



- **Extended Leave Break and Unpaid Leave Policy and Procedure for Police Staff**

Following the implementation of the Alliance People Portfolio, a revised timeline for the review of HR policies has been agreed. This policy will therefore be reviewed in line with the new timeline and not the date specified within this document.

**Please note:** Where legislative change has occurred, or is scheduled to occur, ahead of the revised review date, Dorset policy and associated procedures will be applied in line with prevailing legislation.

<b>Reference No.</b>	<b>P16:2003</b>
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<b>Implementation date</b>	<b>20.06.2004</b>
<b>Version Number</b>	<b>1.14</b>

<b>Policy/Procedure</b>	<b>Government Security Classification</b>	<b>Handling Instructions</b>
<b>POLICY</b>	<b>OFFICIAL</b>	<b>Suitable for Public Publication</b>
<b>PROCEDURE</b>	<b>OFFICIAL</b>	<b>Suitable for Public Publication</b>

<b>Linked documents</b>	
<b>Reference No:</b>	<b>Name.</b>

**PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON SHAREPOINT IN THE FORCE DOCUMENT LIBRARY**

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## **1 Policy Section**

### **1.1 Statement of Intent – Aim and Rationale**

Dorset Police is committed to maintaining an effective and motivated workforce and an extended leave break scheme enables the retention of our employees who may otherwise be forced to leave the organisation. An extended leave break is sometimes known as a 'career break' but for the purposes of this policy will be classified as extended leave break. The extended leave break scheme is designed to allow employees to spend time pursuing another activity without having to give up their career. These activities fall into three main areas – family reasons, further education or travel.

An extended leave break is intended to supplement and not replace the arrangements for granting compassionate, sick, maternity or parental leave.

Unpaid leave can be applied for periods of between one and 30 days (inclusive).

A separate policy exists for police officers to that of police staff to reflect their different employment status.

This policy/procedure applies to all police staff employed by both the Chief Constable and the Police and Crime Commissioner. Therefore, there may be occasions when the Police and Crime Commissioner requires access to specialist HR resources/skills employed by the Chief Constable to support the agreed processes.

In order to ensure equality of opportunity this policy applies to staff of all ages, those with a disability, lesbian, gay, bisexual and transgendered plus (LGBT+) staff, ethnic minority staff and different religions or beliefs.

### **1.2 Police Mission**

Our **Mission** for policing is:

To make communities safer by upholding the law fairly and firmly; preventing crime and antisocial behaviour; keeping the peace; protecting and reassuring communities; investigating crime and bringing offenders to justice. This mission is set nationally and adopted locally by Dorset Police.

#### **Code of Ethics**

The Code of Ethics underpins every day policy, procedures, decision and action in policing today. The Code of Ethics is an everyday business consideration. This document has been developed with the Code of Ethics at the heart ensuring consideration of the 9 Policing principles and the 10 standards of professional behaviour. Monitoring is carried out through the Equality Impact Assessment process which has been designed to specifically include the Code of Ethics.

#### **National Decision Model**

The National Decision Model (NDM) is the primary decision-making model used in Dorset Police. The NDM is inherently flexible and is applied to the development and review of all policy, procedure, strategy, project, plan or guidance. Understanding, using and measuring the NDM ensures that we are able to make ethical (see Code of Ethics), proportionate and defensible decisions in relation to policy, procedure, strategy, project, plan or guidance.

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#### **1.3 People, Confidence and Equality**

Throughout history policing has been most effective when the community and the police work together, helping each other to reduce crime and fear of crime. Our priorities have been based on today's risks and from what our communities have told us are areas of concern.

This document seeks to achieve the priority of increasing the public satisfaction in the delivery of policing in Dorset.

This document also recognises that some people will be part of many communities defined by different characteristics. It is probable that all people share common needs and expectations whilst at the same time everyone is different.

Consultation and engagement has identified a common need and expectation for communities in Dorset to be:-

- Listened to
- Have their needs understood
- Have their expectations met where possible
- Be kept informed

#### **1.4 GDPR Compliance Statement**

Dorset Police is committed to ensuring the security and protection of the personal information that we process, and to provide a compliant and consistent approach to data protection. Our policies and procedures have been developed taking into account the principles of the General Data Protection Regulations (GDRP).

## **2 Standards**

### **2.1 Legal Basis**

The opportunity to take an extended leave break may mean that a member of staff is retained when they might otherwise have had to leave the organisation. Although there is no legal basis, extended leave breaks fit the general principles of 'work-life balance' policies, which are encouraged wherever possible by Dorset Police. The Local Government Pension Scheme Regulations 2014, and related Regulations, sets out the pension scheme arrangements which are summarised under paragraph 4.4

### **2.2 Equality Impact Assessment**

During the creation of this document, this business area is subject to an Equality Impact Assessment (EIA). Its aim is to establish the impact of the business area on all people and to also ensure that it complies with the requirements imposed by a range of legislation.

### **2.3 Consultation**

Full consultation is undertaken for new policy, full version changes and the equality impact assessment screening deems necessary.

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Consultees are identified as those business areas that are affected by, subject to or have a vested interest in the policy.

Full details of consultation including feedback and changes made as a result are recorded on a separate document, the Consultation Template and retained for audit purposes.

## **2.4 Monitoring / Feedback**

This policy will be monitored by the HR Specialist (Employee Relations).

Feedback relating to this policy can be made in writing or by e-mail to:

**Address :** People Services, Force Headquarters, Winfrith DT2 8DZ

**E-mail :** [human-resources@dorset.pnn.police.uk](mailto:human-resources@dorset.pnn.police.uk)

**Telephone :** 01305 223764

## **3 Procedure Section**

### **3.1 Unpaid Leave**

If a member of staff requires some leave without pay that is 30 days or less they can apply for unpaid leave. Applications must be by way of completing [the Application for Unpaid Leave form](#). This should be submitted at least one month before the break is required to the Commander/Departmental Manager, via the supervisor for comment. Unpaid leave can be for a number of reasons but may include the following:

- The individual has joined part-way through the year and does not have enough annual leave to cover pre-booked holidays;
- It is required for personal reasons – e.g. to take time off that doesn't fall under parental leave/time off for dependants and the individual does not have enough annual leave/flexi-time/time on card to cover the period;
- The individual wishes to take an extended break of 30 days or less for the purposes of travel, for example 'tacked on' to a period of annual leave;
- The individual wishes to take leave to undertake training that is not related to their work with Dorset Police

The HR Service Support Team will receive all approved applications, and will update the individual's personal and payroll record, and will write to the individual to confirm the period of unpaid leave. A copy of this letter will be forwarded to the relevant duties officer of the Division/Department if applicable.

Unpaid leave will not affect the individual's annual leave entitlement or incremental progression.

Pension contributions will NOT be automatically deducted from salary payments in respect of unpaid leave however staff can buy any period back by taking out an additional pension contribution (APC).

### **3.2 Extended Leave Breaks**

The extended leave break scheme enables police staff to take unpaid leave for a minimum of 31 days to a maximum of three years.

Extended leave will be granted for activities such as family care, voluntary service overseas, extended periods of travel or full time education.

In exceptional circumstances the period of extended leave may be extended. However no guarantee can be given that such requests will be approved.

### **3.3 Eligibility**

All police staff are eligible for an extended leave break providing they comply with the following criteria:

- The length of the proposed break should be a minimum of 31 days and a maximum three years;
- The police staff member should have completed their probationary period;
- The police staff member needs to indicate their commitment and intention to return to work for Dorset Police;
- The Force will not look unfavourably on applications for Extended Leave Breaks from members of staff who have previously had an Extended Leave Break. However it should be noted that each application will be assessed on its merits, bearing in mind the disruption to the organisation and associated costs with 'backfill' arrangements and potential retraining of staff on their return from ELB. Therefore in normal circumstances, the member of staff in question will have had to have provided a considerable period of committed service to the organisation prior to any subsequent applications being granted.

### **3.4 Application**

Applications must be by way of completing the [Application for Extended Leave break form](#). They should be submitted at least two months before the break is required to the Commander/Departmental Manager, via the supervisor for comment. In addition Police Staff that may be required to attend court must identify any cases in which they are or may be involved by informing the Witness Liaison Unit of CJD. Line managers/Commanders should ensure that there are no court appearances pending, and if there are cases pending, discussion should be held with the officer regarding arrangements for return; these should be detailed on the application form.

The application will then be forwarded to HR Business Services Support Team who will be responsible for ensuring consistent and equitable treatment of all applications. The final decision will be made by the Head of Personnel Services. In reaching a decision consideration will be taken of operational requirements, previous applications for extended leave together with any outstanding complaints/discipline matters. A commitment to returning to work within the Dorset Police and the reasons for the application must be clearly stated.

If agreed the applicant will be notified in writing including an agreed date of return. Should an individual not return by the due date they will be deemed to have terminated their contract unless there are exceptional circumstances.

If the application is refused the applicant will receive feedback from the Commander/Departmental Manager. An unsuccessful applicant has the right to appeal in writing to the Director of Human Resources whose decision is final.

### **3.5 Conditions of Service**

During a period of extended leave the contract of employment will be 'suspended' and consequently will not qualify as a reckonable period for pension or pay increment purposes nor annual leave accrual.

For the purpose of determining contractual entitlements such as annual leave, which are linked to service, service prior to and subsequent to the break will be aggregated. Therefore, in effect an

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employee's service will be 'frozen' when they begin their extended leave and will be reactivated on their return.

Sick pay will not be granted to staff whilst they are on extended leave.

Any benefits the employee is in receipt of prior to the break (such as car lease) will cease when the break begins. A lease car would have to be returned and termination costs would be payable. Lease car holders should seek further advice.

An employee may pay pension contributions for the period of time they were on their extended leave break and if they elect to do so within 30 days of their return to work the cost will be shared with the employer, the employer paying the larger 2/3rd share.

It should be noted that whilst on extended leave, despite the contract being suspended, staff are still employees of Dorset Police and are therefore subject to disciplinary codes. Any employee wishing to take outside employment must seek approval first using the [Business Interests Application](#).

With the prevailing climate of changing work environments and Force reviews, employees will need to remain in regular contact with their manager throughout their break so that they can be kept advised of any developments. Contact should be made on a regular basis so that individuals remain informed about developments affecting the Dorset Police and their job generally. Special provision is made on the Dorset Police website for employees away from the Force to access information regarding Force policies and developments etc. Staff going on extended leave breaks will be informed of a login and password, and should ensure they regularly access the page in addition to maintaining contact with their manager.

The Force will not be in a position to delay organisational change to ensure individual consultation takes place with employees on extended leave breaks; however it will endeavour to initiate consultation when a contact email and/or postal address etc. has been provided. In the event of any future changes affecting a post, the force reserves the right to implement those necessary changes but in so doing will always seek to follow the guiding principles of the 'Management of Change Policy' as far as practical.

A contact address/email address should be provided, and the employee must access their email account on a regular basis so that contact can be made with the employee by the Force if required.

### **3.6 Maternity Leave**

In the event of pregnancy, the employee will revert to maternity leave and the extended leave will cease. Employees should be aware that their loss of earnings prior to becoming pregnant will adversely impact their maternity entitlement. For further details employees should contact the HR Service Support Team.

Employees applying to take a career break immediately following their maternity leave should apply in writing no later than two months before their expected date of completing the maternity period.

Employees who have received contractual maternity pay are required to return to work for a minimum period of three months following their maternity leave. If they take a career break immediately following their maternity leave, this minimum period will be deferred until they return from extended leave break.

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### **3.7 Resignation**

If the employee decides to resign whilst on extended leave they must inform their line manager in writing giving at least one month's notice. Employees on grade F will be required to give 8 weeks' notice and those on grade G and above will be required to give 13 weeks' notice in accordance with their contracts of employment.

### **3.8 Return to Work**

If it has been notified in writing to the employee prior to the commencement of an extended leave break that a return to work interview will be necessary, the employee must contact their line manager to arrange this three months before the agreed return date. Consideration should be given to any training needs and a plan formulated if appropriate.

Those employees who have been on an extended leave break for a period of 6 months or more will require 'role specific' security vetting. In these circumstances a full vetting application, including a declaration indicating whether or not they have come to the attention of the police or relevant law enforcement agencies will be submitted prior to their return. This application will be sent to the employee on receipt of their notification to return to work, or request for an early return. Applications should also detail any time spent out of the UK. An employee will not be authorised to return to work prior to receiving vetting clearance from the Force Vetting Officer. Employees who have been on an extended leave break for less than 6 months will be subject to a vetting review.

If any adverse information is found or declared during the vetting process the Force Vetting Officer will notify Head of Personnel Services who will consider if the employee has breached their terms and conditions of employment and take action accordingly. If the adverse information relates to National Security Vetting the appropriate measures should be taken by the Force Vetting Officer immediately.

Unless there have been structural changes within the organisation, there should be no reason why the employee should not return to their original post. It will be necessary to review the existing flexible working pattern, where the ELB lasts longer than 12 months, to ensure that it continues to meet the needs of the individual and organisation. This review will be conducted in line with the flexible working policy. Employees will retain their previous grade and rate of pay, updated in line with national pay awards.

In the event of a substantial change to a post whilst an employee is on extended leave, the Management of Change Policy will apply. Consultation will take place with the employee and the union. Staff will be given the necessary support from HR Business Services Support Team in cases of redeployment. For further details please refer to the Management of Change Policy.

### **3.9 Application to Return Early / Request an Extension**

Employees wishing to return to work earlier than the agreed date will be required to give one month's notice in writing. Each case will be considered on its own merits.

Employees seeking an extension to their agreed extended leave break period are required to submit a request in writing to their line manager three months prior to their agreed return date, seeking an extension and detailing the rationale. The line manager will submit their comments and forward this to the Head of Personnel Services to make a decision. Extensions beyond the agreed three-year period will only be granted in exceptional circumstances. If the employee's

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request cannot be accommodated, they will be requested to return on their previously agreed return date.

### **3.10 Temporary Replacements for Staff on Extended Leave**

Depending on the nature of the job and the duration of the leave break, managers may wish to employ a temporary replacement for an employee. External temporary staff will be employed on a fixed term contract and internal temporary staff will be employed on a secondment basis.

At least three months prior to the return of the permanent post holder from their extended leave break, the line manager should conduct a career development interview with the temporary employee. The purpose of the interview should be to look at the temporary employee's future plans and whether there may be any other suitable vacancies. The employee will be reminded that current vacancies are published in General Orders is available on Sharepoint. The content of this meeting must be documented.

## 4 Authorisation

### 4.1 Authorisation of this Version

Version No: 1.14	Name	Signature	Date
Prepared:	Teri Roberts (7403)	<i>T Roberts</i>	23.01.20
Quality assured:	Karen Duke-Glover (6539)		
Authorised:	J Manley 7979	<b>J Manley</b>	

## 5 Version Control

### 5.1 Review

Date of next scheduled review	<b>2 YEARS FROM PUBLICATION</b>
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### 5.2 Version History

Version	Date	Reason for Change	Created / Amended by
1.0		Initial Document	
1.1	2004	Reformatting	Ms M Ashdown
1.2	2006	HR Designation Changes	Mr S Hounsell
1.3	January 2008	Including vetting requirements and other minor changes	Miss J Wells
1.4	March 2010	Reformatted	Mr S Martin
1.5	July 2010	Updated of HR structure	Mrs E Jacobs
1.6	Nov 2010	Addition of section on Unpaid Leave	Mrs E Jacobs
1.7	Dec 2011	Unpaid leave application amended	Mr K Davidge
1.8	17/3/14	Insertion of stage 2 parag. Section 2.1	Kate Berchem
1.9	2/10/14	Amendments made to para 3.1, 4.4, 8.5, as result of changes to Local Government Pension Scheme	Ian Coombs
1.10	26.10.16	Amendments to links and document put onto correct template	Ian Coombs / Teri Roberts
1.11	11/08/2017	Put on to new force template. Government markings. Changes of designation.	Teri Roberts (7403)
1.12	14.01.19	Front page updated with statement to reflect harmonisation process.	Teri Roberts (7403)
1.13	23.09.19	New links to business interest and unpaid leave added to document.	Teri Roberts (7403)
1.14	23.01.20	Section 3.8 updated as per email received 07.10.19	Teri Roberts (7403)

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**5.3 Document History**

<b>Present Portfolio Holder</b>	Director of Human Resources
<b>Present Document Owner</b>	Head of HR Organisational Support
<b>Present Owning Department</b>	Human Resources
<b>Details only required for version 1.0 and any major amendment ie 2.0 or 3.0:</b>	
<b>Name of Board:</b>	SOPG
<b>Date Approved:</b>	April 2003
<b>Chief Officer Approving:</b>	Deputy Chief Constable Lee

(Template version 28 Dec 2018)

Appendix 1 – Application for Unpaid Leave

Dorset Police		 <p style="font-size: 1.2em; font-weight: bold; color: #003366;">Application for Unpaid Leave</p>
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**Section A – to be completed by applicant**

Prior to completing this form you should ensure you comply with the criteria by reading the current Extended Leave Break and Unpaid Leave Policy that can be found in the Force Policy pages of Sharepoint. Applications must be submitted no later than 1 month before the Unpaid Leave is required.

**Police Officers**

- (a) Length of leave break should be 30 days or less
- (b) Must not have reached pensionable age/service/ must not continue beyond compulsory retirement age;
- (c) Must have completed their probationary service;

**Police Staff**

- (a) Length of leave break should be 30 days or less

Name:		Collar No:	
Division/Department:		Station:	
Date of start of unpaid leave: (this is the date your pay will stop)		Date of end of unpaid leave (this is the last day you will receive no pay)	
Total number of days		Total number of hours	

**Please state the reason for the proposed unpaid leave:**

Signed:	Collar No:	Date:
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**Section B - for endorsement by Line Manager**

I support / do not support the above application: (please delete as applicable)

Comments:

Signed:	Collar No:	Date:
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**Section C - for endorsement by Divisional Commander/Head of Department**

I support / do not support the above application: (please delete as applicable)

Comments:

Signed:	Collar No:	Date:
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**Section D - for endorsement by the Service Support Team, Human Resources**

Date application received at Human Resources	
Payroll Record updated	
Annual leave recorded updated (with period of unpaid leave)	
Letter prepared – send to individual, payroll & duties officers	
Letter filed on p/f	
Signed:	Date: