



1.0 SCOPE

This policy applies to all Police Mutual Group colleagues including those on temporary and fixed term contracts regardless of length of contract.

2.0 PURPOSE

To set out the rights and processes applicable to colleagues who wish to take leave following maternity, adoption of a child and paternity leave.

3.0 INTRODUCTION

If you or your partner is pregnant, or if you are adopting a child, you'll want as few worries as possible, and our Family Friendly Policy is designed to give you clear advice and support throughout this exciting time. We want to support colleagues during the process.

4.0 HIGH LEVEL POLICY STATEMENT

Our policy sets out not only your rights and entitlements, but the support that we will give you throughout.

Colleagues who qualify for maternity, adoption or paternity leave are encouraged to take advantage of this right, and it will not disadvantage your career prospects by doing so.

These entitlements are completely separate from and in addition to any rights under our Parental Leave, Time-off for Dependents, Shared Parental Leave and Flexible Working Policy.

This policy does not confer any contractual rights on anyone who works for the Group in whatever capacity. We reserve the right to withdraw or amend the whole or part of this policy at any time. Where practicable, appropriate notice will be given. Any withdrawal or amendment can be with retrospective effect.

Under the Senior Managers and Certification Regime (SM&CR) any colleague subject to the regime will be required to adhere to all defined regulatory rules, Group policies and the Authority Handbook and therefore within the application of this policy these must be considered.

5.0 ROLES AND RESPONSIBILITIES

The Head of HR has responsibility for the development and maintenance of this policy.

HR are responsible for advising colleagues about this policy.

Payroll are responsible for administering maternity, adoption and paternity leave and associated annual leave matters.

Line Managers are responsible for providing you with any ongoing support and supporting your return to work.



The Facilities Team are responsible for advising on health and safety matters and any risk assessments associated with this policy.

DEFINITIONS

The following definitions are used in this policy:

- "AAL" Additional Adoption Leave;
- "AML" Additional Maternity Leave;
- "Expected Week of Childbirth" (or "EWC") means the week, starting on a Sunday, during which you are expected to give birth;
- "Expected Week of Placement"
- "OAL" Ordinary Adoption Leave;
- "OML" Ordinary Maternity Leave;
- "Qualifying Week" means the 15th week before the EWC;
- "Qualifying Period" means you have been continuously employed by the organisation for at least 26 weeks at the end of the Qualifying Week, being the 15th week before the EWC;
- "SAP" Statutory Adoption Pay;
- "SMP" Statutory Maternity Pay; and
- "SPP" Statutory Paternity Pay.

6.0 PROCEDURE (MATERNITY AND ADOPTION LEAVE)

All pregnant colleagues are entitled to take maternity leave.

Adoption Leave is available to parents adopting a child up to the age of 18 years. Maternity Leave enables a mother to take up to a maximum of 52 weeks' leave – 26 weeks' OML and 26 weeks' AML.

Similarly, Adoption Leave enables the primary carer for the adopted child to take up to a maximum of 52 weeks' leave – 26 weeks' OAL and 26 weeks' AAL.

Parents who will become the legal parents of a child under a surrogacy arrangement are entitled to take Statutory Adoption Leave. Local authority foster parents who are also prospective adopters ("Foster to Adopt") are also entitled to take Adoption Leave.

Who is eligible?

The right to Maternity Leave is available to female employees, provided the correct notice is given.

The right to Adoption Leave is available to male and female colleagues (whether married or single) who adopt a child through an approved adoption agency. Where a couple jointly adopt a child, only one parent will be entitled to take Adoption Leave (the couple can choose which). The other adoptive parent may be entitled to take Paternity Leave; provided that the parent meets the relevant statutory criteria (see Paternity Leave Procedure, below) or you may wish to share the leave available through Shared Parental Leave (see Shared Parental Leave Policy).



Adoption Leave is not available to colleagues that:

- become a special guardian or kinship carer;
- adopt a stepchild; or
- adopt privately, for example without permission from a UK authority or adoption agency.

To qualify to Adoption Leave or Maternity Leave itself, it does not matter how long you've been employed, how many hours you work or how much you get paid – these factors are relevant only to pay.

Letting us know about your pregnancy/adoption

The sooner you tell us that you are pregnant or that you have been notified that a child will be placed with you, the better, so that we can support you. However, as a minimum you need to notify us in writing no later than:

- the Qualifying Week (unless that is not reasonably practicable in which case you must let us know as soon as is reasonably practicable);
- in cases of surrogacy, at least 15 weeks before the due date; and
- within seven days of being matched with a child through an approved adoption agency.

Please let us know in writing, telling us that:

- you are pregnant or that a child has been placed with you through an approved adoption agency;
- your EWC or EWP;
- the date on which you intend to start your Maternity Leave or Adoption Leave; and
- how much leave you intend to take.

A copy of our Maternity Leave Planning form, which must be provided to HR can be located on the People Policies portal under the Flexible & Family Friendly section: [Maternity Leave Planning Form Part A - Employee Leave Notification](#).

With regard to maternity leave, you'll also need to provide us with a maternity certificate (or MATB1) which confirms your EWC. This will be provided by your doctor or midwife around the 20th week of your pregnancy. Please send this to HR as soon as you get it.

If you are adopting we will require proof of adoption, the proof must show the:

- name and address of the agency and employee;
- date the child was matched, for example, the matching certificate;
- the expected or actual date of placement, for example, a letter from the agency;
- the relevant UK authority's 'official notification' confirming the parent is allowed to adopt (overseas adoption only); and
- the date the child arrived in the UK, for example, a plane ticket (overseas adoption only).



- For surrogacy arrangements, we may ask you to provide a written statement ('statutory declaration') to confirm that, in the six months after the baby's birth:
 - you intend to apply for a parental order; and
 - you expect the order to be granted (for example, because you do not have any convictions involving children, and the birth mother or father agree to the arrangement).

If you decide to change the start of your Maternity or Adoption Leave you will need to give us at least 28 days' notice.

HR will write to you to within 28 days of your notification to confirm your leave plans, including the date you are expected to return to work if you are taking your full Maternity Leave or Adoption Leave entitlement.

It's important that you know that you cannot start your Maternity Leave earlier than the 11th week before your EWC or later than your baby is born. Also, if you give birth before the date you had notified us, you must let HR know as soon as is reasonably practicable of the date of birth.

Support for pregnant Colleagues

We will provide support through briefings and the on-going support from your line manager and HR team.

As soon as you tell us that you are pregnant, we will arrange:

- a maternity briefing; and
- a risk assessment.

Working safely when pregnant

We will do all we can to make sure your work environment is safe. If you have a genuine concern about the risks arising from your normal duties we will make reasonable adjustments to protect you.

If required, we will undertake a risk assessment as soon as you tell us that you are pregnant and if appropriate we may repeat this at regular intervals during your pregnancy – we may also undertake one when you return to work.

You should also be aware that:

- if you're absent from work for a pregnancy-related illness during the four weeks before your baby is due, your maternity leave will start automatically; and
- you must take a minimum of two weeks leave after your baby is born – this is called 'compulsory maternity leave'

Time off for antenatal care



You will be allowed reasonable paid time off work to attend your antenatal care appointments as advised by your doctor, registered midwife or registered health visitor.

Antenatal care may include relaxation and parent craft classes that your doctor, midwife or health visitor has advised you to attend, in addition to medical examinations.

Please provide your manager with an appointment card and try to give them as much notice as possible of antenatal appointments and, wherever possible, try to arrange them to meet the demands of your team and role.

Your partner may have the right to take unpaid time off work to attend up to two ante-natal appointments if:

- they are your husband or civil partner;
- they live with you in an enduring family relationship and are not your relative;
- they are the expectant child's father;
- you are in a same-sex relationship and your partner will be treated as the child's other parent;
- they intend to apply for a parental order for a child who is expected to be born to a surrogate mother. In this case, both you and your partner must be a married couple, a couple in a civil partnership or two people living in an enduring family relationship who are not related to each other.

Your partner may be required to sign a declaration that they qualify for this right.

What are you entitled to?

Our policy is based on statutory entitlement; anyone who is pregnant or adopting a child is entitled to a maximum of 52 weeks of leave regardless of working hours or length of service. This is made up of:

- OML/OAL: 26 weeks; and
- AML/AAL: 26 weeks.

Combined, this provides the potential to take a full 52 weeks leave from work – however, your entitlement to SMP, SAP and/or the Group's enhanced maternity pay will depend on when your baby is due/child is due to be placed with you and your length of service.

HR will provide full details of your entitlement, but you can also find full details of your rights by visiting: <https://www.gov.uk/employers-maternity-pay-leave> Statutory Maternity Pay ("SMP") and Statutory Adoption Pay ("SAP")

SMP and SAP are payable for up to 39 weeks during Maternity/Adoption Leave. You will be entitled to SMP if:

- you have been continuously employed by the company for at least 26 weeks at the end of the Qualifying Period and you are still employed during that week;



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- your normal weekly earnings, for the period of 8 weeks ending with the 15th week before the Qualifying Week, are not less than the lower limit for payment of National Insurance Contributions;
- you are still pregnant 11 weeks before the start of the expected week of childbirth (or have already given birth);
- you provide a MATB1 form stating your expected week of childbirth; and
- you give the company proper notification of your pregnancy.

You will still be entitled to receive SMP from us if your baby:

- is born early;
- is stillborn after the start of your 24th week of pregnancy;
- dies after being born.

You will be entitled to SAP if:

- you have been continuously employed by the company for at least 26 weeks up to any day in the week that you are matched with a child;
- you earn at least £118 a week in an eight-week period;
- you give the correct notice; and
- you provide proof of the adoption or surrogacy.

SMP and SAP is payable at 90% of normal earnings for the first six weeks' leave, following which it is payable at the rate set by the Government for the relevant tax year (or 90% of normal earnings, if that is lower than the Government's rate).

SMP and SAP is treated as earnings and is therefore subject to PAYE and National Insurance deductions. SMP and SAP is payable whether or not you intend to return to work after your period of leave. If you are not entitled to SMP, you may be entitled to receive Maternity Allowance payable directly by the Government.

Group Maternity Pay

To make things a little easier, we offer more generous (discretionary) maternity pay than the statutory scheme. We will normally pay your first 13 weeks' maternity pay at your normal weekly pay rate, as long as you meet the qualifying period. This is inclusive of SMP. The remaining 26 weeks' pay are paid at the SMP if you qualify for this.

Leave Type	Week of Leave	Payment
OML	1 – 39 weeks	<ul style="list-style-type: none"> • First 13 weeks at full pay • Next 26 weeks at SMP
AML	40 – 52 weeks	<ul style="list-style-type: none"> • Unpaid Leave

Any provisions of this policy which are more generous than the statutory scheme are discretionary and this policy does not confer any contractual rights on colleagues to those more generous terms, or anyone who works for the Group in whatever capacity. We reserve the right to withdraw or amend the whole or part of this policy at any time. Where practicable, appropriate notice will be given.



Keeping in touch

It's important that we can keep in touch with you while you are away on leave, so we have a 'Contact Programme' and also encourage you to take advantage of your entitlement to 'Keeping in Touch' days.

Contact Programme

Your line manager will keep in regular contact with you while you are away to keep you up to date on developments in the department and the Group. The HR team will discuss the best method of contact for you.

Keeping in Touch ("KIT") days

You may be able to take KIT days. This is an opportunity to come to work to undertake training and keep in touch with major developments without losing your right to SMP or SAP.

After the first two weeks following the birth of your baby (pregnancy only) you can agree to come to work (or attend training) for up to 10 days without bringing your Maternity/Adoption Leave to an end or losing SMP or SAP. You should agree these days with your line manager and please let HR know.

You will receive payment for any hours that you attend work for a KIT day; each day (or pay day) you attend will count towards your KIT entitlement, irrespective of the number of hours you attend.

Returning to Work

If you would like to return to work before the end of your OML, AOL, AML or AAL, you must give us eight weeks' notice of the date of your return. Let the HR team know in writing. If you do not provide us with the correct notice, we are entitled to refuse your early return until the correct notice has been given.

A copy of the Maternity Leave Planning Form required by HR in the event that you wish to return to work early can be located on the People Policies portal under the Flexible & Family Friendly section: [Maternity Leave Planning Form Part B - Returning to Work Early](#)

Prior to the end of your Maternity/Adoption Leave period, your Line Manager we will contact you to arrange a return to work meeting, so we can talk about how we can support you and organise a return to work programme.

If you decide not to return to work at the end of your Maternity/Adoption Leave, you must let us know in writing in line with your contractual notice period. If you're unable to attend work at the end of your Maternity/Adoption Leave due to sickness or injury, our normal arrangements for sickness absence will apply.

Your rights on and after return to work



On resuming work after OML or OAL, you are entitled to return to the same job as you occupied before commencing leave on the same terms and conditions of employment as if you have not been absent. Note that the 'same job' means the same type of work you are employed to do and the same capacity and place of work. In circumstances where a redundancy situation has arisen, you would be entitled to be offered a suitable alternative position if this is available.

On resuming work after AML or AAL, you are entitled to return to an equivalent role on no less favourable terms and conditions as the job you occupied before commencing maternity leave. However, if it is possible for you to return to the same job, we will endeavour to accommodate this.

Sickness

If you are absent from work due to illness during your pregnancy you are eligible to receive normal statutory or company sick pay.

If you are absent from work because of a pregnancy-related illness or for any period during the four weeks before the start of your EWC, your maternity leave will start automatically and sick pay will cease and maternity pay will begin.

Annual Leave

We will encourage you to take any outstanding annual leave due to you before you begin your Maternity/Adoption Leave. You should take any annual leave in the year that it is earned.

If your Maternity/Adoption Leave coincides with the majority of the holiday year to the extent that you are unable to take your full entitlement, some holiday carry over into the next holiday year may be an option.

Transferring Maternity/Adoption Leave

If you return to work having giving proper notification in accordance with the rules set above, your partner may be eligible to take Shared Parental Leave on your return to work. Please see our separate Shared Parental Leave Policy for details.

Contractual Entitlements/Benefits

During your Maternity/Adoption leave, your contract of employment continues and you are entitled to receive all your contractual benefits, with the exception of remuneration. Maternity and Adoption Pay will be paid in line with the above. The only exception to this is, if you get a car allowance, you will continue to receive this throughout the whole of your Maternity/Adoption Leave. Car allowance is non-pensionable, so no pension contributions will be due. Please contact HR for further information.

If you are enrolled in one of our pension schemes, you will continue to receive the employer contribution rate as if you were being paid normal salary for the first 39



weeks of your leave, but your employee contribution rate would be based on the actual pay that you receive during your OML/OAL.

If you continue your Maternity/Adoption Leave beyond 39 weeks (where no SMP/SAP is payable) there are no employer or employee contributions payable during that period. The only exception to this would be for colleagues who are being paid a car allowance and they should contact HR for further information.

The core benefits you have selected will remain in place for the whole of your maternity leave – whether OML/OAL or AML/AAL.

Before you go on Maternity/Adoption Leave, you should take an opportunity to review your benefit selections in Choices – as this would qualify as a “life style event”. You would be given the opportunity to make changes before you go on maternity leave. Please remember to keep the details of your dependents up to date. In order to review your Choices, you will need to contact the Choices helpdesk on 0800 169 1920.

Benefits

There are some benefit choices that you may enter into in Choices where you are leasing/ hiring/ buying a product or service, e.g. home technology, car and bike to work scheme. If you’re on Maternity/Adoption Leave for more than 13 weeks, the Company will continue to deduct these monies where there is sufficient pay available and where the reduction will not take you below the National Minimum Wage.

The Company will continue making the payments on your behalf, up to six months with the exception of when this is for a car which will only be up to three months, as salary sacrifice deductions cannot be taken from SMP/SAP. Where we are unable to make the reduction, due to a period of statutory pay only, we will recoup these from you when you return to work. In practice, this means the payments still need to be made but the term of the loan will be extended. If you do not return to work, then any final pay due to you will be subject to deductions for these items.

PATERNITY LEAVE

Who is eligible?

To be eligible for Paternity Leave you must have, or expect to have, responsibility for the upbringing of the child. You must be making the request to help care for the child or to support the child’s mother and you must be:

- the baby’s biological father;
- the expectant mother’s spouse or civil partner;
- in a long-term relationship with the expectant mother; or
- the intended parent (if you’re having a baby through a surrogacy arrangement).

This is known as a “**Qualifying Relationship**”.



Paternity Leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either of the adoptive parents may take Paternity Leave where the other adoptive parent has elected to take Adoption Leave.

Paternity Leave

If you qualify, you will be entitled to up to two weeks' paid Paternity Leave.

Paternity leave is granted in addition to a colleagues normal annual holiday entitlement and must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child.

Paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

All other terms and conditions of your contract, except normal remuneration will be continued during paternity leave.

Paternity Pay

To qualify for SPP, you must:

- be employed by the Group up to the date of birth;
- earn at least £118 per week (before tax);
- give the correct notice; and
- have been continuously employed by the Group for at least 26 weeks up to any day in the Qualifying Week.

You remain eligible for Paternity Leave and SPP if your baby is:

- stillborn from 24 weeks of pregnancy; or
- born alive at any point during the pregnancy.

The statutory weekly rate of Paternity Pay is set by the Government each year, or 90% of your average weekly earnings (whichever is lower). However, Group Paternity Pay is paid at your normal weekly pay rate and is paid on an entirely discretionary basis.

Paternity pay can start on any day of the week. Pay cannot begin before the baby is born (or placed with you for adoption), so if your baby is born late then Paternity Leave pay will start later.

Planning your Paternity Leave

If you wish to take paternity leave in respect of the birth of a child, you must give to us at least 15 weeks' written notice (unless this is not reasonably practicable in which case the notice must be given as soon as is reasonably practicable) of:



- The EWC;
- The length of leave you have chosen to take (i.e. one week or two consecutive weeks);
- The date on which you have chosen the leave should begin.

We may request a declaration that the reason for you taking the leave is to care for a child/support the child's mother and that you are either the child's father or not the child's father but are married to, civil partner or partner of the child's mother.

In the case of an adopted child, you must give written notice of your intention to take Paternity Leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency (unless this is not reasonably practicable). The written notice required in the case of adoption is very similar to the information required in the case of Paternity Leave.

If you wish to take Paternity Leave by reason of the birth or adoption of a child, you should obtain and complete the relevant form from HR.

If you subsequently wish to change the timing of the Paternity Leave, you must give us at least 28 days' written notice of the new dates.

Combining Paternity Leave and Holiday or Other Leave

If you wish to take more than two weeks' Paternity Leave, speak with your line manager about combining annual leave or unpaid leave.

Time off for antenatal care

If you are in a Qualifying Relationship with the expectant mother, you may have the right to take unpaid time off work to attend up to two ante-natal appointments. You may be required to sign a declaration to confirm that you qualify for this right.

The antenatal appointment must be made on the advice of a registered medical practitioner, midwife or nurse. The Group expects that normally no more than half a day is needed for an antenatal appointment. The colleague's leave must, however, include the time needed to travel to the appointment and any waiting time needed.

Returning from Paternity Leave

You are entitled to return to the same role you occupied before commencing Paternity Leave on the same terms and conditions.



RELEVANT TO ALL FAMILY LEAVE

Accruing Annual Leave

During your period of leave, your annual leave, including Bank Holidays, accrues in the same way as if you were at work (see our Annual Leave Policy).

Flexible working

You can request a change to your working pattern; details are in our Flexible Working Policy.

7.0 RELATED DOCUMENTS

This policy should be read in conjunction with the following policies and documents:

- Annual Leave Policy
- Absence Policy
- Flexible Working Policy
- Parental Leave Policy
- Time off for Dependants Policy
- Shared Parental Leave Policy

8.0 USEFUL RESOURCES

In addition, the following module(s), available on our Learn platform may be helpful to colleagues and managers:

- Workplace Wellbeing
- Equality & Diversity

9.0 REVIEW

This policy will be reviewed by the HR Department every 2 Years, or sooner where new developments in employment legislation or changes in the business necessitate such a review.

Version	Review date	Who	Changes made	Next Review Date
1.0	January 2014	L Morris Interim HR Manager	Amended Policy in line with T&C harmonisation	March 2015
2.0	March 2015	K Graves Head of HR	Policy Review – R3 alignment	April 2017
3.0	July 2017	B Sherwood HRBP	Policy Review	April 2018
4.0	April 2018	B Sherwood HRBP	Policy Review & inclusion of qualifying period	April 2020



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5.0	Nov 2018	C Brookes-Jenkin HRBP	Review under SMCR	April 2020
6.0	June 2019	B Sherwood HRBP	Policy Review to incorporate both maternity, adoption & Paternity	June 2021
7.0	August 2019	C Brookes-Jenkin HRBP	Review under SMCR	June 2021