

Maternity Policy

Version 20

Greater Manchester Police

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1. Introduction and Background

Policy Statement

Greater Manchester Police (GMP) recognise and respect the right of all of our staff to a family life. We are committed to supporting our staff who are, or about to be parents, and to promoting a healthy work-life balance.

Maternity Leave is available for you to take time off before you are due to have your child and afterwards.

Aims

The aims of this policy are to:

- Give you a clear understanding of Maternity Leave and entitlements, and
- Explain the procedure you need to follow if you want to apply for Maternity Leave.

2. Scope

This policy applies to all pregnant Police Staff and Police Officers.

It applies no matter what your length of service is or the number of hours you work each week.

Where we refer to 'staff' in this policy, it also applies to officers unless we say otherwise.

3. Terms and Definitions

Maternity Leave

The amount of leave you can take. There are schemes for Police Staff and Police Officers.

Continuous Service

Includes continuous service with GMP or other qualifying body.

Week

A continuous period of 7 calendar days, from Sunday to Saturday.

The Qualifying Week (QW)

The end of the 15th week before the start of the week in which your child is due.

This is the date given on your Mat B1 form.

MAT B1 Form

The maternity certificate that shows the date on which your child is due. Your midwife or doctor will give you this 14 weeks before your child is due.

Expected Week of Childbirth (EWC)

The week, beginning on a Sunday, in which you are expected to have your child.

Expected Date of Childbirth (EDC)

The date on which your child is due.

Childbirth

The live birth of your child or a still-birth after a pregnancy lasting at least 24 weeks.

Full Pay

Your 'full pay' will be based your average weekly earnings over the eight weeks directly before your Qualifying week.

Occupational Maternity Pay (OMP)

An enhanced Maternity Pay scheme offered in line with Police Regulations or Police Staff National Terms and Conditions.

Statutory Maternity Pay (SMP)

The amount of money, set by the government, paid to you if you qualify for it:

Higher Rate SMP is paid at 90% of your average weekly earnings (AWE) before tax.

Lower Rate SMP - You can find out the current amount on the [direct.gov.uk website](https://www.direct.gov.uk).

SMP1 Form

The form we need to complete for you, if you have less than 26 weeks service, to explain why you are not eligible to receive SMP. You'll need this to be able to claim Maternity Allowance. The form is available from [direct.gov.uk website](https://www.direct.gov.uk).

Maternity Allowance (MA)

The amount you can claim through Jobcentre Plus, if you don't qualify for SMP. You can find out more on the [direct.gov.uk website](https://www.direct.gov.uk).

Keeping In Touch (KIT) Days

Days worked during your maternity leave. The maximum number is 10.

Shared Parental Leave

Maternity leave you wish to share with your partner.

Curtailment Notice

Notice that you wish to bring your maternity leave to an end to opt into the Shared Parental Leave scheme.

4. Roles & Responsibilities

Responsibility of HR

The Head of HR Branch is responsible for developing a Maternity Policy that supports the work-life balance of staff and meets the legal requirements and operational needs of GMP.

HR will advise managers on the process for dealing with pregnant staff and applications for maternity leave.

Responsibility of Managers

Managers must treat staff members sensitively, fairly and in line with this policy. They should make sure that all maternity leave is properly recorded.

Managers are responsible for carrying out a risk assessment to assess if any adjustments are necessary to safeguard staff members or their unborn child.

Responsibility of Staff

Staff members should let us know they are pregnant as soon as possible so that their manager can carry out a risk assessment. They should follow the procedure for submitting requests for Maternity Leave. They should give as much notice as possible.

5. Principles

5.1 Am I allowed Maternity Leave?

You're entitled to take maternity leave regardless of how long you've worked for us. If more than one child is born as a result of one pregnancy there is no entitlement to an increase in the maternity leave.

5.2 How much maternity leave can I have?

You can have up to 15 months maternity leave.

You can take your first 18 weeks of maternity leave in more than one block. However, you should be aware that Statutory Maternity Payments can't be suspended and restarted, therefore if you split your maternity leave this will mean your entitlement to SMP will end.

5.3 When can I start my maternity leave?

Police Staff:

The earliest you can start your maternity leave is 6 months before your EWC. The latest your maternity can end is 12 months after your EWC.

Your maternity leave will start on whichever is the earlier date of:

- Your chosen start date
- The day after your child is born
- The day after you are absent for a pregnancy-related reason if this happens 4 weeks before the date your child is due.

Police Officers:

The earliest you can start your maternity leave is 6 months before your EWC. The latest your maternity leave can end is 12 months after the expected date of birth of your child.

Your maternity leave will start on your chosen start date.

If you're absent due to pregnancy related sickness during the 4 weeks before your due date, this will trigger payment of Statutory Maternity Pay (SMP). This period will be recorded as sick leave and normal sick pay provisions will apply. You will either receive sick pay which will include SSP or SMP (whichever is the higher). Therefore this period will be offset against your SMP entitlement. If you're entitled to occupational maternity leave and pay, this will start on your chosen date.

If your child is born early, this will trigger payment of SMP from the day following the actual date of birth. If you're entitled to occupational maternity leave and pay, this will start on your chosen date. The period between the birth of your child and the start of your occupational maternity pay will be offset against your 39 weeks SMP entitlement.

5.4 Can I share my maternity Leave?

You must take the compulsory 2 weeks leave following the birth of your baby. Thereafter, you may choose to share up to 50 weeks of your maternity leave with your partner.

To do this, you must bring your maternity leave to an end and opt into the Shared Parental Leave scheme.

5.5 What will my Maternity pay be?

The amount of maternity pay we'll pay you will depend on your length of continuous service and your average earnings. There are separate schemes for Police Staff and for Police Officers; we'll let you know which scheme applies to you.

Any pay will be less your usual deductions including: tax, NI and pension.

Occupational Maternity Pay – Police Staff

If you have at least 63 weeks continuous service at the beginning of your EWC and your average earnings are higher than the lower limit for National Insurance we'll pay you:

- Weeks 1-18: Full Pay which includes Statutory Maternity Pay (SMP)
- Weeks 19-39: Lower Rate SMP
- Weeks 40-52: Unpaid

You can choose to have the final five weeks of full pay (weeks 14-18) spread out over 10 weeks and instead receive half pay plus half SMP over weeks 14-23. If you want to do this you must let GMSS know when you inform them of your pregnancy, otherwise we'll pay you full pay during weeks 1-18.

Payments made to you in addition to SMP are made on the understanding that you will return to work for at least one month after your maternity leave ends. If you don't we'll reclaim these additional payments from you

If you're absent for a pregnancy-related during the 4 weeks before the date your child is due, this will trigger the start of your maternity leave and pay.

We won't pay you more than full pay if the combined amount of half pay plus half SMP exceeds this.

Occupational Maternity Pay – Police Officer

If you have at least 63 weeks continuous service at the beginning of your EWC and your average earnings are higher than the lower limit for National Insurance we'll pay you:

- Weeks 1-18: Your Full Pay which includes Statutory Maternity Pay (SMP)
- Weeks 19-39: Lower Rate SMP
- Weeks 40 onwards: Unpaid

You can choose to have the final five weeks of full pay (weeks 14-18) spread out over 10 weeks and instead receive half pay plus half rate SMP over weeks 14-23. If you want to do this you must let GMSS know when you inform them of your pregnancy, otherwise we'll pay you full pay during weeks 1-18.

If you are absent for a pregnancy-related reason during the 4 weeks before the date your child is due you will either receive sick pay which will include SMP or SMP (whichever is the higher) until the original start date is reached

If your child is born early, SMP will be paid from the day following the actual date of birth. Your occupational maternity leave and pay will start on your chosen date. The period between the birth of your child and the start of your occupational maternity pay will be offset against your 39 weeks SMP entitlement.

We won't pay you more than full pay if the combined amount of half pay plus half SMP exceeds this

Statutory Maternity Pay – Police Staff and Police Officers

If you have between 41 and 62 weeks continuous service at the beginning of your EWC and your average earnings are higher than the lower limit for National Insurance we'll pay you:

- Weeks 1-6 Higher Rate SMP
- Weeks 7-39 Lower Rate SMP
- Weeks 40-52 Unpaid

Maternity Allowance

If you aren't eligible for Occupational or Statutory Maternity Pay you can still take time off. We'll give you the SMP1 form as you may qualify for Maternity Allowance.

5.6 Agile Working Equipment

If you take a period of maternity leave for 3 months or more, all agile working equipment assigned to you must be returned to the IS Branch. This will be re-assigned to you when you return following maternity leave.

5.7 Reckonable Service – Police Officers

We'll count the first 52 weeks of your maternity leave, paid or unpaid:

- as service in your grade or rank for the purposes of increments, pay and relevant service;
- for part of any period of probation; and
- for annual leave purposes.

5.8 Contract of Employment – Police Staff

You'll continue to be employed throughout your maternity leave, unless you resign or your contract comes to an end for other reasons. However, during your maternity leave you won't continue to receive pay other than that described in the Maternity Pay section above.

When you take time off under this policy, this period will also count as service for the purposes of pay, leave and redundancy payments.

5.9 Antenatal care

You're entitled to paid time off for antenatal care. However, you should show evidence of appointments if asked.

This will include relaxation classes where these have been recommended by your Doctor, Midwife or Health Visitor.

Biological father of the child, civil partner or co-habiting partner, are entitled to unpaid time off to attend two ante-natal appointments.

5.10 Risk Assessment

When you tell your manager you're pregnant they'll do a risk assessment. They may change your duties to ensure you and your unborn child is not at risk.

They will take you off any duty where confrontation or a physical force situation could occur.

5.11 Uniform

Maternity clothing is available if you wear a uniform and you should apply to stores.

5.12 KIT Days

The maximum number of 'Keeping in Touch' days you can work without bringing your maternity leave to an end is 10. You can take a KIT day to attend a training course or event, or to meet with your team for an update.

There are financial implications if you exceed 10 KIT days: if you work more than 10 KIT days, you will lose a week's SMP for any week in which you do some work, even if it's only for one day.

You don't have to attend KIT days but many people find it makes returning to work easier.

We'll pay you for any hours worked based on your salary in addition to your SMP for that week. However this will be off set against your full time salary for the days you work within that week.

If you take any KIT days we won't extend your maternity leave.

5.13 Court Attendance

You may be required to attend court whilst on maternity leave. However, you can give details of your maternity leave on the court availability sheets.

We'll pay you your normal pay for a full day if you attend court, but this won't count as a 'Keeping in Touch' day. You will also receive a day off in lieu when you return to work.

If you attend court, you can claim travel and other expenses back, as long as you provide receipts in the normal way.

5.14 Annual Leave and Bank Holidays

Annual leave and bank holidays accrue during maternity leave.

You have the option to take this leave prior to your return to work or add them to your current leave entitlement and use them within the first 12 months following your return to work date.

You may apply to take the leave to support a gradual return to work or use them to support child care arrangements.

5.15 Essential Car Allowance

If you're an essential car user, you'll still receive the lump sum for the whole of your maternity leave period.

5.16 Car Loan Scheme

If you have a car loan at the time of starting your maternity leave, deductions will continue to be made whilst you're on maternity leave. During any unpaid maternity leave we'll send an invoice to your home address for the required amount.

5.17 Cycle Scheme

Please refer to the Cycle Scheme.

5.18 Childcare Payments – Salary Sacrifice

[Important information if you are in the Childcare Benefit Scheme:](#)

If you're in the Childcare Benefit Scheme, we'll assume you wish to continue to pay for childcare during your paid maternity leave. You cannot re-join this scheme if you leave, therefore, you cannot opt out and back in again. As long as you remain a member of the scheme and have continued to pay into the scheme during the qualifying weeks 17-25 we will continue to pay your childcare vouchers on your behalf during your statutory maternity pay period and any unpaid period of maternity leave. If however, you leave the scheme we will **not** pay your childcare costs during the statutory maternity pay period or any unpaid period of maternity leave and you will not be able to re-join the scheme.

5.19 Pensions

Whilst you're on 'paid' maternity leave we'll continue to deduct your pension contributions. When your pay reduces we'll still deduct your full contribution.

Whilst on 'unpaid' maternity leave your contributions will cease. This means that you'll lose membership for this period unless you repay contributions.

Police Staff

If you wish to repay your pension contributions you must elect to do this within 30 days of the end of your maternity leave. GMSS will advise you on the process for repaying your pension contributions.

Police Officers

If you wish to repay your pension contributions on return from maternity leave please contact Kier.

5.20 Miscarriage, still-birth or death of a baby

In the unfortunate situation that your baby is still-born after 24 weeks' pregnancy, or your baby dies, this policy will apply to you.

If your baby dies or is still-born before 24 weeks unfortunately we won't be able to pay you maternity pay or SMP. We'll grant you special leave or sick leave based on individual circumstances. Our decision will be based on your needs and medical opinion.

5.21 Return to work

We'll assume you'll be returning to work at the end of your maternity leave period. You're not allowed to return to work for at least 2 weeks after the birth of your baby. If you wish to change your return to work date and you're a police officer you must give GMSS 21 days' notice. If you're police staff you must give 8 weeks' notice. You must also tell your manager.

Police Staff

You're entitled to return to the same job on the same terms and conditions. However, in exceptional circumstances, for example redundancy, we might not be able to give you the same job back. If this happens, we'll offer you another job where there is a vacancy, as long as:

- it's suitable for you, and
- the work, workplace and your terms and conditions are not substantially less favourable than your old job.

5.22 Career Breaks (Police Officers only)

Please refer to our Career Break policy.

5.23 Continuous Service (Police Staff only)

If you decide to resign, then all your continuous service with us, and any other qualifying body, will be protected for certain entitlements, if you return to the Police service within 8 years. This applies only if you've not had any other permanent jobs during that time.

6. Procedure

6.1 When to Apply for Maternity Leave

Apply as soon as possible. This should be:

- before the Qualifying Week, or
- at least 28 days before you start your leave

6.2 How to Apply

Tell your manager, complete the Maternity Application form (1088) and send it to GMSS.

We'll write to you within 28 days, to confirm your maternity entitlements and the date we expect you to return from maternity leave.

You can change the date you plan to start your maternity leave but you need to give us at least 28 days' notice.

Send your MATB1 certificate to GMSS as soon as you receive it. If we don't receive this from you, we can't pay you maternity pay.

If you have to start your maternity leave early, due to pregnancy-related sickness or your baby being born early, you should let GMSS know as soon as possible.

6.3 Shared Parental Leave

If you wish to share your maternity leave you will need to bring your maternity leave to an end. Please refer to the Shared Parental Leave Policy

6.4 Birth of your baby

You must write to GMSS when your baby is born to tell them:

- your baby's name,
- sex and
- date of birth.
- your PIN/Collar number

6.5 KIT Days

If you arrange a KIT day with your manager, your manager will complete a kit day form and submit it to GMSS so that you can be paid for the hours that you've worked.

Your manager will keep a record of the number of KIT days you have taken and inform GMSS, making sure you do not exceed 10 KIT days.

You should also keep your own record of the number of KIT days you have worked to make sure you don't work more than 10 KIT days.

6.6 Returning to work after Maternity Leave

If you wish to change your return to work date you must write to your manager and GMSS to confirm your new return to work date, giving the required notice (21 days if you're a police officer or 8 weeks if you're police staff). If you don't then your pay may be affected.

Police Staff

You should give as much notice as possible but a minimum of 8 weeks.

Police Officers

You should give as much notice as possible but a minimum of 21 days.

You can give your manager more advance notice of your return to work if you want to know your shift pattern earlier, for example, to arrange childcare.

Your manager will let the Resource Management Group know and they'll let you know what post you'll be returning to and your new shift pattern.

Using your accrued annual leave and bank holidays

Using your accrued annual leave and bank holidays may enable you to return to work on a phased basis. If you wish to use your leave in this way we will try to support your request wherever possible. Please discuss requests with your line manager.

6.7 Flexible working

If you wish to apply to return to work on a flexible working pattern you should discuss this with your manager as early as possible, ideally three months before your return.

6.8 Resigning

If you decide not to return to work, you should notify your manager immediately. You'll need to give notice in line with your terms and conditions and complete a Leaver Form.

6.9 Appeal rights

If you're not satisfied with the application of this policy, you should raise the matter with your manager first. If you're still not satisfied, you can raise a grievance under the 'Fairness at Work Policy'.

7. Associated Documents

GMP Forms:

Maternity Application Form

Flexible working application form

Leaver Form

GMP Policies:

Shared Parental Leave Policy

Flexible Working Policy

Taking Time off Policy

Attendance Policy

GMP Guidance:

Maternity Management Toolkit

Shared Parental Leave Management Toolkit

Flexible Working Management Toolkit

Taking Time Management Toolkit

Short Term Sickness Management Toolkit

Long Term Sickness Management Toolkit

Risk Assessment for New or Expectant Mothers

8. Statutory Compliance

8.1 Freedom of Information Act (2000), Data Protection Act (2018) & GDPR

The policy and procedures are compliant with the Acts and Regulations

8.2 Equality Act 2010

The policy and procedures are compliant with the Act.

9. Appendices

n/a