

MATERNITY LEAVE (POLICE STAFF) POLICY

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NORFOLK
CONSTABULARY



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MATERNITY LEAVE (POLICE STAFF)

Owning Department: People Directorate

Department SPOC: HR Policy Manager

Risk Rating: Medium

Legal Sign Off: Alison Ings 12.6.26

Approval Board: June 2026

Published Date: 22/06/2026 (v1.6)

Review Date: 21/06/2029

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Legal Basis

Legislation specific to the subject of this policy document:

- Employment Rights Act 2025
- Maternity and Parental Leave Regulations 1999
- Children and Families Act 2014 (part 7 – other statutory rights)
- Equality Act 2010

Other relevant legislation which you must check this document against (required by law)

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Health and Safety at Work etc. Act 1974 and associated Regulations](#)
- [General Data Protection Regulation \(GDPR\) and Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

Other documentation which you must check this document against:

- [College of Policing – Code of Ethics](#)
- [Norfolk and Suffolk Constabularies' Standards of Professional Behaviour](#)
- [College of Policing – Authorised Professional Practice](#)

Other Related Documents:

- Health and Safety New and Expectant Mother Risk Assessment Guidance
- Maternity Support Meeting Form and Guidance
- Contact Contract

1. Our Policy

- 1.1 The purpose of this policy is to provide guidance and information on the maternity leave and pay provisions that are available for our police staff employees, including statutory rights and responsibilities. It also details the responsibilities of Norfolk and Suffolk Constabularies (together the Constabularies) and what an individual can expect during their pregnancy, maternity leave, and when they return to work.
- 1.2 The Constabularies are committed to ensuring this policy complies with relevant legislation and that consultation has been undertaken with all relevant staff groups. Unless we have expressly stated that a policy is contractual, all our policies and procedures are non-contractual. This means we can update them at any time following consultation with UNISON.
- 1.3 All our policies promote equality, eliminate unlawful discrimination and actively promote good relations regardless of a person's age, disability, gender reassignment, marriage or civil partnership, pregnancy and

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maternity, race, religion or belief, sex, sexual orientation, economic or family status.

- 1.4 The Constabularies will review this policy periodically to ensure that it reflects appropriate standards, continues to meet our needs, and reflects any changes in legislation.
- 1.5 The Director of People has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the HR Managers, HR Delivery.
- 1.6 Managers have a specific responsibility to ensure that this policy is applied fairly, and all staff are also responsible for supporting their colleagues and ensuring the success of this policy.

2. Eligibility

- 2.1 This policy applies to all police staff employees.
- 2.2 Casual workers and agency staff are not entitled to maternity leave and pay, however the health and safety aspects of this policy apply to all.
- 2.3 Police officers should refer to the Maternity Leave (Police Officer) Policy.
- 2.4 Special Constabulary officers should refer to the respective force Special Constabulary policy.

3. Definitions

- 3.1 The following definitions are used in this policy:

‘Expected week of childbirth’ (EWC) means the week, starting on a Sunday, when your doctor or midwife expects you to give birth.

‘Qualifying week’ means the 15th week before your expected week of childbirth.

4. Maternity leave entitlement

- 4.1 All police staff employees are entitled to take up to 15 months maternity leave. There is no qualifying period of service. You can decide how much maternity leave you wish to take however you must take at least two weeks of compulsory maternity leave immediately after your baby is born.
- 4.2 In order to take maternity leave, you must comply with the notice requirements set out below.

5. Letting us know you are pregnant

- 5.1 Once you have had your pregnancy confirmed and are comfortable sharing this, we would encourage you to let your line manager know that you are

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pregnant. This is important as it will help us to support you and ensure we are able to address any health and safety concerns in a timely manner. It will also enable you to take paid time off to attend your ante-natal appointments.

6. Ante-Natal Care

- 6.1 You are entitled to reasonable paid time off to attend ante-natal care appointments recommended by your doctor, mid-wife or registered health visitor, including parent-craft and relaxation classes as well as scans, midwife appointments and medical examinations. This entitlement also applies to agency staff (subject to the Agency Worker Regulations 2010 qualifying criteria¹).
- 6.2 Any individual who has a qualifying relationship² with you is entitled to paid time off to accompany you to up to two antenatal appointments. Ag If they work for one of the Constabularies, they will need to request the time-off from their own line manager. If they do not work for one of the Constabularies, they will need to contact their own employer to request the time off. Please note the statutory provision is for unpaid time-off, which may apply with other employers.
- 6.3 Time off should be agreed in advance with your line manager and, as with medical appointments, ante-natal appointments should be arranged at times that are the least disruptive to work as far as reasonably practicable. Apart from the first appointment, your line manager may ask you to provide evidence of appointments such as an appointment card.

7. Your Health and Safety

- 7.1 We have a duty of care for the health and safety of all our staff. Once you have notified your line manager of your pregnancy they will undertake a risk assessment with you using the New and Expectant Mother Risk Assessment Guidance. The purpose of this is to identify any health and safety concerns and ensure appropriate action is taken to remove or reduce to an acceptable extent any risks to you or your baby.
- 7.2 Each woman's pregnancy is different and the way it impacts her work will also be different. Some may have no problems whilst others may have difficulties or be unwell during their pregnancy. Every woman will be treated sympathetically during the risk assessment process. We recognise that those who have a disability may experience additional difficulties which may require additional support.
- 7.3 All reasonable steps will be taken to prevent exposure to any risks by making appropriate alterations to your duties, working conditions, hours or

¹ They have completed their 12-week qualifying period; they do not take on a different role with us; there are no breaks between assignments, or during an assignment.

² A 'qualifying relationship' means a spouse, partner, father or other parent of the expected child, nominated carer or the potential applicant for a parental in relation to a child who is expected to be born to a surrogate mother.

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shifts as necessary. Your line manager will discuss any proposed changes with you in full.

- 7.4 Where there is a high level of risk identified with your current role, for example significant contact with detainees, you may be offered the opportunity to undertake an alternative role on a temporary basis. You do however have the option to remain in your current role if you choose to, and all reasonable alterations will be made to enable you to continue to do so.
- 7.5 In circumstances where an alternative role is considered for you, you will be included in discussions with your line manager and an HR professional to ensure you are assigned to a role that is suitable and appropriate to your skills and experience.
- 7.6 Every effort will be made to identify a suitable role in the above circumstances, however if this is not possible, and/or if sufficient alterations cannot be made to enable you to safely continue in your current role, it may be necessary to place you on leave on full pay until you start maternity leave.
- 7.7 Your line manager will review the risk assessment with you as your pregnancy progresses, usually monthly or if your circumstances change, e.g. after an ante-natal appointment. If at any time you have any health or safety concerns, you need to talk to your line manager so they can take appropriate action.
- 7.8 A risk assessment will also be undertaken if you return to work within six months of giving birth or are breastfeeding on your return.
- 7.9 Further information and advice for line managers on the risk assessment process is available from the Health and Safety department.

8. Maternity Support Meetings

- 8.1 Maternity Support Meetings are an opportunity for you to discuss with your line manager any issues relating to your pregnancy that you may need support with, your maternity leave, or return to work plans. These meetings may also be a good time to review your risk assessment.
- 8.2 Your line manager will arrange an initial maternity support meeting with you once you have notified them of your pregnancy. Further meetings will be arranged on a regular basis until your maternity leave starts.
- 8.3 Your line manager will also arrange a meeting approximately eight weeks prior to your planned return to work date to discuss any relevant issues or concerns with you and to ensure you are fully supported when you return. Please see below for further information on returning to work.
- 8.4 A written record of all maternity support meetings will be made and retained on your personal file.

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- 8.5 If you would like a colleague or UNISON representative to attend the meeting with you for additional support, you may request this. Please let your line manager know in advance if anyone will be accompanying you.

9. Uniform

- 9.1 Pregnant staff who are required to wear a uniform should make contact with the Uniform Supplies Manager, who will arrange to provide and order appropriate maternity uniform. Where suitable maternity uniform is not available, the Uniform Supplies Manager will advise on and authorise reimbursement for reasonable costs incurred in purchasing suitable office attire.

10. Sickness Absence during pregnancy

- 10.1 If you are absent from work due to pregnancy related sickness before your maternity leave starts you will receive occupational sick pay in the same way as you would during any other sickness absence. You should follow the usual sickness absence reporting procedures and notify your line manager (or the person you are reporting the absence to) that your absence is pregnancy related. This will be recorded separately from other sickness absence and will be disregarded in any future employment related decisions.
- 10.2 There are however special rules regarding pregnancy related sickness absence during the last four weeks before your EWC and commencement of maternity leave and pay. Please see below for information.
- 10.3 If you become sick during your maternity leave you are not entitled to sick pay and maternity leave cannot be treated as sickness absence.

11. Notice Requirements to take Maternity Leave

- 11.1 You can start your maternity leave at any time from six months before your EWC. You must end your maternity leave no later than 12 months after your EWC.
- 11.2 You can take your maternity leave in more than one period which will allow you to return to work, for example for a training course, or to take annual leave during a break in maternity leave. However, taking multiple periods of maternity leave may affect your ability to claim statutory maternity pay (SMP). For this reason, if you qualify for SMP you are strongly advised to take any annual leave in single blocks, before and/or after your full period of SMP, to avoid losing any element of the SMP entitlement.
- 11.3 To take maternity leave you must give us formal notice of:
- the fact that you are pregnant;
 - your expected week of childbirth; and
 - your intention to take maternity leave and when you would like this to start.

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- 11.4 You should make this notification by submitting the online 'maternity notification form' at least 28 days in advance of when you want your leave to start (or as soon as possible if this is not practicable). If your plans change, you are entitled to change your maternity leave start date – please see below for information.
- 11.5 You will also have to provide us with your MAT B1, which is a certificate given to you from your doctor or midwife at week 21 of your pregnancy confirming your expected week of childbirth. You need to submit a scan or copy of this certificate to People Customer Services as soon as it is available. If possible, you should submit this at the same time that you make the above on-line notification.
- 11.6 Following receipt of your notification, People Customer Services will respond within 28 days confirming the last date of your maternity leave if you take your full 15 months' entitlement and in one complete period, your maternity pay entitlement and the notification required if you wish to change your maternity leave plans.

12. Changing your Maternity Leave Start Date

- 12.1 If you wish to bring forward your start date you need to give at least 28 days' written notice in advance of the new proposed start date, wherever possible. If you cannot meet this notice requirement you must speak to your line manager as soon as possible.
- 12.2 If you wish to postpone your start date you need to give 28 days' written notice before your original proposed start date. If you cannot meet this notice requirement you must speak to your line manager as soon as possible.
- 12.3 If you would like to take a break in your maternity leave, to return to work or take annual leave instead, please give your line manager at least 28 days' notice wherever possible.
- 12.4 The line manager must notify People Customer Services of any change in your start date as soon as possible so that the appropriate arrangements can be made for your maternity leave and pay.

13. Starting your Maternity Leave

- 13.1 Your maternity leave will usually start on the date you have chosen unless:
- your baby is born early and before your intended leave start date, in which case your maternity leave and statutory/occupational maternity pay will start automatically on the day after your baby's birth. If your baby is born later than the week in which it was due, your intended start date will not change.
 - you are absent from work due to a pregnancy related reason during the last four weeks before your EWC. This will automatically trigger your maternity leave and statutory/occupational maternity pay. In these

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circumstances your maternity leave will start the day after your first day of absence.

- 13.2 Heads of Department do have the discretion to disregard odd days of sickness absence so that maternity leave is not triggered, subject to there being no adverse effect on your health and safety, and with your agreement.

14. Notification of Birth

- 14.1 You need to notify us in writing of the actual date of your baby's birth as soon as reasonably practical in order that arrangements can be made for your maternity pay to be paid correctly. This should be done via your line manager. The line manager must notify People Customer Services of the date as soon as their member of staff has notified them.

15. Maternity Pay

- 15.1 You will receive both statutory maternity pay and occupational maternity pay, subject to meeting the qualifying criteria below.

Statutory Maternity Pay (SMP)

- 15.2 SMP is paid for up to 39 weeks of your maternity leave and is payable from the eleventh week before the EWC. The first six weeks is payable at 90% of your average weekly earnings. The remaining 33 weeks is payable at the Government rate for the relevant tax year, or at 90% of your average weekly earnings (whichever is lower). SMP starts from the first day of your maternity leave unless your leave commences before the eleventh week before the EWC.

- 15.3 You will qualify for statutory maternity pay if:

- you have at least 26 weeks continuous service at the end of your qualifying week;
- your average weekly earnings are not less than the lower earnings limit for national insurance contributions.

- 15.4 Current rates of SMP are available at www.gov.uk.

Occupational Maternity Pay (OMP)

- 15.5 You will receive OMP if you have 12 months' continuous service by the end of your qualifying week.

- 15.6 OMP is paid for 26 weeks at your full normal pay rate. Alternatively, you can elect to receive full pay for the first 21 weeks followed by half pay for the following ten weeks. OMP starts on the first day of your maternity leave.

- 15.7 Payment of OMP at your full normal pay includes any SMP that you are due for the same period. If you elect to receive half pay in the ten weeks from

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the 22nd to 32nd week then you will receive half your normal pay, plus an amount equivalent to half of any SMP due, for the ten weeks, which means that you will receive all of the SMP to which you are entitled during this period.

- 15.8 Payment of OMP is subject to you committing to return to work for at least one month following the end of your maternity leave. You can use any accrued but untaken annual leave to offset the one-month period required. If you do not return to work for this minimum period, you will be required to repay the OMP you have received, less any SMP received in those weeks.

Maternity Support Allowance

- 15.9 If you have less than 26 weeks service before your qualifying week you will not qualify for SMP or OMP but may be eligible for Maternity Support Allowance from the government. In order to check your eligibility please see www.gov.uk.

16. Maternity Support Leave (statutorily known as Paternity Leave)

- 16.1 If you are the mother's partner, or the other parent or a nominated carer of an expected baby, you are entitled to up to two weeks' maternity support leave (2 x 37 hours, pro rata for part-time staff). Leave is taken and recorded in hours to reflect that weekly working hours are not fixed, as they may vary between departments and from week to week for those on shift patterns. You do not have to take the leave in one single period, but it must be taken in blocks of at least one week (37 hours, pro rata). This means you can choose to take:

- one week period (37 hours, pro rata), or
- two consecutive weeks (2 x 37 hours, pro rata), or
- two separate one-week periods (2 x 37 hours pro rata) each.

You are entitled to a maximum of two weeks' leave per pregnancy even if more than one baby is born.

- 16.2 There is no minimum length of service required to take maternity support leave. Pay for the leave however is dependent on your length of service, please see 15.5 and 15.6 below.
- 16.3 You can start your leave on any day from the day of the baby's birth but it must end within 52 weeks of the birth, or the expected week of birth if the baby is born early. If you wish to take shared parental leave you must take maternity support leave first. You must give us written evidence of your entitlement by the end of the 15th week before the EWC – this can be an email to your line manager.
- 16.4 Whilst we recognise that you may not be able to provide your line manager with a precise date of when you want to take your leave, you should let them know the baby's expected week of birth and when you wish to take your leave relative to this date as soon as possible. Wherever possible you

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should provide at least 28 days' notice. 28 days' notice should also be provided where possible if you wish to change your dates.

- 16.5 If you have at least 26 weeks continuous service by the qualifying week (15 weeks before the EWC), you will receive full pay for the first week of maternity support leave and statutory paternity pay (SPP) or 90% of your normal weekly earnings, whichever is lower, for the second week. Current rates of SPP are available at www.gov.uk.
- 16.6 If you have less than 26 weeks service by the qualifying week, you will receive full pay for the first week and the second week, if taken, will be unpaid.

Additional Week of Special Leave

- 16.7 If you are eligible for maternity support leave, you can also take an additional one week (37 hours, pro rata for part-time staff) of special leave, at full pay, to support the mother. This must be taken immediately following your maternity support leave. If you opt to take maternity support leave in two non-consecutive periods, the special leave must immediately follow either the first or second period of maternity support leave taken.
- 16.8 To request both maternity support leave and the additional special leave please notify your line manager and complete an online notification MSL form. You will receive written confirmation from People Customer Services of the dates requested and the notification required if you wish to change this.

17. Maintaining Contact During Maternity Leave

- 17.1 We want to keep in contact with you during your maternity leave. Your line manager will discuss and agree contact arrangements with you before your leave starts so that they can ensure contact is relevant and reasonable.
- 17.2 Line managers will record the agreed contact arrangements in a suitable format. A 'contact contract' proforma is provided. This should include frequency of contact and what sort of information you would like to be updated on, KIT days, ICT account access etc. Frequency of contact will depend on individual circumstances, but as a guideline the line manager should ensure contact is made at least once a month.
- 17.3 If you have been temporarily working in another team prior to maternity leave, it is your substantive line manager's responsibility to maintain contact. If there is a change in your line management during your leave the current line manager is obligated to handover responsibility to the new line manager who will then make contact with you.
- 17.4 In some cases, a member of staff may prefer an alternative manager or senior colleague as their main contact. If you would like to request an alternative contact, please discuss this with your line manager so that any alternative arrangement can be considered and if appropriate, agreed.

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17.5 IT user accounts are normally deactivated when an individual is on maternity leave, however we can keep your account active if you will still have access to force ICT equipment during your maternity leave and would find this beneficial. This will be subject to complying with certain conditions and taking full responsibility for your account's security whilst it remains active. Please speak to your line manager if you would like this to be put in place. A request will then need to be made to ICT by you or your line manager to set this up.

18. Keeping in Touch (KIT) Days

18.1 You can attend work for up to ten days during your maternity leave without bringing your leave to an end. These are known as Keeping in Touch (KIT) days. KIT days are intended to facilitate a smooth return back to work and can be useful in helping maintain relationships with colleagues and keeping up to date with any changes in the workplace. KIT days are optional, and you are under no obligation to take them.

18.2 Any KIT days taken must be agreed between you and your line manager. They can be taken singularly or consecutively at any time during your maternity leave other than the compulsory maternity leave period. They cannot be taken at the end of your maternity leave to extend your maternity leave period.

18.3 You should agree with your line manager in advance what you will do on your KIT days; they can be used for any work you would normally do in your day to day role or could be used to attend team meetings or training for example.

18.4 A KIT day will count as one day regardless of the length of time you are at work. For example, one KIT day will be used even if you only attend for a one-hour meeting. If you come in on a shift that straddles midnight the hours worked in that shift will count as one KIT day.

18.5 You will be paid for the actual hours you have worked at your normal hourly pay rate, plus SMP where applicable. This will be pensionable.

18.6 The line manager is responsible for completing an online notification form following completion of a KIT day to confirm the hours worked and day taken.

19. Surrogacy

19.1 If you act as a surrogate you are entitled to the full maternity leave and pay provisions set out in this policy, subject to the usual eligibility criteria as stated above.

19.2 If you become a mother through a surrogacy arrangement (where another individual becomes pregnant with your child) you are not entitled to maternity leave but may be entitled to either adoption leave or adoption support leave. Your entitlement to leave will depend on whether you are the primary or secondary adopter, obtaining a parental order, and is subject to

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meeting the qualifying criteria for the leave. Please refer to the Adoption Leave Policy for further information.

20. IVF and other fertility treatment

- 20.1 Whilst there is no statutory entitlement to time off for IVF or other fertility treatment, the Constabularies will support staff undergoing fertility treatment, and their partners, by providing paid time off and flexibility in working patterns and arrangements. There is no minimum service length requirement to be eligible for this support.
- 20.2 For any member of staff undergoing fertility treatment, reasonable paid time off (special leave) for fertility-related appointments and treatment may be granted by the line manager. The amount of time off required will vary depending on the individual's personal circumstances, including the type of treatment being undertaken and the nature of their role. Reasonable time off should be granted in accordance with the individual circumstances. Line managers may seek advice from their HR Advisor where required.
- 20.3 If you are the partner of an individual undergoing fertility treatment, your line manager may authorise up to ten hours of paid special leave per fertility treatment cycle (pro-rata for part-time staff). A fertility treatment cycle is defined as starting from the initial consultation appointment through to a positive or negative pregnancy test at the conclusion of the treatment. The partner may allocate this special leave to fertility-related appointments or procedures of their choice.
- 20.4 If you are requesting time off under these provisions you will be required to provide confirmation from a qualified medical practitioner that fertility treatment has been recommended and approved. You may provide this information to your line manager, HR or Workplace Health. You are not required to share details of your fertility treatment with your line manager.
- 20.5 You should seek to arrange fertility-related appointments outside of working hours where possible, or at times that cause minimal disruption to your work. It is recognised, however, that this may not always be practicable due to the number, timing or short-notice nature of appointments. You should provide as much notice as reasonably practicable of time off required and, where requested, evidence of appointments.
- 20.6 Individuals undergoing fertility treatment may experience physical, emotional or psychological impacts as a result of treatment and associated medication. The Constabularies recognise these impacts and are committed to providing a supportive, sensitive and inclusive working environment. Where appropriate and operationally practicable, temporary workplace adjustments or flexibility may be considered to support the individual's wellbeing.
- 20.7 There shall be no expectation for any individual to attend work if they are unwell as a result of fertility treatment. If you are unfit to work, you should

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report your sickness absence in the usual way, in accordance with the Sickness Absence Management Policy.

- 20.8 If there are workplace measures that we can implement to help you while you are undergoing assisted conception treatment, such as a quiet space to inject or the flexibility to take last-minute calls from your clinic confidentially, please speak with your line manager or your HR Advisor.
- 20.9 The measures detailed in paragraph 19.8 are examples only. The list is not intended to be exhaustive, and we recognise that the support needed may vary from employee to employee. Please make your line manager or HR Advisor aware of any measures that may help you. Any suggestions will be considered on a case-by-case basis.
- 20.10 A woman undergoing IVF is treated as pregnant from the point of embryo transfer, even though their pregnancy has not yet been confirmed. From this stage, any pregnancy related absences will be protected, and the individual will have the same rights as any other pregnant member of staff, provided the Constabulary is aware (or could reasonably be expected to be aware).
- 20.11 If the embryo implantation is not successful, the protected period ends 2 weeks after the date the woman was informed that implantation was not successful.
- 20.12 We appreciate that you may want to limit the number of individuals who know about any fertility investigations or tests, or assisted conception treatment, you are undergoing. If you choose to discuss any fertility issues with your manager, we encourage you to speak with them about how you would like any related absences from work to be communicated to colleagues. If you would prefer to do so, you may speak with an HR Advisor in the first instance. Whether you speak with your manager or an HR Advisor, they should deal with the related issues sensitively and ensure confidentiality is maintained as far as possible.
- 20.13 Any information you provide to us about your health will be processed in accordance with our Data Protection Policy. We recognise that this data is sensitive and will handle it in a confidential manner.

21. Unexpected Circumstances

- 21.1 Sadly, some pregnancies don't always go ahead as planned. If you are affected by any difficulties with the birth of your baby, such as your baby is born premature or is sick, or if IVF is unsuccessful, you are encouraged to speak to your line manager to ensure you receive the right level of support. If for any reason you feel unable to approach your line manager, you can speak to your HR Advisor. All discussions with your line manager or HR will be treated sensitively and in strict confidence.
- 21.2 Circumstances will be unique to each individual and we can discuss with you how you would best like to be supported. Practical support options may

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include time off for dependants, compassionate leave or granting other additional leave requests (please refer to the Leave and Time Off Policy), and informal or formal flexible working arrangements. This will apply to both the mother and the mother's partner or other parent. If your baby has been in neonatal care for seven days or more, you will be eligible for neonatal care leave. Full details are given below.

- 21.3 Line managers are encouraged to contact their HR Advisor for advice on ways they can support the member of staff experiencing a loss and are encouraged to offer additional special/compassionate leave and/or other flexible working arrangements to meet the individual needs of the member of staff concerned.

22. Neonatal Care Leave

- 22.1 Neonatal care leave allows for up to 12 weeks of additional leave to be taken, paid at a statutory weekly rate of pay, in respect of a child born after 6 April 2025 requiring neonatal care within 28 days of birth. This leave is in addition to any other leave that the individual may be entitled to, such as maternity, adoption, maternity or adoption support leave, shared parental leave and parental bereavement leave.

Entitlement to neonatal care leave

- 22.2 Neonatal care leave is available to a child's parent, or the partner of the mother, provided they have responsibility for the child's upbringing and are taking the leave to care for the child.
- 22.3 It is a 'day one' right, meaning there is no minimum period of service to qualify for taking the leave (but will require a minimum service period to receive pay for the leave – see below).
- 22.4 To be eligible, the neonatal care must start within 28 days of the child's birth and continue for at least seven consecutive days. 'Neonatal care' generally means medical care received in a hospital but can also mean medical care received elsewhere, if the child has been initially hospitalised, and includes palliative care.
- 22.5 Eligibility to take neonatal care leave is preserved in the event the baby dies.

Amount of neonatal care leave you can take

- 22.6 The entitlement is for one week's leave for any period of a week in which the child receives neonatal care, but the entitlement only arises after the first seven days of uninterrupted neonatal care and lasts for a period of seven days after neonatal care ends.
- 22.7 For example, if your child started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means the neonatal care leave can start on any day from 15 April.

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22.8 The maximum length of leave is 12 weeks, even in the case of multiple births.

22.9 Any neonatal care leave must end within 68 weeks of the child's date of birth. Neonatal care leave cannot be taken at the same time as other family related leave.

How neonatal care leave may be taken

22.10 Neonatal care leave is available to take in two tiers, to allow for flexibility:

- The "tier 1 period" begins when the child starts receiving neonatal care and ends on the seventh day after neonatal care stops. Neonatal care leave taken in the tier 1 period can be taken in one continuous block or a number of non-continuous blocks of a minimum of one week at a time.
- The "tier 2 period" is any remaining period (within 68 weeks after the child's date of birth) that is not part of the tier 1 period. Neonatal care leave taken during the tier 2 period must be taken in one continuous block.

22.11 Staff taking maternity leave whose baby requires neonatal care, will most likely elect to take a period of 'tier 2' leave to extend the overall period of time off.

22.12 'Tier 1' leave might be more commonly taken by fathers or partners whose support leave has run out while their child is still receiving neonatal care.

Notice to take neonatal care leave

22.13 For 'tier 1' leave, notice must be given in respect of each week of leave, or as soon as reasonably practicable.

22.14 For a 'tier 2' period of leave, a minimum of 15 days' notice for a single week of leave, or 28 days' for two or more consecutive weeks of leave must be given.

22.15 We may however mutually agree to waive these notice requirements.

22.16 The notice should specify the date of birth, the date the child's neonatal care starts (and, if applicable, when it ended), the date on which the member of staff intends to start their period of leave, and the number of weeks.

Neonatal care pay

22.17 Statutory neonatal care pay is payable during your neonatal care leave period, provided that you are entitled to it.

22.18 The rate of statutory neonatal care pay is set by the Government for the relevant tax year, or at 90% of your average weekly earnings (whichever is lower).

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22.19 You will qualify for statutory neonatal care pay if:

- you are entitled to take neonatal care leave;
- you have at least 26 weeks' continuous service at the end of the relevant week;
- you remain in continuous service from the end of the relevant week (or from the child's birth if they were born before the relevant week);
- your average weekly earnings are not less than the lower earnings limit for NI contributions in the eight weeks ending with the relevant week.

22.20 "Relevant week" means the 15th week before the expected week of childbirth if you are entitled to statutory maternity pay.

Contact during neonatal care leave

22.21 We reserve the right to maintain reasonable contact with you during your neonatal care leave. This may for example be to discuss your plans for taking leave, or to discuss any special arrangements to ease your time away from work.

23. Loss and Bereavement

23.1 In the circumstances of your pregnancy sadly ending during the first 24 weeks of pregnancy (known as miscarriage), you will not be eligible for maternity leave or pay. However, in these circumstances sympathetic consideration will be given to granting compassionate and/or special leave, or if you have reported sick as a result of the physical or mental impact of a miscarriage, provisions under the Sickness Absence Management Policy will apply.

23.2 Staff whose partners have miscarried or are the other parent may also need compassionate leave or 'time off for dependants', either for themselves and/or to allow them to support their partners.

23.3 If your pregnancy sadly ends in still birth after 24 weeks or your baby passes away soon after birth, irrespective of what point in your pregnancy the birth takes place you will retain your rights to full maternity leave and pay. Your maternity leave will start the day after the birth, if it has not already started. You will also be entitled to parental bereavement leave (see below for information). The mother's partner or the other parent or nominated carer will also retain their right to maternity support leave, including the additional week of special leave.

23.4 Line managers are encouraged to contact their HR Advisor for advice on ways they can support their member of staff experiencing a loss, and are encouraged to offer additional special/compassionate leave and/or other flexible working arrangements to meet their individual needs

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- 23.5 Staff may not want to call the time off 'maternity' or 'maternity support' leave if their baby has died. Line managers should be sensitive to the individual's preference and be led by them when having conversations about leave.
- 23.6 It will be helpful for the line manager to maintain appropriate contact with their member of staff during time away from the workplace. The frequency of contact and how this will be conducted should be agreed with, and led by, the individual.
- 23.7 Line managers should contact their HR Advisor for guidance on supporting the individual and their wellbeing through this time.
- 23.8 The line manager should check that sickness/ other time away from the workplace records are accurately recorded/ updated on the relevant systems to ensure pay records are appropriately maintained during the individual's absence.

Parental Bereavement Leave and Pay

- 23.9 Parental bereavement leave is an entitlement of two weeks' leave, available to all parents who suffer a still-birth after 24 weeks of pregnancy or lose a child under the age of 18. This leave entitlement is in addition to, and not a replacement for, any other leave a parent may wish to take, including maternity leave, time-off for dependants, compassionate leave, or other types of parental leave. Parental bereavement leave is paid for individuals with at least 26 weeks' service at the statutory rate.
- 23.10 There is no qualifying period of service in order to take parental bereavement leave. If more than one child has died the parent is entitled to a period of parental bereavement leave for each child. The member of staff is still entitled to their full maternity leave if they have a still-birth after 24 weeks or their baby dies soon after birth.
- 23.11 Parental bereavement leave applies equally to the parent and to the parent's partner. This means any of the following:
- natural parents, adoptive parents or those who have become parents through surrogacy or fertility treatment;
 - a natural parent of a child who has been adopted but has a court order giving contact with the child;
 - a person with whom a child has been placed for adoption, as long as the adoption has not been disrupted;
 - a prospective adopter who is living with the child following entry into the UK from overseas and has official notification of eligibility to adopt;
 - an intended parent under a surrogacy arrangement;
 - foster carers, guardians or others who are the child's main carer;
 - a partner of any of the above.

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- 23.12 Parental bereavement leave can be taken at any time in the 56 weeks from the date of loss and either as two consecutive weeks or as two separate weeks at different times. A 'week' is seven calendar days and the leave must be taken as whole weeks.
- 23.13 You must notify your line manager to take the leave but this can be informal, e.g. a phone call, it does not need to be in writing.
- 23.14 For leave starting within 56 days (eight weeks) of the loss, notice should be given no later than when you would normally start work, or as soon as practicable thereafter. For leave to start more than 56 days (eight weeks) from the date of the loss, one week's notice, or as soon as is practicable, is required. You can change or cancel your weeks of leave by giving the same notice periods, but not when you have already started a week's leave.
- 23.15 There is no requirement to provide any documentation in order to take parental bereavement leave.

Bereaved Partner's Support Leave - loss of partner within first 12 months following birth/adoption placement of child (statutorily known as Bereaved Partner's Paternity Leave)

- 23.16 Bereaved partner's support leave (BPSL) supports staff who lose their partner where that partner was the mother, primary adopter or primary intended parent (surrogacy) of their child. It aims to ensure that staff who will have the main responsibility for the child's upbringing, but who may not be eligible for shared parental leave, can take leave to care for the child.
- 23.17 The entitlement, which is a day-one right with no service requirement, is to take up to 52 weeks' unpaid leave. To be eligible you must have, or expect to have, main responsibility for bringing up the child and the child must be under 12 months old (or the death must have occurred within 12 months of the adoption placement – please see Adoption Leave Policy). The leave must normally be taken in one continuous block and within 52 weeks' of the child's birth/adoption placement.
- 23.18 If the death was less than 14 days before the child's first birthday or anniversary of adoption you can take up to 2 weeks of leave, which must end within 14 days of the death.
- 23.19 BPSL may be taken before or after other types of family leave the individual is entitled to, including maternity support leave and parental bereavement leave. Any entitlement to SPP may be claimed while you are taking BPSL, as long as you have not already had a period of maternity support leave in which you were paid SPP.
- 23.20 Due to the exceptional circumstances surrounding BPSL, notice requirements will be flexible. Where leave begins 8 weeks' after the death notice can be given orally and with minimum advance notice. Where leave begins more than 8 weeks' after the death at least 1 week's written notice is required. Requests to vary, cancel or shorten the leave will be accepted with reasonable notice.

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- 23.21 During BPSL, you have the right to return to your same job (or a suitable alternative where applicable). Annual leave will continue to accrue during BPSL.

24. Career Development

- 24.1 Whilst on maternity leave you will still have access to opportunities for career development.
- 24.2 If requested, People Customer Services will send you a link via an encrypted email to access LMS remotely on a personal device. You will be able to access both Force Orders and the internal job vacancies list via this link, which will be on separate 'tiles' within LMS. The link will be emailed to you each week as a reminder.
- 24.3 Special consideration will be given when arranging any interviews or assessments whilst you are on maternity leave to minimise impact on you and any childcare arrangements you may need to put in place.
- 24.4 When you return to work from maternity leave your line manager will review your career development aspirations with you as part of your regular PDR conversations.

25. Notice for Ending Maternity Leave

- 25.1 If you take your full maternity leave period and will be returning at the end of this period, on the date as confirmed in writing to you, you do not have to provide notice.
- 25.2 If you wish to return earlier than the date confirmed in writing to you, you must give at least 21 days' notice to your line manager confirming the date you intend to return. Line managers must complete the on-line notification to People Customer Services upon receipt of their member of staff's notification to confirm this.
- 25.3 If you have notified your line manager of an earlier return date, but subsequently change your mind about returning to work on this date (whether sooner or later), you must give notice in writing to your line manager at least 21 days before the earlier of either the date on which you intend to return or the date on which you had previously given notice to return.
- 25.4 If you give less notice than 21 days we reserve the right to postpone your return to ensure 21 days' notice, but it will not be postponed beyond the end of your maternity leave period.
- 25.5 If you are unable to return to work on your intended date due to sickness, you should follow the usual sickness absence reporting procedures under the Sickness Absence Management Policy, and the policy's sick pay provisions will apply.

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26. Shared Parental Leave

- 26.1 If you and your partner meet the eligibility requirements you may choose to end your maternity leave and pay early and take shared parental leave instead. This will enable you and your partner to take it in turns to have leave to care for your baby, return to work while your partner takes leave or take leave at the same time. Please note that pay for shared parental leave is statutory only.
- 26.2 Please refer to the Shared Parental Leave Policy for further information.

27. Flexible Working

- 27.1 If you are considering applying for flexible working to change your hours of work or other working arrangements when you return from maternity leave, you may wish to informally speak to your line manager before you start your leave to understand what options there might be.
- 27.2 It can be difficult to prepare a flexible working application whilst you are away from work, however you can use a KIT day to come into work to discuss options, proposed working patterns etc, with your line manager and complete a flexible working application. You may also wish to consider approaching UNISON for assistance and advice with this process.
- 27.3 If your partner works at the Constabulary and is also applying for flexible working, if you let your line manager know this then both applications can be considered simultaneously.
- 27.4 For further information please refer to the Police Staff Flexible Working Policy.

28. Career Break

- 28.1 If you would like to take a further formal break from work following your maternity leave you may wish to consider a career break. Please refer to the Police Staff Career Break Policy for further information.

29. Decision Not to Return to Work

- 29.1 You are under no obligation to decide at the start of your maternity leave whether or not you will return to work at the end of your maternity leave. If you decide that you would not like to return to work after your maternity leave, you must give the appropriate notice of your resignation in accordance with your employment contract.
- 29.2 Please note that if you resign you may have to repay occupational maternity pay as set out above.
- 29.3 Once you have given notice of your resignation, you may not change your mind without our agreement.

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30. Returning to Work Following Maternity Leave

- 30.1 You are entitled to return to the same role you were in prior to your maternity leave, on the same or not substantially less favourable terms and conditions, prior to your maternity leave.
- 30.2 However, if there is a genuine reason why that is not reasonably practicable, such as a redundancy situation, the Constabulary will look for a suitable alternative role for you, on terms and conditions that are not substantially less favourable than your original role.
- 30.3 If there are any proposed changes affecting your job whilst you are on leave you will be contacted by your line manager as soon as practicable so that all options available can be discussed and explored with you.
- 30.4 We will write to you as the end of your maternity leave approaches to remind you of your expected date of return and your line manager will contact you to discuss the arrangements for your first day back.
- 30.5 We recognise that returning to work from maternity leave after a significant period of time away from work can be challenging and we will take steps to ensure that your return to work is as smooth as possible. Your line manager will arrange to have a meeting with you during your first week back at work, the aim is to support and facilitate your integration back into the workplace taking account of any health, welfare, training, risk assessment or other job-related matters that may need addressing.
- 30.6 The line manager should ensure that a bespoke return to work plan is in place for their member of staff.

Phased Returns

- 30.7 Additional support may be provided by your line manager through a phased return.
- 30.8 A phased return may be implemented to support a staff member to return to work following maternity leave. This is a short-term arrangement agreed between the member of staff and their line manager, which allows structured amendments to their duties or working conditions which fall short of full duties. A phased return is designed to help the member of staff adapt and prepare for a return to full duties and/or contractual hours and will be considered on a case-by-case basis.
- 30.9 The expectation is that any member of staff who is on a phased return will not be required to undertake operational duties during the first two weeks, unless they choose to do so and subject to completion of essential training e.g. PST, first aid. Line Managers can contact their HR Advisor for advice on implementing.
- 30.10 Phased returns where reasonably necessary will be granted on the individual's full pay. The number of hours worked should be incrementally increased over the phased return period. Phased returns should not

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normally exceed 28 days. A typical example of a 28-day phased return period is a minimum of 50% of working hours in week one, progressing back to working full hours by week four. This would be in consultation with the line manager and adapted to the specific needs of the individual.

- 30.11 If the individual was previously full-time but has a flexible working request approved to return on a part-time basis, the phased return should be calculated on the revised part-time working pattern/number of hours.

31. Breastfeeding

- 31.1 We will provide a flexible and supportive environment that supports all staff who are breastfeeding following their return to work.
- 31.2 All staff are encouraged to have a positive, accepting attitude towards those who are breastfeeding. Discrimination and harassment of staff who are breastfeeding is unacceptable in any form and will not be tolerated.
- 31.3 If you require any breastfeeding arrangements to be made for when you return to work you should discuss this with your line manager, ideally at your Maternity Support Meeting prior to your return, so that suitable arrangements can be made.

Risk assessments

- 31.4 All officers and staff who are breastfeeding will have a work-related risk assessment. The risk assessment should be undertaken by the individual's line manager, and before the individual returns to work following maternity leave or starts a new role. The line manager must then arrange for any reasonable alterations to be put in place.
- 31.5 When undertaking the risk assessment, consideration should be given to time for breastfeeding or expressing milk. Line managers can refer to the New/Expectant Mother Risk Assessment Guidance which includes a risk assessment template and information on associated risks of breastfeeding and expressing and examples of preventative measures such as those relating to personal protective equipment and clothing

Breaks for breastfeeding and expressing

- 31.6 Line managers should support their staff member who is breastfeeding by allowing them sufficient time to leave their place of work to breastfeed or to express milk. Individuals may take up to one hour paid time per working day in addition to their scheduled daily break, either to feed their baby if this is practicable or to express milk. The timing of this should be mutually agreed between the individual and their line manager. If further time is needed, the individual should discuss this with their line manager. Line managers may contact HR for advice if required. Any additional time off taken will be unpaid. Alternatively, individuals may choose to take other forms of leave e.g. annual leave, flexi-time.

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Facilities to express and store milk

31.7 A safe, private space or room for breastfeeding women to express when at work on police premises will be provided. A ladies' toilet is NOT a suitable place in which to express milk. The opportunity to safely store their expressed breastmilk will also be provided.

31.8 The line manager is responsible for identifying suitable facilities for their staff member to use and may contact the Health & Safety Department or their HR Advisor if they need any advice or assistance with this.

31.9 The following facilities should be provided:

- A warm, private room or space which will have an arrangement for ensuring privacy.
- Electric power points.
- Low comfortable chair.
- Table or desk at appropriate height.
- Facilities close-by for hand washing.
- A clean area where sterilising equipment may be stored.
- Surfaces should be easy to clean and disinfect.

31.10 Ideally a designated fridge should be provided for storage of breast milk. Departmental fridges for general use should be avoided wherever possible however if this is not possible, individual storage bags should be provided with a lock facility. The individual expressing will be responsible for labelling and storing their breastmilk and it must only be removed from the fridge by the individual to whom it belongs.

31.11 Consideration of all the above requirements must also be made for training facilities.

32. Your Terms and Conditions During Maternity Leave

32.1 All contractual terms and conditions, except for normal pay will continue as usual during your maternity leave. Your pay will be replaced by maternity pay, if you are eligible for it. Other benefits such as annual leave entitlement and pension contributions will continue as set out below. If there are any improvements or changes implemented whilst you are on leave, you will receive them just as if you were still at work.

32.2 All maternity leave taken is reckonable for incremental pay and annual leave purposes.

33. Annual Leave Arrangements

33.1 Your annual leave and public holiday entitlements will continue to accrue during the full duration of your maternity leave (and any periods of neo-natal

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care leave if applicable to you). The annual leave year runs from 1st April to 31st March.

- 33.2 You can choose to take annual/public holiday leave prior to and/or at the end of your maternity leave before returning to work, to extend your time off. If you have any accrued but unused annual leave before starting maternity leave, with your line manager's agreement you are encouraged to take this before your maternity leave starts.
- 33.3 You can also take annual leave during your maternity leave by opting to take your maternity leave in more than one period. However, you are strongly advised to take your annual leave either before or at the end of your maternity leave, otherwise this may affect your SMP, if you qualify for it.
- 33.4 If it is not possible for you to take all your leave entitlement in the applicable leave year, e.g. where your maternity leave period straddles two leave years, you may carry over any unused amount to the following leave year. The usual limit of five days carry-over will not apply in these circumstances. This also applies to any periods of neo-natal care leave taken.
- 33.5 When planning any annual leave, you should make your request for approval in the usual way. For ease of making requests when away from the workplace, you can apply by sending an email to your line manager's constabulary email address.
- 33.6 You can take any Flex-time, TOIL, RDIL or FDIL that you have already accrued in the period prior to starting your maternity leave or added on to the end of your maternity leave but you cannot use any of these entitlements during maternity leave.

34. Pensions

- 34.1 If you are a member of the Local Government Pension Scheme (LGPS) we will continue to make contributions during your periods of paid maternity leave, including any period when you are only receiving SMP. The contributions you make will be based on the actual amount of pay you receive however you will accrue full pension benefits as if you were on full pay.
- 34.2 No contributions will be made during periods of unpaid maternity leave. You can elect to make back-payments of the contributions lost once you have returned to work.
- 34.3 Payroll will contact you at the end of your maternity leave to advise you of the implications of any periods of unpaid leave on your pension and will provide you with full details on how you can arrange to make back-payments. The back-payment contributions can be made in either a lump sum or instalments. There is no minimum period in which you are required to make the back-payments. Where pension contributions are not paid back you will not accrue pensionable service for that period.

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- 34.4 The above pension arrangements will also apply to any periods of neo-natal care leave taken.

35. Court Attendance

- 35.1 You may be asked to attend court whilst on maternity leave (dependent on your role), subject to an appropriate risk assessment being conducted, but you will not be expected to attend if you are not well enough to do so and/or if the hearing is scheduled in the month prior to the birth or within two months after the birth.
- 35.2 Attendance at court will usually be treated as a KIT day, which will be paid in accordance with paragraph above. Alternatively, you may request that the attendance is exchanged for time off in lieu once you return to work.
- 35.3 Wherever possible the Witness Care team will endeavour to set a time and date to minimise the impact on you and the appropriate care for your baby. In respect of this, individual personal circumstances (where disclosed by you) will be taken into consideration and any reasonable alterations or allowances required made.

36. Voluntary Contributions/Subscriptions/Salary sacrifice schemes

- 36.1 Before going on maternity leave you should consider any contributions you make direct from your salary. Deductions will continue where pay is available, but it is your responsibility to make alternative arrangements if you will not have sufficient pay each month to cover them.
- 36.2 If you are in the salary sacrifice company car scheme, you may choose to defer payments whilst continuing use of the car during your maternity leave. On your return to work deductions will be resumed at a higher amount so the full recovery can be made over the remaining term of the lease. Otherwise, you can continue to make payments, whether by way of deductions from salary or (if necessary) alternative means. If you choose to return your car, you will be liable for a financial penalty, on account of early termination of the contract. For further information or queries – such as the affordability of payments – or to arrange a deferral please contact Payroll.
- 36.3 For further information regarding deductions from your pay please contact Payroll or the relevant provider/association to make alternative arrangements where necessary.
- 36.4 UNISON subscriptions will continue to be deducted from your salary (if you are a member), however once you reach your nil-pay period of maternity leave you can contact your UNISON branch and they will arrange for your membership to continue at no cost to you during this time.

37. Support Available

- 37.1 Access to advice, guidance and resources to support new parents and those seeking or undergoing fertility treatment, is available in the “family

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matters” section on LMS. This can be accessed directly on LMS or through the link on the Wellbeing intranet page here.

- 37.2 The Employee Assistance Programme (EAP) provides guidance and support on a range of wellbeing topics. There are 3 ways to contact the EAP service:

Phone number: 0808 196 1441

App: MCL Medics EAP

Desktop Link: app.mclmedicseap.com

Further assistance in accessing the service is available via the Wellbeing intranet page here.

- 37.3 A list of external organisations for additional support and advice is shown at Appendix A.

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Appendix A – External Organisations for Support and Advice

AIMS – Association for Improvements in the Maternity Services - Campaigning for better births for all, protecting human rights in childbirth, Independent information about pregnancy and birth, raising awareness of research.
www.aims.org.uk

Baby Friendly Initiative – Transforming healthcare for babies, their mothers and families in the UK.
www.unicef.org.uk/babyfriendly

Birthrights – Birthrights champions respectful care during pregnancy and childbirth by protecting human rights. We provide advice and information on your legal rights, train doctors and midwives, and campaign to change maternity policy and systems.
<https://www.birthrights.org.uk>

Bounty – Bounty work with leading manufacturer to provide expectant and new mother packs containing information, advice, try-before you buy samples. They have five free packs which are made available to new and expectant mothers.
www.bounty.com

Breastfeeding Network – an independent source of information and support for breastfeeding women and others.
www.breastfeedingnetwork.org.uk

Evidence Based Birth – Evidence that Empowers! An evidence based resource for parents, professionals and the public.
www.evidencebasedbirth.com

Fertility Network – Offers free helplines, trusted information and welcoming peer-led support groups for anyone affected by infertility.
www.fertilitynetwork.org

Gov.uk – Information about help available for childcare costs
<https://www.gov.uk/help-with-childcare-costs>

Gov.uk – Advice around Health and Safety in your workplace.
www.hse.gov.uk

Kicks Count – Kicks Count aims to reduce the UK's high stillbirth and neonatal death rate by raising awareness of baby's movements.
www.kickscount.org.uk/our-mission

Mummy's Star – A unique charity providing dedicated cancer support in the UK & Ireland.
www.mummysstar.org

Maternity Action – Fighting for the better maternity rights.
www.maternityaction.org.uk

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Pelvic Support Partnership – A charity supporting you with information around Pelvic Girdle.

www.pelvicpartnership.org.uk

RCM (Royal College of Midwives) – Provides support to midwives and families, engaging in national childbirth campaigns.

www.rcm.org.uk/

RCOG (Royal College of Obstetrics and Gynaecology) – Works to improve women's health care across the world. RCOG work with a range of partners both in the UK and globally to improve the standard of care delivered to women, encourage the study of obstetrics and gynaecology (O&G), and advance the science and practice of O&G.

<https://www.rcog.org.uk>

SANDS – The leading stillbirth and neonatal death charity.

www.sands.org.uk

Start4Life – Trusted NHS help and advice during pregnancy, birth & parenthood. Start4Life (www.nhs.uk)

Spinning Babies – Exploring activities with anatomy and physiology that allows baby to release rather than “be delivered” by mechanical manipulation or force.

www.spinningbabies.com

Tommy's – A charity giving babies the best chance of being born healthy.

www.tommys.org

UNICEF, a United Nations agency responsible for providing humanitarian and developmental aid to children worldwide.

<https://www.unicef.org.uk>

Working Families – Helping working parents and carers achieve work-life balance.

www.workingfamilies.org.uk

World Health Organisation – The World Health Organisation works to provide the needed health and well-being evidence.

www.who.int/