



Leave Policy

The Office of the Police and Crime Commissioner (OPCC) is committed to the principles of equality and diversity. No member of the public, member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

Introduction

1. This policy applies to all members of staff.
2. The following categories of leave are available:
 - Annual Leave
 - Maternity Leave
 - Paternity Leave
 - Adoption Leave
 - Special Leave
 - Dependants Leave
 - Parental Leave
 - Personal Appointments
3. All categories of leave should be agreed with the line manager and should be recorded on the office diary in addition to being recorded through the GRS system. The arrangements for each category of leave may be slightly different, and these are set out below:

Annual Leave

4. For all staff the annual leave year runs from 1 April until the 31 March. Periods of leave should generally not exceed 15 working days. The Chief Executive will consider any requests for greater periods of leave.
5. A maximum of 35 days leave can be authorised prior to an individual retiring or resigning, to be made up of 15 days annual leave and 20 days of other leave.
6. Individuals may request to carry over (a maximum of 5 days) annual leave from the previous leave year. This should be taken by the end of May in the next leave year. Ordinarily this kind of request would be made towards the end of the existing leave year and only under special circumstances. Carry-over of up to 5 days must be authorised by your line manager and carry-over of more than 5 days must be authorised by the Chief Executive. There is no automatic right to carry forward days from one leave year to the next.

7. Staff will only be authorised to carry over more than five days in the most exceptional of circumstances, such as:
 - a. Unable to take specific periods of leave due to work commitments, and this has been documented and evidenced.
 - b. Absent through sickness.
 - c. Absent through Maternity Leave.
8. Public holidays:

Easter	- Two days
May	- One day
Spring Bank Holiday	- One day
August Bank Holiday	- One day
Christmas Bank Holiday	- Two days
New Year	- One day

Annual Leave and Maternity Leave

9. An individual's annual leave will continue to accrue during maternity leave and absence. If the individual is uncertain of their intention to return to work, they should only take an amount of annual leave based on their service up until the end of their maternity pay period. If the individual decides not to return to work and they have taken their full year's annual leave they may have to repay the hours/days extra annual leave that would have accrued beyond their resignation date.
10. The individual should plan to take their annual leave during the appropriate leave year even if their maternity leave runs across a leave year.
11. When the individual is planning annual leave after the maternity leave they should arrange it through their line manager in the normal way, even though they are still on maternity leave. If the individual fails to make proper arrangements and return to work without having booked annual leave they may find that the particular period wanted is not available.
12. The individual will be entitled to accrue bank holiday entitlement whilst on maternity leave.

Annual Leave and Sick Leave

13. The individuals annual leave entitlement will continue to accrue during any period(s) that they are absent due to sickness.
14. If an individual has been unable to take their full annual leave entitlement before the end of the leave year because of sickness absence, they must request authorisation to carry forward any untaken leave to the following annual leave period. Authorisation to carry forward leave in this manner must be sought from the Chief Executive. The individual will only be allowed to take this leave once they have returned to work from sick leave. It is not permissible to take leave whilst on sick leave.

15. Annual Leave Entitlements:

Spinal Column Point	Basic Entitlement	After 5 years
Up to 17	175.2 hrs	211.7 hrs
18-24	189.8 hrs	226.3 hrs
25 and above	204.4 hrs	240.9 hrs

Calculation of Part-Time Annual Leave Entitlement (Full Year)

To calculate part-time entitlement, part-time hours should be divided by normal full-time hours (36.5hrs)

Example:

- Staff on SCP 17 wishes to go to PT hrs of 18.25 per week
- 18.25 (PT hrs) divided by 36.5 (FT hrs) = 0.5 (FTE)
- Then multiply full-time annual leave allocation for the relevant SCP by the FTE shown above:
- $175.2 \times 0.5 = 87.6$ hrs annual leave allocation for the year
- This would equate to 87hrs 36 minutes, please use the table below to work out the percentage of minutes:

Percentage	Minutes
0.05	3
0.1	6
0.3	18
0.4	24
0.5	30
0.6	36
0.7	42
0.8	48
0.9	54

Calculations of Part-Time Annual Leave Entitlement (Part-Year)

16. To calculate part-time entitlement for part of the leave year, first ascertain how many months have been worked at full-time and what remaining months will be worked at part-time. Once this is established, a pro-rata leave entitlement must be calculated based on both full-time and part-time hours.

Calculation of Annual Leave to Resignation/Retirement Date

17. Individuals who retire or resign part way through a leave year will only be entitled to accrue annual leave up until their last working day. It is expected that individuals will take all of their outstanding leave before they leave the OPCC.

18. However, in exceptional cases, where, on the basis of organisational need, an individual is prevented from taking their annual leave entitlement prior to leaving, management may authorise the payment of a maximum of 10 days leave. Managers should ensure that decisions taken to pay annual leave are based on organisational need only, i.e. handover of tasks, completion of a particular project, etc and will stand up to scrutiny. Any annual leave which has been taken above their allocation by the last working day will be deducted from the individual's final salary.
19. In order to calculate annual leave allocation pro-rata until a resignation/retirement date, firstly calculate the annual leave allocation by using the allocations defined above for the year then pro-rata this by dividing the total amount by 12 and then multiply by the number of months worked during the annual leave year until the last working day.
20. To ascertain whether the individual has any undertaken or overtaken annual leave subtract all taken leave from the pro-rata allocation which will give a minus figure (annual leave overtaken) or a plus figure (annual leave outstanding).
21. A maximum of 35 days leave can be authorised prior to an individual retiring or resigning, to be made up of 15 days annual leave and 20 days of other leave, i.e. time owing.

Part-Time Workers Calculation of Contracted Hours

22. Although full time members of staff who work 36.5 hours a week are paid for 37 hours, this benefit is not mirrored for part-time staff. To address this issue, which, in effect means that part-time employees actually receive a lower hourly rate than full time employees, part-time staff are entitled to receive an equivalent benefit.
23. Part-time staff will be entitled to receive a pro-rata reduction in working time, i.e. a percentage of the half hour.
24. Please note that the annual entitlement should be calculated to the nearest 15 minutes and this time must be added to the individual's annual leave allocation. The ready reckoner is attached at Appendix A.
25. The formula to calculate this is as follows:

Part time hours x 30 minutes (0.50 as a decimal) x weeks in a year
Full time Hours

Weeks in a year is calculated by 365 days in a year/7 days per week = 52.143 weeks

Example

- A member of staff works 20 hours per week
- 20 hours x 0.50 x 52.143 = 14.28 rounded to 14.25 hours
- This figure would then be added to the individuals annual leave allocation for the year

Part-Time Workers Calculation of Public Holiday Entitlement

26. All staff are entitled to the usual 8 public/bank holidays in England and Wales and pro-rated for part-time staff.
27. The allocation of bank/public holidays is $8 \times 7.18 \text{ hours} = 58.24 \text{ hours}$
28. An example of calculating the pro-rata allocation of public holiday entitlement for staff would be:
 - $8 \times 7.18 \text{ hours} = 58.24 \text{ hours public/bank holiday entitlement}$
 - Then divide the number of working hours per week by the FTE as follows:
 - $18.25 / 36.5 = 0.5$
 - $58.24 \text{ hours (public/bank holiday entitlement)} \times 0.5 \text{ (FTE)} = 29.12 \text{ hours}$

Maternity Leave Policy

Policy Statement

29. This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth, and sets out the arrangements for ante-natal care, pregnancy-related sickness, health and safety, and maternity leave. It does not apply to agency workers or the self-employed.
30. This policy does not form part of any employee's contract of employment and we may amend it at any time.

Definitions

31. The definitions in this paragraph apply in this policy:

Expected week of childbirth: the week, starting on a Sunday, in which your doctor or midwife expects you to give birth.

Qualifying week: the fifteenth week before the Expected Week of Childbirth.

Notification

32. You must inform your line manager as soon as possible that you are pregnant. This is important as there may be health and safety considerations.
33. Before the end of the Qualifying Week, or as soon as reasonably practicable afterwards, you must notify your line manager in writing:
 - a. That you are pregnant.
 - b. The Expected Week of Childbirth; and
 - c. The date on which you would like to start your maternity leave ("Intended Start Date").

34. You must provide a certificate from a doctor or midwife (usually on a MAT B1 form) confirming your Expected Week of Childbirth.

Time Off for Ante-Natal Care

35. If you are pregnant you may take reasonable paid time off during working hours for ante-natal care including hospital, clinic, GP appointments, and routine check-ups. You should try to give us as much notice as possible of the appointment. If a choice of appointment times is provided, you should consider selecting the appointment which is least disruptive to the OPCC.
36. We may ask you to provide the following, unless it is the first appointment:
 - a. A certificate from the doctor, midwife or health visitor stating that you are pregnant; and
 - b. An appointment card.

Sickness

37. Periods of pregnancy-related sickness shall be paid in accordance with our Pay Policy.
38. Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.
39. If you are absent for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, your maternity leave will usually start automatically.

Health and Safety

40. We have a general duty to take care of the health and safety of all employees. We are also required to carry out a risk assessment to assess the workplace risks to women who are pregnant, have given birth within the last six months or are still breastfeeding. Line managers will ensure that a risk assessment is carried out.
41. When the line manager is advised of a pregnancy he or she should advise the Chief Executive of the individual's pregnancy and ensure that a risk assessment is completed with the individual within seven days of being notified of the pregnancy. In some cases it may be necessary to make temporary adjustments to working arrangements until a full risk assessment can be carried out. The line manager must ensure that any restrictions advised by your GP are taken into consideration and are included as part of the risk assessment. The line manager will also be responsible for carrying out a further risk assessment upon your return to work from maternity leave.
42. We will provide you with information as to any risks identified in the risk assessment, and any preventative and protective measures that have been or will be taken. If we consider that, as a new or expectant mother, you would be exposed to health hazards in carrying out your normal work we will take such steps as are necessary (for as long as they are necessary) to avoid those risks. This may involve:
 - a. Changing your working conditions of hours or work.
 - b. Offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable; or

- c. Suspending you from duties, which will be on full pay unless you have unreasonably refused suitable alternative work.
 - d. The risk assessment should consider the following:
 - The risk of injury or infection (primary or secondary)
 - The risk of exposure to hazardous substances
 - Confrontational duties
 - Tasks which involve high levels of psychological or physical fatigue
 - Tasks which involve long periods of standing, sitting or travelling
 - Manual handling
 - Extremes of hot and cold; and
 - Management of working hours, including start times and finish times
43. Separate arrangements for nursing mothers to express and store milk in privacy will be provided.

Entitlement to Maternity Leave

44. All employees are entitled to up to 52 weeks' maternity leave which is divided into:
- a. Ordinary maternity leave of 26 weeks ("OML").
 - b. Additional maternity leave of a further 26 weeks immediately following OML ("AML").

Starting Maternity Leave

45. The earliest date you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).
46. You must notify us of your Intended Start Date in accordance with paragraph 40. Your line manager will then write to you within 28 days to inform you of the date we will expect you to return to work if you take your full entitlement to maternity leave ("Expected Return Date").
47. You can postpone your Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable.
48. You can bring forward the Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.
49. Maternity leave shall start on the earlier of:
- a. Your Intended Start Date (if notified in accordance with this policy); or

- b. The day after any day which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth; or
 - c. The day after you give birth.
50. If you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth, you must let us know as soon as possible in writing. Maternity leave will be triggered unless we agree to delay it.
51. If you give birth before your maternity leave was due to start, you must let us know the date of the birth in writing as soon as possible.
52. The law prohibits you from working during the two weeks following childbirth.
53. Shortly before your maternity leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave.

Miscarriages and Stillbirth

54. In the sad event of miscarriage before 24 weeks, then sympathetic consideration will be given to the granting of compassionate leave or sick leave.
55. In the sad event of stillbirth after the 24th week of pregnancy the individual will be entitled to maternity leave and pay as set out in this policy.
56. We understand that people all deal with grief in different ways and support and advice will be made available.

Statutory Maternity Pay

57. Statutory Maternity Pay (“SMP”) is payable for up to 39 weeks. SMP will stop being payable if you return to work (except where you are simply keeping in touch in accordance with this policy). You are entitled to SMP if:
- a. You have been continuously employed for at least 26 weeks at the end of the Qualifying Week and are still employed by us during that week.
 - b. Your average weekly earnings during the eight weeks ending with the Qualifying Week (“the Relevant Period”) are not less than the lower earnings limit set by the Government.
 - c. You provide us with a doctor’s or midwife’s certificate (MAT B1 form) stating your Expected Week of Childbirth.
 - d. You give at least 28 days’ notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; and
 - e. You are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

58. SMP is calculated as follows:
- a. First six weeks: SMP is paid at the Earnings-Related Rate of 90% of your average weekly earnings calculated over the Relevant Period.
 - b. Remaining 33 weeks: SMP is paid at the Prescribed Rate which is set by the Government for the relevant tax year, or the Earnings-Related Rate if this is lower.
59. SMP accrues from the day on which you commence your OML and thereafter at the end of each complete week of absence. SMP payments shall be made on the next normal payroll date and income tax, National Insurance and pension contributions shall be deducted as appropriate.
60. You shall still be eligible for SMP if you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant). In such cases, if your maternity leave has not already begun, SMP shall start to accrue in whichever is the later of:
- a. The week following the week in which employment ends; or
 - b. The 11th week before the Expected Week of Childbirth.
61. If you become eligible for a pay rise before the end of your maternity leave, you will be treated for SMP purposes as if the pay rise had applied throughout the Relevant Period. This means that your SMP will be recalculated and increased retrospectively, or that you may qualify for SMP if you did not previously qualify. We shall pay you a lump sum to make up the difference between any SMP already paid and the amount payable by virtue of the pay rise. Any future SMP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

Occupational Maternity Pay

62. You will be entitled to Occupational Maternity Pay (“OMP”) if:
- a. You have been continuously employed by us for more than one year, as at the 11th week before the Expected Week of Childbirth.
 - b. You provide us with a doctor’s or midwife’s certificate (MAT B1 form) stating your Expected Week of Childbirth.
 - c. You give at least 28 days’ notice (or, if that is not possible, as much notice as you can) of your intention to take maternity leave; and
 - d. You are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.
63. OMP will be paid as follows:
- a. The first six weeks at 90% of full pay, or the Earnings-Related Rate (whichever is the greater).
 - b. The following 12 weeks at 50% of full pay plus the lower of the Prescribed Rate and the Earnings-Related Rate (unless the two elements added together equal more than full pay, in which case you will be paid at 90% of full pay); and

- c. The final 21 weeks at the Prescribed Rate.
64. If you do not return to work for a period of at least three months following the end of your maternity leave, you will be obliged to repay any payments (in excess of your statutory entitlement) made to you.

Terms and Conditions during OML and AML

65. All the terms and conditions of your employment remain in force during OML and AML, except for the terms relating to pay. In particular:
- a. Benefits in kind shall continue; and
 - b. Annual leave entitlement under your contract shall continue to accrue.
66. If you are a member of a Trade Union and are on unpaid maternity leave, contributions will cease until you return to work. However, you will still be covered by the scheme.

Annual Leave

67. During OML and AML, your annual leave will accrue at the rate provided under your contract of employment.
68. If the holiday year is due to end during your maternity leave, you should ensure that you have taken the full year's entitlement before starting your maternity leave. If this is not possible, accrual will be carried over.
69. Our annual leave year runs from 1 April until 31 March.
70. You will also be entitled to accrue bank holiday entitlement whilst on maternity leave.

Pensions

71. This paragraph only applies if you are a member of the Local Government Pension Scheme.
72. A period of paid maternity leave counts as pensionable service, provided you make the necessary minimum contributions based on the maternity pay you are receiving.
73. If you are not entitled to SMP but are, or have applied to become, a member of the Local Government Pension Scheme, you will be treated as if you have paid contributions during OML based on the pay that you would have been receiving had you not been absent.
74. Unpaid maternity leave time shall not count as pensionable service other than as set out in paragraph 80. However, you may if you wish make contributions, or you may make up for missed contributions at a later date. Your contributions will be based on the last rate of pay you received. If you wish to pay pension contributions in relation to unpaid maternity leave you should discuss this request with your line manager who will then obtain suitable advice.
75. If you do not return to work your pensionable service will be deemed to have ceased on the day that contributions ceased to be paid in respect of you.

Keeping in Touch

76. We may make reasonable contact with you from time to time during your maternity leave. It is the responsibility of the line manager to ensure that contact is maintained by themselves or another designated individual.
77. Before the start of your maternity leave, mutual arrangements for maintaining contact during maternity leave should be discussed between the line manager and the individual. Discussion should take place regarding:
 - a. Convenient times of the day for telephone calls/visits.
 - b. Frequency of contact.
 - c. Updating information, working arrangements, career/promotion opportunities.
 - d. Any changes in the work place.
 - e. Arrangements for advising when the baby is born.
 - f. Who to contact in the event of emergency, welfare needs, etc; and
 - g. Reviewing the risk assessment for attending Keeping in Touch days.
78. You may work (including attending training) for up to ten days (“**Keeping in Touch days**”) during maternity leave without bringing your maternity leave, SMP or OMP to an end. You are not obliged to undertake any such work during maternity leave. In any case, you must not work in the two weeks following birth. The line manager will then liaise with payroll to ensure appropriate payment.
79. You must keep a record of each day or part day that is worked and at the end of each Keeping in Touch day your line manager should sign this off.
80. Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements for your return and so that a Return to Work Action Plan may be drawn up. This may cover:
 - a. Updating you on any changes that have occurred since your absence.
 - b. Any training needs you might have; and
 - c. Any changes to working arrangements (for example, if you have made a request to work part-time).

Expected Return Date

81. Once you have notified us in writing of your Intended Start Date, your line manager shall send you a letter within 28 days to inform you of your Expected Return Date. If your start date has been changed (either because you gave us notice to change it, or because maternity leave started early due to illness or premature childbirth) your line manager shall write to you within 28 days of the start of maternity leave with a revised Expected Return Date.

82. We will expect you back at work on your Expected Return Date unless you tell us otherwise. It will help us if, during your maternity leave, you are able to confirm that you will be returning to work as expected.

Returning Early

83. If you wish to return to work earlier than the Expected Return Date, you must give eight weeks' prior notice. It is helpful if you give this notice in writing.
84. If not enough notice is given, we may postpone your return date until eight weeks after you have given notice, or to the Expected Return Date if sooner.

Returning Late

85. If you wish to return later than the Expected Return Date, you should either:
- a. Request unpaid parental leave, giving us as much notice as possible but not less than 21 days; or
 - b. Request paid annual leave in accordance with your contract, which will be at our discretion.
86. If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply.
87. In any other case, late return will be treated as unauthorised absence.

Deciding not to Return

88. If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of maternity leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of the notice period.
89. Once you have given notice that you will not be returning to work, you cannot change your mind without agreement.
90. This does not affect your right to receive SMP.

Your Rights when you Return

91. You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been had you not been absent.
92. However, if you have taken any period of AML or more than four weeks' parental leave, and it is not reasonably practicable for us to allow you to return into the same position; we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

Returning to Work Part-Time

93. We will deal with any requests by employees to change their working patterns (such as working part-time) after maternity leave on a case-by-case basis. There is no absolute

right to insist on working part-time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if requests are made as early as possible.

Paternity Policy

94. Ordinary Paternity Leave (OPL) is an employee benefit which allows employees to take paid time off under the Employment Act 2002, to care for a newborn or to support a mother or adoptive partner. To qualify for paternity leave employees will need to meet certain criteria as set out below.

Eligibility

95. Employees must meet the following criteria:-
- You must be the biological father (or mother's husband, civil partner, partner or husband or civil partner of the adoptive parent)
 - The man has (or expects to have) responsibility for the baby's upbringing
96. You must have continuously worked for the force for 26 weeks ending with the 15th week before the expected week of confinement or ending the week the adoptive partner is notified or matched.

Entitlements

97. Staff who are eligible can choose to take either one or two consecutive weeks' paid paternity leave (not odd days).
98. If you are taking paternity leave for the birth, the leave can start either on the day the baby is born or on a date that has been agreed in advance with your line manager. Your paternity leave cannot start before the baby is born, and, if you are agreeing a date later than the birth of your baby, it must be completed within 56 of days of the birth.
99. If you are taking paternity leave for an adoption, the leave can start either on the day that the child is placed with you, or on a date that has been agreed in advance with your line manager. If you are agreeing a later leave date later than the date your child was placed with you, the leave must be completed within 56 days of the adoption date.
100. Due to legislative changes (Children and Families Act 2014), with effect from 1st October 2014, fathers and partners of pregnant women are entitled to time off to attend up to a maximum of two antenatal appointments.
101. We will allow individuals paid time off for up to 4 hours to attend each appointment. Any further time off required can be taken as annual leave, TOIL, flexi-leave or unpaid leave. Your line manager may request to see a copy of your appointment card.

Notice of Intention

102. In order to qualify for ordinary paternity leave you should complete the relevant qualifying form and return it to your line manager. It should be signed and approved and sent electronically to the Shared Service Centre.
103. If you have not started your leave and change your mind about your start date of leave then you will need to give your line manager 28 days notice, unless this is not reasonably practical.

If You Lose Your Baby

104. In the sad event of a still birth from 24 weeks of pregnancy or if the baby is born alive at any point during the pregnancy the individual will be entitled to Paternity Leave and pay as described above.

Terms and Conditions of Service

105. During any period of OPL all terms and conditions except remuneration remain the same during leave and the employee has the right to return to the same job.

Adoption Policy

Eligibility

106. To be eligible for the enhanced occupational adoption provisions, either adopting parent must have:
 - Been newly matched with a child for adoption within the UK by an approved adoption agency (individuals should provide a 'matching certificate' from their adoption agency as evidence of their eligibility).
 - A minimum of 52 weeks service by the week in which an approved match is made with a child as notified by an adoption agency.
107. Where a couple who are adopting jointly both work for the OPCC only one of them can take adoption leave, it cannot be split between them or claimed by both. (The other partner may be able to claim adoption support leave and pay).
108. The provisions governing ordinary and additional adoption leave do not apply to cases of adoption by step parents and foster parents in respect of children previously living with the adoptive parents.
109. Paid time off is allowed for 'pre-placement' meetings. This should be arranged in advance with your line manager, showing an appointment card.

Entitlements Pay & Annual Leave

110. If you decide that you do not wish to return to work you will not be required to refund the payments made to you.
111. Annual Leave will continue to accrue during Adoption Leave (whether comprising standard, ordinary or additional adoption leave) in line with the officer's normal

entitlement. Officers may wish to take annual leave before their adoption leave commences, or convert part of the unpaid adoption leave to be paid Annual Leave.

112. The period of standard adoption leave and ordinary adoption leave will be pensionable, reckonable for incremental pay and leave purposes and for inclusion in any period of probationary service. This also applies to those officers who take Adoption Support Leave. All the provisions of this agreement will apply for officers serving part-time or job sharing.
113. All staff with at least 52 weeks service, leading into the week in which they are notified of being matched with a child for adoption are entitled to 39 weeks paid leave comprising:
 - 13 weeks at full pay at the arrival of the child (which includes statutory adoption pay (SAP)).

Followed by:

- 26 weeks at statutory adoption pay (SAP)
 - 13 weeks unpaid
114. To qualify for pay entitlements whilst on adoption leave you must return to work for at least three months after taking the leave. If you decide that you do not wish to return to work, you will be required to refund the payment made to you in respect of the weeks on full pay.
 115. The individual's annual leave entitlement will continue to accrue for the period of their Adoption Leave. If the individual is uncertain of their intention to return to work, they should only take an amount of annual leave based on their service up until the end of their adoption pay period.
 116. If the individual decides not to return to work and they have taken their full year's leave they may find that they have to repay the hours/days extra annual leave that would have accrued beyond their resignation date.

Conditions of Leave

117. Only one period of leave can be taken, irrespective of whether more than one child is placed for adoption as part of the same arrangement. This means that additional or ordinary leave cannot be extended if more than one child is being adopted at the same time
118. Optional Keeping in Touch (KIT) days enable the adopter to work for up to 10 days during their adoption leave period. Days spent attending court for police officers during Adoption Leave will not be considered as KIT days.

When does Adoption Leave Start?

119. From the date of the child's placement or from a fixed date which can be up to 14 days before the expected date of placement.
120. If the placement fails, the line manager is to be informed immediately and the individual is required to return to work within eight weeks of the end of the placement.

Notification

121. Individuals are required to give notice of their intention to take adoption leave within 7 days of being notified that they have been matched for adoption. They need to state when the child is expected to be placed and when they want their adoption leave to start. Where it is not reasonably practical for the individual to give notice within 7 days, the notice should be given as soon as is reasonably practicable.
122. An Adoption Leave Qualifying Form (obtained on the intranet) should be signed by your line manager and then e-mailed to the Shared Service Centre with the 'matching certificate' from the adoption agency.

During Leave

123. During leave an individual can lose touch with the organisation and may feel a lack of confidence about returning to work. Line managers are required to ensure that contact is maintained with the individuals, either by themselves, or by another designated individual. It is good practice to keep the individual informed and involved in what is happening. This could be done by:
 - Arranging to send newsletters
 - Including the individual on a circulation list for articles or journals
 - Inviting the individual to attend important meetings and to discuss work developments with colleagues
 - Inviting the individual to social events
124. Returning to work can be an unsettling time for the individual, and managers should be realistic about the individual settling back in to work. Managers should be flexible and constructive and balancing the needs of the individual and the organisation.

Returning to Work

125. Staff intending to return to work after their full adoption leave do not have to give any further notification. Those who want to return before the end of their adoption leave period must give 8 weeks notice of the date they intend to return.
126. Individuals taking Adoption Leave have the right to return to work on the same conditions of service (e.g. hours, grade etc). Wherever possible posts should be reorganised or covered on a temporary basis to allow the individual to return to the post occupied before they leave, if they so wish. The assumption must be made that the individual will return to work following their indicated period of leave.
127. Should re-organisation take place when an individual is absent, the same procedures of consultation should apply as if they were present in the workplace.

Special Leave

128. There are two categories of Special Leave:
 - Unpaid Special leave
 - Paid Special leave

Unpaid Special Leave

129. This type of leave is discretionary and granted by the Chief Executive in order to address a specific need and/or set of circumstances that does not fall naturally into any other circumstances covered by this policy, i.e. urgent private business, or appointments for example. A maximum of 10 days unpaid leave may be granted, irrespective of an individual's length of service. This is usually resulting from the member of staff not having any annual leave or flexi time remaining.

Paid Special Leave

Dependants Leave

130. Dependants Leave provides support for Staff in particular domestic situations by enabling the OPCC to grant paid leave outside of their annual leave entitlement.

Dependants Leave Application

131. The Chief Executive may grant leave in the circumstances described below.
132. The granting of leave is not an entitlement and workplace considerations must remain paramount. Nevertheless requests for leave under the scheme should always be treated sympathetically and not unreasonably refused.

Situations Potentially Warranting Dependants Leave

133. Illness of a close relation: 3-5 days with pay may be granted in these circumstances. In cases where illness is not of critical nature but has nevertheless disrupted the individuals domestic circumstances, the request for time off should wherever possible be supported by appropriate written evidence from a GP, hospital etc.
134. Death of a close relation: 3-5 days with pay may be approved, with additional paid leave in exceptional circumstances. Applications should be considered in the context of offering a wider package to enable staff to take time off (to include for example Annual Leave, Time owing, Flexible Working arrangements, Home Working etc). This additional leave is principally intended to assist individuals who are responsible for making funeral arrangements, administering the estate of the deceased etc.
135. Funeral of a close relation: One day with pay, or if the funeral takes place at a distance of more than half a days' journey from the place of work, up to 3 days. Line managers should acknowledge and be aware of funerary rites of different religions.

Eligibility

136. The scheme applies to all staff regardless of length of service.

Definition

137. For the purposes of the scheme a "Close Relation" of the individual shall include:
- Husband, wife, or recognised partner (including same sex/civil partners)
 - Parents and children

- Brothers and sisters
- Grandparent and grandchildren
- Person standing in loco parentis to the individual or to whom the individual stands in that relation
- Person to whom the individual is the recognised carer

Parental leave

138. Parental Leave is unpaid leave that parents can take for the purpose of caring for a child.
139. With effect from 5th April 2015, the right to take Parental Leave is simplified and extended so that the leave can be taken at any time before the child's 18th birthday in all situations. There are no longer different criteria for disabled or adopted children.
140. The increased time frame for taking Parental Leave from before the 5th birthday to before the 18th birthday – may mean that some employees have regained their entitlement to Parental Leave, having not previously claimed their entitlement. For example, an employee with a 10 year old child who has not previously taken any parental leave will now be eligible to take 18 weeks unpaid leave before the child's 18th birthday.
141. Individuals are entitled to Parental Leave for the purpose of caring for a child if:
- They have been continuously employed for a period of not less than a year
 - They have or expect to have responsibility for that child - this requirement covers mothers and also fathers who are married to the mother at the time of the birth. It also includes those who have acquired responsibility as a result of a court order or formal agreement with the mother
142. A male employee also has responsibility for a child if he is registered as the child's father under any provision of section 10(1) or 10A(1) of the Births and Deaths Registration Act 1953. An example is adoptive parents who take responsibility when the adoption order is made. (This covers father's unmarried to the mother at the time of the birth).
143. A maximum of 18 weeks Parental Leave can be taken before the child's 18th birthday.
144. This must be taken in blocks of at least one week, with no more than four weeks taken in one year. However, where the child has a disability Parental Leave can be taken in blocks of less than one week.
145. Eligibility is per child, and so in the case of twins (for example) there would be a maximum entitlement of 36 weeks unpaid leave (18 weeks for each child) before their 18th birthday.

Does Parental Leave Affect the Individual's Pension?

146. Any contributions paid into the pension scheme before the individual commences the Parental Leave will be frozen until they return to work. Any queries in relation to this or if you wish to discuss alternative options in relation to your pension, please contact the

Payroll or Pensions teams or Shared Services – Customer Services on 800 5100 or via email SS Customer Services.

147. An individual can end their Parental Leave early if they wish, but the request must be in consultation and negotiation with their line manager.

Can Parental Leave be Postponed?

148. Parental Leave can be postponed where it would unduly disrupt the operation of the business however, individual circumstances will be considered. Individuals will be notified in writing for the reasons for postponement, should this be necessary. However, a father or an adoptive parent wishing to take Parental Leave at the birth of their child, or at the time of adoption, cannot have their leave postponed.

A period of Parental Leave may not be postponed for more than six months, starting from the date the individual wished to commence their Parental Leave.

Personal Appointments (GP/Dentist or the Equivalent)

149. In responding to requests for time off to attend GP or Dentist appointments, we expects that all members of staff will use their best endeavours to make any appointments that they may need to attend from time to time at a period during the working day, when their attendance will have the minimum disruption and/or impact upon the working day.
150. Where possible time off should be taken during periods of flexi hours/leave. If a routine appointment extends into core time, the member of staff will not be credited with those hours.
151. For staff members that are not under a flexi hours/leave scheme, appointments should be arranged in the morning or late in the afternoon, and permission sought from their line manager to attend the appointment. Members of staff will then need to make the time up, or use a combination of Annual Leave or TOIL.

Appendix A – Entitlement to Proportion of ½ hour per week reduction in working hours given to full time employees

Weekly Hours Worked	Proportion of Weekly ½ Hour (Hours-per-week)	Proportion of Weekly ½ Hour (Hours-per-week)	Annual Allowance In Hours
7.0000	0.0959	5.0005	5.00
7.2500	0.0993	5.1778	5.25
7.5000	0.1027	5.3551	5.25
7.7500	0.1062	5.5376	5.50
8.0000	0.1096	5.7149	5.75
8.2500	0.1130	5.8921	6.00
8.5000	0.1164	6.0694	6.00
8.7500	0.1199	6.2519	6.25
9.0000	0.1233	6.4292	6.50
9.2500	0.1267	6.6065	6.50
9.5000	0.1301	6.7838	6.75
9.7500	0.1336	6.9663	7.00
10.0000	0.1370	7.1436	7.25
10.2500	0.1404	7.3209	7.25
10.5000	0.1438	7.4981	7.50
10.7500	0.1473	7.6806	7.75
11.0000	0.1507	7.8579	7.75
11.2500	0.1541	8.0352	8.00
11.5000	0.1575	8.2125	8.25
11.7500	0.1610	8.3950	8.50
12.0000	0.1644	8.5723	8.50
12.2500	0.1678	8.7496	8.75
12.5000	0.1712	8.9269	9.00
12.7500	0.1747	9.1094	9.00
13.0000	0.1781	9.2866	9.25
13.2500	0.1815	9.4639	9.50
13.5000	0.1849	9.6412	9.75
13.7500	0.1884	9.8237	9.75
14.0000	0.1918	10.0010	10.00
14.2500	0.1952	10.1783	10.25
14.5000	0.1986	10.3556	10.25
14.7500	0.2021	10.5381	10.50
15.0000	0.2055	10.7154	10.75
15.2500	0.2089	10.8926	11.00
15.5000	0.2123	11.0699	11.00
15.7500	0.2158	11.2524	11.25
16.0000	0.2192	11.4297	11.50
16.2500	0.2226	11.6070	11.50
16.5000	0.2260	11.7843	11.75
16.7500	0.2295	11.9668	12.00
17.0000	0.2329	12.1441	12.25
17.2500	0.2363	12.3214	12.25
17.5000	0.2397	12.4986	12.50
17.7500	0.2432	12.6811	12.75
18.0000	0.2466	12.8584	12.75
18.2500	0.2500	13.0357	13.00

Weekly Hours Worked	Proportion of Weekly ½ Hour (Hours-per-week)	Proportion of Weekly ½ Hour (Hours-per-week)	Annual Allowance In Hours
18.5000	0.2534	13.2130	13.25
18.7500	0.2568	13.3903	13.50
19.0000	0.2603	13.5728	13.50
19.2500	0.2637	13.7501	13.75
19.5000	0.2671	13.9274	14.00
19.7500	0.2705	14.1046	14.00
20.0000	0.2740	14.2871	14.25
20.2500	0.2774	14.4644	14.50
20.5000	0.2808	14.6417	14.75
20.7500	0.2842	14.8190	14.75
21.0000	0.2877	15.0015	15.00
21.2500	0.2911	15.1788	15.25
21.5000	0.2945	15.3561	15.25
21.7500	0.2979	15.5334	15.50
22.0000	0.3014	15.7159	15.75
22.2500	0.3048	15.8931	16.00
22.5000	0.3082	16.0704	16.00
22.7500	0.3116	16.2477	16.25
23.0000	0.3151	16.4302	16.50
23.2500	0.3185	16.6075	16.50
23.5000	0.3219	16.7848	16.75
23.7500	0.3253	16.9621	17.00
24.0000	0.3288	17.1446	17.25
24.2500	0.3322	17.3219	17.25
24.5000	0.3356	17.4991	17.50
24.7500	0.3390	17.6764	17.75
25.0000	0.3425	17.8589	17.75
25.2500	0.3459	18.0362	18.00
25.5000	0.3493	18.2135	18.25
25.7500	0.3527	18.3908	18.50
26.0000	0.3562	18.5733	18.50
26.2500	0.3596	18.7506	18.75
26.5000	0.3630	18.9279	19.00
26.7500	0.3664	19.1051	19.00
27.0000	0.3699	19.2876	19.25
27.2500	0.3733	19.4649	19.50
27.5000	0.3767	19.6422	19.75
27.7500	0.3801	19.8195	19.75
28.0000	0.3836	20.0020	20.00
28.2500	0.3870	20.1793	20.25
28.5000	0.3904	20.3566	20.25
28.7500	0.3938	20.5339	20.50
29.0000	0.3973	20.7164	20.75
29.2500	0.4007	20.8936	21.00
29.5000	0.4041	21.0709	21.00
29.7500	0.4075	21.2482	21.25
30.0000	0.4110	21.4307	21.50
30.2500	0.4144	21.6080	21.50

Weekly Hours Worked	Proportion of Weekly ½ Hour (Hours-per-week)	Proportion of Weekly ½ Hour (Hours-per-week)	Annual Allowance In Hours
30.5000	0.4178	21.7853	21.75
30.7500	0.4212	21.9626	22.00
31.0000	0.4247	22.1451	22.25
31.2500	0.4281	22.3224	22.25
31.5000	0.4315	22.4996	22.50
31.7500	0.4349	22.6769	22.75
32.0000	0.4384	22.8594	22.75
32.2500	0.4418	23.0367	23.00
32.5000	0.4452	23.2140	23.25
32.7500	0.4486	23.3913	23.50
33.0000	0.4521	23.5738	23.50
33.2500	0.4555	23.7511	23.75
33.5000	0.4589	23.9284	24.00
33.7500	0.4623	24.1056	24.00
34.0000	0.4658	24.2881	24.25
34.2500	0.4692	24.4654	24.50
34.5000	0.4726	24.6427	24.75
34.7500	0.4760	24.8200	24.75
35.0000	0.4795	25.0025	25.00
35.2500	0.4829	25.1798	25.25
35.5000	0.4863	25.3571	25.25
35.7500	0.4897	25.5344	25.50
36.0000	0.4932	25.7169	25.75
36.2500	0.4966	25.8941	26.00