

Unpaid and Purchasing Additional Leave

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Policy Statement

Summary

As part of the West Yorkshire Police's commitment to improve health and wellbeing provisions have been put in place to support the work life balance of police officers and police staff by providing access to various types of unpaid leave.

This policy details the unpaid leave provisions that are available, who is eligible for each form of leave and how applications are made and considered.

The unpaid leave provisions are purchasing additional leave, one-off periods of unpaid leave and unpaid parental leave.

Scope

This policy applies to all police officers and police staff.

Purchasing Additional Leave

Principles

- Additional leave can be requested by officers and staff in exchange for a proportionate reduction in pay.
- Pay will be reduced for each day of unpaid leave that is approved at the applicant's daily rate of pay, including any contractual enhancements.
- If additional leave is approved, this represents an increase in the applicant's level of leave.
- Approved additional leave days (8 hours for Officers and 7.24 hours for Staff and pro rata for part time workers) will be allocated to a person's balance on the CARM system and must be requested in the same way as annual leave.
- Irrespective of working patterns, the maximum levels of additional leave that can be requested are:
 - Police officers 20 days per year at 8 hours per day (this equates to 160 hours); and
 - Police staff 20 days per year at 7 hours 24 minutes per day (this equates to 148 hours).
- The maximum levels of additional leave apply pro-rata to part time officers and staff.
- Full and part time officers and staff must purchase leave in multiples of 8hrs for officers 7.24hrs for staff ie full days. For part time officers and staff this will need to be rounded up to the nearest full day.
- For police officers any additional leave purchased may move the retirement date forward by the same amount ie impacts on reckonable service. (E.g. if 5 days are purchased, retirement date will move forward by 5 days).

- Additional leave must be re-applied for each year and submitted for approval.
 - If either wishes to cease or reduce the number of additional leave days during the leave year this must be agreed upon; or
 - If the applicant wishes to increase the additional leave further, a separate application must be completed.
 - Additional leave must be taken before annual leave and in the April to March period. It cannot be carried over beyond 31st March.
 - If officers or staff leave the Force having had a disproportionate level of additional leave in that leave year, then their undertaken or overtaken additional leave will be paid or deducted from their final salary, along with any balance outstanding.
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One-off Periods of Unpaid Leave

Principles

- Unpaid leave can be granted for one-off specific periods, considered on an individual case basis.
 - The minimum period that can be requested is one shift or tour of duty.
 - The maximum period that can be requested is 6 months for police officers and 11 months for police staff.
 - There is no limit to the number of unpaid leave requests that can be made in a year.
 - If unpaid leave of more than 20 days for officers (160 hours) or for staff (148 hours) is taken in an annual leave year, or the pro-rata equivalent for part time officers and staff, the applicant's annual leave and public holiday entitlement will be reduced on a pro-rata basis.
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Unpaid Parental Leave

Principles

- Officers and staff have the right to parental leave if they have one year's continuous service and are the parent or have acquired formal parental responsibility for a child.
- The leave can be taken up to the child's 18th birthday.
- The person does not have to be living with the child in order to qualify for parental leave.
- Leave can be taken in blocks on one week or more, subject to a recommended maximum of five weeks in each leave year, per eligible child. A week is defined as seven consecutive calendar days.
- If the child is disabled, there is the flexibility to take leave a day at a time.
- No more than five weeks of unpaid parental leave can be taken in one leave year.
- A total of 18 weeks parental leave can be taken for each qualifying child. In

the case of multiple births, up to 18 weeks may be taken for each child.

- If the unpaid leave is more than 160 hours for officers and 148 hours for staff and approved in an annual year, or the pro-rata equivalent for part time officers and staff, the applicant's annual leave and public holiday entitlement will be reduced on a pro-rata basis.
- Requests cannot be declined but may be postponed or delayed due to the exigencies of the Force, but for not longer than six months. If the postponement falls after the child's 18th birthday, the leave can still be taken.
- If leave has been requested, giving the required notice at the time of a birth or adoption, this must be allowed and cannot be postponed.
- There is no right of appeal for unpaid parental leave as this type of request cannot be declined, only delayed.

Applications and Appeals

Applications

- Applicants must apply to their Line Manager for additional leave using the purchasing additional leave form, the application for one-off periods of unpaid leave form, or the unpaid parental leave form as appropriate.
- If officers and staff wish to apply for more unpaid leave than the 11 month (police staff) and 6 month (police officers), they should consider a career break.
- Applications for:
 - *Additional leave*: Must be made before the end of January each year, for the coming year and not subsequent years. Applications received after January for the coming years annual leave may be accepted by the Line Manager if there is reasonable justification.
 - *One-off periods of unpaid leave*: Should be made as early as possible and long periods (4 weeks plus) at least 3 months before the leave is to start. Exceptional circumstances may allow an applicant to request leave with shorter notice.
 - *Unpaid parental leave*: Wherever possible, will be made at least 21 days before the start date of the request. The applicant must provide documentary evidence of their parental responsibility and the age of the child.
- Before applying for any period of unpaid leave, applicants must discuss all the implications concerning their pension contributions and benefits with the Force Pensions Office.

Appeals - Additional Leave and One- off Periods

- If an applicant considers that an application is unfairly refused, an appeal can be submitted, which must include written details of the reasons of appeal.
- Appeal requests must be sent to their District Commander/Departmental Head, within 7 calendar days of receiving the notification of the initial

application decision.

Pay and Deductions

Additional Leave

- The pay reduction will be recovered in equal monthly instalments over the annual leave year.
 - If additional leave is purchased part way through the year, the pay reduction will be recovered over the remainder of the year.
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One-off Periods and Unpaid Parental Leave

- Pay will be reduced after each period approved.
 - For extended periods, all pay will be ended on the day the unpaid leave commences and re-started on the day after the unpaid leave ends. The officer or staff member must consider whether they need to make separate arrangements for payments to third parties such as PMAS, Federation, credit Unions.
 - Officers or staff members who have a salary sacrifice, must contact the Pay Section prior to applying for unpaid leave in order to determine the impact the unpaid leave will have on the salary sacrifice.
 - All statutory rights, such as entitlement to maternity pay, will be retained during unpaid leave, but benefits may be reduced.
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Pension Contributions

Police Officers

- One-off periods of unpaid leave and purchased additional leave do not count towards their pensionable benefits.
 - The pensionable service date must be put back by one day for each day that officer is given unpaid leave, for officers that have legacy scheme benefits.
 - Any unpaid leave days taken in the three years prior to leaving the police could reduce an officer's pension payment, as this may affect the pay that is used to calculate the officer's pension amount.
 - Unpaid parental leave is a break in service, but arrangements can be made for contributions to be paid to cover this period. This notification must be made within six months of returning from unpaid leave.
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Police Staff

- For each form of unpaid leave there is the option, for 30 calendar days after their return to work, to make good their pension contributions, or they will take a pension break, which would mean their unpaid leave period would not count to their pensionable service.
- If an election is made to repay contributions after 30 days of returning to work, staff will be required to pay both their own contributions and also

the employer's contributions.

- The staff member should contact the Force Pension Officer following their return to work to notify if they wish to make good their pension contributions. If so, they will be recovered over an equivalent period to their unpaid leave, unless an extension is agreed with the Force Pensions Officer.
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Reckonable Service

Principles

- A period of unpaid leave does not qualify as reckonable service for:
 - Pay increments (future increments will be deferred by a period equivalent to the period of absence for Officers);
 - Any increase in annual leave entitlement;
 - Long service award; or
 - Pensionable benefits.
 - Any day on which an officer or staff member is recalled to work, then will qualify as reckonable service.
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During Periods of Unpaid Leave

Arrangements

- In exceptional circumstances, police officers may be recalled to work during a period of unpaid leave.
 - Work undertaken during a period of unpaid leave will be paid at the applicants appropriate daily rate for each day undertaken.
 - Work undertaken during a period of purchased additional leave will be treated in the same way as annual leave, if an officer is recalled to work.
 - Police staff cannot be required to undertake duty during unpaid leave, though they may volunteer.
 - The officer or staff member and their Line Manager are required to keep in touch during a period of unpaid leave, as appropriate. The officer or staff member must provide contact details and any changes that occur when they are on unpaid leave.
 - All time bound management processes will be suspended during the period of unpaid leave, and will resume on their return to work, e.g. action plans, protection of earnings etc.
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Returning to Work

Arrangements

- A return to work date must be agreed by the applicant and their Line Manager before commencing the period of unpaid leave.

- If an officer or staff member wishes to return earlier, they must contact their Line Manager who must discuss their request. Requests must always try to be accommodated, but there is no guarantee.
 - The officers or staff member's role must only be filled temporarily, if at all during unpaid leave.
 - The applicant will return to their post at the end of their unpaid leave, unless this is not possible; the Organisational Change Policy will apply to these circumstances.
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Responsibilities

Police Officers and Police Staff

Responsibilities	<p>Police officers and police staff are responsible for:</p> <ul style="list-style-type: none"> • Completing and submitting an application for additional leave or unpaid leave using the appropriate forms to their Line Manager; • Submitting an appeal to their District Commander/Departmental Head if they consider that an application was unreasonably refused; • Liaising with the Pay Section and the Force Pensions Office prior to applying for unpaid leave; • Submitting additional leave requests to their Line Manager for approval; • Keeping in touch with the Force, as necessary, during unpaid leave and notifying their Line Manager and the People Directorate of any change in their contact details; • Checking CARM has been amended and pay has been amended to reflect any unpaid leave arrangement; and • Checking as Officers their pension record is accurate, reflecting any periods of unpaid leave.
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Line Manager

Purchasing Additional/One-off Periods of Unpaid Leave	<p>Line Managers are responsible for:</p> <ul style="list-style-type: none"> • Considering requests and informing the applicant of their decision within 28 days. Their decision may be to: <ul style="list-style-type: none"> ○ Approve the request; ○ Offer an alternative arrangement; or ○ Decline the request if it cannot be accommodated, providing the applicant with an explanation of the reasoning for their decision; • Notifying duties of the one-off period of unpaid leave period. • Notifying People Systems Support of the purchase of additional leave, who will notify Pay and Pensions and update CARM • Notifying People Services, to update HR and notify Pay and Pensions for
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one off periods of unpaid leave.

- Liaising with the Second Line Manager regarding requests for unpaid leave, as required.
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Unpaid Parental Leave

Line Managers are responsible for:

- Considering the request for leave and determining if approval can be given for the applicant, after assessing the impact to the Force;
 - Consulting with the Employee Relations Team and Second Line Manager where necessary;
 - Discussing the request with the applicant and notifying them in writing of the reasons if a request is postponed;
 - Setting new dates for the leave;
 - Notifying duties of the one-off period of unpaid leave;
 - Notifying People Systems Support of the purchase of additional leave; and
 - Notifying People Services, to update HR and notify Pay and Pensions.
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Other

District Commanders/ Departmental Heads

District Commanders/Departmental Heads are responsible for:

(These responsibilities can be delegated to another appropriate senior manager where necessary)

- Considering and determining any appeals against refused applications; and
 - Informing the appellant and their Line Manager of their decision within 14 calendar days of receiving the appeal.
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Pay Section

The Pay Section are responsible for:

- Making necessary adjustments to the pay of officers and staff for all approved periods of unpaid leave.
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The Force Pensions Office

The Force Pensions Office is responsible for:

- Calculating the contributions due to be repaid and notify officers or staff of the procedure for repaying once an election has been made by the officer or staff; and
 - Checking Officers pension records accurately reflects periods of unpaid leave.
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Duties

Duties are responsible for:

- Ensuring that all one-off periods of unpaid leave and unpaid parental leave periods are recorded on the duties management system; and
- Notifying the People System Support in the People Directorate if more

than 20 days (160 hours for police officer and 148 hours for police staff) of unpaid leave is given in any leave year, to re-run entitlements.

- People Services** People Services are responsible for:
- Communicating the changed leave levels to the applicant via CARM or other appropriate method;
 - Updating the HR System with the period of Unpaid Parental Leave.
 - Notifying Pay and Pensions of the changes (for one off and Unpaid Parental Leave);
 - Storing completed application forms on personal files; and
 - Providing advice, as necessary.
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- People Systems** People Systems are responsible for:
- Providing a re-run of annual and public holiday leave if duties are notified that 20 days (160 hours for police officers or 148 hours for police staff) of unpaid leave is given in any leave year;
 - Informing Pay Section for the pay to be adjusted accordingly, if the application is approved; and
 - Crediting any authorised additional purchased leave to the CARM record.
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Additional Information

- Supporting Information** The supporting information for this policy can be accessed.
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