



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-00169

**Keyword:** Human Resources

**Subject:** Carers Leave For Staff

### Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

### Request

A copy of PSNI policy / guidance on carers leave for staff and also please tell me how many days of carers leave were taken by your staff in 2017 (start jan to end Dec) and if possible the same data for 2016.

### Answer

The PSNI does not have a 'stand-alone' policy on carers leave. However, under the Special Leave policy there is provision for Dependents leave both paid and unpaid. For ease of reference I have supplied the extract below.

## Special Leave (Domestic)

### What is Special Leave (Domestic)?

- PSNI recognises that from time to time, the lives of individuals outside work may result in an 'emergency' absence that cannot be accommodated through the normal measures. Special leave (domestic) is the overarching term covering Dependants, Compassionate and Domestic Crisis Leave. In general, it enables individuals to be absent from work for a limited period of time when affected by a variety of circumstances which are unplanned and unforeseen - for example, sudden serious illness or death, unexpected disruption of care provisions or severe damage/disruption to an individual's property - and which requires an individual to be at home or to make longer term plans. Special leave (domestic) may be paid or unpaid.
- Special leave (domestic) is granted for a consecutive number of working days, and should not be based on the number of hours the individual is rostered to work per day. However, in considering the entitlement to special leave (domestic), managers should take into account the individual's opportunity to resolve the immediate issues during rest days falling within the period. Entitlement will be pro-rata to normal/contractual hours for those working reduced hours and the individual will only be paid for their rostered work period.

### What is Dependants Leave?

- Dependants leave is time off to cope with short-term difficulties relating to a spouse/civil partner, a child, a parent or any other person who resides in the same household but is not an employee, tenant, lodger or boarder. A dependant may also be someone who reasonably relies on the individual for assistance - this may be where the individual is the primary carer or the only person who can help in an emergency.
- Dependants leave allows individuals time to deal with unexpected or sudden emergencies and to make any

necessary long-term arrangements in the following circumstances:

- to provide assistance on an occasion where a dependant falls ill, gives birth or is injured or assaulted; including where the victim is hurt or distressed rather than physically injured;
- in the consequence of the death of a dependant;
- to make longer-term care arrangements for a dependant who is ill or injured.

Special Leave (Domestic) Guidance - Version 1 - 01/09/12

- to deal with unexpected disruption or breakdown in care arrangements for a dependant, eg when a childminder or nurse fails to turn up;
- to deal with an incident involving the individual's child during school hours, eg if the child has been involved in a fight or is being suspended or expelled from school.
- Whilst there is no set limit to the amount of time off which can be taken, in most cases dependants leave will last for the remainder of the day and possibly the next day. It is unlikely that dependants leave will last for more than two consecutive working days. Leave granted as dependants leave will normally be paid.
- The right to time off for dependants is intended to cover unforeseen matters. Annual leave and/or TOIL/flexitime should be used to cover other types of absence, eg your childcare provider is going into hospital for an operation or your dependant has a planned hospital/dental appointment.

## **What is Compassionate Leave?**

- Compassionate leave covers serious ill health or death of a close family member and/or to attend or to arrange the funeral of a close family member outside of those listed as dependants. Close family member covers brother, sister (includes 'step' relations), grandparent, daughter/son-in-law, brother/sister-in-law and spouse's or partner's parents, brother, sister; or other relative for whom you share a caring role.
- It is generally expected that annual leave/TOIL/flexitime or unpaid compassionate leave will be granted where a distant relative (aunt, uncle, cousin, nephew, niece) or a close friend of the individual has died. Exceptionally paid compassionate leave to attend the funeral and/or application for additional time may be considered subject to the overall limit on special leave (domestic).
- There may be other grounds for granting compassionate leave arising out of an individual's personal circumstances that should be dealt with on a case by case basis, subject to overall limits.

## **What is Domestic Crisis Leave?**

- Domestic Crisis leave may apply in a wide variety of circumstances that are unplanned and unexpected, eg severe storm damage or physical disruption to an individual's home or personal property such as burglary or natural flood.
- Usually domestic crisis leave will last for the remainder of the day however this may be extended in exceptional circumstances subject to the overall limit on special leave (domestic).

## **What are the Limits and Authorisation Levels for Special Leave (Domestic)?**

- Individuals may be granted up to a total of five days paid and five days unpaid special leave (domestic) by their HR Manager in any twelve month rolling period.
- Where the request is for a single absence or a number of absences related to dependants, special leave (domestic) may be further extended by the HR Manager for up to ten days paid and ten days unpaid in consultation with the Area Commander/Head of Unit.
- Applications outside these limits may be granted as unpaid, or in exceptional circumstances (eg the death of a child) may be referred to the respective Head of HR for consideration for up to a maximum of ten additional days paid special leave (domestic) - ie twenty days paid maximum in total.
- Where individuals do not meet the criteria or have exceeded the limit for paid special leave (domestic), unpaid special leave (domestic) may be granted by the HR Manager. In these circumstances, the individual may request to substitute annual leave, TOIL/flexitime to avoid a reduction in pay.
- In order to deal with longer-term circumstances, individuals may also apply to take unpaid leave, parental leave or career break. Individuals may also choose to apply for flexible/reduced hours working.

## **What is the Process for Applying for Special Leave (Domestic)?**

- Individuals are required to contact their line manager as early as possible (usually prior to the commencement of their normal working day) telling them the reason for their absence and should make arrangements to keep their line manager updated regarding the likely length of their absence.
- Only in exceptional circumstances, where it is deemed impractical to have done so earlier, will it be acceptable for an individual to request special leave (domestic) upon returning to work if the absence has not been previously requested or explained.
- Individuals may choose to apply for annual leave, TOIL or flexitime in the normal manner as an alternative or in addition to special leave (domestic). Line manager are encouraged to grant such applications where possible.

- On return to work, individuals should complete Form 95 'Application for Special Leave (Domestic)' and submit to their line manager for recommendation/onward transmission to the HR Manager for decision.

## What is the Appeals Procedure?

- The individual has the right to appeal the decision made by the HR Manager in respect of their application for special leave (domestic). An appeal will only be considered where the individual can provide new information which was not known at the time of the original application or where evidence can be provided that the process was not correctly applied. The appeal should be made in writing within seven calendar days of receipt of the decision to the HR Manager who will reconsider their original decision in light of the new evidence provided and will either uphold or overturn the original decision. Where the original decision is upheld, the appeal will be referred to the respective Head of HR whose decision will be final. There is no further right of appeal.

- The individual also has the right to appeal the decision made by the Head of HR in respect of their application for additional special leave (domestic). An appeal will only be considered where the individual can provide new information which was not known at the time of their original application or where evidence can be provided that the process was not correctly applied. The appeal should be made in writing within seven calendar days of receipt of the decision to the Head of HR. The Head of HR will reconsider their original decision in light of the new evidence provided and will either uphold or overturn the original decision. Where the original decision is upheld, the appeal will be referred to District Commander/Head of Branch whose decision will be final. There is no further right of appeal.

## What Other Support is Available?

- On return to work after a period of special leave (domestic), the individual's line manager must conduct an interview to ensure that the individual is fit to return to work and to update them on any relevant work issues. Details of the interview should be recorded on Form 95 - 'Application for Special Leave (Domestic)'. Support is available from Occupational Health and Welfare and if deemed appropriate, a referral should be arranged by the line manager.

- Support is also available through the individual's staff association.

I would also advise that it is not possible to provide details of how many days of carers leave have been availed of, however the following Special Leave subtypes have been provided which may assist.

	2016			2017			Grand Total
Special Leave subtypes	Police	Police Staff	2016 Total	Police	Police Staff	2017 Total	
B/down of child care		1	1				1
Dependants Leave (Paid)	1719	812	2531	1659	719	2378	4909
Dependants Leave (Unpaid)	7	52	59	7	14	21	80
Domestic - Elderly care					2	2	2
Domestic - Partner care		5	5				5
<b>Grand Total</b>	<b>1726</b>	<b>870</b>	<b>2596</b>	<b>1666</b>	<b>735</b>	<b>2401</b>	<b>4997</b>

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto:foi@psni.pnn.police.uk).

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ [www.psni.police.uk](http://www.psni.police.uk)

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.