

Office of Police & Crime Commissioner – Devon & Cornwall Policy Cover Sheet

Policy Name:	Family Leave Policy
Version Number:	V1.0
Date:	9 November 2012
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Policy Authorised by:	Julie Hall-Williams
Policy Sign off Date:	12 November 2012
Policy Signed off by:	Sue Howl – Chief Executive
Cover note:	<p>As this is a new policy it will require consultation by the Police Authority (PA)/Office of Police & Crime Commissioner (OPCC).</p> <p>This policy sets out the high level principles and ethos around family leave and is based on the existing version held by Devon & Cornwall Police (D&CP).</p> <p>It is proposed the existing PA family leave operating procedures remain in place from a practical implementation of policy perspective.</p> <p>D&CP are currently putting all HR policies into the new Force template style and reviewing content in terms of legislative changes, terminology and bringing them up to date. This policy version is based on the revised D&CP draft recently consulted on and signed off at Partnership Group.</p>
EIA status:	Policy will require EIA from the PA/OPCC perspective.

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Office of Police & Crime Commissioner – Devon & Cornwall Family leave Policy

Version dated:

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2.0 Policy Statement [FOIA Open]

- 2.1 The Office of Police & Crime Commissioner (OPCC) values the contributions made by staff and therefore every effort is made to:
- a) Support with family friendly arrangements, including maternity, paternity & adoption leave, parental & dependants leave, compassionate leave, etc.
 - b) Maintain effective operational capacity, allowing the OPCC to deliver service at a consistently high standard, whilst at the same time meeting the needs of a diverse workforce and improving potential for 'work-life balance'.
- 2.2 This policy applies to staff whose babies were born or adoption took place on or after 1 April 2007.

3.0 Introduction [FOIA Open]

- 3.1 The OPCC's 'people management' policies reflect the organisation's commitment to its staff, and are underpinned by the highest standards of integrity. They provide a high-level set of principles, which are supported by procedures, working practices and guidance. 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. Any variance from the stated practice should be justifiable in these terms.
- 3.2 This policy supports legislation and guidelines contained within (but not limited to) the:
- Paternity and Adoption Leave (amendment) Regulations 2008
 - Work and Families Act 2006
 - The Maternity and Parental Leave, etc. and the Paternity and Adoption Leave (Amendment) Regulations 2006
 - Flexible Working (Amendment) Regulations 2006,
 - The Employment Act 2002
 - The Paternity and Adoption Leave Regulations 2002

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- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Employment Relations Act 1999
- The Employment Rights Act 1996
- The Equality Act 2010/Public Sector Equality Duty
- Human Rights Act 1998

4.0 Principles/Ethos of the Policy [FOIA Open]

4.1 Since 1999 a host of 'family friendly' legislation has been brought in, providing parents with a wide range of new and improved entitlements. Many of them come via European Directives and are linked to improving 'work-life balance' and include family friendly entitlements to Maternity, Paternity, Parental, Dependants Leave, Flexible Working, etc. subject to certain criteria.

4.2 This policy (supporting procedure) covers the following family friendly entitlements:

- Fertility Treatment
- Adoption Leave and Pay *
- Maternity Leave and Pay *
- Ante-natal Appointments
- Keeping in Touch & Returning to Work
- Paternity Leave
- Parental Leave
- Dependants Leave
- Compassionate Leave

* Including links to risk assessments/working arrangements, annual leave, sick leave, contractual terms, etc.

4.3 The overriding principles of the policy are:

4.3.1 The OPCC will not unlawfully discriminate and therefore all applications for family friendly entitlements will be treated in a reasonable, fair and open manner.

4.3.2 Where an individual is looking to take up one or more of the entitlements provided for within this policy, he/she is required to keep his/her line manager informed of developments. This is essential in order that the line manager can ensure that necessary administrative procedures are undertaken, that health & safety obligations, for example, risk assessments, etc. are fulfilled and departmental needs are fully addressed.

4.3.3 Line managers will ensure that family friendly requests are handled in a timely fashion, with individuals being kept informed of developments and timescales.

4.3.4 Individuals are required to meet certain timescales when submitting requests for family friendly initiatives. Additional information is available via line managers.

Responsibility and Monitoring

4.4 The OPCC and the individual both have health and safety responsibilities. It is

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essential that individuals notify their line managers of changes in circumstances immediately, in order that the line manager can fulfil his/her duty of care. For example, in the case of maternity – completing a work place maternity risk assessment.

- 4.5 Applications for family friendly arrangements and the subsequent outcomes will be recorded on the individual's personal file.
- 4.6 The line manager (or manager handling the case) will be responsible for monitoring processes locally at each stage, ensuring:
 - The process is handled effectively
 - Timescales are being adhered to
 - All parties are kept informed of progress/the outcome of the process, and
 - The appropriate documentation is forwarded for the personal file.
- 4.7 The individual will ensure that he/she fulfils all required timescales; it should be noted that failure to meet a process deadline could jeopardise the individual's entitlements.

5.0 Audit Compliance [FOIA Open]

- 5.1 This policy has been drafted and audited to comply with the principles of the Human Rights Act. Equality and diversity issues have also been considered to ensure compliance with equality legislation and policies. In addition Data Protection, Freedom of Information, Management of Police Information and Health and Safety issues have been considered. Adherence to this policy will therefore ensure compliance with all relevant legislation and internal policies. Under the Freedom of Information Act 2000, the document is classified as 'OPEN'.

6.0 Review and Ownership [FOIA Open]

- 6.1 This policy is owned by the Office of the Police & Crime Commissioner, with a review undertaken on a two yearly basis or earlier if required.

7.0 Useful Links [FOIA Open]

- 7.1 Practical procedures are available to assist with the effective and consistent implementation of the policy. For enquiries relating to this policy contact the Chief Executive until such time as the structure of the OPCC is determined.