

Guidance Document

G1395

Managing Train Operators' Requests for Special Leave and Flexible Working

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1 Purpose

- 1.1 The purpose of this guide is to assist Train management teams in maximising depot reliability and ultimately reduce Lost Customer Hours (LCH) caused by Operators Not Available (ONAs). It seeks to confirm and share existing good practice already being used by management and administration teams across the network.

2 Scope

- 2.1 The scope of this Guidance is processes involved in the management and monitoring of special leave and flexible working arrangements within the train crew depot environment. Within this document, special leave refers to all leave other than annual or sick leave. The Guidance applies to Trains management and administrative teams, i.e. Train Operations Managers (TOMs), Train Operations Standards Managers (TOSMs), Duty Train Service Managers (DTSMs) and administrative staff working in train crew depots.

3 Guidance

All concerned (admin and management team)	3.1 General 3.1.1 In order to maximise train service reliability, Train Operator availability needs to be as high as possible throughout the year. Managing special leave and flexible working arrangements effectively is key to this objective. 3.1.2 It is important to make sure processes are applied fairly, consistently and transparently. Make sure you have a clear understanding of the entitlements and eligibility criteria in order to be able to manage requests appropriately. 3.1.3 Special leave covers a wide range of leave types relating to different circumstances, events and durations. An outline of special leave types is given in 3.10. For management purposes, special leave can be split into: • Unplanned • Planned 3.1.4 Within these categories it can be: • Paid • Unpaid 3.1.5 There are some variations between LU and TfL rules. When considering a request for special leave, make sure you use the relevant LU leave entitlements and eligibility criteria as set out in the following documents. Consult your People Management Advisor (PMA) if you have any concerns about the request. • LU Family and Domestic Leave Scheme • Working at TfL: Time Off (replaces LU Manager's Handbook) • TfL Work Life Policy and Procedure • SAP Education Leave Types and Definitions • Professional Train Operators Agreement
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Management team	3.2 Legal requirements 3.2.1 There are legal obligations and entitlements attached to several special leave types. However the exact nature of statutory entitlement and how it applies varies. 3.2.2 For maternity, paternity, adoption, parental leave and jury service, the statutory entitlements for eligibility, leave durations and payment terms are clearly specified. 3.2.3 However some statutory leave entitlements contain an element of discretion: - Time off for dependents - the amount and frequency of leave allowed is described as reasonable dependent on the situation, with no statutory obligation for payment; see 3.3.17. - Flexible working - the law entitles Train Operators to apply for flexible working arrangements but does not guarantee it will be granted; see 3.8.
All concerned	3.3 Unplanned requests for special leave 3.3.1 This is usually requested at short notice in response to an 'emergency' resulting in the Train Operator being unable to undertake their shift that day. The final decision on whether special leave should be allocated usually lies with the TOM, although in some depots this decision may be delegated to a TOSM. The following steps must be taken to ensure they have the relevant information to make an informed decision.
DTSMs	3.3.2 Initial contact The immediate priority is to cover the shift, utilising the full range of coverage options, such as pool operators and spare covers from within the depot or other depots on the line. 3.3.3 You must also make sure the correct duty of care is given to the Train Operator and follow the processes set out below for dealing with the request: - Clarify the reason for the request, timescales, and agree future contact arrangements. As first contact in these situations is often by phone, you must be aware of the potentially sensitive nature of the cause and make sure the call is treated confidentially. Make sure you are familiar with the Trains Functional Council Joint Bulletin (Feb 2014) relating to the handling of confidential personal information in line with the Data Protection Act. - Inform the Train Operator they will be booked as absent until they return, at which point the type of leave allocated will be confirmed. You should also make them aware that any special leave may be unpaid. - Fill in a Non attendance case record form F-10794 with details of the date and time of the phone call along with the reason given for the request. Note: The interpretation of an 'emergency' varies greatly. In some cases you will immediately know the reason given for requesting leave will not meet the criteria of any of the special leave types. In these cases you should advise the Train Operator that the request may not qualify for special leave and if they still choose to take the leave it may have to be dealt with under the LU Attendance at Work Procedure.
TOSMs / DTSMs / admin team	3.3.4 Review of records and relevant information Prior to the Train Operator returning to work following an absence, you must: Check whether there is a pattern of special or annual leave requests,