

Policy



Family Leave

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Host Force:	Dorset Police
Host Policy Unit:	Dorset Police Legitimacy Team
Policy Owner:	Alliance Head of Employee Relations – HR Operations
Policy Author:	Strategy and Policy Lead – Employee Relations
Associated Documents:	Maternity Policy (Police Officer) Maternity Policy (Police Staff) Adoption Leave and Pay (Police Officers) Adoption Leave and Pay (Police Staff) Shared Parental Leave Policy Paternity Leave (maternity support – paternity support) Policy Parental Leave (unpaid) Policy Dependants Leave Policy Neonatal Care Leave Procedure

Applicable to:

Devon & Cornwall Police	☒
Dorset Police	☒
OPCC Devon & Cornwall	☐
OPCC Dorset	☒
Officers	☒
Staff	☒

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BE FOUND ON THE FORCE DOCUMENT LIBRARY.

1.0 Introduction

- 1.1 Devon & Cornwall Police and Dorset Police are committed to providing a range of family-friendly policies and conditions which enhances the forces' reputation as an employer of choice. Additionally, they help to ensure that individuals can achieve an appropriate work / life balance in a variety of circumstances.
- 1.2 The forces' arrangements for the various forms of family leave and pay are provided in accordance with Police Regulations, the Police Staff Council Handbook provisions and in compliance with relevant statutory provisions and in some cases exceed statutory provisions, and are designed to help meet that commitment.
- 1.3 The provision of this family leave policy is part of a family-friendly approach to help individuals manage specific events effectively, thereby:
 - supporting individual wellbeing and work / life balance,
 - supporting families,
 - attracting and retaining experienced and skilled individuals,
 - supporting the needs of our workforce,
 - improving staff motivation and morale,
 - showing staff are valued and;
 - ensuring that time spent at work is productive and contributes to the Force vision, mission, and values.
- 1.4 This policy covers Devon & Cornwall Police and Dorset Police and applies to all individuals: police officers, police staff including apprentices, individuals on secondment (subject to the terms of the secondment) and those within the scope of the Strategic Alliance and (subject to the terms of the secondment or posting) other regional initiatives.
- 1.5 Agency workers remain employees of the agency and are, therefore, covered entirely by the agency's policies and procedures on family leave.

Please note: Where this policy refers to other Force policies or procedures, individuals should refer to the specific document to establish whether they are covered by the relevant provisions.

2.0 Legal Basis / Regulatory Background / Standards

- 2.1 Both Forces are obliged to abide by all relevant legislation and other guidance as appropriate:
 - Code of Ethics (DCP)
 - Code of Ethics (DP)
 - Freedom of Information Act 2000 (FOIA)
 - Human Rights Act (1998)
 - Records Management (DCP)
 - Records Management (DP)

- The Health and Safety at Work Act (1974)
- UK General Data Protection Regulation / Data Protection Act (2018)
- Our Purpose (DCP)
- Vision, Purpose & Priorities (DP)

2.2 Principle documents regulating are:

- Government Circular 00/2015; The effect of the Children and Families Act 2014 on Police Regulations 2003,
- Shared Parental Leave Regulations 2014,
- Children and Families Act 2014,
- Paternity and Adoption Leave Regulations 2002,
- Employment Act 2008,
- The Maternity and Parental Leave, etc. Regulations 1999,
- Flexible Working (Amendment) Regulations 2006,
- Work and Families Act 2006,
- Police Regulations 2003 (As amended),
- The Paternity and Adoption Leave Regulations 2002,
- The Employment Act 2002,
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000,
- The Employment Relations Act 1999,
- Employment Rights Act 1996.

2.3 In addition to the legislation listed above, this policy and its associated procedures (where appropriate) are also supportive of and in accordance with;

- National Decision Model
- Our Purpose (DCP)
- Vision, Purpose & Priorities (DP)
- Equality and Diversity issues including the Public Sector Equality Duty, Code of Ethics and Standards of Professional Behaviour

2.4 Devon & Cornwall Police and Dorset Police ‘people management’ policies reflect the commitment by each Force to those within their service / employment and are underpinned by the highest standards of integrity. Each policy provides a high-level set of principles and detailed policy appendices which are supported by procedures, working practices and guidance.

2.5 By nature, however, it is not possible to cover every eventuality that may occur within the context of ‘people management’. It may be necessary to vary the approach to ensure matters are dealt with in the most efficient / appropriate way whilst maintaining equity and fairness. Where such variation may be necessary, in line with the National Decision Making model, this must be justifiable in these terms and supportive of the legislation and guidelines listed above.

2.6 Both Devon & Cornwall Police and Dorset Police recognise the contribution of its entire staff and are committed to creating a fully inclusive working environment, valuing the differences that a diverse workforce can bring.

- 2.7 Both forces are fully committed to equality, diversity and inclusion and dignity and fair treatment within the workplace, in line with advice and guidance provided by the Equality and Human Rights Commission. In line with the Equality Act 2010, both Devon & Cornwall Police and Dorset Police will not unlawfully discriminate on the grounds of, by perception, or by association with, any of the nine protected characteristics; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or any other factor which cannot be justified.
- 2.8 Devon & Cornwall Police and Dorset Police people policies are developed in consultation with appropriate stakeholders (including Trade Unions / Staff Associations, Staff Support Groups and representatives from across the different business areas of the two forces, as appropriate); with the suite of policies, procedural guidance and step by steps being subject to the Equality Impact Assessment (EIA) process, ensuring they comply with the principles of both this policy and each of the forces' equality objectives.
- 2.9 Where appropriate the line manager will ensure that individuals, where eligible, are aware they have access to the Employee Assistance Programme (EAP) for support. The EAP is available twenty-four hours a day, seven days a week to all (eligible) individuals in the service / employment of either force, to provide confidential advice and support. The service can be accessed by telephone or online; contact details are available within the 'Other Associated Documents' section. Additionally recognised Trade Unions, the Police Federation, the Superintendents' Association and Staff Support Groups are also available to provide ongoing support to their members.

Please note: If an individual requires representation, they may wish to contact their recognised Trade Union, the Police Federation or the Superintendents' Association, as appropriate.

3.0 Roles and Responsibilities

- 3.1 Individuals seeking to utilise the provisions within this policy should consider the requirements and eligibility criteria for the family leave required and submit all requests through their line manager and meet the required deadlines.
- 3.2 The line manager must ensure all requests for family leave are considered in a reasonable, fair, and open manner and are handled in a timely way to prevent unnecessary delays. They should conduct risk assessments where required on a regular basis, maintain engagement with individuals when they are away on leave, keep individuals up to date on any changes where they are on longer term family leave, monitor and record family leave.
- 3.3 HR Operations Organisational Support will provide advice as required and update records where necessary.
- 3.4 Occupational Health will support any medical assessments and reviews as required.

3.5 Health and Safety will provide advice on risk assessments where required.

4.0 Principles

4.1 This policy is supported by a series of policies and guidance documents and practical procedures to assist with its effective and consistent implementation, including the following family friendly entitlements:

- Maternity Leave,
- Adoption Leave,
- Shared Parental Leave,
- Paternity Leave (maternity support – paternity support),
- Parental Leave (unpaid),
- Dependants Leave,
- Compassionate Leave (including Parental Bereavement Leave),
- Fertility Leave,
- Neonatal Care Leave

4.2 This policy seeks to provide support to individuals across a number of areas to enable them to be high performing whilst at work and to allow them to deal with some specific events as they arise over their working life. Whilst recognising the diverse nature of the workforce, this policy principally provides this support through time away from work for family reasons.

4.3 Whilst the need to provide an effective policing service at a high standard within the limited resources available means that neither force seeks to provide time off for every eventuality of life, there may be times when individuals need to utilise scheduled non-work time, annual leave and / or public / bank holidays to deal with family matters and other eventualities.

4.4 The entitlements for family leave are outlined in this policy, with the detail found in the supporting policies and guidance. For other types of leave the relevant policy should be referred to, e.g., Annual Leave, (including public / bank holidays) and other leave or the Flexible Working Policy for changes to working hours or patterns.

4.5 Line managers will ensure that applications for family leave are treated in a reasonable, fair, consistent and open manner and are handled in a timely way to prevent unnecessary delays.

4.6 The supporting documentation for this policy outlines the eligibility criteria and entitlements for the different family leave provisions.

4.7 Individuals seeking any of the family leave provisions should make themselves familiar with these documents, including any specific timescales for the submission of family leave requests and notice required, as it is essential that individuals comply with any such requirements.

4.8 Individuals looking to access leave described in this policy should ensure that they follow any procedure for the authorisation of leave and any related pay,

where appropriate, and ensure that they inform their line manager of developments affecting their leave at the earliest opportunity.

- 4.9 Line managers should ensure that records are maintained of the leave taken for all family friendly arrangements.
- 4.10 Separate policies and guidance set out the health and safety requirements that are applicable in some circumstances (e.g., maternity) and it is important for individual wellbeing that officers and staff fully engage with these processes.
- 4.11 When individuals are absent due to longer term family leave provisions, such as maternity leave, the line manager and individual should maintain reasonable contact during that time, as agreed between the line manager and individual.
- 4.12 Leave and pay is dependent upon meeting the eligibility criteria (where applicable) and any other stated requirements. Please refer to the relevant policy and accompanying procedural guidance for more detailed information.

5.0 Maternity Leave

- 5.1 Maternity Leave is a period off work to care for a newborn child and during their first year of life. Qualifying individuals may be eligible for statutory maternity leave, pay and / or contractual pay.

5.2 Ante Natal Care Appointments

- 5.2.1 Individuals are entitled to paid time off for antenatal care. Ideally every effort should be made to arrange antenatal appointments outside of working hours but where this is unavoidable, paid leave will be provided during working hours. A partner is also entitled to take unpaid time off to accompany their partner to two antenatal appointments.

5.3 Keeping in Touch Days (KIT)

- 5.3.1 There is the option for the mother to take paid voluntary 'Keeping in Touch' (KIT) days intended to facilitate a smooth return to work for those returning from maternity leave. Part days may be taken but will count as a full day of entitlement. KIT days will not bring the maternity leave to an end and should be arranged and agreed in advance with the line manager.

5.4 Risk Assessments

- 5.4.1 The risk assessment for pregnant individuals should be completed between the line manager and the individual, considering the individuals needs alongside the needs of the business. If there appears to be a greater risk in some roles, a professional medical opinion should be sought as to its suitability. Where the required risk assessment indicates that a change of work duties (e.g., non-confrontational) or working times (e.g., day work) is necessary, then every effort will be made to provide suitable alternatives in discussion between the individual and the line manager, again referring for a medical opinion as required. While managers will be committed to seeking alternative arrangements, individuals must also demonstrate their willingness to undertake

duties or work at times that supports their wellbeing (as per the risk assessment) and the needs of the business. Where this change in duties or working time would normally lead to a reduction in pay; no reduction will be applied while pregnant.

6.0 Adoption Leave

- 6.1 Adoption Leave is a period of time off work to care for a newly adopted child. Qualifying individuals who have been matched with a child may be eligible for statutory adoption pay and / or contractual pay. Where a couple are adopting, only one person can take adoption leave.

6.2 Keeping in Touch Days (KIT)

- 6.2.1 There is the option for the primary adopter to take paid voluntary 'Keeping in Touch' (KIT) days intended to facilitate a smooth return to work for those returning from adoption leave. Part days may be taken but will count as a full day of entitlement. KIT days will not bring the adoption leave to an end and should be arranged and agreed in advance with the line manager.

7.0 Surrogacy Arrangements

- 7.1 A surrogate mother, carrying a baby for another person, may be entitled to maternity leave and pay. Intended parents, seeking to become the legal parents of a child born via a surrogate mother, may be entitled to Adoption, Paternity (maternity – adoption support) or Shared Parental Leave provisions.

8.0 Shared Parental Leave

- 8.1 Shared Parental Leave (SPL) is designed to provide parents with more flexibility in how to share the care of their child(ren) in the first year following birth or adoption. For qualifying individuals, SPL can be taken alongside or instead of maternity leave or adoption leave and will be paid at the statutory rate. For SPL, parents are able to share a pot of leave and can decide to be off work at the same time and / or take it in turns to have periods of leave to look after the child. Parents are also able to work paid voluntary shared-parental-leave-in-touch (SPLIT) days without bringing shared parental leave or pay to an end.

9.0 Paternity Leave (Maternity Support / Adoption Leave)

- 9.1 Paternity Leave (also known as Maternity Support and Adoption Support Leave) entitles individuals who qualify to take paid time off at or around the time of the birth / placement. Paternity (Maternity / adoption support) Leave is a statutory entitlement to be absent from work for the purpose of caring for a new baby, adopting a child or having a baby through a surrogacy arrangement.

10.0 Parental Leave (Unpaid)

- 10.1 Parental Leave is a period of unpaid leave, allowing parents to take time off from work to look after a child or make arrangements for a child's welfare, for each child. This may also be referred to as 'Ordinary Parental Leave'.

11.0 Dependants Leave

- 11.1 Dependants Leave (or emergency family leave) is paid absence from work to deal with unexpected or sudden domestic emergencies involving dependants. Dependants leave allows time to make the necessary arrangements and will not normally exceed two days and in most circumstances a day or less should be sufficient.

12.0 Compassionate Leave

- 12.1 The purpose of compassionate leave is to help individuals to come to terms with the death, critical illness or injury of an immediate family member or dependant. This includes the legislative provision for Parental Bereavement Leave which is intended for all bereaved parents and adults with parental responsibility. In cases of baby loss through miscarriage, consideration will be given to compassionate leave as appropriate based on individual circumstances. The decision will be advised by the needs and welfare of the individual and medical opinion.

13.0 Fertility Treatment

- 13.1 Whilst there are no statutory entitlements to take time off work to undergo investigations or fertility treatment, both forces support individuals undergoing treatment by granting some paid fertility treatment leave to qualifying individuals.

14.0 Neonatal Care Leave (applies to birth / adoption placement dates falling on or after 6 April 2025)

- 14.1 Neonatal care leave and statutory neonatal care pay may be available to individuals for up to 12 weeks, where their baby is admitted into neonatal care prior to 28 days of age for a continuous period of at least seven days. The entitlement is available in addition to maternity, adoption, paternity (maternity support / adoption support), shared parental leave, parental leave (unpaid) and parental bereavement leave, subject to meeting the relevant eligibility criteria.

15.0 Monitoring, Review, Enquiries and Feedback

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this policy to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to force processes of continuing review and in line with force governance requirements.

This policy will be reviewed every two years subject to legislation / process changes.

Please note: Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

For day to day enquiries relating to this policy please contact HR.

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: .Policies@dorset.PNN.police.uk

16.0 Other Associated Documents

A range of policies, procedural guidance and step by steps are also available in support of this policy available and can be found via the following links.

SharePoint

- Compassionate Leave
- Dependants Leave
- Employee Assistance Programme
- Fertility Leave
- Fostering & Adoption
- Maternity Leave
- Neonatal Care Leave
- Paternity Leave (Maternity / Adoption Support)
- Parental Leave (Unpaid)
- People Portfolio A-Z
- Shared Parental Leave
- Surrogacy Arrangements (sharepoint.com)

Other

- Equality Impact Assessment
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