

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Parental Leave (unpaid) (Police Officer & Police Staff)
REFERENCE NUMBER	WMP039
Version	1.0

POLICY OWNERSHIP	
DIRECTORATE	BUSINESS SERVICES
BUSINESS AREA	PEOPLE & ORGANISATIONAL DEVELOPMENT

INITIAL IMPLEMENTATION DATE	March 2020
NEXT REVIEW DATE:	March 2023
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail contactus@westmercia.pnn.police.uk

1.0 POLICY OUTLINE

This Policy sets out the West Mercia Police and the Offices of the Police & Crime Commissioner (OPCC) arrangements for Parental Leave.

Parental Leave (unpaid) should not be confused with Shared Parental Leave which is a separate provision for eligible parents of children born or adopted on or after 5 April 2015.

2.0 PURPOSE OF POLICY

Parental Leave enables individuals to take **unpaid** time off work to look after a child's welfare, to help them balance family and work commitments and spend more time with their children.

If an individual has completed one year's continuous service, they are entitled to 18 weeks unpaid parental leave for each child born or adopted.

The policy applies to police officers, police staff, and staff of the Offices of the Police & Crime Commissioner (OPCC) but does not cover contractors, casual workers, and members of the special constabulary, police staff volunteers, or workers employed by an agency.

2.1 Principles of the Policy

Parental leave may be taken following a period of maternity or adoption leave.

Individuals can request to take up to eighteen weeks unpaid parental leave at any time up to the child's eighteenth birthday.

2.2 Qualifying Conditions

To qualify for unpaid parental leave, individuals must:

- have one year continuous service or more
- be named on the child's birth or adoption certificate (and be able to supply proof if requested)
- have or expect to have parental responsibility for the child
- be taking the leave for the purposes of caring for the child

2.3 Administrative Process

A request should be made in writing giving 21 days notice before the intended start date of the period of parental leave.

To take parental leave straight after the birth or adoption of a child, an individual should give notice 21 days before the beginning of the expected week of childbirth or placement. In cases where this may not be possible, notice should be given as soon as practicable.

Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off, unless the employer agrees otherwise or the child is disabled. Individuals cannot take off more than four weeks during a year. A week is based on an individual's normal working pattern.

2.4 Postponement of leave

Parental leave requests immediately after the birth or adoption of a child will be approved where the correct notice has been given.

With the exception of leave requests immediately after the birth or adoption of a child, the organisation can postpone parental leave requests for up to six months if it is felt that the leave may disrupt the business. Reasonable grounds could include:

- the period that you apply for is at a seasonal or operational peak in demand if a significant proportion of the workforce has applied for leave or would be absent at the same time if your role is such that your absence at a particular time would unduly harm the organisation's ability to provide an effective 24/7 service to the public.

The organisation will discuss this with you and confirm the postponement arrangements in writing no later than seven days after you apply for the leave, stating the reason for the postponement and setting out the mutually agreed new dates of your parental leave. The length of leave you are given should be equivalent to the amount you applied for.

2.5 Terms & Conditions

During Parental Leave, the individual will remain employed, and will be entitled to the benefit of all their existing terms and conditions of employment other than terms relating to pay.

Information regarding pensions, including buy-back options for periods of unpaid leave can be found on the intranet 'You at Work/ Pay and Benefits/ Pensions', the LGPS website www.lgps2014.org (for police staff) or by contacting Kier Pension Services on (01642) 727333 (for police officers).

3.0 IMPLICATIONS of the POLICY

3.1 Risks

The effective operation of this policy will minimise the risk of successful action against West Mercia Police and OPCC under equality and employment legislation at Employment Tribunal.

3.2 Legal considerations

- Children & Families Act 2014
- Parental Leave Regulations 2013
- Equality Act 2010
- Maternity & Parental Leave Regulations 1999
- Employment Rights Act 1996
- Police Regulation 33 Annex S

3.3 Training

No specific training required

4.0 CONSULTATION

The policy has been circulated to members of the Critical Friends group (OPCC, Federation, Unison, Legal Services, Risk Management, Health & Safety and Equality & Diversity and staff network groups) for consultation and feedback.

<i>Business Lead Consulted</i>	<i>Date Consulted</i>
Tracey Cooper	March 2020

5.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the chart below:

Date	Author / Reviewer	Amendment(s & Rationale	Approval / Adoption
		Previously Approved at JNCC meeting	JNCC 03/06/2015
Mar 2020	G Christie	Reviewed – No Changes, revert back to West Mercia Policy	March 2020

6.0 PROCEDURE

See attached flow chart below.

7.0 ASSESSMENT AND ANALYSIS

The Equality Analysis (EA), Health & Safety Assessment (HAS) and Risk Assessment (RA) associated with this document are available on request.

