



Policy & Procedure Title:	SPECIAL LEAVE PROCEDURE (REPLACES COMMPASIONATE, DEPENDANT & EMERGENCY LEAVE)
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Supporting Documents:

Authorised Professional Practice (APP) Guidance:

This Policy has been checked against APP and there is none in relation to the subject matter of this Policy. The National Police Chiefs' Councils Guidelines on Charging for Police Services (April 2018, Version 12.3) has contributed toward the subject matter of this policy and procedure.

1.0	POLICY AIMS
1.1	<p><u>Aims of the Policy</u></p> <p>The aim of this procedure is to provide a consistent and fair approach, through the consolidated information on leave and time off entitlements which are otherwise referred to separately in policy documents, statutory employment law, conditions of service and police regulations.</p> <p>This procedure is for guidance only and does not form part of your contract of employment, and it may be amended at any time. It outlines some basic rights employees and others are given by law but is intended to be a summary only and not a complete statement of rights. Please contact People Services if you have any queries about a specific entitlement.</p>
2.0	PROCEDURE
2.1	<p><u>Background Information</u></p> <p>The procedure sets out arrangements for all police officers and police staff of Gwent Police. For ease of reference, these groups are referred to collectively in this procedure as ‘individuals’</p> <p>Unless otherwise stated in the procedure, all time-off for special leave will be reasonable and payment for such time-off will be at the discretion of management.</p> <p>Time-off for special leave will be managed at a local level, and in the spirit of public duty, managers are expected to be supportive of the staff involved.</p> <p>Although the force recognises there is a right for employees to take up public office, that right does not confer a right to take time-off or a right to receive payment.</p>
2.2	<p><u>Operational</u></p> <p>To request Special leave please complete the Special Leave form – Appendix 1</p> <div data-bbox="363 1686 421 1749" data-label="Image"> </div> <p data-bbox="311 1756 480 1805">Special Leave Request Form.xlsx</p> <p>It is accepted that in some circumstance’s individuals may not be able to request special leave in advance. However, individuals should notify their line manager of the need to take leave as soon as possible or, at the latest, on the first day of absence.</p> <p>Where a special leave form cannot be complete in advance of or at the time of any leave it should be completed at the end of any special leave period.</p>

3.

GUIDANCE

Parental Bereavement leave

Parental bereavement leave allows working parents (parent, or the parent's partner) to take paid leave when a child dies, provided they meet certain requirements.

Parental bereavement leave must be taken during the period of 56 weeks from the date of the child's death. It may be taken as:

- a. one week's leave;
- b. a block of two weeks' leave; or
- c. two weeks' leave, in two separate one-week blocks.

Before taking Parental bereavement leave, an individual needs to give notice of the following:

- a. the date of the child's death;
- b. the date on which they want their Parental bereavement leave to start; and
- c. whether you want to take one week or two weeks' Parental bereavement leave.

Where reasonably practicable this information needs to be provided on the first day of any intended absence on Parental bereavement leave. Where the intended period of Parental bereavement leave includes a week that begins after the end of the 56-day period beginning with (and ending 56 weeks after) the date of the child's death the information above needs to be provided one week before the start of the of the week of Parental bereavement leave.

Individuals do not need to provide this information in writing, although where they feel able to do so a Special leave form should be completed.

Individuals will not be entitled to your normal salary during any period of Parental bereavement leave, but they may be entitled to statutory parental bereavement pay provided they meet certain requirements.

Statutory parental bereavement pay is paid at a weekly rate set by the government each year or, if lower, 90% of your average earnings. The People Services Department can advise you of the current lower earnings limit and the current rate of statutory parental bereavement pay.

Individuals must notify [the people services department] about whether they intend to claim statutory parental bereavement pay during any period of parental bereavement leave and, if so, for what period. This can be done:

- in any written notice of parental bereavement leave, (where provided)
- separately in writing, before the end of the 28-day period beginning with the first day of the period in respect of which statutory parental bereavement pay is to be paid or, where it is not reasonably practicable to do so, as soon as reasonably practicable.

When providing notice whether of an intention to claim statutory parental bereavement pay, individuals also need to provide written evidence of your right to statutory parental bereavement pay:

- a. a declaration that you are the parent or parent's partner of a child who has died;
- b. your name; and

c. the date of the child's death.

Subject to the qualification requirements the Force may provide additional parental bereavement pay is at the full rate of your normal basic salary for first two weeks of any period of parental bereavement leave. Additional parental bereavement pay is only paid if the individual is receiving statutory parental bereavement pay for the same period, and includes any statutory parental bereavement pay due.

Individuals may also have access to paid compassionate/dependent's leave following the death of a close relative (see below). Parental bereavement leave guidance should be read in conjunction with that below as, in some circumstances, there may be a degree of overlap. Where an individual may take leave in respect of the death of a child under both the Compassionate/Dependent Leave and parental bereavement leave provisions, they may exercise to request leave under both, or only one of them depending on preference, however if the individual chooses to take Compassionate/Dependent leave and parental bereavement leave, any compassionate/dependent leave will be unpaid

Compassionate leave

Compassionate leave allows an employee time off to deal with their personal distress and related practical arrangements, primarily, but not limited to, when a member of their family dies

Where an individual is coping with the death or serious injury/illness of a close relative (parent, husband, wife, partner including same-sex partner, child, brother or sister) and/or where the individual is responsible for any arrangements, a line manager may grant discretionary leave with pay up to a maximum of 10 working days in any 12-month period.

Where an individual is coping with the death or serious illness of a close relative (other than parent, husband, wife, partner including same-sex partner, child brother or sister) and/or where the individual is responsible for any arrangements, a line manager may grant discretionary leave with pay for a period dependent upon the circumstances of individual cases but not to exceed the period from the day of death to the day of funeral within a maximum of 10 working days (in any 12-month period).

Where an individual requires time off to attend a funeral (other than in the circumstances listed above) the expectation would be that annual leave or flexi time is used to cover the period. However, a Line manager will have discretion to consider a period of paid/unpaid compassionate leave in exceptional circumstances.

In other circumstances, area leads may grant up to five working days discretionary compassionate leave. This maximum may be extended in special cases after consultation with the Head of People Services. Such leave will be granted as paid leave.

Dependant Emergency/Domestic Reasons

Individuals are entitled to 'reasonable' time off to deal with **unexpected or sudden problems** relating to dependants which include:

- To make arrangements for the provision of care for a dependant who is ill or injured
- To deal with an incident which involves their child and occurs unexpectedly in a period during which an educational establishment which the child attend is responsible for it

A dependant is defined as:

- A partner/spouse/civil partner
- A child
- A parent
- A person who lives in the same household as the individual. It does not include for example a housekeeper, tenant, lodger or other boarder

Domestic Emergency

Unforeseen domestic emergency of a substantial nature (to do with events, not people)

- Major flood
- Burglary
- Fire

Paid leave under this procedure is normally likely to be only up to two days.

Line managers must be informed by the individual of the need to take time off for dependants as soon as possible, and of the reasons why the leave is necessary.

Area Heads have the authority to grant up to a maximum of fifteen days without pay. This maximum may be extended in special cases, after consultation and agreement with the Head of People Services.

The purpose of this leave is to allow employees to take time-off from work to deal with sudden and unexpected events when they have no accrued time available to take (e.g. accrued time on card, flexi leave), or have exhausted their annual leave entitlement, or wish to use their annual leave for other purposes. The manager will consider the unpaid leave appropriate under the dependant emergency/domestic reasons.

Maternity – Antenatal leave

Once an individual has advised the force that she is pregnant, she will be entitled not to be unreasonably refused paid time off work to attend antenatal appointments as advised by her doctor, registered midwife or registered health visitor.

Ante-natal appointments may include relaxation classes provided they have been recommended by a registered medical practitioner, midwife or health visitor, in addition to medical examinations.

The individual should endeavour to give her line manager as much notice as possible of antenatal appointments.



Maternity Guidance V
Mar21.docx

For further details, refer to the Maternity guide

Paternity Leave

Qualifying individuals are entitled to maternity support/paternity leave of up to two continuous weeks leave (not odd days). The first week will be at full pay and the second week will be at the statutory rate. The 2 weeks paternity leave must be taken consecutively anytime from 6 months before and up to 9 months after the birth.

For further details, refer to the Paternity/Maternity support leave guide



paternitymaternity
support leave guide u

Adoption & Shared Parental Leave

For further information about adoption leave and shared parental leave refer to the adoption guide and shared parental leave guide



ADOPTION LEAVE
GUIDE 2019.doc



SHARED PARENTAL
AND PARENTAL LEAV

Leave to Undertake Fertility Treatment

Requests for time off for fertility treatment will be treated sympathetically. The line manager should discuss the issue with the individual to discuss the expectations of both parties in relation to time off. It will be appropriate to consider the individual's overall attendance record and seek agreement that time off will be taken when it will cause minimum disruption to the organisation.

Time-off in lieu, flexi leave, or annual leave should be used for appointments and, wherever possible, these should be arranged outside normal working hours. If this is not possible, paid Special Leave may be granted for up to five days, to cover time in hospital for IVF treatment and recuperation. This can be taken as single days or in multiple days, dependant on individual circumstances in consultation with the occupational health unit.

The partner of an individual undergoing fertility treatment will be entitled to one day's paid leave per cycle. This may cover up to three cycles of treatment. All

individuals will be eligible regardless of length of service.

Parental Leave

Parental leave is an entitlement for individuals to take time off work to look after a child's welfare, this leave is unpaid, and is available for each child up to their 18th birthday. The law recognises that there will be occasions when working parents wish to take time off work to care for or spend time with their children.

The purpose of Parental Leave may be for one of the following reasons

- Spending more time with a young child
- Accompanying a child during a stay in hospital
- Checking out new schools
- Settling a child into new childcare arrangements
- Enabling a family to spend more time together

For further details, refer to the shared parental and parental leave guide



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AND PARENTAL LEAV

Attendance at Hospital, Dentist, Doctor etc

Time-off in lieu, flexi leave, or annual leave should be used for these appointments and wherever possible these should be arranged outside normal working hours. Where this is not possible, arrangements should be made to enable the individual to attend the appointment. Any time taken for this purpose must be made up at a later date.

Paid time off will be granted to individuals who need to attend 'appropriate' medical screening. This is generally where an individual's GP has advised that there is cause for concern following initial screening.

Paid time off will not be granted for routine cervical cancer screening. However, as it is understood that routine mammogram appointments are difficult to re-arrange, managers should grant time off to enable individuals to attend such appointments. Where possible, individuals should use accrued lieu time to cover mammogram appointments. However, where this is not possible, paid time off should be granted. If necessary, the individual should be prepared to provide proof of the appointment.

An individual who has a disability which is covered by the Equality Act may need to be absent during working hours to attend appointments for rehabilitation, treatment or assessment. Reasonable duty time should be granted for such appointments as this would be considered a "reasonable adjustment". Generally, the leave is for a fixed period that the manager and individual know about and so can be planned for in advance. It should not be recorded as sickness absence

Elective Medical procedure (such as laser eye/cosmetic surgery/vasectomy)

Individuals who chose to undergo elective medical treatment will not normally be entitled to occupational sick pay. Therefore, unless there are extenuating circumstances, individuals will normally be required to use their annual leave entitlement or unpaid leave to cover their absence, the timing of which must be agreed in advance with the line manager.

Where an individual has indicated that there are extenuating circumstances relating to the reason for the elected medical procedure, the matter should be referred to the Head of People Services who will decide whether or not the individual will be required to use annual leave or unpaid leave to cover the absence.

Jury Service

Gwent Police acts in accordance with Schedule 33 Section 321 of the Criminal Justice Act 2003 which states that police officers and police staff qualify to serve as jurors and are not disqualified by reason of their occupation.

If you are called for jury service, you will be sent a jury summons form from the court. It is your responsibility to return this form.

Whilst undertaking jury service you can usually claim for:

- travel and parking costs
- food and drink
- a contribution towards your loss of earnings and other expenses

There is a limit to how much you can claim per day and the updated details can be found on the following government site.

<https://www.gov.uk/jury-service>

You will be issued with a form by the Court, which you should give to the Payroll department for completion prior to attending. You will need to contact Payroll upon completion of Jury Service in order that any loss of earnings payments made to you by the court can be deducted your salary.

Please inform your line manager, to pre-empt movement of resources to ensure minimum staffing levels are maintained during your period of Jury Service and the Resource Management Unit to record the abstraction as Jury Service for this period.

Court Appearances

This section specifically deals with Court appearances unconnected with any action associated with the professional discharge of duties of Gwent Police, or requirements of Gwent Police as an employer for the individual to attend court on its behalf or as a witness:

a. Witness to a crime:

- I. if an individual is called as a witness to a crime, they will be released from work to fulfil that duty. The time off will be [paid/unpaid]; and

II. claims for loss of earnings and/or travel and subsistence expenses should be made through the court system (see Jury service above).

b. Character witness / Witness for other persons:

- I. an Individual will be given reasonable time off, at the Forces' discretion, to allow them to act as a character witness during a court hearing;
- II. this time off will be unpaid (unless subject to a witness summons or subpoenaed); and
- III. claims for loss of earnings and/or travel and subsistence expenses should be submitted via the relevant solicitor.

c. Court appearance on the individuals own behalf:

- I. the requirement will be to use annual leave and/or work flexibly to make time up; and
- II. subject to approval of area heads and in consultation with HR authorised unpaid leave may be granted if the individual has insufficient annual leave entitlement or if time cannot be made up

Study Leave

Attendance on courses and training sessions delivered as part of the learning and development plan will be considered as duty time.

Individuals are expected to invest their own time for personal study, examination preparation, travel etc.

Trade Union and Staff Association Duties

For further details, refer to the Time-off agreement



Time.off.Agreement.d
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Reservists

Each application will be dealt with on its merits. Given the small number of Volunteer Reservists the Force can support priority will be given to those with specialist trades however operational resilience of the Force will always be the overriding priority.

For further details, refer to the Armed Forces Reservists /Business Interests




Arms Forces
Reservists.doc



Business Interest
Secondary Employm

	<p>Interviews</p> <p>a. In a situation of redundancy an individual who attends an interview for a post with a recognised public body (including posts with Gwent Police) as described under the local Government Modification Order, leave with pay will be granted. For interviews with other organisations, annual leave, flexi time, time-off in lieu should be taken subject to the approval of area leads, in such circumstances, subject to approval, leave without pay may also be granted.</p> <p>b. Employees under the notice of redundancy will be given permission to take time-off during their notice period to look for work or seek retraining opportunities.</p>
3.0	LEGISLATIVE FRAMEWORK
3.1	<p><u>Legislation & Guidance</u></p> <ul style="list-style-type: none"> • Police Regulations 2003 (and Determinations and Annexes) • Home Office Circulars • Police Staff Council – Pay & Conditions of Service Handbook
4.0	HUMAN RIGHTS
4.1	This Procedure has been checked for compliance with the Human Rights Act with particular reference to the legal basis of its precepts, the legitimacy of its aims, the justification and proportionality of the actions intended by it, that it is the least intrusive and damaging option necessary to achieve the aims and that it defines the need to document the relevant decision making processes and outcomes of actions.
5.0	WELSH LANGUAGE STANDARDS
5.1	This Policy aims to comply with the Welsh Language Standards in terms of dealing with the Welsh speaking public, impact upon the public image of the organization and the implementation of the Welsh Language Standards.
6.0	HEALTH AND SAFETY
6.1	The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.
7.0	REVIEW & RESPONSIBILITIES
7.1	The policy business owner maintains outright ownership of the policy and any other associated documents and in-turn delegate responsibility to the department or unit responsible for its continued monitoring.
7.2	The policy should be considered a 'living document' and subject to regular review to reflect upon any Force, Home Office, NPCC, legislative changes, good practice (learning the lessons) both locally and nationally.

8.0	LINKS TO OTHER POLICIES/ PROCEDURES/ DOCUMENTS
8.1	<p>Maternity Guide Adoption Leave Guide Attendance Management Guide Shared Parental and Parental Leave Guide Paternity/Maternity Support Leave Guide Trade Union Tie Off Agreement Paternity Armed Forces Reservists</p>
9.0	CODE OF ETHICS
9.1	This policy/procedure is underpinned by the Code of Ethics for Policing which has been considered in the creation of this policy/procedure
10.0	APPENDICES See also embedded items within this document in addition to the request form below
10.1	<p>Appendix 1 – Special leave form</p>  <p>Special Leave Request Form.xlsx</p>