

# Policy



## Fertility Leave

URN: J-P-066

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<b>Version:</b>	1.2
<b>Effective Date:</b>	20/12/2021
<b>Version Date:</b>	09/01/2024
<b>Review Date:</b>	09/01/2025
<b>Host Force:</b>	Dorset Police
<b>Host Policy Unit:</b>	Dorset Police Legitimacy Team
<b>Policy Owner:</b>	Alliance Head of Employee Relations – HR Operations
<b>Policy Author:</b>	Strategy and Policy Lead – Employee Relations
<b>Policy Area:</b>	Family Leave
<b>Associated Step by Step</b>	<a href="#">J-Pr-066 Fertility Leave Step by Step</a> (Further policies and procedures listed in 'Associated Documents' section).

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### Applicable to:

Devon & Cornwall Police	<input checked="" type="checkbox"/>
Dorset Police	<input checked="" type="checkbox"/>
OPCC Devon & Cornwall	<input type="checkbox"/>
OPCC Dorset	<input checked="" type="checkbox"/>
Officers	<input checked="" type="checkbox"/>
Staff	<input checked="" type="checkbox"/>

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

## 1.0 Introduction

- 1.1 This policy sets out the arrangements for fertility leave, supporting family leave and thus encouraging retention of officers and staff across both forces.
- 1.2 Fertility leave is paid time off work for individuals who are undergoing In Vitro Fertilisation (IVF) treatment or other medical interventions / procedures in relation to fertility treatment.
- 1.3 There is no legal right to paid time off work for the purpose of undertaking fertility treatment.
- 1.4 This policy describes how the provisions will be applied in Devon & Cornwall Police and Dorset Police and provides additional clarity for individuals and managers.

## 2.0 Eligibility

- 2.1 Fertility leave is paid time away from work and is available to all individuals to request from day one of employment.
- 2.2 Fertility leave is provided primarily for the individual undergoing treatment. Where a partner wishes to attend to support the individual, they should discuss this with their line manager and request to take annual leave, time on card or flexi leave etc. Where a partner undergoes fertility treatment themselves, the fertility leave provisions will apply to them.
- 2.3 For the purposes of this policy, 'partner' refers to the partner of the individual undergoing treatment and includes same sex partners. Fertility leave will also apply to an individual whose surrogate is undergoing fertility treatment.

## 3.0 Entitlement

- 3.1 For officers, up to 40 hours (5 days) fertility leave, pro rata for part time, may be granted, per financial year, upon request to the line manager.
- 3.2 For police staff, up to 37 hours (5 days) fertility leave, pro rata for part time, may be granted, per financial year, upon request to the line manager.
- 3.3 Agency workers can request the time off however this will be unpaid; annual leave or flexi leave will be considered as an alternative.
- 3.4 Where an individual has exhausted their entitlement to paid time off under this policy, other leave such as annual leave, TOIL, flexi or unpaid leave will be considered, taking into account the operational needs of the department.
- 3.5 Travelling time to or from an appointment for fertility treatment, is not covered within the scope of this policy.

## 4.0 Fertility Leave

- 4.1 Fertility leave will be granted for the purpose of receiving and recovering from fertility treatment and to attend appointments specifically associated with the process e.g., pre-booked consultant appointments, fertility assessments, collection of eggs, monitoring tests, etc.
- 4.2 Any request for fertility leave will be treated in the strictest confidence.
- 4.3 The emotional pressure of undergoing fertility treatment is recognised. Line managers are expected to act sympathetically to fertility leave requests and recognise the benefits to the Force in applying this policy in a fair and reasonable manner.
- 4.4 Where possible, individuals should arrange investigatory fertility appointments outside of their normal working hours, in the same way as all other medical appointments.
- 4.5 Requests for fertility leave should be submitted to the line manager, providing as much notice as possible, and no later than two weeks before the start of treatment, where practicable.
- 4.6 It is recognised that appointments and subsequent time off during fertility treatment may be required at short notice. Line managers should be considerate of this and allow flexibility in taking leave, wherever possible. Line managers may request written confirmation of appointments, where considered necessary.
- 4.7 Where a request to take fertility leave is approved, the line manager will notify the HR Operations – Admin team, to ensure the fertility leave is recorded.
- 4.8 An individual can determine at what point in the IVF cycle they would like to take the paid leave.
- 4.9 Where an individual requires time off work because of the side effects of their fertility treatment, this will be subject to the Attendance Support procedure, including the requirement to certify absences after seven days.
- 4.10 Whilst undergoing fertility treatment, should an individual receive medical advice recommending that adjustments are needed to their work duties or pattern, the line manager should arrange a referral to Occupational Health, for recommendations to be made and considered.
- 4.11 From the point at which any embryos have been implanted, the individual must ensure any sickness absence is recorded as pregnancy related.
- 4.12 Where an embryo has been implanted, the line manager should undertake a risk assessment with the individual, taking account of all potential additional risks posed by the individual's pregnancy or pre-natal needs.
- 4.13 Where an embryo is implanted and the individual is pregnant (the protected period), any absence resulting from the effects of IVF treatment during the

pregnancy will not count towards the management intervention threshold for attendance support purposes.

- 4.14 Where an embryo has been implanted and the pregnancy test is negative, the protected period will end two weeks after the employee is told that the implantation (pregnancy) has proved unsuccessful.

## 5.0 Pay

- 5.1 Fertility leave will be paid at the individual's normal rate of pay.
- 5.2 Agency workers will not be paid.

## 6.0 Regulatory Background

The principle documents regulating this aspect are:

- a. Equality Act 2010
- b. Employment Rights Act 1996

Both Forces are obliged to abide by all relevant legislation and other guidance as appropriate:

- [UK General Data Protection Regulation / Data Protection Act \(2018\)](#)
- [The Health and Safety at Work Act \(1974\)](#)
- [Human Rights Legislation](#)
- [Freedom of Information Act 2000 \(FOIA\)](#)
- [Equality Act \(2010\)](#)
- [Authorised Professional Practice](#)
- [National Decision Model](#)
- [Vision, Mission & Values \(DCP\)](#)
- [Vision, Purpose & Priorities \(DP\)](#)
- [Code of Ethics \(DCP\)](#)
- [Code of Ethics \(DP\)](#)
- [Standards of Professional Behaviour - Police Officers](#)
- [Standards of Professional Behaviour - Police Staff](#)
- [Records Management \(DCP\)](#)
- [Records Management \(DP\)](#)
- Equality and diversity matters including the Public Sector Equality Duty and Standards of Professional Behaviour

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## 7.0 Monitoring, Review, Enquiries and Feedback

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this policy to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to force processes of continuing review and in line with force governance requirements.

This document will be reviewed annually subject to legislation / process changes.

**Please note:** Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

For day to day enquiries relating to this policy please contact [HR Operations - Admin \(D&C\)](#) or [HR Ops Dorset - Admin](#)

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: [.Policies@dorset.PNN.police.uk](mailto:.Policies@dorset.PNN.police.uk)

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## 8.0 Other Associated Documents

### Policy and Procedure

- [J-P-034 - Family Leave Policy](#)

### SharePoint

- [People Portfolio A-Z](#)

### College of Policing

- [National Decision Model](#)
- [Authorised Professional Practice \(APP\)](#)

### Other

- Equality Impact Assessment

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## 9.0 Version History

<b>Version:</b>	1.0
<b>Date:</b>	20/12/2021
<b>Reason for Amendments:</b>	Initial document
<b>Amended by:</b>	Strategy & Policy Lead – Employee Relations
<b>Approved by:</b>	Board (See Governance)
<b>Date Approved:</b>	15/12/2021
<b>Quality Assured:</b>	Legitimacy Team

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<b>Version:</b>	1.1
<b>Date:</b>	19/10/2022
<b>Reason for Amendments:</b>	‘OPCC Devon and Cornwall’ unticked from the ‘Applicable to’ table. No change to review date.
<b>Amended by:</b>	Employee Relations / Legitimacy Team
<b>Approved by:</b>	n/a

**Date Approved:** n/a  
**Quality Assured:** Legitimacy Team

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**Version:** 1.2  
**Date:** 09/01/2024  
**Reason for Amendments:** Fit for purpose review completed including cosmetic amendments.  
**Amended by:** Employee Relations  
**Approved by:** HoD  
**Date Approved:** 02/01/2024  
**Quality Assured:** Legitimacy Team

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## 10.0 Governance

**Present Portfolio Holder:** Alliance Head of People (HR Operations)  
**Present Document Owner:** Alliance Head of Employee Relations  
**Present Owning Department:** Alliance People Portfolio

Below details required for new documents, major amendments (Dorset only) or novel/contentious amendments (Devon & Cornwall only)

**Name of Board:** Strategic People Board  
**Chief Officer Approving:** Assistant Chief Officer Devon and Cornwall  
**Date Approved:** 15/12/2021

**Business Board member approving** (Devon & Cornwall only when not contentious or novel): n/a  
**Date approved:** n/a

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