



# Department for Business Innovation & Skills

Security & Information Rights (SIR)  
Department for Business, Innovation & Skills  
1 Victoria Street,  
London  
SW1H 0ET

T +44 (0)20 7215 5000 - Public enquiries  
+44 (0)20 7215 6740 - Textphone (for  
those with hearing impairment)  
E [xxx.xxxxxxxx@xxx.xxx.xx](mailto:xxx.xxxxxxxx@xxx.xxx.xx)

[www.gov.uk/bis](http://www.gov.uk/bis)

Chris Wade

Via email to:

[request-154033-7dee07e8@whatdotheyknow.com](mailto:request-154033-7dee07e8@whatdotheyknow.com)

[request-154726-f58d9b84@whatdotheyknow.com](mailto:request-154726-f58d9b84@whatdotheyknow.com)

[request-157006-de15bd2f@whatdotheyknow.com](mailto:request-157006-de15bd2f@whatdotheyknow.com)

BIS references: **13/0388, 13/0410 & 13/0477**

23 April 2013

Dear Mr Wade

## **RE: Freedom of Information Request**

Thank you for your email of 21 March 2013 to the Department for Business, Innovation & Skills (BIS) where you requested information under the Freedom of Information (FOI) Act. You also sent an email to UK Trade and Investment (UKTI) on 25 March 2013 and a further email to BIS on 10 April 2013. UKTI is a part of BIS and the following reply therefore relates to the whole of BIS.

You have requested:

- 1) *With respect to the Department's terms and conditions of employment, the current policy in relation to public and privilege holidays that fall during a period of maternity, paternity or adoption leave*
- 2) *Any prior policy pertaining to public and privilege holidays that fall during a period of maternity, paternity or adoption leave*
- 3) *The date the previous policy was amended to the current policy*
- 4) *Any internal correspondence and documents relating to an amendment to this policy - in particular any correspondence providing an explanation for changing policy (e.g. Bulletin 42, issued by the Cabinet Office in September 2011 <http://bit.ly/163hSMt>)*

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

I am writing to advise you that, following a search of our paper and electronic records, I have established that some of the information you requested is held by this Department.

In relation to your questions above:

1. Please find attached extracts from the current policies as set out on the Department for Business, Innovation & Skills (BIS) intranet as at April 2013 in relation to public and privilege holidays that fall during a period of maternity, paternity or adoption leave.
2. Following a Machinery of Government announcement in June 2009 BIS was created by merging the former Department for Enterprise and Regulatory reform (BERR) and the Department for Innovation, Universities and Skills (DIUS). All terms and conditions of employment for the employees were frozen at the point BIS was created. Since then BIS has worked towards creating common BIS terms and conditions of employment where this is possible. As a result over time some policies and guidance have been updated and some are still in the process of being updated. Please find attached the information we hold in scope of this question including extracts from the former BERR policies for maternity and adoption leave and former DIUS (DfES) policy for maternity and adoption leave in relation to public and privilege holidays that fall during this period.
3. We do not hold the date the previous policy was amended to the current policy.
4. We do not hold any internal correspondence and/or documents relating to when the policy was changed relating to public and privilege days following the Cabinet Office Bulletin 42 to which you refer. However if any individual was unaware of the change and did not benefit from it at the time they would be allowed to take those days subsequently.

### **Appeals procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Security & Information Rights Unit ([FOI.Requests@bis.gsi.gov.uk](mailto:FOI.Requests@bis.gsi.gov.uk)).

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Department for Business, Innovation & Skills  
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Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

HR Advisory & Mediation Services Team