

Special Leave

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Policy Statement

Summary

West Yorkshire Police recognises that individuals have personal and caring responsibilities outside of the workplace. The aim of this policy is to provide a provision for circumstances that can arise outside the workplace to support individuals to balance the demands of work, family and personal life.

This policy will ensure there is a consistent approach in the application of leave to all individuals, whilst also providing line managers with advice around how much leave may be granted in each case.

Scope

This policy applies to all police officers and police staff.

Principles

General

- Special leave includes all leave which may be granted to individuals in an emergency, unforeseen personal situation.
 - The provisions of this policy do not rule out other options such as temporary changes to working patterns, changing hours of work, changing shifts, taking unpaid leave, annual leave and other flexible working arrangements.
 - Please note that this leave is intended to provide time off, normally at short notice, for compassionate reasons when individuals would otherwise be at work. Individuals who are already off work will not be given compassionate leave for these periods and, therefore, rest days, TOIL, annual leave or another non-working days cannot be converted to compassionate leave.
 - Each application must be considered on its own merit but paid special leave can only be granted in accordance with this policy.
 - It is expected that if extended periods of leave are required then annual leave or unpaid leave will be considered.
 - Special leave will be recorded on the human resources (HR) information system but will not count as sickness with regard to the attendance standard.
 - An individual is not required to serve a qualifying period in order to be able to take time off in an emergency.
 - Reference in this policy to parents, sons and daughters includes adoptive and step families.
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**Terminal
diagnosis**

- West Yorkshire Police has signed the TUC's recognised Dying To Work Charter.
 - This acknowledges that individuals who receive a terminal diagnosis require support and understanding.
 - Further information and guidance is available on the intranet.
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Types of Leave

Bereavement Leave

Principles

- A period of bereavement leave may be granted to support individuals when dealing with the bereavement of a close relative.
- This leave will be paid.
- Close relative includes:
 - Partner/spouse;
 - Parent or step-parent;
 - Grandparent;
 - Son/daughter;
 - Brother/sister;
 - Mother/father in law;
 - Any other person who has had parental responsibility for the individual; or
 - A person where the relationship with the individual is demonstrably close.
- First line managers can agree a maximum period of bereavement leave of up to five days in total. It is acknowledged that grief impacts all individuals differently and each case will be considered individually. A detailed rationale for the decision must be recorded on the per 14a. In determining the appropriate number of days to authorise, line managers must consider the following:
 - The responsibilities of the individual;
 - Time off for any necessary arrangements such as registering the death;
 - Whether the individual is next of kin;
 - The closeness of the relationship;
 - Whether the individual's religion, belief or culture requires them to observe any particular practices or make special arrangements which would require them being off work at a particular time; and/or
 - The individual's welfare.
- If the total period required is more than five days, a member of the local Senior Leadership Team (SLT) may authorise bereavement leave of six to ten days.
- In exceptional cases, a member of the Chief Officer Team (COT) can agree a longer period of bereavement leave. A request for bereavement leave

which is longer than 10 days must be made in writing via a designated member of the individual's local SLT. The submission to COT must include the local SLT member's comments about the request.

- In the tragic event of a miscarriage before the end of the 24th week of pregnancy, paid bereavement leave of up to five days can be considered for the parents. (After the 24th week of pregnancy, refer to Child Bereavement Leave.)
 - For attendance at the funeral of other relatives or friends, one day's unpaid leave may be granted.
 - Bereavement leave cannot be granted for the death of animals or pets.
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Child Bereavement Leave

Principles

- West Yorkshire Police sets out their commitment to supporting bereaved parents through their grief by ensuring they can take child bereavement leave.
- Regardless of length of service, individuals can take this type of leave if they are the parent of an adult or child who has passed away, or the partner of the adult or child's parent. This includes adoptive parents and people who have parental responsibility for an adult or child.
- Individuals will be paid their full salary during the period of child bereavement leave that they take.
- These provisions apply to the parents of adults and children and includes parents who suffer a stillbirth after 24 weeks of pregnancy.
- Child bereavement leave is a period of one or two weeks. It can be taken as a single block of two weeks, or two separate blocks of one week at different times.
- It cannot be taken as individual days or periods of less than one week.
- Individuals can take the leave at the time(s) they choose within the 56 weeks after the bereavement. For example, to take it at a particularly difficult time such as on their birthday.
- Individuals who have lost more than one child will have a separate entitlement to bereavement leave for each child who has passed away.
- Individuals who need to take child bereavement leave within the first 56 days (eight weeks) after their bereavement can take the leave straight away. They do not have to provide any notice. Line managers must be informed no later than when the individual is due to start work on the first day on which they wish to take leave or, if that is not feasible, as soon as they can.
- If leave will be taken more than 56 days (eight weeks) after their bereavement, individuals must give their line manager at least one week's notice.

- Individuals can cancel their planned leave and take it at a different time (within the 56 weeks after their bereavement). Where their planned leave was due to begin during the first 56 days after their bereavement, line managers need to know the individual no longer wishes to take it before their normal start time on the first day of the planned leave.
 - Individuals who have leave which was due to begin more than 56 days after their bereavement must inform their line manager at least one week in advance that they wish to cancel it.
 - Individuals cannot cancel any week of child bereavement leave that has already begun.
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Dependants Leave

Principles

- Individuals are permitted to take a reasonable amount of time off in order to take action which is necessary in relation to a dependant.
- This leave will be paid.
- A dependant could be a spouse, parent, registered civil partner, partner, child or grandchild of an individual, someone who lives in the household as part of the family or someone who relies on the individual for care.
- A tenant, lodger, friend or someone who lives in the household as an employee, i.e. live in housekeeper, is not classed as a dependant.
- First line managers will consider requests for dependants leave and be responsible for determining how much dependants leave is reasonable.
- Occasions when dependants leave would be appropriate would include:
 - To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted;
 - To make arrangements for the provision of care for a dependant who is ill or injured;
 - In consequence of the death of a dependant (in addition to bereavement leave);
 - Because of the unexpected disruption or termination of arrangements for the care of a dependant; and/or
 - To deal with an incident which involves a child of the individual and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for them.
- If an unexpected situation is known about in advance, such as disruption to childcare, the individual may still qualify for dependants leave if they have taken reasonable steps to make alternative arrangements. Disruption to usual care arrangements may still be unexpected and time off may be necessary.
- It is expected that such requests will be short term to allow time to put alternative arrangements in place.

- It is expected that, in most cases, one to two days' dependants leave will be sufficient, however, it is for the line manager to determine what amount of time is reasonable.
 - Any duty day, as a result of an exigency of duty, will still meet the criteria for dependants leave. It is the individual's responsibility to provide as much notice as possible for their request to their line manager. In such circumstances, the line manager will be responsible for requesting the relevant Duties team cancel the individual from the duty and revert the individual back to a rest day on CARM. The line manager will also be responsible for finding a suitable replacement and updating the Duties team. If the line manager cannot identify a suitable replacement, then they must inform the Duties inspector.
 - There are situations that are not covered when other provisions, such as the use of annual leave, will be looked upon favourably.
 - Examples that do not qualify for dependants leave are:
 - Attending pre-planned medical appointments with dependants/relatives (see also Carer's Leave);
 - Breakdown of a relationship;
 - Injury or illness of a pet; or
 - Disruption of childcare arrangements that the individual was aware of and has not taken reasonable steps to make alternative arrangements for.
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Medical Emergency Leave

Principles

- Medical emergency leave of up to five days may be granted to deal with a potentially life threatening serious illness or injury, where the staff member is required to be by the bedside of a dependant.
- Only the first day of medical emergency leave will be paid.
- It may also be granted when the staff member is required to be by the bedside of a close relative who is at the end of life.
- Medical emergency leave cannot be requested for something that is known in advance, for example routine, pre-planned hospital operations or treatment.
- Where additional medical emergency leave is required, a member of the local Senior Leadership Team (SLT) may authorise medical emergency leave of six to ten days.
- In exceptional cases a member of the Chief Officer Team (COT) can agree a longer period of medical emergency leave. A request which is longer than 10 days must be made in writing via a designated member of the individuals local SLT. The submission to COT must include the local SLT member's comments about the request.

Domestic Emergency Leave

Principles

- Domestic emergency situations involve the property where the individual resides on a permanent basis.
 - Up to one day's special leave may be granted to deal with the immediate issue. This leave will be unpaid.
 - It is expected the individual will return to work as soon as they have dealt with the emergency or arrangements are put in place.
 - Domestic emergency leave may be considered if a domestic emergency happens mid-shift. The request would cover the remaining hours of the duration of that shift.
 - Examples can include:
 - Fire/flood at the property;
 - Vandalism or burglary to allow an insecure property to be made secure; or
 - Any situation at the property which poses a health and safety issue if not dealt with immediately.
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Carer's Leave

Principles

- Individuals are entitled to one week of carer's leave during any period of 12 months.
- This leave will be unpaid.
- Carers must self-certify themselves on the self-service section of the HR Portal.
- Carer's leave relies upon the carer's relationship with the person being cared for. This includes a spouse, civil partner, child, parent, a person who lives in the same household as the individual (other than by reason of them being their employee, tenant, lodger or boarder) or a person who reasonably relies on the individual for care.
- The entitlement for carer's leave depends on the person being cared for having a long-term care need. This is defined as a long-term illness or injury (physical or mental health) that requires, or is likely to require, care for more than three months, a disability as defined under the Equality Act 2010, or issues related to old age.
- This leave may also be used to support an individual who is caring for someone with a terminal illness.
- Carer's leave may be used for providing care, or making arrangements for the provision of care, for a dependant who requires long-term care.
- This leave may be taken flexibly, either in individual days or half days up to

a block of one week.

- Requests for carer's leave must be submitted on a per14a form to the individual's line manager.
 - The organisation may postpone, but not deny, carer's leave requests where it is considered that service delivery would be unduly disrupted.
 - Further information regarding disability by association is available in the Disability policy.
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Exceptional Circumstances Leave

Principles

- If an individual requires special leave for circumstances which do not fit into the above categories, a member of the local Senior Leadership Team (SLT) may consider approving up to five days' paid exceptional circumstances leave.
 - The expectation is that this leave will only be approved in exceptional circumstances. A detailed rationale must be documented on the per 14a.
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Applying for Special Leave

Process

- Applications for special leave must be submitted on a per 14a, as early as possible, giving reasons for the leave, to the individual's first line manager who will consider the request.
 - The relevant manager will decide on the amount of leave to be granted in line with the provisions allowed under the policy. They must inform People Services by sending the completed per 14a to the relevant district/departmental People Services mailbox.
 - Managers must always record a detailed rationale for their decision whether the application is approved or declined.
 - People Services will update the HR System, request Duties update CARM, and save the per 14a on the individual's personal file. People Services will notify Pay Section where appropriate.
 - In an emergency situation, it is acceptable to put the request in writing on the first day the individual is back at work. The individual must make sure that their manager is aware of their absence by following the normal reporting absence procedure.
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Additional Information

Compliance

This policy complies with the following legislation, policy and guidance:

- Employment Rights Act 1996
 - Parental Bereavement (Leave and Pay) Act 2018
 - Police Regulations 2003
 - Data Protection Act 2018
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Further information

Further guidance in relation to this policy can be sought from:

- Employee Relations Team – People Directorate
 - Disability policy
 - Unpaid and Purchasing Additional Leave policy
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