

NORTHUMBRIA POLICE



Maternity Leave

**Frequently Asked
Questions
and
Useful Contacts**

FREQUENTLY ASKED QUESTIONS

Maternity Leave

1. I am confused about when I can take maternity leave. Can you give me an example?

Examples could include the following:

- Commence maternity leave 6 months before childbirth, and their maternity leave will end 9 months after childbirth.
- Commence maternity leave 3 months before childbirth, maternity leave will end 12 months after childbirth.
- Commence maternity leave 1 month before childbirth, maternity leave will end 12 months after childbirth.

2. If I qualify for Maternity Leave/Pay what are my rights before, during and after my Maternity?

Where an officer / member of staff meets the qualifying Maternity Leave period, then not only do they receive Maternity Leave and Pay but they are also entitled to:

- paid time off for antenatal care, once proof of the appointment has been shown.
- to return to the job in which they were employed in (police officers this will be their substantive post) or one of equivalent status, with protected right to pay and conditions and benefit
- request a risk assessment during the pregnancy
- request alternative work where any risks to the health of the expectant mother and baby can be avoided
- receive pay if suspended before and/or after maternity leave.
- consideration of a flexible working request which may encompass reduced hours of work, part-time working, job shares etc
- unpaid parental leave
- time off for care of dependants in an emergency
- not be subjected to a detriment, disadvantage unfair treatment or dismissal because of the pregnancy, maternity

3. Who do I need to contact regarding my return to work date?

An officer/member of staff is required to give notification to their line manager of their intention to return to work. This should be discussed fully with their line manager during the welfare visit. The line manager will also be able to provide the officer/member of staff with a contact in Payroll to discuss any payment concerns. The officer/member of staff's line manager should inform People Support, of the officer/member of staff's returned to work date.

4. I am an officer. Can the Force postpone my return to work after maternity leave?

The force reserves the right to postpone a return to work by up to 4 weeks. If a return is postponed, officers will be notified in writing of the reason for the postponement and the date on which they should return. Rights under Regulation 36A will not be affected.

5. I am a member of Police Staff. Can the Force postpone my return to work after maternity leave?

The force may postpone a return to work by 8 weeks where a member of staff has not given the correct amount of notice when changing the dates of return.

Pay

6. How much is Statutory Maternity Pay?

The rate of SMP from the employer is either 90% of the average weekly earnings for the initial 6 weeks, followed by 33 weeks at £148.68 per week, or, if the average weekly earnings are less than £148.68 per week, 90% of the average weekly earnings for the full 39 weeks. The Finance Department determine average earnings, based on all earnings received during two pay periods prior to the last normal payday on or before the Saturday of the qualifying week.

7. I am entitled to the maximum maternity pay, what are my options for payment?

You will be entitled to 18 weeks at full pay including SMP. From the 14th week you have the option of taking the last 5 weeks at full pay or elect half pay for 10 weeks. You should confirm how you wish to be paid prior to commencing your maternity leave.

8. How will I receive my maternity pay?

Maternity pay will be paid into an officer/member of staff's bank account on the same day that their salary would normally be received. This pay will also be subject to the usual deductions for tax, National Insurance and pension contributions.

9. When I return to work, when will my normal pay restart?

Officers / staff will be reinstated on the payroll on the first available payroll date subject to receipt of the Maternity Return to Work Form. A return to work will be classed as the day in which either annual leave commences or the officer / member of staff physically returns to work. The officer/member of staff can indicate their return date in advance if they wish. This will enable payroll to make the necessary arrangements in preparation for your return to work. If, however, an officer/member of staff does not return to work as planned and is overpaid, the officer/member of staff will have to contact the Finance Department to make arrangements to repay the difference to the Force.

10. If I receive a pay rise whilst I am on maternity leave, will my maternity pay be recalculated?

If a pay rise occurs anytime between the start of the set period (this period is usually the eight week period up to the 15th week before the EDC) and the end of the officer/member of staff's maternity leave then the Force will re-calculate the amount of SMP due.

11. Will my incremental progression be interrupted by maternity leave?

Incremental progression will not be interrupted provided the officer/member of staff returns to work at the end of the periods of authorised absence.

12. I have been on maternity leave. However, I do not wish to return to work. Do I have to repay my maternity pay?

No. However if any maternity pay entitlement has been paid in excess, this must be repaid to the Force.

13. I am an officer and would like to go on a career break after my maternity leave. Will I have to repay my maternity pay?

No.

14. I currently pay into the childcare scheme. How will this be affected whilst I am on maternity leave?

Whilst you are in receipt of occupational maternity pay, deductions will continue to be taken from your pay. Once you receive statutory maternity pay/unpaid maternity pay only deductions will not be made however, the Force will continue to pay your childcare provider unless you advise payroll to stop these payments.

Upon your return to work, the deductions will re-commence automatically. Should you wish to stop or amend your childcare deductions on your return to work you must contact People Support.

Service

15. I am a Police Officer. Is my service affected by a period of Maternity Leave?

Up to 52 weeks of paid maternity leave will be counted for the purposes of assessing incremental pay progression and leave.

16. I am a member of Police Staff. Is my service affected by a period of Maternity Leave?

Continuity of service for police staff is unaffected by maternity leave.

17. I am a Police Officer and wish to take Maternity Leave but I am still in my probationary period. Will my probationary service be affected by Maternity Leave?

An officer's probationary period can be extended if the Force is not satisfied that the officer has required the skills to be confirmed in their post. Where only a few weeks remain in the probationary period, and the officer has been performing well in their assessments, the Force may confirm the post. In all other cases the Force will extend the probationary period by the length of time the officer has taken for Maternity Leave. This must be agreed in advance with the line manager.

Allowances

18. I am a Police Officer. Following my risk assessment, my line manager has moved me to alternative hours during my pregnancy. I used to work unsocial hours but am now working fewer/no unsocial hours. Will I still receive my unsocial hours allowance?

Unsocial hours will only be paid if you work them. Therefore if you are not working the unsocial hours you will not receive an allowance for this.

19. I am a member of staff. Following my risk assessment, my line manager has moved me to alternative hours during my pregnancy so that I do not have to work night shifts. Will my pay be affected?

Where your hours have been changed to avoid a risk to your health and safety whilst pregnant, your pay will remain the same as it was before the change took place.

20. Will I receive my usual standby/on-call payment whilst I am on Maternity Leave?

Where an officer/member of staff is part of a standby or on-call rota, no standby or on-call payment will be received whilst the officer/member of staff is unavailable due to Maternity Leave.

21. I am a Police Officer and receive a housing allowance. Will this be affected during Maternity Leave?

Officers in receipt of 13 weeks, RMP will also be entitled to housing allowance. Once regulatory maternity pay has ceased, officers will no longer be entitled to this allowance. If an officer's spouse or partner is also a serving police officer and eligible for a housing allowance, the full allowance for spouse or partners may be claimed for the period when the allowance is no longer received by a spouse/partner. In order to claim the allowance, officers must notify the Finance Department at least 1 month prior to the start of the unpaid leave.

22. Do I get a plain clothes allowance?

If an officer needs to wear plain clothes during pregnancy they will not be entitled to a plain clothes allowance

23. What break times am I entitled to while pregnant?

Break times will remain the same, however line managers may use their discretion to allow relief breaks, especially when nearing the beginning of maternity leave.

24. What provisions are available to me if I am still breast feeding?

An officer/member of staff should discuss what support they may require with their line manager, at the welfare visit, prior to their return to work

Line managers may agree a variety of support for mothers continuing to breastfeed when they return to work including:

- a break allowance for mothers to express milk
- provision of a clean, warm and private room (not the toilet) for expressing
- a secure, clean fridge to store expressed milk
- temporary flexible working hours for breastfeeding mothers

The above list is not exhaustive and it depends on what the line manager deems to be reasonable considering of any impact of the business.

It is good practice to conduct a specific, separate risk assessment for an officer / member of staff returning from maternity leave who has notified her intention to breastfeed to help decide if any additional action needs to be taken.

The law does not currently allow a simple, straightforward right to breastfeeding breaks. However, managers are advised to consider any short break from work reasonably and objectively against the likely impact it might have on the business. If managers are unable to grant additional breaks, they may consider slightly extending normal breaks for the officer / member of staff such as a mid-morning coffee break or leaving earlier in the day to minimise any disruption to the business.

Each request for support will be considered on an individual basis taking into account what support the mother is asking for; what is reasonable; and any impact on the business.

Appointments

25. Will I receive paid time off for Antenatal Appointments?

Expectant mothers are entitled to take reasonable time off with full pay during normal working hours for antenatal examinations with GPs, hospital clinics and may include some relaxation/parent craft classes that have been medically recommended by the officer/member of staff's midwife or registered medical practitioner.

26. Are there any restrictions as to when I can attend my Antenatal Appointments?

Wherever possible, appointments should be arranged at the start or end of the working day. Evidence of appointments must be provided on request from managers/supervisors, who should be advised of antenatal appointments as far in advance as possible. Time off for antenatal appointments should normally be granted. Appointments may not be granted where reasonable notice of the appointment has not been given to managers/supervisors or exigencies of duty prevent the officer / member of staff attending the appointment.

Expectant fathers/partners and ante-natal appointments

27. Who can take time off for ante-natal appointments?

Anyone who has a relationship with the pregnant woman or her unborn child, including those on fixed term contract are entitled to unpaid time off to accompany an expectant mother to her ante-natal appointments if you are:

- a) the baby's father;
- b) the expectant mother's spouse, her civil partner, or partner (of either sex) in an enduring relationship; or
- c) intended parents of a child in a surrogacy arrangement if they expect to be entitled to and intend to apply for a parental order in respect of that child.

Note: where the pregnant women's husband/partner and the father of the child is not the same person, both parties are entitled to time off to attend up to 2 ante-natal appointments.

28. Is this time paid or unpaid?

Unpaid.

29. Is there a qualifying requirement?

There is no qualifying period for officers/staff. This is a "day one" right. Qualifying agency workers are required to have been doing the same kind of job for the same hirer for at least 12 weeks.

30. How much time can be taken off?

You can attend to up to 2 appointments with the maximum time capped at 6 hours and 30 minutes per appointment.

31. What evidence will have to provided?

You will be expected to request the unpaid time off through your line manager, providing the following information:

- a) that you have a qualifying relationship with the pregnant woman or her expected child;
- b) that the purpose in taking time off is to accompany the pregnant woman to an ante-natal appointment;
- c) that the appointment in question is made on the advice of a registered medical practitioner, registered midwife or registered nurse; and
- d) the date and time of the appointment.

32. Does this mean I have the right to attend ante-natal appointments?

No. This is a right to time off work to *accompany* your spouse, partner or the women who is carrying your child to an ante-natal appointment, not a right actually to *attend* the appointment. It will always be open to the pregnant woman to refuse to have you present.

Change in circumstances

33. What should I do if my baby is born prematurely?

When a baby is born before the maternity pay period was due to start, notice is required of the birth of the baby as soon as reasonably possible. Maternity entitlements will then begin the day after the birth. In such situations, you will commence maternity leave and will be paid statutory maternity pay unless you wish to alter the start date of your occupational maternity leave and pay.

34. What happens if I have a pregnancy related absence at any time during the 4 weeks before my EDC of birth of my child?

Maternity leave for both police officers and police staff may be triggered by a pregnancy related absence 4 weeks before the EDC or the birth of the child. In such situations, you will commence maternity leave and will be paid statutory maternity pay unless you wish to alter the start date of your occupational maternity leave and pay.

35. What do I need to do if I decide not to return to work after maternity leave?

Where a decision is made not to return to work the officer/member of staff must contact their line manager immediately. The officer/member of staff must notify People Support. A resignation form will be sent to the officer / member of staff and must be completed to confirm the resignation.

36. What do I need to do if I have to change the dates of my Maternity Leave?

Where an officer/member of staff wishes to change the date they wish to start their maternity leave, they should inform their manager:

- 28 calendar days before the date the officer/member of staff originally intended to start maternity leave; or
- 28 calendar days before the new date the officer/member of staff wants to start her leave.

Line management must inform People Support who will send a revised letter to the officer/member of staff and inform Payroll, Finance Department of the change in dates.

37. I am a member of Police Staff. I would like to return to work after my maternity leave on a different date than previously agreed. What do I need to do?

Where a member of police staff decides to return to work at a different date from that previously agreed, they should notify their line manager in writing at least 8 weeks prior to the date they wish to return. The line manager must notify People Support. People Support will write to the member of staff to confirm this date and inform Payroll, Finance Department of the change.

38. I am a Police Officer. I would like to return to work after my maternity leave on a different date than previously agreed. What do I need to do?

Where a police officer decides to return to work at a different date from that previously agreed, they should notify their line manager in writing at least 21 calendar days prior to the date they wish to return. The line manager will forward this to the People Support. People Support will write to the officer to confirm this date and inform Payroll, Finance Department of the change.

39. I am a member of Police Staff and I did not give the correct notice when I asked to change my return to work date. Can the Force postpone my return to work after maternity leave?

The force reserves the right to postpone a return to work for up to 8 weeks if the appropriate notice is not given.

40. I am a Police Officer and I did not give the correct notice when I asked to change my return to work date. Can the Force postpone my return to work after maternity leave?

The force reserves the right to postpone a return to work for up to 21 days if the appropriate notice is not given.

41. Will my entitlement to Maternity Leave still apply if my child dies or is still born?

Where, in the unfortunate event that a baby dies or is stillborn after 24 weeks of pregnancy, the provisions within the maternity scheme for police officers and police staff will apply.

When this occurs before 24 weeks (miscarriage), sympathetic consideration will be given to any request for special leave. Line managers should email People Support Mailbox so that HRMS can be updated. People Support will update Payroll, Finance Department.

42. Who should I contact in the unfortunate event that I have a miscarriage?

An officer/member of staff should contact their line manager as soon as they are able to. If an officer/member of staff has been hospitalised then someone else should ring on behalf of the officer/member of staff. If their line manager is not available then an alternative manager should be contacted. If any further help or assistance is required i.e. OHU support, this should be highlighted to their manager.

43. What do I need to do if I feel I need to apply for reduced hour working while pregnant?

An officer/member of staff should refer to the "Requests for Flexible Working Arrangements - Police Staff and Police Officers" procedure available on IIS. This should be discussed with their line manager, who will provide the relevant information. Alternatively contact People Support who can provide the relevant procedure and application forms.

Annual leave

44. Will I accrue annual leave whilst I am on Maternity Leave?

Yes, all maternity leave whether paid or unpaid will be regarded as service for the purpose of calculating annual leave.

45. When can I take my annual leave?

Annual leave (including bank holidays) will be accrued, but cannot be taken during maternity leave. Arrangements must be made with the line manager for annual leave to be taken at either the beginning or the end of maternity leave.

For example, if an officer/member of staff is due to commence maternity leave in October 2018 with a return to work in April 2019, they must have exhausted all their 2018 annual leave entitlement prior to the start of maternity leave.

Officers/staff are permitted to carry over a maximum of 40 hours for officers and 37 hours for staff into the following annual leave year (pro-rated for reduced hours

workers). However, officers/staff should be encouraged by their line manager to take their statutory leave entitlement in the annual leave year in which it has been allocated. Sickness absence or premature birth may prevent this.

In exceptional circumstances and in the interest of organisational efficiency, an officer/member of staff may be permitted to carry forward more than 40/37 hours annual leave into the following annual leave year (pro-rated for reduced hours workers) subject to the approval of the Area Commander/Head of Department and must not breach Working Time Regulations.

It is the discretion of management as to whether annual leave is carried over. When making this decision, management may give consideration to issues such as area command/departmental budgets, resourcing, current and future abstractions, operational requirements, demand, priorities etc.

46. Who do I need to speak to regarding my annual leave?

An officer/member of staff should speak to their line manager regarding what holiday entitlement they have remaining and when this should be taken.

47. What happens to my bank holidays while I am on maternity leave?

If a bank holiday occurs during maternity leave, substitute leave for the bank holiday will be provided. Bank holidays accrued during maternity leave will be recorded on RMS as re-rostered rest days.

48. If I decide not to return to work will I have to pay back my annual leave?

Where a decision is made not to return to work, leave entitlement will be a proportion of the full annual leave year calculated from 1 January to the last day of service. Police officers and police staff will be required to reimburse the cost of any leave taken in excess of the entitlement.

49. I have preplanned annual leave prior to commencing maternity leave but have fallen sick before this has started. Will I receive my annual leave back?

Where an officer/member of staff is unable to take preplanned authorised annual leave due to sickness absence preceding the commencement of maternity leave, annual leave (including any bank holidays) up to the officer/member of staff's contractual entitlement will be reimbursed if authorised by a GP certificate.

50. I am on annual leave prior to commencing maternity leave but have fallen sick. Will I receive my annual leave back?

Where an officer / member of staff falls sick during annual leave they should be regarded as being on sick leave and further annual leave should be suspended from that date. Annual leave, in accordance with the officer/member of staff's contractual entitlement (including bank holidays), will be reimbursed from the date of the GP certificate.

Preplanned annual leave not authorised will be reimbursed up to the statutory minimum of 28 days, if authorised by a GP certificate.

51. I am on annual leave prior to commencing maternity leave and have had my baby prematurely. Will I receive my annual leave back?

If a baby is born during an officer/member of staff's annual leave, maternity pay will begin the day after the birth and annual leave will be suspended and reimbursed from that date.

52. When do I take my reimbursed annual leave?

Reimbursed annual leave (including bank holidays) due to sickness absence or premature birth should be taken upon the officer/member of staff's return from maternity leave, in the relevant leave year. Where this is not possible, reimbursed annual leave (including bank holidays) may be carried over into the following annual leave year and/or a payment made in lieu. To request approval for this, officers / staff must submit a request to their Area Commander/Head of Department via their line manager.

It is the discretion of management as to whether annual leave is carried over and / or a payment in lieu is provided. When making this decision, management may give consideration to issues such as area command/departmental budgets, resourcing, current and future abstractions, operational requirements, demand, priorities etc.

Pensions

53. I am a Police Officer. What will happen to my pension contributions when I am on Maternity Leave?

Police officers, who are members of the Police Pension Scheme, will pay their pension contributions at the appropriate percentage rate whilst on paid Maternity Leave.

For the remainder of any unpaid Maternity Leave, officers may elect to make pension contributions in arrears. This will ensure there will have been no loss of superannuated service.

Officers will have up to 6 months from their return to work following Maternity Leave to make contributions in arrears.

54. As a Police Officer, who can I speak to regarding how my pension will be affected?

All officers are advised to contact their Police Pension Scheme, for further information on how their pension may be affected.

55. I am a member of Police Staff. What will happen to my pension contributions when I am on Maternity Leave?

Staff, who are members of the Local Government Pension Scheme, will pay their pension contributions at the appropriate percentage rate whilst on paid Maternity Leave.

For the remainder of any unpaid Maternity Leave, staff may elect to make pension contributions in arrears. This will ensure there will have been no loss of superannuated service.

Staff must inform Finance Department within 30 calendar days of returning to work from Maternity Leave of their intention to make contributions in arrears. A time period over which the payments can be made will then be agreed.

56. As a member of Police Staff, who can I speak to regarding how my pension will be affected?

All staff are advised to contact their Local Government Pension Scheme, for further information on how their pension may be affected.

Uniform

57. I wear a uniform and I am pregnant. Are there any alternatives available?

Officers and staff who are required to wear a uniform can be provided with variable sizes of uniform whilst pregnant from the Supplies section, Finance & Resources. However, plain clothes may need to be worn at later stages of pregnancy. All requirements should be discussed with line managers.

Shared Parental Leave

58. I am currently on Maternity Leave and wish to share some with my partner. How much of my leave can I transfer?

Shared Parental Leave (SPL) is a provision for parents to share statutory leave or pay/allowance after the birth of the child. An eligible officer or staff member will be able to choose to end their maternity leave early and opt into SPL.

An officer or staff member may decide to provide their remaining leave to their partner or return to work and commence SPL at a later date.

SPL must be taken in the first 52 weeks after the birth of the child and the eligibility criteria within the Shared Parental Leave procedure must be adhered to.

59. How can I confirm how much Statutory Maternity Pay I have remaining?

Payroll will be able to provide this information. You can do this by either calling the team or emailing the Payroll and Pension Mailbox where your query will be dealt with accordingly.

Other

60. When I return to work after maternity leave, will I be in the same role?

An officer/member of staff is entitled to return to the job in which you were employed in, or one of equivalent status, with protected right to pay and conditions and benefit.

61. I am currently suspended from duty and I am pregnant. How does this effect me?

During pregnancy, police officers and police staff who are suspended from duty must also comply with the maternity leave and pay procedure. Failure to do so may jeopardise their right to maternity leave and pay. Officers / staff may also be recalled to duty for the purposes of attending a disciplinary hearing, provided this is outside the compulsory maternity period and subject to Trade Union and Police Federation agreement.

62. Can I apply for other posts whilst I am on Maternity Leave?

Officers/staff can apply for and, if eligible and successful, accept another post whilst on Maternity Leave.

63. What circumstances will affect me having a phased return to work after Maternity Leave?

Circumstances which may be considered when looking at a phased return to work may include the length of leave taken; current/proposed working hours on return; whether the officer/member of staff is a flexi-worker/shift worker/standard hours worker; role or training requirements; any other factors that may need to be considered. NB: This is not an exhaustive list.

64. What can I do if I am suffering from Morning Sickness?

Depending on the severity of morning sickness an officer/member of staff should seek advice from their G.P or Midwife. Advice can also be sought from the OHU helpline. Management discretion may be used to allow relief breaks, while suffering

symptoms.

65. Who should I contact regarding Child Care Vouchers?

This should be highlighted to the line manager at welfare visits. This information will then be passed on to Payroll and Pensions Team.

66. Who should I contact regarding child care benefits?

This should be highlighted to the line manager at welfare visits. This information will then be passed on to Payroll and Pensions Team.

CONTACT NUMBERS

Please find below some useful external numbers which may be able to provide some help support and guidance.

ACAS	08457 474747
British association for Counselling	0870 4435252
Child Death Helpline	0800 282986
CRUSE – Bereavement Line	0870 1671677
Depression Alliance	0845 1232320
National Debt Helpline	0808 8084000
Family Life Solutions	0800 848482
The Lullaby Trust	0800 8026869
Gingerbread – One parent families	0800 0184318
Marie Stopes -sexual, reproductive health information	0207 5747400
MIND	08457 660163
National Childbirth Trust	0870 4448707
National Council for One Parent Families	0207 4285400
Relate – Partnership Problems	0191 2329109
Samaritans	08457 909090
SANDS (Stillbirth and Neonatal Death Society)	02074365881
Sexual Health Information Helpline	0800 567123
Social Security	0800 7721213
Women's Aid National Helpline - domestic violence	0808 2000247
www.direct.gov.uk	
www.dwp.gov.uk	
www.tiger.gov.uk	

CHILDCARE

The local authority telephone numbers are:

Northumberland	01670 534440
Durham - Children's Information	0845 6024469
Durham - Nursery Education Helpline	0191 3834800
Sunderland	0191 5535678
Gateshead	0191 4915979
Newcastle	0191 2617657/8
Children's Information Service	0191 4287659
Out of School/Holiday Clubs	0191 4247763
Day Care/Child Minders	0191 4287650
North Tyneside Children's Services	0191 2005575

FURTHER INFORMATION

The following leaflets are available from the Benefits Agency:

BC1 "Babies and children"

Provides advice on benefits that can be claimed

BC2 "Expecting a baby?"

A guide to benefits for expectant and new mothers

BC3 "Bringing up children?"

A guide to benefits for families with children

N17A A guide to maternity benefits