



## Leave (Police Officers and Police Staff) Policy (Surrey and Sussex) (477/2025)

### Abstract

This policy and procedure detail the leave entitlements and arrangements for Surrey Police and Sussex Police officers and police staff.

### Policy

#### 1. Introduction

1.1 The purpose of this policy and procedure is to provide clear guidance on our recognised types of leave and assist all with the practical management of issues related to taking leave and time off.

#### 2. Scope

2.1 This policy explains the various types of leave that are available to police officers and police staff. The details for leave associated with Maternity, Adoption, Shared Parental and Paternity / Parenting Partner (Support) Leave can be found in Parenting Leave Policy (Surrey and Sussex) (913)

2.2 The policy should be considered in conjunction with the Resourcing for Policing Operations Policy (Surrey and Sussex) (1167) and the respective Service Level Agreements including, for Sussex Police only, the Duties and Resourcing Abstraction Guidelines.

2.3 Everyone is responsible for providing effective operational policing to the communities that the Forces serve. All individuals should be familiar with, and follow this policy, including any accompanying procedures and guidance.

2.4 Individuals must seek agreement from their line manager before taking any type of leave, ensuring that any required documentation is fully and accurately completed so that both individual wellbeing and resourcing can be considered.

#### 3. Policy Statement

3.1 Surrey Police and Sussex Police are committed to taking a consistent, equitable and fair approach to the provision of leave and time off work. Both Forces will promote a work / life balance whilst taking into account the needs, demands and resources of both organisations.

3.2 Surrey Police and Sussex Police work closely together and show this close working relationship by double badging documentation and correspondence, however they remain two separate legal entities with different terms and conditions of employment for

police staff. Each Force is committed to review and improve policy and procedure. This includes considering alignment of approach between Surrey Police and Sussex Police if right to do so, considering the overall context and package for that respective Force; with decisions taken by each Force for that Force only.

3.3 Policies and associated guidance should inform decision making which should consider organisational values, professional judgement (on the context and circumstances of each situation) and 'policing principles'. Decisions and subsequent action taken should be proportionate, legitimate and ethical as informed by the National Decision Model (NDM).

3.4 The procedures are Force specific

Refer to the Surrey Police website for the Surrey procedures.

Sussex Police procedures are found below.

## Sussex Police Procedure

### 1. Leave Categories

1.1 Each leave category contains all the relevant information relating to that leave type and refers to police officer regulations and police staff terms and conditions as appropriate (the contents links, in the index in section 1.2 provide a quick reference guide as well as the Sussex Police Leave Flowchart.)

1.2 The following procedure explains the various types of leave, who is eligible for it, how it is applied for, relevant considerations when considering its use and who can agree it; along with signposting to other sources of information.

The leave categories are as detailed in the index below:

Type of Leave	Section reference
<b>Annual Leave</b> (Leave Year – 1st April to 31st March) <ul style="list-style-type: none"><li>• Entitlement – police officers</li><li>• Entitlement – police staff</li></ul>	3 - 5
<b>Unauthorised Leave</b>	6
<b>Unpaid Leave</b> – including unpaid carers leave	7
<b>Compassionate Leave</b> – provides an opportunity to help an individual cope with a traumatic event or circumstance.	8
<b>Neonatal Leave</b> – please see the Parenting Leave Policy (Surrey and Sussex) (913)	N/A

<b>Parental Bereavement</b> – following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy	9
<b>Disability Leave</b> – paid leave that allows reasonable absences during working hours for rehabilitation, assessment and treatment for a condition covered by the Equality Act 2010 – defines a disabled person as anyone with “a physical or mental impairment which has a substantial and long-term adverse effect upon their ability to carry out normal day to day activities”.	10
<b>Dependants Leave (paid and unpaid)</b> - this leave is intended to enable individuals to deal with emergencies involving a dependant.	11
<b>Carers Leave</b> – enables individuals to take up to five days pro rata of paid leave per leave year (which can be taken in hours, half days or full days), to deal with situations involving a relative, partner, member of the family who they have caring responsibility for, who cannot manage / cope without help because they have a long-term, terminal, or degenerative medical condition or disability. Unpaid carers leave of up to 7 days can also be taken – for more information see the unpaid leave section.	12
<b>Parental Leave</b> – is the right for parents or those with legal responsibility for a child, to take unpaid time off work to look after a child or make arrangements for the child’s welfare. Parental Leave entitlement is up to 18 weeks for each individual child born or adopted.	13
<b>Fostering</b> – paid time off for fostering	14
<b>Fertility Leave</b> – paid time off for fertility treatment will be allowed for individuals to attend appointments / ultrasound scans etc.	15
<b>Medical Appointments</b> – for information refer to Attendance Management Policy (Surrey and Sussex) (950)	16
<b>Elective Surgery – Cosmetic and Organ or Bone Marrow Donating</b> (defined as surgery (or a procedure) which is not linked to the	17

treatment of an illness, accident, disease or diagnosed condition).	
<b>Public Service Leave / Public Duty</b> Provides employees with leave to perform public duties in appropriate circumstances. List of public duties for which time off is agreed include: <ul style="list-style-type: none"> <li>• Magistrates Duty</li> <li>• Parliamentary Candidature</li> <li>• Election Duties</li> <li>• Census Enumerators</li> <li>• Jury Service</li> </ul>	18-23
<b>Volunteer Reserve Force</b> – is the collective term for the Territorial Army; Royal Naval Reserve; Royal Marines Reserve; Royal Auxiliary Force; and the Royal Air Force Volunteer Reserve - Please refer to Reserve Forces Policy (Surrey and Sussex) (1025)	24
<b>Cadet Force Adult Volunteers</b>	25
<b>Trade Unions / Associations</b> – paid time off will be in accordance with Sussex's Trade Union Facilities Agreement	26
<b>Sporting Events</b> – to support staff who are selected to represent their country at a national or international level	27
<b>Public Holiday Selection</b> – police officers	28
<b>Special Leave – Lecturing</b> – Special Leave for lecturing is the provision for time away from work, to work as a lecturer (with or without fees). This is often related to the specialist nature of some police roles.	29
<b>Use of Annual Leave Prior to Retirement and Pre-retirement Courses</b>	30
<b>Special Constabulary</b> – Special Leave for police staff to undertake their duties as a Special Constable.	31
<b>Study Leave</b> – is the provision for officers and staff to take time away from work to undertake	32

a course or study that will enhance the skills, knowledge or ability of the individual for their current role or future role.	
<b>Leave for significant events (including religious, cultural and identity related events)</b>	33

## 2. Key principles to consider when planning leave

2.1 The annual leave year runs from 1 April to 31 March.

2.2 Individuals have a responsibility to plan their leave as far in advance as is reasonably practicable to enable line managers to plan and authorise leave equitably and fairly. Most importantly, managers have a responsibility to maintain the appropriate levels of service in accordance with the Force abstraction policy.

2.3 In order to achieve an equitable and fair process for the allocation of leave, all leave requests must be submitted to the line manager. The request will be officially agreed or not by the line manager.

2.4 Line managers are responsible for checking the request before confirming. Once agreement has been given by the line manager\* the appropriate leave request must be sent to the duties team via the SAP Portal. Requests for leave will be actioned as quickly as possible, but it is strongly advisable not to make any commitments until the leave request has been officially agreed and entered on the duties and resourcing system. Please note that supervisor names should be included on the leave request. Please also see the Sussex Police Leave Flowchart.

\*It is expected that suspended individuals will continue to manage and book their annual leave whilst they are suspended. Leave will need to be authorised by the Head or Deputy Head of Professional Standards Department (PSD) and this is to ensure that any leave taken does not impact on the progress of the misconduct investigation. Leave requests should be made to line management who should then forward the request to PSD for approval. PSD will only reject leave in exceptional circumstances where it is likely to have a detrimental impact on the progress of any investigation. In the event an individual makes a request to carry forward any leave balance above and beyond the carry forward amount agreed by the Chief Constable for the relevant year then this should be discussed with PSD.

2.5 The physical health and mental well-being benefits of taking breaks from work are acknowledged by Sussex Police and the Force wants to encourage individuals to use their annual leave allowance throughout the leave year. Any consideration to carrying over leave to the next year will be on the basis that annual leave was untaken or cancelled because of operational requirements. Any leave carried over will be an exception rather than the norm. See 5.7 for further information.

2.6 Individuals wishing to cancel previously agreed leave should discuss the matter with their line manager and, where agreement is given by the line manager, the amendment must be recorded via SAP and the Duties & Resourcing Portal. Where leave was

originally agreed under the criteria of exceptional circumstances, agreed leave can only be cancelled with the authority of a Chief Inspector and above or police staff equivalent M1/ Level 1 and above. Please ensure that the line manager name is included in the request.

2.7 Annual Leave for police officers cannot be booked more than 12 months in advance, unless in exceptional circumstances and with the permission of the Divisional Commander or Head of Department. In such instances the line manager will ensure that the leave is recorded. For police staff, unless similar arrangements have been locally agreed and recorded, leave can be booked more than 12 months in advance.

### **3. Annual Leave**

3.1 Individuals are entitled to paid time away from the workplace as paid Annual Leave.

- Leave will usually be booked in full or half days but can be booked in hours with agreement. For police staff meal-breaks are not paid so meal breaks do not have to be scheduled / taken if leave is booked for half a day unless the number of hours being worked overall exceeds 6 hours in which case a minimum of 30 minutes break should be taken.
- If an individual is working shorter hours by agreement (e.g. phased return to full hours following long term sickness) annual leave will be deducted based on the amount of hours that the individual would have been due to work, e.g. if an individual is rostered to work 8 hours but is working 6 hours on a phased return to full hours then 8 hours annual leave will be deducted from their leave balance.

3.2 Individuals are expected to take their full annual leave allowance during the leave year and, subject to operational requirements, management, will seek to accommodate individual preferences as far as possible.

3.3 Police officers who start or leave either Force during the annual leave year will have an annual leave entitlement calculated proportionate to the number of completed months of service.

3.4 Police staff who start or leave employment during the annual leave year will have an annual leave entitlement calculated on the number of days they have completed up to the leaving date.

Although there are no known jobs that are designed to be term time in the Force if an individual is working a pattern based on term time working under flexible working this may require a different calculation for leave when leaving the Force. Any patterns of this type should be highlighted during the leaving process so that any adjustment to calculation can be considered.

3.5 It is important that annual leave is planned for and taken throughout the year; so outstanding annual leave should be taken prior to leaving the Force. Where for organisational reasons an individual has been unable to take all their accrued leave prior to leaving this time will be paid. In this case notification to pay outstanding leave should be sent to the People Resolution Centre (PRC) who will advise payroll, so that this can be paid as part of the final salary calculation.

3.6 Where a leaver has taken more than their leave entitlement at the effective date of leaving, any outstanding monies will be recovered by Sussex Police from the final salary.

3.7 Annual Leave entitlement will accrue during periods of unpaid leave, including sickness and maternity leave, unless there is an express agreement e.g. career break.

3.8 Individuals who fall sick during a period of annual leave who wish to re-claim their annual leave (not free day in lieu (FDIL), rota day in lieu (RDIL), or bank holiday in lieu (BHIL))\* need to follow the agreed Force policy and procedure for reporting sickness, including that sickness absence should be reported on the first day of sickness absence. A fit note for the period of absence is required if the absence is outside the self-certification period, i.e. more than 7 consecutive days. If any costs are incurred in obtaining a fit note these will need to be met by the individual. If the sickness is during the self-certification period a fit note or other document from a medical professional is not required. More information can be found in the Attendance Management Policy (Surrey and Sussex) (950).

\*Free Days (FD), Rest Days (RD), Bank Holidays (BH) are not reinstated if an individual falls sick and neither are Free Days in Lieu (FDIL), Rest Days in Lieu (RDIL) or Bank Holidays in Lieu (BHIL).

## **4. Annual Leave Police Officers**

### **4.1 Entitlements**

Annual Leave entitlement is calculated using the length of service and rank of a police officer, and is expressed in Police Regulations as days (with a day equalling 8 hours for full time). This entitlement is converted to hours in Force systems for ease of administration and use.

4.2 When working full time (40 hours per week), entitlement is as follows (pro rata accordingly where working less than 40 hours per week).

Transitional annual leave arrangements are now in place to increase annual leave for officers in ranks of Constable to Chief Inspector (including Direct Entry Inspectors, whose entitlements are covered within separate tables) from 1st April 2025 to 1st April 2028, with changes made each April in accordance with Annex O amendment (Annual Leave).

The entitlement will be converted to hours in Force systems for ease of administration and use.

Please see the Annual Leave (AL) entitlement tables for Federated Constable to Chief Inspector ranks (excluding Direct Entry Inspectors) - for joining dates pre and post 1 April 2025 - and Superintendent and above for details of leave entitlements in days and hours. Found on the Force Intranet.

Example of a calculation for a part-time officer:

An officer who works 20 hours per week and has 3 or more years relevant pensionable service is entitled to 25 days leave per year pro-rata.

The annual leave entitlement for this officer is 25 days x 8 hours which = 200 divided by 20/40ths which = 100 hours.

4.3 An officer will need to deduct the number of hours that they were rostered to work on the day / period they wish to take as leave. Please note that as shift length varies between individuals, the entitlement is always worked out using the hours.

4.4 For officers who joined at the rank of Inspector under the Direct Entry (Inspector) programme (as defined in Police Regulations 2003), who joined after 31st December 2018 annual leave is as follows:

Annual Leave (AL) entitlement tables - for Direct Entry Inspectors appointed before 1 April 2025; and appointed on / after 1 April 2025. Found on the Force Intranet.

## **5. Annual Leave Police Staff**

5.1 Annual Leave for police staff is based on:

- 37 hours working week and a 7.4 hour day
- Grade and period of Continuous Service Guidance

Entitlement per annum		
Grade	0-5 Years Service	5+ Years' Service
Up to and including Grade 8	177.6 hours	214.6 hours
Grade 9 and Grade 10	185 hours	222 hours
Grade 11	192.4 hours	229.4 hours
M1 – M3	199.8 hours	236.8 hours
M4 and above	251.6 hours	288.6 hours

5.2 To calculate pro rata amount for part time staff:

Full time yearly entitlement applicable (using reference table above) ÷ 37 hours x hours worked per week (pro rata hours) = annual leave per year (rounded up to 2 decimal places).

5.3 To calculate pro-rata increase at five years' service:

On completion of 5 years continuous service police staff are eligible for additional leave per annum. Where the completion of 5 years continuous service occurs during a leave year the additional hours will be pro rata from the start date to 31st March. See example below:

Example for full time individual



Assuming individual reaches 5 years' service on 22 May and leave increases by 37 hours.

Full additional entitlement (1st April to 31st March) = 37 hours (or number of part-time hours\*).

Complete days from 22nd May to 31st March = 314 qualifying days.

$37 \text{ hours} \times \frac{314}{365} = 31.80 \text{ additional hours.}$

From 1 April the following year the full entitlement will be awarded.

5.4 Any additional annual leave accrued during any leave year due to additional service etc. should be taken prior to the end of that current leave year 31st March.

#### 5.5 Purchase of Additional Annual Leave

This scheme enables individuals to purchase additional annual leave, for information please refer to the guidance within the Sussex Police Purchasing Additional Annual Leave – Scheme Guidance as well as the application process within the Purchasing Additional Annual Leave – Application Form.

#### 5.6 Carry Over of Annual Leave

The expectation is that individuals manage and take their leave throughout the leave year. If any agreement is made by Chief Officers to vary the amount that can be carried over, it will be set out in Force communications.

In the event of a remaining untaken balance, please see the guidance below

Carry forward of annual leave from 2024/25 to 2025/26.

The Chief Constable has agreed that police officers will be able to carry forward 80 hours annual leave from 2024/25 and police staff 74 hours. These amounts will be pro-rated for part time officers and staff.

For the carry over of annual leave from 2024/25 into 2025/26 the following process will be adopted:

- Carry over of the 80 / 74 hours (pro rata) will be an automatic process (unless one of the exceptions below applies or Force communications confirm otherwise)
- All officers and staff are still encouraged to use as much of their annual leave entitlements as possible prior to Monday, 31 March 2025;
- Leave carry forward provisions do not remove line manager and/or individual responsibility for good management of leave throughout the year.

Exceptions:

Long term sickness absence.

- Where an individual has had long term absence (greater than 28 days) during the annual leave year, consideration should be given to any request to carry over their leave above and beyond the standard leave carry over amount. as a possible exception and up

to a maximum carry over amount of 4 weeks, in line with entitlement under Reg 13(1) Working Time Regulations 1998.

- This will be a line manager decision supported by People Services. line managers should consider:

- o whether the individual could have used the option to take leave during sickness absence;

- o how long the individual was absent for and the impact this had on them being able to take leave, i.e. if it was 3 months or more this may have impacted them being able to take their leave, particularly if it they were absent later in the leave year;

- o whether the carry-over amount relates to in year leave allocation (i.e. purchased additional leave can't be carried over).

- Please see the guidance for considerations and examples for a variety of leave carry forward scenarios. Where a line manager needs additional support with decision making or their statutory leave calculation they should contact the People Resolution Centre (PRC).

Any leave above and beyond standard carry over amounts agreed by the line manager should then be communicated to the relevant Duties Team for actioning.

### Parenting Leave

- For officers / staff on maternity leave, the carry forward of annual leave will be dealt with by the PRC in accordance with current processes when a return to work date is notified to the PRC;

- Staff / officers who have been unable to take their annual leave due to being on family-friendly leave (adoption / maternity / shared parental leave / unpaid parental) may carry over outstanding leave into the new leave year – again using the guidance for carry over reference;

- A reasonable approach to carry over for this reason should be taken, such as, considering the proportion of annual leave year the individual was on parenting leave, e.g. if on parenting leave most of the leave year it may be reasonable to carry over all outstanding leave, whereas if an individual had taken one week of unpaid parenting leave during the leave year carry over is unlikely to be reasonable.

Individuals who have untaken annual leave from any period(s) of long-term sickness or maternity / shared parental / adoption leave will need to discuss with their line manager their plans to take this accrued leave.

### Suspension

- Individuals who are suspended from the workplace are expected and entitled to book annual leave during the period of suspension. In the event an individual makes a request to carry forward any leave balance above and beyond the carry forward amount agreed by the Chief Constable for the relevant year then this should be discussed with PSD, and the guidance for calculations considered.

## 5.7 Recall or Cancelled Annual Leave for Police Officers and Police Staff

Booked and agreed leave will not, as a matter of course, be cancelled, however in certain exceptional circumstances it may, for operational reasons, be necessary to do so. The working hours that were originally booked as leave must be worked in full, or any hours not worked, accounted for by a leave absence; i.e. annual leave or time off in lieu (TOIL).

## 5.8 Police Officer

If a police officer has booked leave cancelled or has commenced a period of annual leave and is recalled to work for any reason, the day becomes an ordinary working day. The original hours rostered for that day must be worked in full or any hours not worked, accounted for by way of leave absence; i.e., annual leave, TOIL flexi leave, ex – gratia leave, etc.

If a police officer is recalled from annual leave or has annual leave cancelled in advance, which was booked as 1 or 2 days on their own and not attached to any other time off or day (s) off, the officer will be entitled to have the number of hours booked as annual leave returned to their annual leave balance.

If an officer is recalled from a period of annual leave or has annual leave cancelled in advance where it consists of a minimum of 3 days (at least 1 of which was booked as a day of 'annual leave' – the rest may consist of rest (or in lieu) days, free (or in lieu) days, Public (Bank) (or in lieu) Holidays, time off in lieu (TOIL), flexi leave or ex-gratia leave (details in the Agile Working Guidance) or as at Surrey Police and Sussex Police Part Time Inspector and Chief Inspector Claims for Additional Working Hours then on either an 'annual leave' or 'time off in lieu' day, compensation will be awarded as follows:

- Recalled for or cancellation of 1 or 2 days within the period: The number of hours booked as annual leave or TOIL returned, and in addition for each day recalled either an additional 2 days of leave OR, if the officer chooses, 1 day of annual leave (Recalled) and 1 day of pay at double rate.
- For each day recalled thereafter (day 3 onwards): 1.5 days of annual leave OR, if the officer chooses, 1 day of annual leave and 0.5 day's pay at double time.

N.B. Where days are referred to above, in practice, calculations will be made in hours using the equivalent numbers of hours for the shift length taken off; for example if an individual took 10 hours leave and that day is cancelled they get 10 hours leave returned to their pot AND 10 hours at double time pay if they have chosen the second option in the circumstances laid out above.

## 5.9 Recall for Part-Time Police Officers

For part time officers the annual leave (recall) or pay at double time will be proportionate to their part time weekly working hours i.e. an officer working 30 hours per week would get annual leave compensation at 30/40ths.

## 5.10 Police Staff (Full Time)

Their annual leave balance will receive compensation for recall from annual leave as follows:

- If recalled within a single period for 1 or 2 days (whether or not consecutive) the number of hours' annual leave deducted for each day will be returned to the individual's annual leave balance. In addition, they will receive 7.4 hours annual leave (recalled) for each day;
- If recalled within a single period for 3 or more days (whether or not consecutive) the number of hours annual leave deducted for each day will be returned to the individual's annual leave balance. In addition, they will receive 7.4 hours annual leave (recalled) per day for the first 2 days and 3.7 hours annual leave (recalled) for each day thereafter.

#### 5.11 Recall on Public (Bank) and Public Holidays Which Fall Within a Period of Annual Leave for Police Staff

Recall on Public (Bank) holidays which fall in a period of annual leave will be treated in the normal way as indicated in the Unsocial Hours Policy: Remuneration for working Unsocial Hours (Shifts and Weekends), Overtime, Temporary Duty and Public (Bank) Holidays - Police Staff (426)

#### 5.12 Recall Where Time off in Lieu Falls within a Period of Annual Leave for Police Staff

Where time off in lieu forms part of a period of annual leave from which the individual is recalled, the number of hours booked will be returned to their "time off in lieu" balance.

5.13 For part time police staff, the annual leave (Recall) will be proportionate to their part time weekly working hours i.e. an individual working 30 hours a week will get annual leave compensation at 30/37.

### 6. Unauthorised Leave

6.1 Unauthorised absences are instances where an individual is absent from work for day / days or part-days without explanation and/or contact. Immediate action should be taken to establish the reasons for absence and all relevant factors should be explored.

6.2 Where an unacceptable or unsatisfactory explanation is given or no explanation is forthcoming, the line manager must consider what action may be required. If there are no acceptable reasons, the matter should be considered as a conduct issue and formal disciplinary action should be considered.

6.3 If the reason for absence is due to sickness the manager should remind the individual that the Force procedure for reporting sickness in accordance with the Attendance Management Policy (Surrey and Sussex) (950) should be explored.

### 7. Unpaid Leave (including unpaid carers leave)

7.1 Line managers can authorise up to a maximum of 5 days unpaid leave (equivalent hours of 40 hours for officers and 37 hours for staff pro rata) for any one leave year where annual leave entitlement, or other relevant paid leave types have been exhausted.

If this leave type is being used to undertake caring responsibilities up to 7 unpaid leave days can be taken per leave year (12 months). There is no requirement for annual or other types of leave to have been exhausted although consideration should continue to be given to alternative options, including use of paid carers leave. Leave can be taken in part or full days and does not have to be taken as a 7 day block but could be.

Line managers should send an email to the People Resolution Centre (PRC) to confirm the unpaid leave that's been agreed to ensure SAP is updated and the correct adjustment to pay is actioned.

7.2 For police officers under the 2015 Police Pension Scheme (PPS), any period of unpaid leave shall be disregarded for the purposes of pensionable service but may be treated as qualifying service, subject to the scheme's provisions. As long as the individual remains in eligible service (i.e., still employed), they will retain entitlement to benefits such as death in service and injury benefits, where applicable.

7.3 For police staff, any period of unpaid leave shall be disregarded for the purposes of pensionable service, unless the individual elects to pay Additional Pension Contributions (APCs) to cover the period of absence, in accordance with the Local Government Pension Scheme (LGPS) regulations.

7.4 In cases where an extended period of unpaid leave is being considered please refer to the Career Break Policy (Surrey and Sussex) (173)

7.5 Individuals should check their pay slip shows a reduction in basic pay for the unpaid leave taken.

## **8. Compassionate Leave**

8.1 Compassionate Leave is available to provide support to help an individual cope with a traumatic event or circumstance, to be used when more appropriate than sickness and/or any other category or statutory provision, such as dependents leave or parental bereavement leave. There is no qualifying period in terms of length of service.

N.B Specific provisions for parents regarding Neonatal Care Leave (which will apply to parents of babies who are admitted into neonatal care up to 28 days old and who have a continuous stay in hospital of 7 full days or longer) can be found in the Parenting Leave Policy (Surrey and Sussex) (913).

Examples where compassionate leave can be agreed can include but is not limited to

- The severe ill health, injury or death of a partner, close relative, or Dependant;
- Experiences that cause individual harm or trauma;
- Caring for a loved one who is terminally ill.

Both Surrey Police and Sussex Police are keen to support our workforce who have become the victims of crime, especially Domestic Abuse (DA) (but not limited to DA) and line managers are encouraged to speak to their staff regarding their individual needs and use this type of leave if appropriate.

The amount of time people may need and how leave will be taken will vary depending on individual circumstances. Compassionate leave allocation is per event and not per leave year.

Aside from compassionate leave requests for related time off and/or flexibility, e.g. using annual leave, time off in lieu, and/or adjustment to working arrangements should be considered compassionately.

How compassionate leave and other time off is taken should be discussed and agreed between the line manager and individual, alongside agreeing other related matters such as contact whilst away from work, other support, arrangements and support for returning to work etc.

Compassionate Leave will be paid at normal daily rate, exclusive of rest days and irrespective of remaining annual leave or flexi-time.

## 8.2 Compassionate leave not related to bereavement

Line manager discretion is needed to determine the amount of Compassionate Leave needed depending on the individual circumstance

Up to 5 days inclusive can be authorised by a line manager and up to 10 days should be authorised by a Chief Inspector or police staff equivalent M1 and above.

Leave exceeding 10 days should be taken from annual leave or rest days, except under the most exceptional circumstances, and then only with the authorisation of a senior manager. In such instances referral to Occupational Health should also be considered, having regard to the individual's welfare needs.

The line manager should ensure that the individual is aware of the support that is available via the Wellbeing Hub on the Force intranet.

Where the individual is absent from work and therefore unable to book the leave via SAP the line manager will book the absence via the Unplanned Absence Portal.

## 8.3 Compassionate leave for bereavement

Please note: There is also a specific leave type for parental bereavement leave

It is important that an individual informs their line manager as soon as possible following a bereavement. Should this be too difficult then someone can inform on their behalf.

Compassionate leave is one part of support available for individuals and should be considered alongside other support available, which can be found in the Bereavement Toolkit and for child loss in the child loss support matters guidance.

The individual's line manager is responsible for authorising paid compassionate leave of up to 10 days as appropriate depending on the circumstances. If leave exceeds 5 days then the 2nd line manager must be informed.

Along with the information in the Bereavement Toolkit some of the things to consider when determining the amount of compassionate leave include:

- Closeness of the relationship
- Role in making arrangements, such as the funeral
- Distance the individual needs to travel
- Cultural and religious requirements

The amount of time people may need and how leave is taken will vary depending on individual circumstances. Leave does not have to be taken immediately after the

bereavement and/or as a block of time, for example, split to be more flexible with individual circumstances i.e. funerals, probate, and memorials / celebrations of life.

Line managers should ensure that the individual is aware of the support that is available via the Bereavement Toolkit and for child loss in the child loss support matters guidance.

## **9. Parental Bereavement Leave following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy.**

9.1 Parental Bereavement Leave supports parents so that they can take some time away from work to grieve in their own way and deal with related practical arrangements following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy. In other situations, compassionate leave may be more relevant. For police officers an additional reference is in Annex TA – Parental Bereavement Leave.

9.2 The definition of a 'bereaved parent' is that at the date of the child's death, the individual is:

- The child's parent. This includes:
  - adoptive parents, after a formal court adoption order has been made;
  - parents of a child born to a surrogate, after a formal court parental order has been made;
  - but does not include biological parents once such an adoption order or parental order has been made, unless they have a contact order which allows them to maintain contact with the child after the adoption.
  - Adoptive parents, before a formal adoption order has been made, from the point at which the child is placed with them for adoption, so long as that placement has not been disrupted or terminated
  - In the case of an adoption from outside the UK, the adoptive parent will qualify before a court order is made if the child is living with them following their entry into Great Britain, and if they have received a written notification from the relevant domestic authority that it is prepared to, or has already, issued a certificate confirming that the person has been assessed and approved as a suitable adoptive parent
  - Parents of a child born to a surrogate, before a formal parental order has been made, if they have applied for a parental order or intended to apply for a parental order (and expected to get it) within 6 months of the child's birth
- The child's 'parent in fact' (see further below)
- The partner of any of the above (whether of a different sex or the same sex), if they lived with the person above and the child in an enduring family relationship.

An individual will be the child's 'parent in fact' if the child has been living with them, in their own home, continuously for a period of 4 weeks ending with the date of the child's death, and they have had day to day responsibility for the child's care during that time. Any temporary or intermittent absences are disregarded when deciding whether a period is 'continuous'.

However, the individual will not qualify to be a 'parent in fact' if either:

- one of the child's parents, or anyone with parental responsibility (or in Scotland, parental responsibilities) for the child, is living in the same premises; or
- the individual was receiving (or was entitled to receive) remuneration in respect of the care of the child. The following types of payment do not count as 'remuneration' in this situation:
  - A fee or allowance paid by a local authority to a foster parent;
  - Payments wholly or mainly intended to reimburse the person for expenses arising from the person's care of the child; or
  - Amounts received pursuant to the terms of a will, trust or similar instrument which makes provision in respect of the child's care.

9.3 Line managers may authorise up to two weeks paid leave taken in blocks of a week (a week being seven days in a row) either as two individual weeks or two consecutive weeks but taken before the end of 56 weeks following the death of a child. The 56 weeks allows for other statutory leave such as maternity / shared parental / adoption / paternity leave and sick leave to be taken and for bereavement leave to be taken afterwards. If more than one child has died, the parent is entitled to a period of bereavement leave for each child.

9.4 There is no qualifying period in terms of length of service and Parental Bereavement Leave will be paid at normal daily rate, and irrespective of remaining annual leave or accrued additional hours such as TOIL.

9.5 Requests for Parental Bereavement Leave should be treated sympathetically, irrespective of the disruption or inconvenience caused to service delivery. Managers should be aware that religions and beliefs have different customs in the event of death therefore line managers need to apply discretion dependent on the individual circumstances. The line manager should ensure that the individual is aware of the support that is available via the Wellbeing Hub on the Force intranet including the confidential counselling via the Employee and Volunteers Assistance Programme (EVAP).

9.6 The process of grief and the adjustment to loss and change may take a significant time and will be personal to each individual. If sickness is more appropriate due to related physical and/or mental conditions this should be considered; further guidance for managing sickness absence can be found in the Attendance Management Policy (Surrey and Sussex) (950) other alternatives, such as temporary adjustment to working pattern, or short notice time off may also be applicable as may compassionate leave, paid and or unpaid.

9.7 Line managers should invest time into supporting individuals from maintaining contact whilst they are off and through the transition of returning to work, remembering that for them their life has changed irrevocably. Both the individual and line manager may find support available to them both on the wellbeing hub helpful including the mental health resources. Line managers may want to consider a short-term phased return to work where practicable to facilitate a return. Planning and having support in place from both



line manager and colleagues will be crucial as returning to work does not necessarily mean their grief has subsided and they may still have moments during which they may face challenges with their mental wellbeing. More information and sources of support can be found in the child loss support matters information.

9.8 The individual will inform their line manager as soon as is reasonably practicable booking the leave via SAP. Where the individual is away from work and therefore unable to book the leave their line manager is to do this on their behalf involving the Duties Team. There is no requirement to provide any documentation i.e. a death certificate as evidence. Further information can be found in the Bereavement Toolkit.

## **10. Disability Leave**

10.1 Disability Leave is paid leave that allows reasonable absences during working hours for rehabilitation, assessment and treatment for a condition covered by the Equality Act 2010.

The Equality Act 2010 defines a disabled person as anyone with “a physical or mental impairment which has a substantial and long-term adverse effect upon their ability to carry out normal day-to-day activities”.

Examples of disability leave are shown below, in each case there may be immediate side effects, usually occurring on the day of any treatment, which it may be reasonable to record as part of the disability leave as well as the actual treatment.

- Two hours of physiotherapy every fortnight for a fixed and agreed period of time as treatment for a disability;
- A course of injections or manipulations to control pain resulting from a disability, for a fixed and agreed period;
- A course of talking therapy, such as, Cognitive Behavioural Treatment sessions of 30-60mins fortnightly for a fixed and agreed period of time to manage a mental health disability;
- An individual is diagnosed with cancer which requires treatment, such as Chemotherapy or other hospital treatment. The treatment in hospital can be recorded as disability leave;
- An individual attends an appointment to review medication treatment and have resulted in changes made.

Disability Leave should cover a fixed period or periods of time that the organisation and the individual know about in advance. The predictable and fixed nature of Disability Leave distinguishes it from sickness absence.

Disability Leave is an example of where Sussex Police are meeting their obligations by making a ‘reasonable adjustment’ to cover a particular condition covered by the Equality Act 2010.

10.2 Requests for Disability Leave must be discussed with the line manager and recorded separately to sickness absence. Disability Leave should not be used to cover periods of sickness absence, whether or not the sickness is directly related to the

individual's disability. Should a sickness arise as a result of the disability leave, this will be recorded as sickness absence. Individuals may be required to provide an appointment card or GP / Consultants letter.

10.3 Once agreement has been given, the individual can submit a request for DDA Related Leave via SAP ensuring that the name of the approving line manager is recorded. (NB: the reason for absence will be recorded but will not show on SAP / MINT).

10.4 On-going needs for disability leave should regularly be reviewed to ensure that all agreed arrangements remain fit for purpose.

## **11. Dependants Leave**

11.1 Dependents Leave supports an individual to take a reasonable amount of time off to deal with an unexpected event or emergency involving a dependent. A dependent could be a spouse, partner, child, grandchild, parent or someone who depends on you for care, such as a foster child or elderly neighbour.

The intention is to enable the individual to deal with unplanned and unexpected events, and to make immediate provision for any necessary longer-term arrangements.

A reasonable interpretation of an unplanned event/emergency is that it is happening now or within the next 24/48 hours. So, in most cases dependents leave is unlikely to apply if the situation is known about in advance, e.g. a planned appointment in a few months' time when it is more likely to be reasonable that alternative arrangements could be made.

For most cases, up to one or two days should be a 'reasonable amount' of time and will be paid.

On an exceptional basis, dependents leave may also be applicable for events happening more than 48 hours away\* if the individual has tried but exhausted options to make alternative arrangements.

\*People Services can be contacted for more advice and guidance if dependents leave is requested for time off more than 24/48 hours in advance and/or more than two days is requested. If line managers require further advice, then they should contact the People Resolution Centre (PRC).

11.2 Regulations / Legislation do not specify the amount of time off which is reasonable for an employer to allow, since this will vary depending on the circumstances.

If 2 days is insufficient time to deal with the unexpected situation, line managers may agree a further 'reasonable amount' of time off which may include, for police staff, unpaid dependents leave. For police officers more guidance is also detailed in Regulation 33 Annex T.

'A reasonable amount', of time will vary dependent on the circumstances. Factors to consider may include:

- The nature of the incident;
- The relationship between the individual and the Dependent;
- The extent to which anyone else is available to help;

- The number of previous incidents as well as the dates when they occurred.

Dependents Leave is intended to allow time to provide some temporary assistance and is not intended to be used longer term.

11.3 A 'dependant' is defined at 11.1 and here are some examples of the types of emergencies for which Dependency Leave would apply:

- If a dependant falls ill, or has been injured or assaulted;
- When a dependant is having a baby unexpectedly;
- To make longer term care arrangements for a dependant who is ill or injured;
- To deal with the practicalities and administration following a death of a dependant. (Managers should be aware that religions and beliefs have different customs in the event of death. Refusal by Sussex Police to allow individuals to take reasonable time off in which to comply with their religious beliefs following a dependant's death, may be discriminatory);
- To deal with an unexpected disruption or breakdown of care arrangements for a dependant;
- To deal with an unexpected incident involving the individual's child during school hours / school trip;
- To deal with an unexpected disruption to working hours during extreme weather.

11.4 There is no qualifying period for Dependents Leave to be agreed.

11.5 Requests for Dependents Leave will be treated sympathetically, irrespective of the disruption or inconvenience caused to service delivery.

11.6 The individual will inform their line manager of the reason for their absence as soon as is reasonably practicable, giving an indication of how much time away from work may be required.

11.7 Where the individual is absent from work and therefore unable to book the leave via SAP, the Line Manager will book the absence via the Unplanned Absence Portal.

11.8 Other leave types may offer a more appropriate or additional way to help support an individual, such as carers leave, compassionate leave or parental bereavement leave. For a full list of the various leave types please refer to the index section of this document.

## **12. Carers Leave**

12.1 Carers Leave is intended to enable individuals take up to five days\* pro rata of paid leave per leave year (which can be taken in hours, half days or full days), to deal with situations involving a relative, partner, member of the family (including foster child) who you have caring responsibilities for who cannot manage / cope without help because they have a long-term (more than 6 months) terminal or degenerative medical condition or disability.

Carers may or may not live with the person for whom they care e.g. an elderly Parent who depends upon your support. Carers do not have to be formally registered as a carer

to use this leave and may be in receipt of carer's allowance. In order that the organisation can support carers it is recommended that individuals discuss their caring responsibilities with their line manager, and they may also find it useful to consider a carers adjustment passport (and associated guidance) to prompt consideration for support. More information about carers and the impact a caring role can have can be found on the intranet.

\*Converted to hours using the same calculation as explained in the annual leave section. (Note: Carers Leave is worked out on an individual's average weekly hours i.e. a police officer's average week is 40 hours and Sussex Police staff 37 hours a week and, if for example an individual in Sussex works a nine day fortnight it would still be 37 hours per week. Part-time would be a pro-rated amount so a police officer working 0.5 of a post would be 20 hours of carers leave per leave year to be taken as needed).

12.2 When considering requests, line managers should consider the following factors (this list is not exclusive):

- The reason the time is requested;
- The relationship between the carer and individual they care for;
- The extent to which anyone else is available to help;
- Long term (more than 6 months) conditions and disabilities can result in secondary (linked) medical conditions.

12.3 Carers Leave can be used when appointments fall within working hours that are unable to be moved to non-working days, such as:

- Accompanying them to an appointment for initial diagnosis or further investigation;
- Meetings with solicitors / lawyers or with medical teams including social workers;
- Visiting long term care facilities i.e. residential home, hospice;
- Overseeing required adaptations to the home environment, when it is not possible to work remotely due to job role; the changing home environment e.g. noisy equipment, or the level of care support needed;
- Providing caring support for those with a disability, long-term (more than 6 months), terminal or degenerative medical condition e.g. regular screening or frequent treatment appointments and initial recovery period after treatment.

12.4 Carers Leave enables the individual to take time off, when it has not been possible to move appointments to rest or flexi days. Management are encouraged to be flexible with carers, to have a good understanding of their caring responsibilities (carers adjustment passport) and to utilise agile working and/or short term flexible working to support the carer.

12.5 The five days\* pro rata of paid carers leave runs from 1 April to 31 March each year, in line with the annual leave year, it can be used for more than one dependant e.g. for a full time police officer 24 hours to care for one person e.g. parent and a further 16 hours

for another e.g. child both with a long term (more than 6 months), terminal or degenerative medical condition or disability.

12.6 Line managers are encouraged to work with the carer to determine when and how much carers leave is needed depending on their individual circumstances (up to a maximum of 5 paid days' pro rata (which can be taken in hours) per leave year). Note: Individuals do not have to have exhausted other leave types to be able to apply for Carers Leave. In addition, if paid Carers Leave has been exhausted line managers could consider other types of leave, e.g. a period of unpaid Carers Leave to be used to carry out caring responsibilities. NB: Unpaid Carers leave should be requested separately to paid Carers leave by requesting unpaid leave. It may also be appropriate to consider other types of leave and/or working arrangements, such as short term, which can be recorded in a carers adjustment passport. Longer term flexible working can be requested using the Flexible Working Policy (Surrey and Sussex) (816). Once line manager agreement has been agreed for Carers Leave to be taken, the individual must enter the request on the SAP Portal using Carers Leave. (NB: the reason for absence will be recorded but will not show on SAP / MINT).

### **13. Parental Leave**

13.1 Parental Leave is the right for parents or those with legal responsibility for a child, to take unpaid time off work to look after a child or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.

13.2 Individuals who have completed one year's continuous service are entitled to take unpaid Parental Leave.

13.3 Parental Leave entitlement is 18 weeks for each individual child born or adopted. In the case of multiple births, parents will be eligible for 18 weeks for each child.

13.4 As long as the notice period of 21 days is given, Parental Leave (18 weeks) may be used for each child and adopted child up to their 18th birthday.

13.5 In all cases a maximum of four weeks Parental Leave per year may be taken in respect of any individual child for police staff. For police officers up to eighteen weeks can be taken as specified by Regulation 24 (3) (g) of the Police Regulations 2003.

13.6 The application to the line manager must specify the dates when Parental Leave is to begin and end.

It is possible to postpone (delay) the dates the leave is taken if there is significant reason to do so, e.g. it would cause serious disruption to the organisation to agree the leave is taken at the time requested. With the exception that the leave cannot be postponed if requested by the father or partner immediately after the birth or adoption of a child and/or a delay would mean the individual would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday.

A requirement to postpone the parental leave dates requested has a high threshold and likely to result from an exigency of duty. Advice should be sought from the People Resolution Centre (PRC) if a need to postpone (delay) the dates has been identified.

If leave dates are postponed the reasons why must be confirmed in writing to the individual within 7 days of the original request being made and a new date suggested that is within 6 months of the requested start date. The amount of leave being requested cannot be changed.

13.7 Police officers can take leave in blocks of a week or multiples of one day as specified by Regulation 24(3) (g) of the Police Regulations 2003. Police staff can take leave in blocks of a week or more, however parents of disabled children do have the additional option to take Parental Leave in blocks or as individual days. A week equals the length of time an individual normally works over a 7 day period.

13.8 Evidence may be requested to confirm entitlement of Parental Leave e.g. the child's birth certificate, papers confirming adoption or the date of placement in adoption cases or the award of disability living allowance for the child.

13.9 Sussex Police reserve the right to make enquiries of a previous employer or seek a declaration from the individual about how much Parental Leave he or she has taken. This will be carried out by the PRC at the time that Parental Leave is requested.

13.10 If the period of Parental Leave is four weeks or less, individuals have the right to return to the same job.

13.11 A period of Parental Leave does not affect entitlement to paid annual leave. Whilst on Parental Leave you will receive 1 Public (Bank) Holiday per Public (Bank) Holiday that falls within your period of Parental Leave. This will be pro-rated if you are part time.

13.12 Leave taken as Parental Leave will be reckonable for:

- Incremental pay and leave purposes;
- Inclusion in any period of probationary service;
- Count towards a period of continuous employment for the purposes of statutory employment protection rights e.g. calculating a redundancy payment.

13.13 Individuals are entitled to buy back, for pension purposes, reckonable service in respect of any period taken as Parental Leave.

13.14 All applications for Parental Leave must be made in the respective ways:

Police officers must direct their application via the PRC to the Divisional Commander or Head of Department.

Police staff must direct their application to the PRC.

## **14. Fostering**

14.1 The following applies when fostering a child / children:

- There is no legal right to time off for fostering;
- It is recognised that in such cases, individuals have specific obligations towards the child / children in accordance with their arrangement with the local authority and that, in some cases, the child / children may require a high level of care;

- Sussex Police recognise that some individuals may wish to consider fostering. If an individual fosters a child / children and this leads to an adoption, the individual will move from fostering entitlements to adoption entitlements;
- Sussex Police aim to support individuals through this process within reason, taking account of our duty to maintain organisational and operational effectiveness;
- Employees who are intending to foster a child / children should request 'Special Leave' from their line manager with not less than four weeks' notice of their intention to train as a foster carer. This will allow the line manager time to ensure that resourcing levels are met and offer support and encouragement to the individual;
- Each case will be dealt with on its own merits and Sussex Police reserve the right to apply discretion to any request for additional paid Special Leave over and above that listed below.

The following entitlements apply:

- Within each financial year a full time police officer may apply for up to 40 hours paid leave;
- Within each financial year a full time member of police staff may apply for up to 37 hours paid leave;
- Leave may be taken in blocks or part days;
- All entitlements will be pro-rated for part time workers to the equivalent of their working pattern;
- Individuals who have parental responsibility can also consider taking a period of Parental Leave. Details of this can be found at Section 13.

14.2 Please be aware that fostering may be considered as a business interest but is also subject to disclosure under the Joint Force Vetting Policy (co-residents). Please refer to the Business Interests and Additional Work Policy (Surrey and Sussex) (965) and Joint Force Vetting Policy (Surrey and Sussex) (592) for more information.

## **15. Fertility Treatment**

15.1 Sussex Police aim to reasonably support individuals whilst taking account of their duty to maintain organisational and operational effectiveness.

15.2 Any time agreed off for fertility treatment is specifically agreed for the individual undergoing treatment, including for surrogates (for egg / sperm donation please see first section 'Elective surgery / procedure - Organ or Bone Marrow Donating and Egg / Sperm donation'). Managers will review all requests based on what can be reasonably supported and as a general guide paid time for fertility treatment will be allowed for individuals to attend appointment / ultrasound scans etc. Partners are also eligible for paid time off of up to 16 hours pro rata for police officers / 14.84 hours pro rata for staff per treatment cycle which should be booked via email (including the authorisation confirmation from the line manager) to Duties to confirm the dates / times that have been agreed. As well as any time off that is agreed line managers should be considerate of the impact of fertility treatment on individuals.

Below is a helpful link to a factsheet produced by Fertility Network UK which provides guidance to line managers in understanding some of the concerns about time off for fertility treatments, additional support during the process and what if any reasonable adjustments to duties and responsibilities may be requested.

<https://fertilitynetworkuk.org/trying-to-conceive/fertility-at-work/>

A risk assessment specific for fertility treatment is available in the Health and Safety Risk Assessment section of the Force intranet and is recommended for us to support individuals and line managers. This and other useful information can be found in the Fertility Support Matters area of the Force intranet.

15.3 Line managers need to be informed in advance of appointments and all planned absences in order to ensure business and operational continuity of service. Line managers are expected to maintain the discretion and confidentiality for individuals and consider any risk assessment considerations related to undergoing treatment in the same way they would for any medical treatment. If individuals want to maintain discretion about taking fertility treatment and prefer to book time as annual leave in the first instance it is possible for records to be updated at a later date to reinstate annual leave and replace with fertility leave.

15.4 Managers will review all requests based on what can be reasonably supported and as a general guide:

- Full time police officers may apply for up to 40 hours paid leave per treatment cycle
- Full time police staff may apply for up to 37 hours paid leave per treatment cycle
- Leave may be taken in blocks of days or part days

All entitlements will be pro-rated for part time workers to the equivalent.

## **16. Medical Screening**

16.1 Individuals will be agreed paid time off work for medical screening (e.g. cervical, breast, testicular and prostate screening). Appointments should be agreed with the individual's manager.

## **17. Elective Surgery / Procedure**

17.1 Elective surgery is defined as surgery (or a procedure) which is not linked to treatment of an illness, accident or injury, disease, condition or genetic or birth defect or a protected characteristic as defined by the Equality Act 2010.

17.2 There is no legal right to paid time off for elective surgery. Line managers need to be informed in advance of appointments and all planned absences in order to ensure business and operational continuity of service.

17.3 For all requests line managers will consider the impact on organisational needs as well as that of the individual.

### **17.4 Elective Surgery – Cosmetic**

The following is a list of those conditions may be considered as examples of elective cosmetic surgery:



- Breast surgery (e.g. enhancement);
- Gastric band surgery or weight loss surgery (including liposuction);
- Any facial cosmetic surgery or procedure;
- Any dental cosmetic surgery or procedure;
- Sterilisation surgery or procedure which has not been medically prescribed e.g. a vasectomy;
- Laser eye treatment;
- Removal of bunions / warts.

The above list is illustrative for guidance purposes and is not exhaustive. Sussex Police reserve the right to consider each case on its own merits.

17.5 Paid time-off will not be given for elective cosmetic surgery, (i.e. elective if not recommended for psychological / health reasons as confirmed by a registered medical practitioner). If individuals want to take time off for elective surgery, other types of leave should be used, e.g., annual leave and unpaid leave may be agreed at management discretion. Alternatively, consideration can be given, subject to operational requirements, to the flexibility of working hours around the time of a procedure i.e. working increased hours with agreement from line manager to accumulate time in advance to allow time off for a procedure.

Individuals should:

- Inform their line manager as soon as their plans to undergo elective surgery have been confirmed;
- Provide a statement from a qualified medical practitioner that an elective surgery has been approved and giving the likely duration of recovery; and
- In agreement with their line manager, arrange elective surgery at a time that will cause the minimum amount of inconvenience to the organisation.

17.6 Should complications arise, and the individual is not fit to return to work normal sickness reporting procedures should be followed. If the absence for elective surgery extends beyond the time booked for elective surgery and the individual remains unfit to return to work, it becomes sickness absence. The time off will be paid under the Statutory Sick Pay rules only. The pay team should be notified that pay should be paid at statutory sick pay only by email confirming the relevant dates.

17.7 If surgery is recommended for a medical reason by a medical practitioner, e.g. reconstructive surgery following breast cancer treatment, usual attendance management processes, including payment of ordinary sick pay should be followed. Any sickness absence incurred as a result of cosmetic surgery for non-medical reasons will be paid at statutory sick pay rates only.

17.8 As with sickness absence, confidentiality / privacy of the individual should be considered and maintained when recording / processing the absence. NB In some case Disability Leave may also be a consideration.

## 17.9 Elective Surgery – Organ or Bone Marrow Donating and Egg / Sperm donation

In this context 'donating' is defined as the donation of an organ or body part which is needed by another person in order to improve or save their life. This procedure would either be via an official donor register or to a person known to the donor.

17.10 Paid time-off for donation procedures, e.g. bone marrow donation, will be allowed subject to operational requirements. Individuals should:

- inform their line manager as soon as their plans to undergo elective surgery / procedure have been confirmed;
- provide a statement from a qualified medical practitioner that elective surgery / procedure has been approved and giving the likely duration of recovery; and
- in agreement with their line manager, try to arrange elective surgery / procedure at a time that will cause the minimum amount of inconvenience to the organisation, appreciating due to the nature of the donation the opportunity to do so may be restricted.

17.11 The expectation is that the surgery / procedure and recovery time will last no more than 7 days. Where time off is needed for assessments or pre-operation tests this should be arranged a round working hours, or an option would be to take this time out of the 7 days allocation. Request for paid time off should be requested via email (authorised by a line manager) to the Duties Team and will be recorded as special paid leave. Each case will be considered on the individual circumstance and Sussex Police reserve the right to apply discretion to any request for additional paid leave required over the amount above. If complications arise the individual should then follow usual attendance management procedures.

17.12 As with sickness absence, confidentiality / privacy of the individual should be considered and maintained when recording / processing the absence.

## 18. Public Service Leave / Public Duty

18.1 Sussex Police are committed to supporting their local communities and so wherever practicable will provide individuals with the leave to perform public duties, in appropriate circumstances and in line with the government public duty provision. Leave must only be taken for duties set out in 18.2 below and must not be utilised for other types of volunteering.

For police officers the holding of public office is limited by Regulation 6 (Schedule 1) and in relation to police staff is in line with the provisions of the Employment Rights Act 1996. Additionally, there are certain posts for Sussex Police which are 'politically restricted', which means the individual is prevented from having any active political role either inside or outside the workplace. Please refer to the Business Interests and Additional Work Policy (Surrey and Sussex) (965).

18.2 Statutorily, there are no clear limits on the amount of time off permitted, although managers will take care to ensure only reasonable requests are agreed. In most cases 5\* days (police staff 37 hours) will be considered reasonable (\*converted to hours using the same calculation process as explained in the annual leave section). If more than 5 days are required in any one leave year the individual will need to use their annual leave or

take unpaid leave. In exceptional circumstances, Department Heads have the authority to extend the amount of paid leave.

Typical aspects that line managers will consider when reviewing requests will include:

- The potential amount of time off required, per duty and over what period;
- The potential for conflict of interest with the individual's current role and any planned public duty;
- The time off already agreed to an individual for this public duty;
- The workload and impact of absence on the remaining team members.

It may be that where the time off requested involves a series of pre-determined dates, e.g. such as for a school governor, that each date can be discussed in advance to allow maximum planning, ensuring minimum disruption to service provision.

Public duties considered to be 'appropriate' (refer 18.1) include the following:

- Serving as a Local Councillor;
- Service as a Justice of the Peace (JP) or Magistrate;
- A member of a board of prison visitors or a prison visiting committee;
- A member of a health authority;
- A member of the managing or governing body of a relevant education establishment maintained by a local education authority;
- A member of The Environment Agency;
- A member of any statutory tribunal (for example an employment tribunal).

N.B. Individuals are not eligible to be considered as a member of a Police & Crime Commissioner Body.

18.3 Individuals who are contemplating public duties, must at an early stage before committing themselves, seek permission via their line manager, who will seek agreement from the Department Head. Requests must be in writing. Each instance of time off for public duties leave must be recorded via the Duties Team.

## **19. Magistrates Duty**

19.1 Leave may be agreed, at the discretion of the line manager and subject to the needs of the Force, up to a maximum of 18 days paid leave in any 12 month period. This may be taken in whole or half days.

## **20. Parliamentary Candidature**

20.1 Individuals who are adopted as candidates at a Parliamentary Election may be agreed up to 4 weeks leave to enable them to pursue their candidature. The leave will be as follows:

- 3 weeks' paid leave;

- 1 week unpaid leave.

Note: Police officers would need to resign from the Force if successfully elected.

20.2 No special features should be provided to any such individual and their ability to remain an individual should be determined by reference to the Local Government and Housing Act 1989. Restrictions apply to individuals occupying politically restricted posts.

20.3 An individual elected to Parliament must resign from the Force. When the individual ceases to be a Member of Parliament they would have no right to reinstatement to any post within the Force and no undertaking of this type should be made.

## **21. Election Duties**

21.1 Individuals accepting posts as Presiding Officers and Poll Clerks of Parliamentary, County Council or District Council Elections may be agreed paid Special Leave, at the discretion of the line manager. Restrictions apply to individuals occupying restricted posts, and therefore advice must be sought from the People Resolution Centre (PRC).

## **22. Census Enumerators**

22.1 Individuals who work as enumerators on the national census may be agreed one day's paid leave.

## **23. Jury Service**

23.1 When a notice to attend Jury Service is received the individual should inform their line manager as soon as possible. Each instance of time off for public duties must be recorded via the SAP Portal.

23.2 The individual will not lose any rest days and, wherever possible, will be given a rest day in lieu on the Sunday before the jury service starts, the Saturday and Sunday the following weekend and at least the Saturday following Jury Service.

23.3 The individual may be released from Jury Service early on some days but will not be required to make up any hours. Additionally, any requirement to serve any extra hours will not be regarded as overtime. The only exception to this will be where a police officer has been released from service for the day and then is required to place themselves "on duty" i.e. to make an arrest. Under these circumstances the officer will be able to claim for a recall to duty.

23.4 Where an individual is completely released from Jury Service for a day or a number of days towards the end of their Jury Service, the individual will be expected to return to work to complete the hours of duty rostered for that day or days. Their actual duty will be agreed with the line manager.

23.5 The individual will continue to receive their salary during the period of Jury Service leave so there is no requirement to claim for loss of earnings, but any travelling and out of pocket expenses will have to be claimed direct from the court.

## **24. Volunteer Reserve Force**

24.1 The Volunteer Reserve Force is the collective term for the Territorial Army; Royal Naval Reserve; Royal Marines Reserve; Royal Auxiliary Force; and the Royal Air Force

Volunteer Reserve. Please refer to the Reserve Forces Policy (Surrey and Sussex) (1025) for information around leave entitlements.

## **25. Cadet Force Adult Volunteers (CFAV)**

25.1 The Chief Constable in Sussex Police has made a commitment, as reflected in the Armed Forces Covenant, to support Cadet Force Adult Volunteers by offering a discretionary paid leave provision.

25.2 The Cadet Forces consist of adult volunteer instructors that provide training to Cadets within Sea Cadets, the Army Cadet Force, the Air Cadets and Combined Cadet Force.

25.3 Up to 56 hours officer / 51.8 hours police staff pro rata, each leave year, can be requested via line manager, once authorised it should be requested via email to Duties so it can be recorded as Special Paid Leave.

## **26. Trade Unions / Staff Association Leave – Special Leave**

26.1 Special Leave (paid) for trade union / staff association officials will be agreed for attendance at meetings and union related activities. The amount of time agreed will be in accordance with the individual Trade Union Facilities agreement in place for Sussex Police.

## **27. Sporting Events – Special Leave**

27.1 An individual who is selected to represent their country after qualifying through recognised events / championships to participate in a sporting event at national or international level, may claim up to 5 days paid leave at the discretion of the line manager, subject to agreement which can be requested by email.

Additional paid leave, to participate in an international sporting event, may be agreed at the discretion of the line manager, subject to discussion and agreement which can be requested by email in consideration of location of the event, length of event, etc.

27.2 Leave to attend a national or international sporting event as a team manager, coach, or as a carer accompanying a disabled participant may be agreed at the discretion of the line manager, subject to agreement which can be requested by email.

27.3 If agreement is given in relation to 27.1 or 27.2 the line manager will need to ensure the details are recorded via the Duties Team.

## **28. Public Holiday Selection – Police Officers**

28.1 Police officers can swap, with exception of Christmas Day, one or all of the statutory public holidays with an alternative day(s).

Please refer to the

Surrey Police and Sussex Police Public (Bank) Holiday Selection for Police Constables and Sergeants – Flowchart

Surrey Police and Sussex Police Public (Bank) Holiday Selection Form

## **29. Lecturing (Special Leave)**

29.1 Special Leave for lecturing is the provision for time away from work, to work as a lecturer (with or without fees). This is often related to the specialist nature of some police roles.

29.2 Individuals must have agreement for this as a business interest (see Business Interests and Additional Work Policy (Surrey and Sussex) (965)).

29.3 Full consideration will be given to the content of the lecture / teaching. Individuals who request such leave must provide evidence from the organisation concerned that:

- They are required to undertake such work;
- What the work entails;
- The specific dates and times of the lecture / teaching.

29.4 Special Leave for lecturing will be unpaid, unless at the discretion of the appropriate Inspector / Head of Department it is considered that the teaching will be to the benefit of the Force. If paid Special Leave is agreed, then this would apply only to the period of time required for the delivery of the lecture / teaching.

29.5 Requests for Special Leave for lecturing must be made to the line manager and must then be agreed by the appropriate Inspector / Head of Department.

29.6 Once agreement has been agreed for Special Leave to be taken the individual should enter a request for Special Leave on SAP portal 'Special Leave lecturing'.

### **30. Use of Annual Leave Prior to Retirement and Pre-retirement Courses**

30.1 Consideration of the use of leave (all types) immediately prior to retirement:

- a) In planning time off, individuals should place priority on the taking of outstanding annual leave. Individuals and their immediate line managers should reach agreement between themselves as to the use of annual leave and other forms of time off in lieu as part of discussions about retirement;
- b) Decisions about leave will be taken in order to achieve the balance between operational need and the person's available combined leave 'pot';
- c) The manager and the individual should consider the use of outstanding leave to allow reduced hours working leading up to retirement and therefore assist the person in 'winding' down to their retirement. Individuals can take a maximum combined leave (all types) of up to 4 consecutive weeks in the 6 month period prior to retirement date;
- d) Where the combined leave exceeds 4 weeks, any outstanding time for annual leave that the person has not had the opportunity to take, will be compensated for financially.

There is no financial compensation for excess ex-gratia, rest days in lieu or Public (Bank) Holidays in lieu.

If an individual is required to work a rest day another rest day should be immediately booked. There should be a limited number of rest days in lieu outstanding prior to retirement (For Sergeants and Constables this is a statutory requirement in Regulations.).

30.2 In the 12 month period leading up to the date of retirement, individuals may be agreed up to 10 days unpaid Special Leave for attendance at suitable courses.

30.3 Suitable courses are those which assist the individual to develop interests and skills in activities they can pursue or gain benefit from, in retirement. The cost of such courses and any related travelling costs must be met by the individual. This provision does not include attendance at Sussex Police retirement course.

### **31. Special Constable Duties**

31.1 Sussex Police will give their police staff employees one shift each month to perform policing duties as a Special Constable. Part time staff who are Special Constables will be offered the leave days on a pro rata basis.

31.2 An individual may be released for more than one shift in a calendar month provided that the required 16 voluntary hours per month are worked and that workloads and resourcing within the department permit.

31.3 Requests to undertake Special Constable duties must be made to the line manager and agreed in advance, refer to the full Employer Supported Policing Policy - Special Constables (Surrey and Sussex) (1204) for further details concerning resilience.

31.4 Line managers and individuals have a joint responsibility to ensure that their working time and rest breaks are managed appropriately with a view to maintaining the individual's wellbeing and safe working practices.

31.5 Please refer to the Employer Supported Policing Policy - Special Constables (Surrey and Sussex) (1204) for further information.

### **32. Study Leave / Time – Police Officer and Police Staff**

32.1 Study Leave is the provision for time away from work to undertake a discretionary course / study that will enhance the skills, knowledge or ability of the individual either in their current or future role. It will not therefore usually apply to apprenticeships or mandated role related training as arrangement should be in place for a reasonable amount of work time to be used for assessments; however, on an exceptional basis, study leave may be appropriate if work time has not / cannot be given.

NB for this section any reference to days should be read as 8 hour days for officers and 7.4 hours for police staff. Study Leave quotas apply over the annual leave year for an individual, unless a specific exception is agreed for a particular programme (please see the section on exceptional arrangements below).

32.2 To be eligible for Study Leave / Time police officers / police staff must provide their line manager with evidence of how the course / study will develop their skills set, either for their current role, or in their next immediate policing role.

The discretionary provision for study leave assumes that study for only one qualification or programme or accreditation will be progressed at the same time. If consideration is being given to multiple accreditation programmes / qualifications at the same time (e.g. Detective accreditation and Sergeant promotion) the study leave in such circumstances should be no less than the maximum amount available to the individual (37 hours for police staff / 40 hours for police officers) but any more should be at the discretion of the

manager taking into account service needs; it is recommended that further advice is sought from the People Resolution Centre (PRC).

32.3 The request to take Study Leave / Time must be discussed and agreed well in advance, with the line manager, in order to ensure that there is no detrimental impact on the needs of the Force.

32.4 Subject to the discretion of the line manager agreement may be given to take up to a maximum of 5 days (equivalent to 37 hours for police staff or 40 hours for police officers) paid Study Leave / Time per annual leave year or the arrangements referenced in section 32.8 which are in place as agreed exceptions for the National Police Promotion Framework (NPPF), Detective and Cambridge bursary.

32.5 Line manager considerations for approving requests should include:

- a) The organisation wants to support the development of individuals by offering paid time off for study leave but this comes with it an expectation that individuals are similarly investing in their development themselves, i.e. matching study leave with use of their own time in their studies, e.g. by using annual leave;
- b) The dates of the course and whether leave should be proportional to academic year if it spans leave years;
- c) How the course / study will develop the individual's skill set for their current role or in their next immediate policing role;
- d) Expected timescale for the course and if study leave should be pro rata. For example, if training and accreditation is pro rata in proportion to individual's hours of work (FTE) or agreed extended period for study then study leave per leave year should similarly be pro rata, e.g. if a standard full time course is one year but the time period is extended to two years the study leave should be similarly pro rata to half of the 5 days (40 hours for police officers or 37 hours for police staff) per leave year.
- e) Whether the individual took relevant exams in the previous year; if they did not, study leave should not be granted for future years (unless with the discretion of line management in consideration of the specific circumstances, including how much study leave will be granted);
- f) Common examples of study leave can include:
  - A half day's paid Study Leave per final exam (which may include travel time). N.B. it is not intended for use for re-takes, unless for exceptional circumstances, e.g. failure of the exam was found to result from an individual having dyslexia which if known and adjustments had been made before the exam is likely to have resulted in the exam being passed so a re-take would not be needed;
  - A half day's paid leave per assessed assignment if the course is assessed via coursework, such as essays, and does not include examinations.

Any additional study requirement must be conducted in the individual's own time.

32.6 Once agreement has been agreed for Study Leave to be taken, the individual should enter the Study Leave request on SAP Portal ensuring that a brief summary of



what the study is for (e.g. NPPF step 2) and the name of the approving line manager is entered into the 'note box'.

### 32.7 \*N.B. Study Leave for Part Time Individuals

If an individual works part time and if training and accreditation is pro rata in proportion to individual's hours of work (FTE) then study leave per leave year should similarly be pro rata to reflect a maximum of their average weekly working hours or the arrangements referenced in section 32.10 which are in place as agreed exceptions for NPPF, Detective and Cambridge bursary. If the individual works part time but undertakes the study in the same period as applicable for an individual who works full time then study leave / time is not pro rata and the FTE maximum annual amounts for paid study leave (40 hours police officers / 37 hours police staff) will apply.

### 32.8 Exceptional arrangements

Exceptional arrangements (to study leave as described above) may be in place, as agreed under the terms of the agreed supported study arrangement which replace (i.e. are not additional) the Study Leave / Time arrangements described above. These arrangements assume one accreditation programme / qualification is being progressed at once. Adjustments may be required case by case should more than one accreditation programme or qualification be progressed at the time.

NPPF Step 2 – paid leave away from operational role purely for exam prep / revision of 2 days pro rata if applicable following the logic outlined above. N.B. The day of the exam is automatically shown on Duties so does not need to be booked as study leave.

NPPF Step 4 – paid leave away from operational role purely for study and coursework preparation (such as completion of essays) of 5 days pro rata if applicable following the logic outlined above.

\*Please note that Study Leave is not applicable to NPPF Step 3 (in-Force promotion process consisting of Future Focus and promotion interview) and any time allocated to this during work hours is at the discretion of your line manager.

Cambridge Bursary Scheme – paid study leave, as required by the course, of 6 weeks for the residential course plus 14 days study leave.

Detective Learner Programme – agreed 40 hours paid leave away from operational role purely to study / undertake exam (which does not have to be matched with annual leave, plus 2-day crammer course in duty time.

ACCA Accountancy accreditation – Sussex Police will allow one paid day off per exam to sit the exam plus one paid day off per course for revision in advance of exam.

32.9 Additionally, subject to the discretion of the line manager agreement may be given to an individual's duties being arranged to enable them to attend classes, seminars, which is in addition to study leave and should be recorded as special leave, in line with the following:

- A maximum of ½ day release per week if the course / study is at an agreed educational establishment e.g. college or university. Half a day is deemed to be ½ of an officer / staff member's usual daily working hours and will be paid;

- Up to 5 paid working days per academic year will be allowed for residential school, if this is a requirement of the course. This is in addition to Study Leave and is recorded as Special Leave.

Any additional requirement must be conducted in the individual's own time.

### **33. Leave for significant events (including religious, cultural and identity related events)**

33.1 There are a wide range of different dates that individuals may request to take as annual leave, such as to celebrate religious festivals, social events or ceremonies and other significant events. Sussex Police is not legally obliged to grant annual leave for such occasions but recognises the individual importance and association of wellbeing in being able to attend. Where it is reasonable, practical and does not affect organisational operability, and where the individual has sufficient holiday entitlement in hand the request should be granted. While it may be practical for one or a small number of individuals to be absent from work, it might however be difficult if several requests are made at the same time. In these circumstances the manager should discuss the matter with the individuals that could be affected as soon as possible. During this conversation, the manager should aim to balance the needs of the organisation first and then the needs of individuals wishing to have time off.

33.2 Individuals should give as much notice as possible when requesting any type of leave and in doing so should also consider that there may other colleagues who would like to take leave at the same time. Managers should discuss with the individuals that wish to take leave at the same time and try to come to an agreement.

33.3 Police staff rostered to work who want to take the day off should book this as time off in the normal way.

33.4 Police officers may also wish to consider the Public / Bank Holiday Leave for Police Officers Flowchart as Regulations includes an option for them to choose alternative dates to the official Public (Bank) Holiday dates.

33.5 Both officers and staff may also want to consider use of the Protected Days Policy (Surrey and Sussex) (1094) which provides an option for police staff and officers (who work shifts) the opportunity to 'protect' up to 4 rest days and up to 4 rostered duty days in any annual leave year, subject to operational demand.

### **34. Employment Data**

34.1 Sussex Police collect and process personal data relating to police officers and police staff to manage the employment relationship. It is important that individuals understand how that data is collected and used in order to meet the Force's data protection obligations. Further details can be located on intranet by searching for 'Privacy Notice'.

### **35. Supporting Documents**

35.1 Annual Leave – Flowchart

Sussex Police Purchasing Additional Annual Leave – Scheme Guidance

Sussex Police Purchasing Additional Annual Leave – Application form

Agile Working Guidance

Surrey Police and Sussex Police Part Time Inspector and Chief Inspector Claims for Additional Working Hours

Surrey Police and Sussex Police Public (Bank) Holiday Selection for Police Constables and Sergeants – Flowchart

Surrey Police and Sussex Police Public (Bank) Holiday Selection Form

People Services Soundbites

Continuous Service Guidance

Carers Information

**Team:** People Services Department