

Northamptonshire Police



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MATERNITY LEAVE SCHEME: INFORMATION PACK

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POLICE OFFICERS AND POLICE STAFF

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COMPLIANCE AND AUDIT TABLE

Owner HR Department

Version Number 6.0

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How will the impact of this policy be audited?

Dip sample check at 12 month intervals to consider if there is a disproportionate impact:

1. Consider the Equality Act and protected characteristics against the policy/procedure to ensure fairness to all and no adverse impact upon individuals.
2. Consider the Fairness at Work statistics for the last 12 months and determine whether there have been more cases raised in relation to this procedure.
3. Discuss the impact of the procedure with HR Business Partners and HR Advisers to determine if there are any areas of difficulty in implementing the procedure.
4. Consider outcomes of appeals to determine whether there is an impact on the guidance notes or application of the procedure.

Introduction

Congratulations!

Northamptonshire Police are committed to supporting new and expectant parents in the workplace, during maternity, paternity, adoption or shared parental leave and on their return to work.

This policy will try to answer some of the questions you may be asking yourself about the rights, benefits and options open to you before and after the birth of your baby.

The policy applies to Police Officers, Police Staff, and staff of the Offices of the Police, Fire & Crime Commissioner (OPFCC).

You may wish to contact the Multi Force Shared Service (MFSS), Retained HR or the Maternity buddies within force for advice and guidance on maternity.

Maternity Leave

Police officers and police staff may take maternity leave for a period of up to 15 months in an 18 month period. This may be taken in one or more periods, starting from 6 months before the expected date of birth. The latest maternity leave can end is 12 months after the date of birth. The mother must take a minimum two weeks of compulsory maternity leave immediately following the birth. The ability to take maternity leave in more than one period allows the mother to return to work (e.g. for a court appearance or training course) and then resume maternity leave or take annual leave during a break in maternity leave.

Individuals should be aware that returning to work during the Statutory Maternity Pay (SMP) period may result in SMP ending. For both police staff and police officers, it may be possible for the mother who is taking a period of maternity leave or pay to convert a proportion of this to shared parental leave that can be taken by the other parent. For further details please refer to the Shared Parental Leave policy.

Statutory Maternity Pay

To qualify for Statutory Maternity Pay (SMP) the individual must:

Be earning for the eight weeks prior to the end of the 'qualifying week' on average not less than the lower earnings limit for national insurance;

Have worked continuously for at least 26 weeks by the 'qualifying week' i.e. the 15th week before expected week of childbirth (EWC);

Give notice in writing, at least 28 days before her absence begins and no later than the 15th week before the EWC of the date she intends to start maternity leave;

Give proof of pregnancy by way of MAT B1 certificate (issued by health practitioner);

Still be pregnant at the beginning of the 24th week into pregnancy.

During the period in which they receive statutory maternity pay, the individual must comply with all statutory conditions;

An individual must not work more than their maximum 10 "Keeping in Touch" (KIT) days.

It is a requirement of Occupational Maternity Pay that police officers and police staff will return to work for a minimum of one month after their maternity leave period; otherwise they will be required to repay Occupational Maternity Pay.

Individuals who are not eligible for Statutory Maternity Pay may be eligible for Maternity Allowance payable from Jobcentre Plus.

Occupational Maternity Pay

Northamptonshire Police has three Occupational Maternity Schemes.

Police Officers

Officers who have served continuously for a period of no less than 63 weeks, at the beginning of the expected week of childbirth, will be entitled to 26 weeks paid maternity leave (scheme A).

Police Staff

Employees with at least 1 year's continuous employment with the organisation at the beginning of the 11th week before the expected week of childbirth (EWC) will be entitled to 26 weeks paid maternity leave (scheme A).

You will need to provide a certificate MATB1 from your health practitioner stating when your baby is due.

It does not matter how many hours you work.

	Scheme A	Scheme B	Scheme C
Length of Service	One year or more before the 11 th week before the expected week of childbirth	26 weeks or more before the 15 th week before the expected week of childbirth (but less than one year)	Less than 26 weeks before the 15 th week before the expected week of childbirth
Occupational Maternity Pay	26 weeks at full pay (paid from the first day of your maternity leave)	No entitlement to OMP	No entitlement to OMP
Statutory Maternity Pay	39 weeks SMP (starting not more than 11 weeks before EWC): <ul style="list-style-type: none"> • 6 weeks at 90% of your average weekly earnings • 33 weeks at SMP or 90% of average weekly earnings (whichever is less) 	39 weeks SMP (starting not more than 11 weeks before EWC): <ul style="list-style-type: none"> • 6 weeks at 90% of your average weekly earnings • 33 weeks at SMP or 90% of average weekly earnings (whichever is less) 	No entitlement to SMP
Maternity Leave	Maximum of 15 months	Maximum of 15 Months	Maximum of 15 months
Exceptions	If your earnings are lower than the National Insurance Lower Earnings limit you will retain the leave entitlement but you will not qualify for SMP. However you may be able to receive Maternity Allowance from DWP.	If your earnings are lower than the National Insurance Lower Earnings limit you will retain the leave entitlement but you will not qualify for SMP.	You may be able to claim Maternity Allowance from DWP. You will still need to provide your MAT1B so that MFSS Payroll can issue you with an exclusion form.

If you are entitled to full pay under scheme A, then you will receive the first 26 weeks OMP followed by the following 13 weeks SMP.

You can also choose to take 21 weeks full pay followed by 10 weeks half pay and 10 weeks half lower rate SMP, followed by 8 weeks lower rate SMP.

Risk Assessments

Northamptonshire Police recognise risks from certain work activities may increase for new or expectant mothers and their unborn children. Northamptonshire Police acknowledge its duty to ensure the health, safety and welfare of pregnant women and their unborn children and of new mothers.

We will assess and document the risks to pregnant workers, their unborn children and new mothers, to ensure that measures are provided to protect their health and safety, as far as is reasonably practicable. The Organisation is aware of its statutory obligations relating to work undertaken by women and will comply with them.

Women who are pregnant, or who are new mothers returning to work, will be given the information, instruction and training necessary to enable them to work safely and without risks to their health and, where applicable, to their unborn children.

New and expectant mothers' concerns in the workplace will be addressed by their immediate line manager, who will ensure that measures are taken to investigate the circumstances and provide an appropriate solution.

Managers should complete a service request to notify the MFSS of the individuals' pregnancy and to receive a Pregnant Worker Risk Assessment form.

The initial risk assessment is carried out to consider the duties and working conditions of the role, in particular the following:

- the risk of injury or infection
- the risk of exposure to hazardous substances
- confrontational duties/ threat of violence in the workplace
- the risk of potential injury or abuse during any outstanding or possible court appearances
- tasks which involve high levels of psychological or physical fatigue
- tasks which involve long periods of standing, sitting or travelling
- manual handling
- exposure to extremes of temperature
- driving vehicles (including marked/ unmarked police vehicles)
- long working hours

Risk assessments can be amended as necessary and will be formally reviewed and updated on a monthly basis throughout the pregnancy (as a minimum), during maternity leave prior to any KIT day, and on the individual's return to work.

Where the individual has a pre-existing medical condition, is experiencing complications, or has experienced complications in previous pregnancies, the line manager will submit a medical referral Occupational Health for further advice. The line manager should also take into account any adjustments recommended by the individual's midwife/ GP/ Consultant.

It is acknowledged that Visual Display Units (VDU's) can be a source of concern to women, particularly during early stages of pregnancy. Although current knowledge suggests that there is no risk to pregnant employees, if you are worried, speak to your Line Manager who will give every reasonable consideration to finding you alternative work.

Police Officers and Police Support Staff who come into direct contact with members of the public and who have reached their twelfth week of pregnancy can be placed in work which avoids the potential for physical confrontation. This requirement can be met immediately if

the individual feels unable to continue working in the same environment as prior to becoming pregnant and will be met immediately if a Medical Practitioner identifies a complicating medical condition warranting in his/her opinion such action – for example, if twins are diagnosed.

Time off for antenatal appointments

The expectant mother may take reasonable paid time off to attend antenatal care appointments made on the advice of her GP, consultant, midwife or health visitor. After the first appointment, the organisation may request an appointment card as proof of the appointment.

Sickness

Pregnancy itself is not regarded as an illness but if you suffer complications associated with the pregnancy and are deemed not fit to work you will be entitled to sick pay.

If you are on sick leave wholly or partly because of your pregnancy and there are fewer than four weeks before the baby is due, then this will automatically trigger transfer to Maternity Leave and Statutory Maternity Pay will begin.

Should your illness be unconnected with the pregnancy you will be able to receive statutory sick pay until the baby is born. However you will be deemed to start Maternity Leave from the Sunday from the week in which your baby is born.

Premature birth

If the baby is born before the start of the 11th week before it was due, or before the start of the individual's maternity pay period, maternity pay will start from the day following the birth.

Stillbirth and Miscarriage

In the sad event of stillbirth or miscarriage the force observes the following guidelines:

If this occurs after the end of the 24th week before the date the individual's baby is due, the individual will be entitled to maternity leave and pay described in this policy. Their partner will also be entitled to take maternity support leave.

If this occurs before the 24th week, sympathetic consideration will be given to the granting of special leave (please seek advice from Retained HR).

Terms & Conditions

During Maternity Leave, the individual will be entitled to the benefit of all their existing terms and conditions of employment other than terms relating to pay. Periods of paid Maternity Leave or Maternity Support Leave are pensionable, reckonable for incremental pay purposes and included in any period of probationary service.

Pension Contributions

For information regarding pensions, including buy-back options for periods of unpaid leave, please refer to LGPS website www.lgps2014.org (for police staff) or contact XPS Administration on (01642) 727333 (for police officers).

The first 26 weeks of Maternity Leave is pensionable, reckonable for incremental pay and leave purposes and for inclusion in any period of probationary service.

The individual is entitled to return to work on the same conditions of service (e.g. hours, grade, etc.) as when they commenced their maternity leave or as they were prior to any restrictions put in place due to the pregnancy should this be the case.

Keeping in Touch

There is a responsibility on the individual and their line manager to maintain appropriate contact during Maternity leave, and this should be agreed in advance prior to the commencement of the leave. The purpose of a contact plan is to update the individual on any work developments, including:

- Career/ promotion opportunities and job vacancies;
- Information regarding workplace changes e.g. restructure proposals;
- General team updates and working practice changes;
- Communication about return to work plans

During a period of Maternity Leave, the individual can work up to 10 "Keeping in Touch" (KIT) days, excluding the first two weeks of compulsory maternity leave immediately following the birth. KIT days are optional, should be agreed in advance between the individual and their line manager, and are designed to ensure effective and purposeful contact with the workplace, without bringing Maternity Leave to an end. They may be used to attend appropriate training, attend team meetings, etc.

Maternity Buddy Scheme

Northamptonshire Police have "Maternity Buddies" available to offer support and guidance to anyone who is pregnant in the workplace, on maternity, paternity, adoption or shared parental leave, or has returned to work within the last year from such a period of leave. If you are looking for advice or support, please make contact with the Maternity Buddies (details are listed on Forcenet).

We host maternity workshops and social events to give individuals the opportunity to come and raise any concerns or questions they have about maternity leave and to also to meet up with colleagues and other individuals on maternity leave, paternity, adoption or shared parental leave.

There is a page on the intranet with guidance for line managers as well as information for an individual who is pregnant or on maternity, paternity, adoption or shared parental leave.

Attendance at court

Police officers and police staff may be recalled to duty for exceptional reasons such as Court duty or disciplinary hearings, unless their GP advises them not to do so, in which case, a medical certificate will be required. Individuals will not be recalled during the two weeks of compulsory maternity leave immediately following the birth.

Essential Car Users and Car Loans

If you have a car loan agreement and are an essential car user, please contact the Finance department for details of payments whilst on maternity leave.

Lease Cars

If you have a leased car agreement, please contact the Finance department as it may be possible to agree to vary lease car repayments whilst on maternity leave.

Relocation Expenses

If you received removal expenses when you took up your appointment with Northamptonshire Police and you decide not to return to work after the birth and this is before the end of the three year agreement, you will have to repay some or all of the money you received. Monies recovered will be an amount equivalent to the proportion of the three years' service still outstanding. For example, if you have completed two years' service, you would be required to repay 12/36ths of the expenses received.

Return to work

The individual should give at least 8 weeks, but no less than 21 days, notice of their return to work so that the line manager may complete a risk assessment and return to work plan. Where the individual wishes to request work-life balance options, they should refer to the appropriate policy e.g. Flexible Working, Career Break, etc.

As an employer Northamptonshire Police has a legal duty to protect the health and safety of new mothers and their babies following return from Maternity Leave.

Flexible Working

Northamptonshire Police is committed to seeking to provide opportunities for flexible working for all police officers and police staff members who wish to change their standard working arrangements. In return for equal hourly pay, individuals working flexibly will be subject to the same obligations as full-time officers/staff in respect of recall to duty, overtime, shift-working, rest day and public holiday working. This is in accordance with respective regulations and policies. Pay, allowances and pension provisions will apply broadly on a pro-rata basis, although qualifying periods of a minimum number of hours may be introduced for certain provisions. Enquiries should initially be directed to your line manager.

Any approved variation to your terms and conditions will be permanent, unless otherwise agreed, and you have no automatic right to revert back to your previous working pattern. For further information and to apply for Flexible Working please refer to the Flexible Working Policy.

Breastfeeding

Provision will be made for mothers who wish to continue breastfeeding following their return to work. Suitable facilities will be provided for expressing and safely storing breast milk for breastfeeding mothers. These facilities will include:

- Rest periods and access to a private room in which to breastfeed or express breast milk;
- Use of a clean refrigerator for storing expressed breast milk while at work, and facilities for washing, sterilising and storing receptacles;
- Time off (without loss of pay or benefits and without fear of penalty) to express milk or breastfeed).