in non-continuous blocks of a minimum of one week at a time and up to 12 weeks.

Notice period for leave - Notice must be given before an employee is due to start work on the first day of absence or if this is not possible, notice must be given as soon as reasonably practicable.

Notice period for pay - Notice must be given within 28 days from the first day of leave in which the period relates to or if this is not possible notice should be given as soon as reasonably practicable.

Note – Tier 1 notice does not need to be in writing.

Tier 2 period leave details

This applies to leave taken after the tier 1 period ends and must be taken in one continuous block. The entitlement to this leave ends 68 weeks after the child's birth.

Notice period for leave and pay

For a single week of leave and pay, written notice at least 15 days before the first day of neonatal care leave.

For a period of two or more weeks of leave and pay, written notice at least 28 days' notice before the first day of leave in which the period it relates to.

7. General Provisions & Procedure

7.1 Requesting Leave

Employees should give as much notice as possible when requesting any leave. Leave should be recorded on the employee's leave form or HealthRoster as appropriate.

Managers should agree leave requests wherever possible taking into account the needs of the service. There may be occasions when requests will be declined. If a request for leave is declined, managers should confirm this in writing and include the reasons for the refusal.

The line manager may be able to authorise leave but not agree the type of leave at the time it is requested. This should not prevent an employee from taking the leave. The type of leave e.g. paid or unpaid should be agreed later.

In the event of a disagreement the issue should be resolved using the Early Resolution Steps of the Respecting Everyone Policy.

7.2 Pay and Effect upon Contract

Leave granted under this policy, whether paid or unpaid, is not a contractual obligation. Paid leave will be at plain time rate without the payment of any enhancements that would have been due if the employee had attended work.

Annual leave will continue to accrue during periods of paid leave and the leave is not considered to be a break in service of any kind.

Annual leave does not accrue whilst on unpaid leave, and entitlements may have to be recalculated accordingly. Payroll must be informed of any period of leave under this policy via the electronic absence returns (or any successor system).

7.3 Effect on Pension

Paid leave under this policy is pensionable and will have no effect on contributions or pension.

Authorised unpaid leave is pensionable and contributions will be paid by both the employee and UHBW in addition to the deduction of pay for the absence period.

Unauthorised unpaid leave will not be treated as pensionable service and no contributions are made when the pay is deducted.

8. References

[NHS terms and conditions of service \(Agenda for Change\)](#)

[M&D terms and conditions](#)

[Employer Supported Policing Scheme | Avon and Somerset Police](#)

[Jury Service](#)

[Statutory Parental Bereavement Pay and Leave](#)

[Time off work for family and dependants](#)

[Time of work for public duties](#)

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[Unpaid Parental Leave](#)

9. Associated Internal Documentation

All policies are available on [REDACTED]

Annual leave Policy

Flexible Working Policy

Health & Wellness at Work Policy

Pregnancy & Baby Loss Policy

Respecting Everyone Policy

Secondary Employment Policy

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10. Appendix A – Monitoring Table for this Policy

The following table sets out the monitoring provisions associated with this policy. Please ensure any possible means of monitoring this policy to ensure all parts are fulfilled are included in this table. **The first line is an example for you and should be removed prior to submission.**

Objective	Evidence	Method	Frequency	Responsible	Committee
To ensure that policy remains fit for purpose	Whether policy is still in line with UHBW objectives and any changes in legislation.	Regular policy review. Regular review of legislation changes	3 yearly	Head of People Services	Policy Group
To ensure leave is managed appropriately	Leave records	Audit of leave records	Ad hoc or if concerns arise	Head of People Services	

11. Appendix B – Dissemination, Implementation and Training Plan

The following table sets out the dissemination, implementation and training provisions associated with this Policy.

Plan Elements	Plan Details
The Dissemination Lead is:	Head of People Services
Is this document: A – replacing the same titled, expired policy, B – replacing an alternative policy, C – a new policy:	B
If answer above is B: Alternative documentation this policy will replace (if applicable):	Special Leave Policy, Time off for Civic and Public duties policy, WAHT Emp23 Leave Policy
This document is to be disseminated to:	All staff
Method of dissemination:	People Services SharePoint, Viva Engage, divisional cascade
Is Training required:	No
The Training Lead is:	n/a

Additional Comments
[DITP - Additional Comments]

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12. Appendix C – Equality Impact Assessment (EIA) Screening Tool

Query	Response
What is the main purpose of the document?	To provide guidance on the various types of leave available to support employees to balance their responsibilities at work with their personal commitments
Who is the target audience of the document? Who is it likely to impact on? (Please tick all that apply.)	Add ☒ or ☒ Staff ☒ Patients ☐ Visitors ☐ Carers ☐ Others ☐

Could the document have a significant negative impact on equality in relation to each of these characteristics?	YES	NO	Please explain why, and what evidence supports this assessment in relation to your response.
Age (including younger and older people)		x	
Disability (including physical and sensory impairments, learning disabilities, mental health)		x	
Gender reassignment		x	Paid leave is available to attend appointments
Pregnancy and maternity		x	Maternity leave covered in other policy
Race (includes ethnicity as well as gypsy travelers)		x	
Religion and belief (includes non-belief)		x	
Sex (male and female)		x	
Sexual Orientation (lesbian, gay, bisexual, other)		x	
Groups at risk of stigma or social exclusion (e.g. offenders, homeless people)		x	
Human Rights (particularly rights to privacy, dignity, liberty and non-degrading treatment)		x	

Could the document have a significant positive impact on inclusion by reducing inequalities?	YES	NO	If yes, please explain why, and what evidence supports this assessment.
Will it promote equal opportunities for people from all groups?	x		
Will it help to get rid of discrimination?	x		
Will it help to get rid of harassment?		x	
Will it promote good relations between people from all groups?		x	

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Will it promote and protect human rights?		x	
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On the basis of the information/evidence so far, do you believe that the document will have a positive or negative impact on equality? (Please rate by circling the level of impact, below.)

Positive impact				Negative Impact		
Significant	Some	Very Little	NONE	Very Little	Some	Significant

Will the document create any problems or barriers to any community or group? ~~YES~~ / NO

Will any group be excluded because of this document? ~~YES~~ / NO

Will the document result in discrimination against any group? ~~YES~~ / NO

If the answer to any of these questions is YES, you must complete a full Equality Impact Assessment.

Is a full equality impact assessment required? ~~YES~~/ NO

Date assessment completed: 18/1/2022

Person completing the assessment: XXXXXXXXXX

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