

## RETURNING TO WORK

Regulations require you to give 21 days notice of your return (unless you are returning at the end of the maternity period). You can change your date of return at any time provided you give at least 21 days notice of the re-arranged date.

If you do not notify your date of return you must return at the end of the maternity period (up to 12 months after the birth).

You may like to consider returning on a part-time basis or take a Career Break.

## SICKNESS

Normal sick leave rules apply unless you have commenced maternity leave or become sick with a maternity related sickness within 4 weeks of your Expected Week of Confinement, in which case your statutory maternity pay will start. **You are not entitled to sick pay whilst on maternity leave.** Remember that your maternity leave ends on the day you have notified that you are returning (giving 21 days notice) and no later than the last day of the maternity period (up to 12 months after the birth).



## ANTE-NATAL CARE

Regulations allow all policewomen time off to attend ante-natal care appointments when advised to attend by a G.P., Midwife or Health Visitor. The time is treated as duty time. After the first appointment you can be required to produce evidence of pregnancy and evidence of future appointments.

Your applications for time off should not be refused 'unreasonably'. Whether a refusal is 'unreasonable' is a matter of interpretation and is not defined. Time off should be granted unless there are exigencies of duty. You could be asked to re-arrange an appointment if this is reasonable.

Ante-natal care is not defined, it may include relaxation classes if advised by a G.P., Midwife or Health Visitor.

## ANNUAL LEAVE

Your entitlement to annual leave continues to accumulate when you are on police paid maternity leave. Regulations do not say that it ceases to accumulate whilst on unpaid maternity leave. In the absence of any provision to the contrary, legal advice indicates that your entitlement should continue to accumulate when on unpaid maternity leave. Your ability to carry leave over from one "leave" year to another remains at 5 days (or more if authorised).

## ATTENDANCE AT COURT

Unless a Doctor certifies that you are unfit you must attend. Attendance at court as a police witness is classed as "duty", you must ensure you are booked "on duty". If you are required to attend court whilst on maternity leave the Force must undertake a risk assessment. You will receive the daily rate of pay for each day on duty. Your maternity period will not be extended.

## HOUSING/SOUTH EAST ALLOWANCE

If in receipt of housing or transitional rent allowance you will continue to receive this allowance whilst on paid maternity leave.

If you take unpaid maternity leave and your partner or husband is a serving officer also in receipt of the allowance, they are entitled to have their allowance increased whilst you remain on unpaid maternity leave.

Officers living in police-owned accommodation should check Force policy/orders.

Within the current Police Regulations and Determinations there is no facility to cease payment of the London or South East Allowance whilst an officer is on maternity leave.

## DEATH OF BABY/STILL-BIRTH

When a baby sadly dies or is still-born, policewomen are still entitled to maternity leave and pay as set out, provided the baby dies or is still-born after the 24th week of pregnancy.

## POLICE FEDERATION & MEMBER SERVICES

Federation subscriptions are not required to be paid whilst on unpaid maternity leave.

Contributions to member services (life insurances, private health, friendly societies, PMAS, credit unions etc.) continue whilst on paid maternity leave. You will need to make arrangements to maintain cover whilst on unpaid maternity leave. Contact your local Federation Office and/or Finance department for further information.

© Printed by **The Police Federation of England and Wales**  
Federation House, Highbury Drive, Leatherhead, Surrey KT22 7UY



**POLICE FEDERATION**  
of England and Wales

Internet: [www.polfed.org](http://www.polfed.org)  
Intranet: <http://pfnet>  
(access limited to JBB staff)

# Maternity

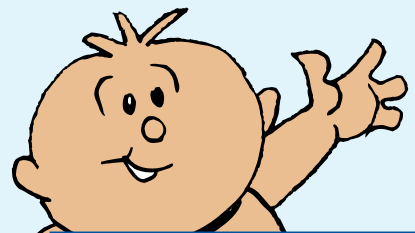
**APRIL 2009**

## CONGRATULATIONS!

The Police Federation of England and Wales is the representative body for all Constables, Sergeants and Inspector ranks in the Police Forces of England and Wales.

This leaflet has been prepared by the Police Federation of England & Wales to explain your rights to health, money and a smooth return to work.

Having a baby can be one of the happiest events of your life, but it is important to be aware that Policewomen's maternity rights are different in many respects to other women workers.



## NOTIFICATION OF PREGNANCY

When you know the probable date of the birth of your baby (provided by Dr., Midwife, Health Visitor), you should notify your Chief Officer as soon as is reasonably practicable that you are pregnant, the probable date of birth and the date on which you intend to start maternity leave.

**To protect your entitlement to Statutory Maternity Pay (SMP) you should inform your Chief Officer no later than 28 days before you intend to commence your maternity leave.**



## MATERNITY LEAVE

All policewomen are entitled to take maternity leave, irrespective of their length of service.

You can choose when and how much maternity leave to take. Maternity leave can be taken at any time commencing 6 months before the probable birth date to 12 months after the stated 'probable date of birth of your baby' up to a maximum of 15 months in total.

You can take your maternity leave in one or more blocks of leave provided you meet notification requirements.

Maternity leave will commence on the day you notify you wish it to start, and no later than the date given as the probable date of birth. It will end on the day you give that you intend to return to work (giving at least 21 days notice) and no later than the last day of the maternity period (up to 12 months after the birth).

## PAY

Police and Statutory Maternity pay depend upon your length of service and suitable notification of your intention to take maternity leave.

### Police Maternity Pay (PMP)

**To receive PMP you must have 63 weeks continuous service at the beginning of the week (Sunday) your baby is expected**

PMP is full pay (and allowances) for the first 13 weeks of your maternity leave. You may also be entitled to Statutory Maternity Pay if you remain on maternity leave at the end of 13 weeks.

### Statutory Maternity Pay (SMP)

**To receive SMP you must have 26 weeks continuous service at the 'qualifying week' point.**

The 'qualifying week' commences on the Sunday 15 weeks before the week the baby is due.

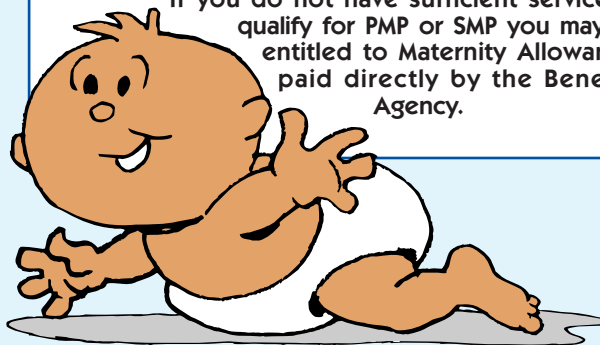
Statutory Maternity Pay is payable for 39 weeks commencing on the day you start your maternity leave but, it is only payable from 11 weeks before the baby is due.

There are two rates of Statutory Maternity Pay. The higher rate (90% average salary) is payable for the first 6 weeks, the lower rate is payable for the remaining 33 weeks (£123.06 from April 2009 - March 2010).

Your average salary is calculated over the 8 weeks before the 'qualifying week' and includes all pay and overtime.

Most forces offset Statutory Maternity Pay and Police Maternity Pay where they coincide, so that you receive the greater of the two, not both. It now appears that this may not be technically correct. The Home Office are currently considering this issue and we will update you as soon as we can.

**If you do not have sufficient service to qualify for PMP or SMP you may be entitled to Maternity Allowance, paid directly by the Benefits Agency.**



## DUTIES

Health & Safety Legislation requires employers to carry out risk assessments for pregnant workers and women who have recently returned to work having given birth and/or who continue to breast feed.

Where risks are identified, pregnant police women must be advised and action taken to remove or reduce the risk, by temporarily adjusting her working conditions and/or hours of work, offering her suitable alternative work or suspending her from work (on "Maternity Suspension") on full pay.

Much discussion surrounds whether new or expectant policewomen mothers should be required to work on the front line, on shift work or night duty. Health and Safety Regulations do not specifically rule out shift work or night duty. However, if your medical practitioner certifies that shift work or night duty could affect your or your baby's health (which many GP's believe) you should be found alternative duties.

## RECKONABLE SERVICE

All officers are entitled to up to 26 weeks reckonable service for incremental pay, leave and probation.

Officers who have 40 weeks service at the Expected Week of Confinement are entitled to reckonable service for any maternity leave taken in the 26 weeks prior to the birth and up to a maximum of 29 weeks after the birth.

## PENSIONS

Periods of paid maternity leave are pensionable. Unpaid maternity leave will also be pensionable providing you elect to pay the pension contributions you would have paid during this period. Your pension contributions will be based on the pay you received prior to going onto nil pay. This will normally be 11% of SMP.

You must elect to pay the contributions within 3 months of returning to duty and complete payment within 6 months of being notified of the amount payable. Payment can be made by monthly instalments or lump sum.

If you decide not to return to duty you must elect to pay the contributions before your last day of service and complete payment within 6 months of your last day of service.

Your Force Finance Department will be able to provide details.