

Additional Information



Maternity Leave - Police Officers

URN: J-Pr-076

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Host Force: Dorset Police
Host Policy Unit: Dorset Police Legitimacy Team
Policy Owner: Alliance Head of Employee Relations – HR Operations
Policy Author: Strategy & Policy Lead Employee Relations

Policy Area: Family Leave

Associated

Policy: [J-P-048 Maternity Leave – Police Officers Policy](#)
[J-P-034 Family Leave Policy](#)
Further policies and procedures listed in ‘Associated Documents’ section.

Applicable to:

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

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1.0 Introduction

This guide includes quotations from, and information based on, the 'Gov.UK' website. The information from Gov.uk is provided in line with the terms of the [Open Government Licence v3.0](#).

Statutory Maternity Leave (SML) is for up to 52 weeks with no continuous service period required. An officer can choose to start SML any time after the 11th week before the week in which the child is due, up until the birth of the child.

The officer must not return to work during the first two weeks following the birth which are treated as **Compulsory Maternity Leave (CML)**.

Police (Occupational) Maternity Leave (PML)

An officer is entitled to a maximum of 15 calendar months' police maternity leave. Police maternity leave can commence any time after the first three calendar months of pregnancy and must end no later than 12 calendar months after the date of birth, subject to the maximum total entitlement of 15 calendar months.

Statutory Maternity Pay (SMP)

Officers with a minimum of 26 weeks' continuous service in this or their previous Force, with no break in between, by the end of the 15th week before the week the baby is due (who meet the other eligibility criteria for SMP) are entitled to 39 weeks' SMP. The first six weeks of SMP are paid at 90% of normal pay followed by 33 weeks at lower rate SMP.

Police (Occupational) Maternity Pay (PMP)

Officers will be entitled to receive full pay for the first 26 weeks of maternity leave, provided they have 63 weeks continuous service as a police officer (in any Force) before their expected week of childbirth and remains pregnant, or has given birth prematurely, 15 weeks before the week the baby is due.

Officers can elect, with the agreement of the Force, to extend their final five weeks' occupational maternity pay to 10 weeks at half pay.

The officer will be entitled to be paid one of the following options:

Option 1

Week 1 – 26 = Full Pay

Week 27 – 39 = Lower rate SMP

Option 2

Week 1 – 21 = Full Pay

Week 22 – 31 = Half Pay

Week 32 – 39 = Lower rate SMP

The full and half pay will be made up with a combination of occupational and statutory payments.

PMP is conditional upon the officer returning to work for four weeks' service at the end of the maternity leave period. If an officer does not return to work for at least four weeks they will be required to repay the PMP. Normal notice periods will apply. The same applies at the end of any agreed period of absence i.e. career break, parental leave or unpaid leave that immediately follows a period of maternity leave.

The notice period can be counted as returning to work provided it is either covered by annual leave or sick leave certified by a medical certificate (fit note).

Maternity Allowance (MA)

An officer who does not qualify for SMP or PMP may be entitled to Maternity Allowance (MA), which is a state benefit paid subject to qualifying conditions. Once the officer has sent their MATB1 and Notification of Intention to take Maternity Leave form to Payroll, an SMP1 form will be sent to the officer to complete together with the original MATB1.

Bereavement (Infant)

The Force is committed to ensuring every support is given to an officer who has suffered, or whose partner has suffered baby loss via a miscarriage or stillbirth. Access to Occupational Health (OH) is available to both the officer and their line manager. OH will be able to put the officer/line manager in contact with the most appropriate sources of advice, guidance and support. The Employee Assistance Programme (EAP) is also available to provide advice and support to both the officer/their family and to the line manager.

Every support will also be given to the officer when planning their return to work, both in terms of their health, safety and wellbeing and also in terms of how the officer would like to handle their first few days back in the workplace.

HR Operations - Admin will be able to provide advice and guidance on the leave provisions in place for the officer at this time.

2.0 A-Z of Additional Information

Officers will continue to benefit from all of their terms and conditions of service that would have applied had they been at work, with the exception of remuneration.

Annual and Bank Holiday Leave

Officers continue to accrue their annual leave entitlements whilst on maternity leave, including provision for public / bank holidays as they arise. Accrual of annual leave entitlements during the period of maternity leave is based on the officer's hours immediately prior to the commencement of maternity leave.

Officers are able to take occupational maternity leave in blocks. This allows for officers to undertake activities such as participation in training, attend court or take annual leave; it also enables officers to comply with maximum annual leave carry forward requirements.

For additional information on annual leave and maternity please see the 'Annual Leave - Maternity, Adoption and Shared Parental Leave' procedural guidance available via the People Portfolio intranet pages.

Attendance at Court

If an officer is required to attend court whilst on maternity leave, they must attend unless a doctor certifies they are unfit. The line manager must also undertake a risk assessment for new/breastfeeding mothers to identify any risks or requirements to enable the new mother to attend. If any significant risks are identified that cannot be resolved via adjustments, the line manager would then need to liaise with the relevant court liaison officer to agree the way forward. Attendance at court as a police witness is classed as duty. The officer should contact Payroll to advise them of the requirement to attend court and to clarify pay arrangements. **Please note:** Officers are not permitted to work (and therefore attend court), or work on a keeping in touch day, during the first two weeks following the birth (the Compulsory Maternity Leave period).

Early Birth

Where an officer gives birth early, the officer's Statutory Maternity Pay only will commence. Police Maternity Leave and Police Maternity Pay will commence on the day that the officer notifies the Force and requests it to start. The Force cannot alter this date.

Family Leave

The partner of the mother may be eligible to take paternity (maternity/adoption support leave) or Shared Parental Leave. Please see the relevant guidance available on the People Portfolio pages of the intranet, for further details.

Flexible Working Arrangements on Return From Maternity Leave

If the officer wishes to return to work on a part time basis or on a flexible working pattern, they should complete a flexible working request (following the guidance set out in the flexible working procedure) and ensuring the completed approved request reaches HR Operations – Admin for processing at least 28 days prior to the end of their maternity leave. Officers should contact their line manager who will provide them with copies of the procedural guidance and associated forms.

Keeping in Contact

It is expected that line managers maintain reasonable contact with the officer during the maternity leave period; the officer and line manager should, ahead of the leave commencing, agree how this will be undertaken.

Keeping in Touch Days

Keeping in Touch (KIT) days will be paid at the normal daily rate for hours/days worked, in accordance with Police Regulations.

Where an officer works a KIT day during a period of PMP / OMP, they will receive payment for the KIT day, the maternity pay is temporarily suspended and the PMP / OMP will be extended by one day for each KIT day worked.

Where an officer works a KIT day during a period of SMP, they will receive payment

for the KIT day in addition to the SMP for the week in which the KIT day occurs. There will be no extension of the maternity pay period.

Where a KIT day is worked during a period of unpaid additional maternity leave, the officer will receive the appropriate payment for the KIT day.

The work undertaken during a KIT day will count as one day (8 hours, pro rata for part time) for pay purposes, including where the hours worked are less than a full day.

Pension benefits will accrue for the paid KIT day(s).

Pay and Pensions

- a) Officers continue to be eligible for any pay awards during maternity leave.
- b) In the case of a part time officer, each day of paid maternity pay is pro-rata to full time and in accordance with the officers normal salary / working hours.
- c) The normal rate of pay to the officer during maternity leave includes Statutory Maternity Pay at the current rate where applicable. Payment of salary during maternity leave is subject to the normal tax and national insurance deductions.
- d) The first 52 weeks' maternity leave is reckonable for the purposes of pay increments, leave and for inclusion in any period of probationary service. For pension purposes, any period of maternity leave when police officers are in receipt of either PMP or SMP shall be reckonable.

Please note:

- Where an officer upon return to work opts to buy back any relevant service from a period of unpaid maternity leave, the period of service bought back is reckonable from a service perspective,
- Any unpaid leave within the first 26 weeks of SML is automatically pensionable and does not need to be bought back,
- Where an officer opts to take one or more periods of maternity leave (for the same pregnancy), any return to duty (excluding KIT days) will not count towards the 52 week period reckonable for pay and leave purposes, e.g., an officer chooses to take their maternity leave in two 26 week blocks, with an interim return to duty for four weeks in the middle of the two blocks. The period of return (four weeks) will not count towards the 52 week period reckonable for pay and leave purposes.

(Source: The above information is based on the information provided within PNB Circular 10/14)

- e) During any period of unpaid maternity leave, an officer can elect to make up the pension contributions that would have been paid during this time. Where the officer elects to make such contributions, Payroll will write to the officer confirming arrangements for the repayment of the contributions in

question. **Please note:** An opportunity for the officer to elect to pay the pension contributions will be given prior to commencing maternity leave.

Returning to Work From Maternity Leave

Following their return to work from maternity leave, the officer has the right to return to the same job under the same terms and conditions as applied prior to undertaking maternity leave.

Prior to the officer returning to work, the line manager must also undertake a risk assessment for new/breastfeeding mothers to identify any risks or requirements; to assist in their return to work. If any significant risks are identified that cannot be resolved via adjustments, the line manager would then need to liaise with their local health and safety representative to agree the way forward.

It is the line managers responsibility to either update GRS or inform the relevant Resource Management Unit / CMCU Resource Planning (D&C) / Duties (Dorset) team of the officers return from maternity leave. Line managers of operational officers should also contact the RMU/CMCU Resource Planning (D&C) / Duties (Dorset) team to ensure the returning officer is placed non-threshold for their first week back at work.

Sick Leave

An officer will have no entitlement to sick pay whilst on maternity leave. If an officer is sick before the start of her maternity leave with a pregnancy-related sickness at any time during the four weeks prior to the expected date of birth of their baby, Statutory Maternity Pay will commence (but not Police Maternity Leave or Police Maternity Pay). Non-pregnancy related sickness will not trigger Statutory Maternity Pay at any time.

Support

It is the line manager's responsibility to provide appropriate support for officers who are pregnant or on maternity leave. Additional support can be accessed via the Family Support Group (D&C), Support Networks (Dorset), the Police Federation and the EAP.

The 'Family Leave Support Portal' is available on the Force external website, which enables officers on maternity leave to access family leave provisions and resources such as Force policies and procedures, guidance and forms, useful internal / external contacts and internal job opportunities.

Surrogacy

An officer who has agreed to be a 'surrogate mother' through a surrogacy arrangement will be entitled to maternity leave and pay provisions, subject to meeting the eligibility criteria for maternity pay and leave. Please refer to the guidance information on surrogacy arrangements.

Tax-Free Childcare

Officers may be eligible, subject to meeting the relevant criteria, to apply for [Tax-Free Childcare](#), a government scheme offering up to £500 every three months (£2,000 per year) per child, to help with the costs of childcare.

Time off for Appointments

A pregnant officer is entitled to a reasonable amount of paid time off during normal working hours to receive ante-natal care, to attend GP and hospital appointments, relaxation classes, birth preparation or parentcraft classes. Where possible, the officer should arrange appointments at a time to fit with work commitments and provide the line manager with reasonable advance notice of appointments. Officers should provide evidence of appointments where requested by the line manager.

Police Federation Subscription Payments

During any unpaid maternity leave period, any Police Federation subscription payments will cease. Arrangements should be made directly with the [Police Federation \(D&C\)](#) / [Police Federation \(Dorset\)](#) to continue membership subscription payments.

Managers should contact [HR Operations - Admin \(D&C\)](#) or [HR Ops Dorset – Admin \(Dorset\)](#) if the situation they are managing does not appear to be straightforward.

3.0 Monitoring and Review

Review and amendments will be coordinated by the Policy Unit.

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

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

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

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

4.0 Other Associated Documents

Policy and Procedure

- [J-Pr-234 Annual Leave – Maternity, Adoption and Shared Parental Leave](#)
- [Family Leave Support Portal](#)
- [J-Pr-080 Maternity Leave Step by Step](#)

SharePoint

- [Vision, Mission & Values](#) (DCP)
- [Vision, Purpose & Priorities](#) (DP)
- [Human Rights Legislation](#)
- [Records Management](#) (DCP)
- [Records Management](#) (DP)
- [Freedom of Information Act 2000 \(FOIA\)](#)
- [Government Security Classification \(GSC\)](#)
- [UK General Data Protection Regulation / Data Protection Act \(2018\)](#)
- [Code of Ethics](#) (DCP)
- [Code of Ethics](#) (DP)
- [Standards of Professional Behaviour](#)
- [People Portfolio](#)

College of Policing

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

Other

- Equality Impact Assessment

5.0 Version History

Version: 1.0
Date: 21/06/2021
Reason for Amendments: Initial document
Amended by: Strategy & Policy Lead – Employee Relations
Approved by: Board
Date Approved: 13/05/2021
Quality Assured: Legitimacy Team

Version: 1.1
Date: 13/05/2022
Reason for Amendments: New Section – Expectant Parents - Established COVID principles
Amended by: Strategy & Policy Lead – Employee Relations
Approved by: n/a
Date Approved: n/a
Quality Assured: Legitimacy Team

Version: 1.2
Date: 18/08/2022

Reason for

Amendments: Insertion of ‘occupational’ - Annual leave section para 2 for clarity on provisions that already exist.

Amended by: Strategy & Policy Lead – Employee Relations

Approved by: n/a

Date Approved: n/a

Quality Assured: Legitimacy Team

Version: 1.3

Date: 19/10/2023

Reason for

Amendments: Key amendments are necessary to comply with Police Regulations, to bring the guidance up to date with current legislation, to provide additional clarification in line with feedback, along with signposting to additional support where this is required. Updated to latest template.

Amended by: Strategy & Policy Lead – Employee Relations

Approved by: Alliance Head of Employee Relations

Date Approved: 09/10/2023

Quality Assured: Legitimacy Team

6.0 Governance

Present Portfolio Holder: Alliance Head of People (HR Operations)

Present Document Owner: Alliance Head of Employee Relations

Present Owning Department: Alliance People Portfolio

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

Name of Board: Strategic People Board

Chief Officer Approving: Assistant Chief Officer D&C and T/ACC Dorset

Date Approved: 13/05/2021

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

Date approved: n/a

End of Document