



## Maternity and Adoption Support Leave Procedure

This document is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

### Overarching Policies:

Working Arrangements and Flexibility Policy

### Procedures:

Maternity Leave Procedure – Police Officers Maternity Leave Procedure – Police Staff  
Adoption Leave Procedure  
Parental Leave Procedure  
Additional Leave of Absence Procedure – Police Officers & Police Staff

## Process

### 1 PURPOSE

- 1.1 Maternity / Adoption Support Leave (which was previously called ‘paternity leave’ in terms of Maternity) is available to a person who is chosen to be the primary provider of support and care to the mother or co-adopter at or around the time of birth of her child, or the placement of a child for adoption respectively. This person may be the child’s father or the spouse, civil or other partner of the mother or of the adopter.
- 1.2 The principles underpinning these procedures can be found in the Working Arrangements and Flexibility Policy. Individuals may also have other forms of leave available to them. Please see Parental Leave Procedure, Adoption Leave Procedure
- 1.3 This procedure applies to both Police Officers and Police Staff.

### 2 LENGTH OF MATERNITY / ADOPTION SUPPORT LEAVE

- 2.1 Eligible employees or police officers can choose to take their 2 week statutory maternity/adoption support leave entitlement as either a single 2 week block [74/80 hours respectively] or 2 separate 1 week blocks [each week totalling 37/40 hours respectively]. These

limits are the maximum permitted as paid time away from work for Maternity / Adoption Support Leave.

- 2.2 All individuals as detailed in point 1.1 above are eligible to take Maternity / Adoption Support Leave and are entitled to receive one weeks' full pay.
- 2.3 In the case of maternity; individuals who have worked continuously within North Yorkshire Police (NYP) for 26 weeks ending with the 14th week before the baby is due, are entitled to be paid Statutory Paternity Pay for the second week or an equivalent amount.
- 2.4 In the case of adoption; individuals who have worked continuously within NYP for 26 weeks by the week in which an approved match is made with the child are entitled to be paid Statutory Paternity Pay for the second week or an equivalent amount.
- 2.5 Individuals who have not worked continuously within NYP for 26 weeks ending with the 14<sup>th</sup> week before the baby is due, or in the case of adoption, by the week in which an approved match is made with the child, are entitled to take a second week of leave unpaid. This period of unpaid leave is not reckonable for pension purposes (Home Office Circular 33/2003).
- 2.6 Maternity support leave can be taken at any time in the 52 weeks after birth. Adoption support leave can be taken within the 52 weeks after the date the child is placed with the adopter. If a child is adopted from overseas, the adoption support leave can be taken within the 52 weeks from the date the child arrived in the UK.
- 2.7 Only one period of leave [either 2 weeks consecutive leave or 2 separate weeks] is available to employees or police officers irrespective of whether more than one child is born or adopted as the result of the same pregnancy / adoption.
- 2.8 If the child is stillborn after a pregnancy lasting 24 weeks an individual will still be able to take Maternity Support Leave.
- 2.9 Where more than one individual has been identified as qualifying for Maternity / Adoption Support Leave, permission will only be granted for one individual.

### **3 CONDITIONS DURING MATERNITY / ADOPTION SUPPORT LEAVE**

- 3.1 Police Officers - All paid leave taken as Maternity / Adoption Support Leave will be pensionable, reckonable for incremental pay and leave purposes and for inclusion in any period of probationary service.
- 3.2 Police Staff – Maternity / Adoption Support Leave where it is paid, is reckonable for incremental pay and leave purposes and will count as continuous service.
- 3.3 Police Staff – Maternity / Adoption Support leave can have an element of authorised unpaid leave and therefore can affect an individual's pension. On return from maternity / adoption support leave, if an employee has had a period of unpaid leave, they will have a choice whether or not to buy back pension lost due to that period of authorised unpaid leave. The Local Government Pension Scheme website ([www.lgps2014.org](http://www.lgps2014.org)) has an online calculator

which will calculate the amount an individual will need to pay to buy back this pension. The calculator creates an application form which must be printed and signed. This completed application form must be provided to NYP within **30 days** of returning to work after that period of authorised unpaid leave. To complete the online calculator the individual must first have the figure for their lost pensionable pay, this can be requested from NYP Payroll. A flowchart showing the full process of buying back lost pension is available on the LGPS website\_Flowchart buying back lost or extra pension.

#### **4 NOTICE OF INTENTION TO TAKE MATERNITY / ADOPTION SUPPORT LEAVE**

- 4.1 Individuals should complete the Maternity / Adoption Support Leave e-form which when completed will be automatically forwarded to their Line Manager/ Supervisor in the first instance for approval. This will then be forwarded on to the People Services Helpdesk , who will complete all necessary administrative arrangements.
- 4.2 Individuals in conjunction with the People Services Helpdesk should ensure that the relevant Statutory Paternity Pay form is completed and attached to their e-form request, enabling the Force to recoup any statutory monies, whilst providing any supplementary pay due.

Maternity Support Leave – Please click to complete online form from Gov.uk (previously called form SC3 form) Maternity Support Leave

Adoption Support Leave - Please click to complete online form from Gov.uk (previously called form SC4/SC5 form) Adoption Support Leave

- 4.3 Individuals must inform their employers of their intention to take maternity / adoption support leave by the end of the fifteenth week before the baby is expected, or in the case of adoption by the week in which an approved match is made with the child unless this is not reasonably practicable.
- 4.4 Individuals can change their mind about the date on which they want their leave to start providing they tell their employer at least 28 days in advance (unless this is not reasonably practicable).

#### **5 TIME OFF FOR ANTE-NATAL CARE [Police Staff only]**

- 5.1 An employee who is a prospective father, or partner of a pregnant woman, will be permitted to take 2 occasions of unpaid time off work to attend ante-natal care appointments, provided they declare they are entitled to attend an appointment to their Line Manager if required and the appointment is on medical advice.

## **6 DEATH OF A CHILD OR STILL BIRTH**

- 6.1 If a baby dies before the 24<sup>th</sup> week of pregnancy, NYP will give sympathetic consideration to the circumstances and where necessary grant special leave or sick leave as appropriate. The decision will be influenced by the needs of the individual and medical opinion.
- 6.2 If a baby is still born after 24 weeks of pregnancy or a child up to the age of 18 dies, reference should be made to the Parental Bereavement Leave section of the Compassionate Leave procedure [.](#)

## **7 RETURN TO WORK AFTER MATERNITY / ADOPTION SUPPORT LEAVE**

- 7.1 Individuals are entitled to return to the same role following Maternity / Adoption Support Leave.

### **Responsibilities**

#### **Line Manager/ Supervisor**

Line managers will consider requests for maternity/adoption support leave fairly, appropriately and in line with this procedure. They will forward approved applications to the People Services Team.

#### **Police Officers & Staff Members**

Must abide by this procedure in requesting time off for maternity support or adoption support purposes.

#### **People Services**

Must ensure that this procedure is being adhered to and will provide advice as necessary on its interpretation and implementation.