



STAFFORDSHIRE
POLICE

FAMILY LEAVE POLICY

September 2024

People & OD | HR - essentials

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1. Introduction

- 1.1 At Staffordshire Police we are committed to creating the right environment for colleagues in every role, in every team, to flourish. The People Strategy sets out the key themes that we will focus on to ensure that we make this happen and continue to improve.
- 1.2 The aim of this policy, is to help prospective, expectant and working parents balance the needs of the various different parts of their lives, whilst appreciating the importance of providing greater choice for parents in how they arrange parental care during the first year of a child's life and beyond.

2. Purpose

- 2.1 The primary purpose of this policy is to explain the range of entitlements if you are starting or extending your family. This can be a complicated area and hence our aim is to set this out clearly.
 - 2.2 The Family Leave Policy is part of our commitment to being mindful of the pressures placed on the workforce, taking care to build resilience and remain flexible in our approach, increasing options for working differently and improving work life balance.
 - 2.3 This policy covers the force's procedures for all types of family-related leave and pay, and it includes details of your statutory rights. This is our most complicated policy, not because we set out to make things complicated, but because the law is very detailed on maternity and family friendly rights. This policy summarises the law, but if there's anything in here which differs from legal requirements, the statutory provisions will always take precedence.
 - 2.4 This policy does not form part of your employment contract, and we may update it at any time.
 - 2.5 Most of the rights set out in this policy apply to each pregnancy, not each baby. So (for example) the periods of leave are the same whether you have one baby or twins.
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- 2.6 We use abbreviations throughout this policy. They are explained the first time they are used, and for convenience are set out in the glossary at the end.

3. Scope

- 3.1 This policy covers all police officers, police staff and volunteers (hereinafter referred to as 'colleagues').

4. Key Drivers

- 4.1 The People Strategy sets themes that will help the force to build an efficient and effective organisation that both helps us to build a safer Staffordshire, and is a great place to work. One element of this is about the force putting in place policies and frameworks to guide colleagues through sometimes complex or difficult issues, and that help us to build a workplace that is positive and healthy, where colleagues take ownership of their own health and wellbeing, and where wellbeing is at the heart of the employee experience.
- 4.2 By investing in a working environment where colleagues are inspired to give their best every day, we secure the capability needed for future success by motivating and engaging employees to improve the service we provide to Staffordshire.

5. Maternity

- 5.1 To take Statutory Maternity Leave ('**SML**') and be paid Statutory Maternity Pay ('**SMP**'), we need you to give us the following information in writing before the end of your Qualifying Week (the 15th week before the Expected Week of Confinement – see Glossary):
- Confirmation that you are pregnant;
 - The date of the week — starting on a Sunday — that your baby is due;
 - The date you want your maternity leave to begin; and
 - The date when you will start claiming SMP.
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- 5.2 Although you are not obliged to tell us that you are pregnant before the end of your qualifying week, we would appreciate it if you could tell us earlier. This gives us more time to plan, and also gives us the chance to think about any health and safety matters that may arise.
- 5.3 We need your original MAT B1 form, from you as soon as possible. Your midwife will normally give it to you automatically at the first antenatal appointment after your 20-week scan, or you can get a copy from your GP surgery. It must be signed by your doctor or midwife and confirm the date your baby is due.

6. Antenatal Appointments

- 6.1 You are entitled to paid time off for antenatal appointments during working hours. We ask for as much notice as possible, and we may want to see confirmation of your pregnancy and an appointment card for all but the initial appointment.
- 6.2 If you have what is known as a 'qualifying relationship' with someone who is pregnant or the unborn child, you are entitled to unpaid time off to accompany her to a maximum of two antenatal appointments. This applies to each pregnancy. A 'qualifying relationship' is one where you are:
- the baby's father;
 - the pregnant woman's spouse; or
 - the pregnant woman's partner.
- 6.3 We expect you to give us as much notice as possible. Legally, you are only entitled to 6.5 hours off work for each appointment (which includes travelling and waiting time), but if you need more time, please discuss it with us. To attend any further appointments, you will need to request time off as holiday (which will be managed as laid out in our Time off Policy) or unpaid leave.
- 6.4 You must provide a signed statement showing the date and time of each appointment. It must also confirm that:
- you are eligible under the 'qualifying relationship' criteria;

- the time off is solely to accompany the woman to her appointment; and
- a doctor, midwife, or nurse has advised that the woman needs the appointment.

6.5 You may be entitled to time off to attend up to two antenatal appointments if you are having a child by surrogate. For guidance, ask your manager or HR Support.

6.6 If you unfortunately suffer a miscarriage before the end of the 24th week of your pregnancy then, according to the statutory provisions, any time off work is treated as sickness absence. We will of course give you the appropriate support. If you suffer a stillbirth after 24 completed weeks of pregnancy, you will receive the SMP and SML to which you otherwise would have been entitled.

6.7 What Happens during Maternity Leave?

6.7.1 You can decide when you want your maternity leave to begin, as long as it's not earlier than the 11th week before your Expected Week of Confinement ('**EW**C'), i.e. the week in which you are expected to deliver your baby.

6.7.2 We will write to you within 28 days of you telling us that you are pregnant, to tell you when your maternity leave will end (if you take your full entitlement).

6.7.3 You can change the start date for your maternity leave as long as we have the new date in writing at least 28 days before the earlier of the original or revised date. We will write to you within 28 days of you giving us the new date to tell you when your maternity leave will end (if you take your full entitlement).

6.7.4 You are entitled to 52 weeks' maternity leave, made up of 26 weeks' 'ordinary' maternity leave and 26 weeks' 'additional' maternity leave. (Your rights differ during the additional maternity leave, as set out in this policy). This is your right regardless of how long you have worked for us or how many hours you work.

- 6.7.5 Your maternity leave may start earlier than the date you wanted if you are off work because of your pregnancy at any time in the four weeks leading up to your EWC. Maternity leave will also start early if your baby is born before your preferred start date.
- 6.7.6 If you and your spouse or partner are both eligible, you may want to use the Shared Parental Leave ('**ShPL**') scheme so that you have more flexibility around your childcare in the first year after birth. However, no woman is allowed to come back to work for the two weeks immediately after her baby is born. This is called 'compulsory maternity leave'.
- 6.7.7 We may contact you from time to time while you are on maternity leave — for example to discuss arrangements for when you return, possible internal job vacancies, or qualification expiry dates. If you'd prefer us not to contact you, please tell us.
- 6.7.8 You may also be offered up to 10 days' work while you are on maternity leave at a rate of pay agreed in advance. These are sometimes used for purposes such as keeping a qualification valid, key meetings, corporate training days, appraisals or consultation meetings. You do not have to come to them if you don't want to. Your decision about whether or not to work some or all of them will not affect your right to maternity leave and SMP. These are known as Keeping in Touch days ('KIT days').
- 6.7.9 You will continue to receive benefits due to you under your employment contract while on maternity leave. Except for terms relating to pay, all your normal terms and conditions will apply and you will continue to accrue holiday entitlement. If you are due any holiday before your maternity leave begins, you should try to take it where practical.

6.8 How much is my maternity pay?

- 6.8.1 Police Officers who meet the qualifying criteria will be paid in line with the Police Regulations and Police Staff in accordance with the Police Staff Council Handbook.
- 6.8.2 You may be entitled to SMP if you have at least 26 weeks' service with the force by the end of the Qualifying Week (so, broadly, if you've been with the force for just over nine months by the time the baby is due).

Whether or not you qualify then depends on whether:

- your average weekly earnings are at or above the National Insurance Lower Earnings Limit;
- you are able to give at least 28 days' notice that you intend taking maternity leave (or as much notice as you can);
- you are still pregnant, or have already had your baby, 11 weeks before the EWC.

6.8.3 We calculate average weekly earnings during the eight weeks that end with the Qualifying Week.

6.8.4 You will receive SMP for up to 39 weeks. This will be paid at 90% of your average weekly earnings for the first six weeks, and paid at the standard SMP rate for the remaining 33 weeks. The standard rate is set by the government, and you can see the current rates at <https://www.gov.uk/maternity-pay-leave>. We will pay SMP at 90% of your average weekly earnings for all of your maternity leave, if your average weekly earnings fall below the standard rate.

6.8.5 We will deduct tax and National Insurance contributions from your SMP in the same way as we do from your regular salary.

6.9 What happens when I return to work?

6.9.1 If you intend returning to work at the end of your full 52 weeks' maternity leave, there is no need to let us know. However, if you want an earlier return date you must give your manager at least eight weeks' written notice. We may delay your return to work by up to eight weeks or the end of your maternity leave if that's earlier, if you don't give us at least eight weeks' notice of your revised plans.

6.9.2 You are entitled to take up the same job, on the same terms and conditions you had before going on maternity leave if you return to work immediately after your ordinary maternity leave ends (i.e. at the end of the first six months' maternity leave). Should you instead return after taking additional maternity leave (i.e. in months 7-12), you may be offered a similar job (on no less favourable terms) if it is not reasonably practical for you to resume your previous role.

- 6.9.3 When you return after maternity leave, you will meet your manager to discuss what has happened in your absence. You will also have the opportunity to talk about other matters, such as breastfeeding or expressing milk during working hours.
- 6.9.4 Please tell us in writing as soon as possible if you decide not to return at all after maternity leave. You must give notice as required under your employment contract.
- 6.9.5 Please refer to our Flexible Working Policy if you wish to make a flexible working request. It would be helpful if you could make any request as early as possible to allow us time to consider it properly.
- 6.9.6 If your job is one that has been identified as posing a risk to your health and safety as a new mother, or because you are breastfeeding, we will notify you and take measures to eliminate all risks. This also applies to women during pregnancy. If you have any concerns about your health and safety, you should speak to your manager.

7. Paternity leave (Maternity/Adoption Support Leave)

- 7.1 Legislation in regard to statutory paternity pay and leave changed with effect from 06 April 2024. With effect from 06 April 2024 if you qualify for paternity leave, you are entitled to a maximum of two weeks' statutory paternity leave. This must be taken after the birth to care for the child and/or support the mother. Occupational paternity leave can be taken in two non-consecutive weeks within 52 weeks of the birth of the child. (Previously this had to be two consecutive weeks with 56 days of the birth).
- 7.2 To qualify for occupational paternity pay, you must have continuous service for at least 26 weeks by the end of the 15th week before the EWC. You must also:
- be the biological father and have the main responsibility with the mother for the child's upbringing; or
 - be the mother's partner and expect to have the main responsibility with the mother for the child's upbringing; or

- be the biological father and have some responsibility for the child's upbringing.

7.3 You must tell us in writing by the end of the Qualifying week (or as soon as possible):

- the EWC;
- whether you would like to take one or two weeks' paternity leave; and
- when you would like it to start. You can change this date by giving us 28 days' notice (or as much as you can).

7.4 While you are on paternity leave, all the terms and conditions not relating to pay in your employment contract will apply. When you return, you have the right to the same job with the same terms and conditions as you had before your paternity leave began.

7.5 How much is my paternity pay?

7.5.1 Statutory Paternity Pay is the lower of a fixed weekly rate set by the government (£184.03) or 90% of your average weekly earnings. Tax and National Insurance contributions are deducted in the usual way.

7.5.2 Occupational Paternity Pay (with at least 26 weeks continuous service by the end of the 15th week before EWC) is equivalent to two weeks full pay.

8. Shared Parental Leave

8.1 How do I qualify for Shared Parental Leave?

8.1.1 If you want more flexibility in the first year after your baby is born, you and your partner may want to consider Shared Parental Leave (ShPL) instead of just taking maternity and paternity leave. Provided that you are both eligible, ShPL allows you to split the available leave between you, so that you can be off work at the same time or consecutively.

8.1.2 There is a total of 52 weeks of ShPL available, less any weeks the mother has either been on maternity leave (including the compulsory

period) or receiving SMP or Maternity Allowance ('MA') if she is not entitled to maternity leave. ShPL is additional to paternity leave.

8.1.3 You or your partner may be eligible for ShPL if:

- you are the mother and share the main childcare responsibility with the child's father or your partner; or
- you are the father and share the main childcare responsibility with the child's mother; or
- you are the mother's partner and share the main childcare responsibility with the mother in place of the father; and
- you have worked for the police for at least 26 continuous weeks by the end of the Qualifying Week and you will still be employed by us before you take ShPL; and
- the other parent has worked at least 26 of the 66 weeks before the EWC — this can be as an employee or self-employed — and had weekly earnings averaging at least £30 during 13 of the weeks; and
- you and the other parent fulfil the notice and other requirements detailed below.

8.1.4 The child's mother cannot start ShPL until the end of the compulsory maternity leave period. This is usually two weeks after birth.

8.1.5 The child's father, or the mother's partner, may consider using their two weeks' paternity leave before starting ShPL as once ShPL starts, any paternity leave not already taken is lost.

8.2 What paperwork is needed to claim Shared Parental Leave?

8.2.1 You must tell us in writing at least eight weeks before you intend your ShPL to begin that you want to opt in to the ShPL scheme. We will also need to know:

- your name and the other parent's name;
- the start and end dates of the mother's maternity leave (or the SMP or MA start and end dates if she is not eligible for maternity leave);
- how many weeks of ShPL is available — that is, 52 weeks

less maternity leave, SMP or MA already taken by the mother or due to be taken;

- how many weeks ShPL you will take and how many the other parent will take — you can change this by telling us in writing and you do not have to take your full allowance;
- the total Statutory Shared Parental Pay ('**ShPP**') available — that is, 39 weeks less the number of weeks of SMP or MA already taken or due to be taken;
- how many weeks of the ShPP available is to be allocated to you and how many to the other parent — you can change this by writing to us, and you do not need to use all your allocation;
- the pattern of leave you want to take, with start and end dates for each block of leave — although this is not binding, it will help us if you give us as much information as possible; and
- that you and the other parent are both eligible to claim ShPL and ShPP — we will need signed declarations from both of you.

8.2.2 If you are the child's mother, you must give us at least eight weeks' notice in writing ending your maternity leave. We need this curtailment notice at the same time as you supply the ShPL opt-in notice and you cannot take ShPL unless we have it. In the notice, you must tell us the date your maternity leave will end, which must be at least two weeks after the baby is born.

8.2.3 If your partner is the one taking ShPL, we need a written declaration that their employer has received an opt-in notice and all the necessary declarations have been made. They may be able to take ShPL from their employer before your maternity leave ends, but only if we have received your curtailment notice.

8.2.4 Curtailment notices are binding and can only be revoked if your maternity leave has yet to finish and you meet one of these conditions:

- you find out that neither you nor the other parent is eligible for ShPL or ShPP — in this case you can revoke the curtailment notice by writing to us any time up to eight weeks after it was given; or
- the curtailment notice was issued before the birth and you are revoking it in writing during the six weeks after the birth; or

- the child's other parent has died.

8.2.5 You cannot opt back into the ShPL scheme after you revoke a curtailment notice except if the notice was given to us before the birth and it is revoked in writing during the six weeks following the birth.

8.2.6 If the mother is still on maternity leave or claiming SMP or MA, you as the partner will be unable to start ShPL until she:

- has returned to work; or
- has given a curtailment notice to her employer to finish her maternity leave; or
- has given a curtailment notice to her employer to finish her SMP; or
- has given the benefits office a curtailment notice ending her MA.

8.2.7 We may also ask you to provide the following:

- A copy of your child's birth certificate or a signed declaration of the date and place of birth if you have yet to get the certificate; and
- Contact details for the other parent's employer, or a declaration that they do not have an employer.

8.3 How do I organise Shared Parental Leave?

8.3.1 Once you have opted into the ShPL scheme, you need to give us a 'period of leave' notice to book your time off. You can give us this at the same time as your opt-in notice or at any other time, as long as it is at least eight weeks before the first period of ShPL begins.

8.3.2 On the 'period of leave' notice you can either give us specific dates or the number of days after the birth that you want ShPL to start and finish. You must take ShPL in blocks of at least one week at a time.

8.3.3 You are automatically entitled to take a single continuous block of ShPL (but we will consider any request for separate blocks of ShPL as detailed in the following paragraphs).

- 8.3.4 You may lodge up to three 'period of leave' notices, which may allow you to take up to three separate ShPL blocks with periods at work in between. If you later reschedule or cancel one of the blocks, it nevertheless counts towards your three notices.
- 8.3.5 To make it easier for us to consider allowing you to take ShPL in more than one block, you should discuss your requirements with your manager as early as possible before you submit your formal 'period of leave' notice.
- 8.3.6 If you want separate blocks of ShPL, you must give us details of the pattern you want to follow in your 'period of leave' notice. Once we have received this, we will either agree immediately or we will start a discussion period with you which will last for two weeks. If we reach agreement, we will confirm this in writing before the end of the two-week period. If we fail to agree, you can take all the ShPL you asked for in one continuous block, beginning on the start date you gave us in your notice. For example, if you asked for three separate three-week periods, you can combine them into one continuous 9-week leave period.
- 8.3.7 The other way we can approach this is if you agree to the following:
- Choosing a new start date and telling us what it is within five days of the two-week discussion period ending. The new date has to be at least eight weeks after the start date of the first of the blocks you asked for; or
 - Withdrawing the notice and informing us within two days of the two-week discussion period ending. This will not be counted as a 'period of leave' notice and you are free to submit a fresh one.
- 8.3.8 If you need to cancel a period of ShPL, you must tell us in writing at least eight weeks ahead of the relevant block start date.
- 8.3.9 If you want to change a start date, you must put your request in writing at least eight weeks before whichever is the earlier of the original and new start dates. Similarly, you can change the end date if you inform us at least eight weeks before whichever is the earlier of the original or new end dates.
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- 8.3.10 If you want to combine blocks of ShPL into one continuous period, you will need to give us the new start or end date, whichever is relevant.
- 8.3.11 If you want to split a continuous period of ShPL into two or more periods separated by periods at work, you will need to tell us the new start or end date. We may not be able to agree, but are prepared to approach your request as if you had asked for separate blocks of ShPL in the first place.
- 8.3.12 If you submit a notice to change or cancel a block of leave, we will count this as one of your three 'period of leave' notices. There are three exceptions to this rule, which are:
- if the change is because your baby was born earlier or later than the EWC;
 - if you cancel a request for separate blocks of leave within two days of the two-week discussion period ending; or
 - we ask you to make the change.

8.4 What happens during shared parental leave?

- 8.4.1 If your baby is born before the beginning of the EWC, we may allow you to start ShPL during the eight weeks following birth despite you being unable to give us eight weeks' notice. To enable us to do so, we need to apply the following rules:
- If your 'period of leave' notice gave us a set date within the eight weeks following the EWC for your ShPL to start, you can move the date forward by the same number of days as long as you write to tell us as soon as possible;
 - If you want to take ShPL in the eight weeks following birth and your baby arrives early, you will need to give us your opt-in notice and 'period of leave' notice as soon as possible.
- 8.4.2 If you had a start date of a set number of days — rather than a set date — after the birth in your 'period of leave' notice, you do not need to do anything.

- 8.4.3 You will continue to receive benefits due to you under your employment contract. Except for terms relating to pay, all your normal terms and conditions will apply and you will continue to accrue holiday entitlement.
- 8.4.4 If you are due any holiday, you should discuss with your manager when to take this before starting ShPL, and if you are the mother you should try to take any holiday due to you before your maternity leave begins.
- 8.4.5 We may need to contact you from time to time while you are on ShPL leave — for example to discuss arrangements for when you return.
- 8.4.6 You may also be asked to work during ShPL for up to 20 days. These are known as **SPLIT** (Shared Parental Leave in Touch) days. This includes training and — if you are a woman — is in addition to the 10 Keeping in Touch days you have the option to work during your maternity leave. You are not obliged to work any of these days, but if you do, you will be paid at a rate agreed with your manager. This also applies if you ask to work any of the 20 days.

8.5 What happens when I return to work?

- 8.5.1 You must give us eight weeks' notice in writing if you want to end a ShPL period early and provide the new return-to-work date. You will be unable to end your ShPL early without our agreement if you have already used your three 'period of leave' notices.
- 8.5.2 If you have unused ShPL entitlement and want to extend your leave, you must tell us in writing by submitting a 'period of leave' notice at least eight weeks before the date you had intended returning to work. You will be unable to extend your ShPL without our agreement if you have already used your three 'period of leave' notices. Instead you may be able to take annual leave or ordinary parental leave.
- 8.5.3 You are entitled to take up the same job with the same employment terms you had before going on ShPL. However, in certain circumstances it may not be reasonably practical for you to resume your previous role and we may place you in another appropriate post with no less favourable terms and conditions. This will only apply if:

- your ShPL plus any maternity or paternity leave taken amounts to more than 26 weeks, irrespective of whether or not it was taken consecutively; or
- your ShPL was taken consecutively, before or after more than four weeks of ordinary parental leave.

8.6 Can I claim statutory Shared Parental Pay?

8.6.1 If you have at least 26 weeks' continuous employment at the end of the qualifying week, you may be able to claim Statutory Shared Parental Pay for up to 39 weeks. We will pay this at the rate set annually by the government, less any SMP or MA already claimed by either you or your partner. Your average earnings must be not less than the lower earnings limit set each tax year for you to qualify.

8.6.2 When you give us your 'period of leave' notice (or notices), you must notify us that you intend to claim ShPP while you are on ShPL. You can also write to us at least eight weeks before the date you want us to start paying your ShPP if you have not already told us in a 'period of leave' notice.

9. Ordinary Parental Leave

9.1 Ordinary Parental Leave can be taken at any time until a child's 18th birthday and comprises 18 weeks' unpaid leave per child.

9.2 If you have responsibility for a child, you are entitled to take parental leave. Those eligible include the registered father and anyone else with formal parental responsibility for the child.

9.3 You must have worked for us for at least a year before you can take parental leave, already have or expect to have responsibility for a child, and intend using the leave only to care for the child or otherwise spend time with your child.

9.4 You can take up to four weeks of ordinary parental leave per child, per year, in blocks of a single week or more. You cannot take less than a week at a time, unless the child is disabled.

- 9.5 You need to give your manager 21 days' notice that you intend to take parental leave. We will always try to accommodate your request but may have to rearrange your dates if your absence would disrupt our business by, for example, leaving us short-staffed. If your leave has to be postponed, we will tell you why in writing within seven days of your request and provide you with new start and end dates.
- 9.6 We are unable to postpone Ordinary Parental Leave if you have asked us for it to start immediately after a child's birth or adoption. We are also unable to postpone parental leave beyond six months or beyond the child's 18th birthday.
- 9.7 Your employment contract and all its terms and conditions remain in force throughout Ordinary Parental Leave, other than the fact that it is unpaid. Your holiday entitlement continues to accrue in the normal way.

10. What happens if I am adopting a child?

- 10.1 You are entitled to time off to attend an adoption appointment. This is an appointment arranged by an adoption agency, usually for you to get to know the child who will be placed with you, but sometimes for other reasons related to the adoption.
- 10.2 If more than one child is being placed with you at the same time, we treat this as one adoption. Time off for this type of appointment must be taken before any child is placed with you.
- 10.3 You may attend up to five appointments per adoption, once matched, on paid time off if you are adopting on your own or will be the primary adopter. You may attend up to two appointments, on unpaid leave, if you are the secondary adopter.
- 10.4 You are entitled to take up to 6.5 hours for each appointment. This includes travelling and waiting time. We will need a signed statement with details of the time and date of the appointment as well as confirmation that:
- the adoption agency has arranged or requested the appointment;
 - you are either adopting the child on your own or jointly with someone else; and

- you are electing to take either paid or unpaid time off work if you are adopting jointly.

10.5 It may be necessary to ask you to rearrange an appointment, and we reserve the right to refuse a request for a particular day or time in exceptional circumstances. We will however, never do this without good reason.

10.6 Adoption Leave and Pay

10.6.1 We have similar arrangements in place for adoption as we do for maternity leave and pay. See section 7 above for further details relating to Adoption Support Leave.

10.6.2 You may be entitled to adoption leave if you are having a baby by a surrogate mother. HR will be able to explain the process.

10.6.3 You may also be eligible for ShPL and ShPP if you are adopting or having a child by a surrogate mother. Again, ask HR for more information.

10.6.4 All colleagues are entitled to 52 weeks adoption leave. This is made up of 26 weeks Ordinary Adoption Leave and 26 weeks of Additional Adoption Leave.

10.6.5 There is no qualifying period for the right to take adoption leave. However, qualifying criteria for **paid** adoption leave is identified below.

10.6.6 Leave taken as adoption leave will be reckonable for incremental pay, annual leave purposes and count as continuous service.

10.6.7 **Police Staff** - A staff colleague is entitled to buy back, for pension purposes, reckonable service in respect of any period of adoption leave.

10.6.8 **Police Officers** – Assuming an officer had not opted out of the pension scheme, any period of unpaid adoption leave after the first 26 weeks can be bought back. However, it is important to note that a Keeping in Touch (KIT) day taken during the unpaid period will mean the remaining period of unpaid leave will have to be bought back at the appropriate pension contribution rate of full pay.

- 10.6.9 If you and your spouse or partner are both eligible, you may want to use the Shared Parental Leave ('**ShPL**') scheme so that you have more flexibility around your childcare in the first year after birth.
- 10.6.10 We may contact you from time to time while you are on adoption leave — for example to discuss arrangements for when you return, possible internal job vacancies, or qualification expiry dates. If you'd prefer us not to contact you, please tell us.
- 10.6.11 You may also be offered up to 10 days' work while you are on adoption leave at a rate of pay agreed in advance. These are sometimes used for purposes such as keeping a qualification valid, key meetings, corporate training days, appraisals or consultation meetings. You do not have to come to them if you don't want to. Your decision about whether or not to work some or all of them will not affect your right to adoption leave and SMP. These are known as Keeping in Touch days ('KIT days').
- 10.6.12 You will continue to receive benefits due to you under your employment contract while on maternity leave. Except for terms relating to pay, all your normal terms and conditions will apply and you will continue to accrue holiday entitlement.

11. What if I want to Foster a Child or already do?

- 11.1 Staffordshire Police has recently agreed some [Fostering Friendly Guidance](#).
- 11.2 The guidance sets out the additional time off that we will offer prospective and existing foster carers and kinship carers.
- 11.3 The guidance provides a day one right to support for colleagues who are:
- Are applying to become foster carers or;
 - Are approved foster carers and have a child in placement (or have had a child in placement for 75% of the previous 12 months) or;
 - Are an approved kinship carer

- 11.4 As part of their regular Check In, colleagues are encouraged to discuss their caring journey with their line manager so that the appropriate levels of support and time away from work can be agreed and planned. Where more than the maximum entitlement of fostering friendly paid leave is required (as outlined above), colleagues should consider the other leave options available to them, e.g. annual leave, flexi or TOIL.

12. Undergoing IVF

- 12.1 The force recognises the emotional pressure of undergoing IVF treatment, potential anxiety and distress which our colleagues may suffer and as such, we will fully support anyone undergoing this process.
- 12.2 Your line manager will maintain strict confidentiality and respect your dignity at all times during any treatment.
- 12.3 If you are undergoing treatment we ask that you inform your line manager in advance of appointments and planned absences to ensure business and operational continuity of service.
- 12.4 **Police Staff** - may apply for up to 37 hours paid leave per treatment cycle, pro rata if you are part time.
- 12.5 **Police Officers** - may apply for up to 40 hours paid leave per treatment cycle, pro rata if you are part-time
- 12.6 This time can be taken in blocks of days or part days. Plus further time off can be taken off as annual leave or unpaid leave.
- 12.7 Any sickness will be recorded as 'pregnancy related' once implantation has occurred.
- 12.8 Partners of a person undergoing treatment, can use annual leave, TOIL or flexi-time arrangements for leave to accompany and care for a partner during a period of fertility treatment.
- 12.9 Where a partner of someone undergoing fertility treatment is required to attend in order to participate in a medical procedure directly related to the treatment programme, please speak to your line manager who will consider a request with regards to having some paid leave in any one cycle of treatment.

13. Parental Bereavement Leave

- 13.1 We offer two weeks' paid bereavement leave for any parent who loses a child aged under 18; this includes a stillbirth after 24 weeks of pregnancy.
- 13.2 This will be a "day one" right, meaning that colleagues will not require a minimum period of service (although there will be a qualifying period for parental bereavement pay).
- 13.3 We will be flexible about how you take this leave (for example, you might want to take it in one block, or as two separate weeks).
- 13.4 As well as birth parents, the new entitlement will also be available to adults with parental responsibility for children in "non-traditional family structures". This means that entitlement will cover:
- adoptive parents;
 - partner of the child's parent, where you live in an enduring family relationship with the child who has passed away and their parent; or
 - "parent in fact" of a child who has passed away, which means that, for a continuous period of at least four weeks before the child died, you have been living with the child and had "day-to-day responsibility" for the child (but you have not been paid to look after the child);
 - "intended parent" of a child who has passed away, i.e. a parent using a surrogate;
 - "natural parent" of a child who has passed away who is named in a court order, i.e. where a court orders some contact for an adopted child's birth parent; or
 - adopter of a child who has passed away.
 - individuals who are fostering to adopt;
 - legal guardians; and
 - most foster parents (although short-term arrangements, such as emergency foster care, may not be covered).
- 13.5 Parental bereavement leave will operate in units of one week. Bereaved parents can't take the leave as individual days.

- 13.6 The weekly blocks will mirror how our other family leave works: for example paternity leave and shared parental leave must also be taken in weekly units.
- 13.7 As a bereaved parent you will be able to take the leave as:
- a single block of two weeks; or
 - two separate blocks of one week at different times (e.g. the first week immediately after the child's death and the second weeks at the time of the funeral)
- 13.8 There may be circumstances in which you wish to take a single week's leave.
- 13.9 The Government has stated that the time for taking leave will be 56 weeks from the date of the death of the child.
- 13.10 This should allow bereaved parents flexibility as to when they take the leave. The Government gives the example of a colleague wishing to take leave around the first anniversary of the child's death.
- 13.11 The 56-week time period also means that colleagues who are already entitled to family leave, such as maternity leave, will not lose out. If you are already taking maternity leave you will be able to add this parental bereavement leave on to the end of your maternity leave.
- 13.12 Further information on parental bereavement leave can be accessed here. [Parental bereavement leave and pay when a child dies: Time off for bereavement - Acas](#)

14. Suggest and edit

- 14.1 The Force welcomes the opportunity for colleagues to have their say, and constructive dialogue and challenge is welcomed. We value your feedback, so if you would like to suggest an edit to this policy please contact the Employee Relations Team at *****.

15. Code of Ethics

- 15.1 The College of Policing's Code of Ethics sets out the principles and standards of professional behaviour expected from police professionals. It applies to every Colleague who works in policing, whether a warranted officer, member of police staff, volunteer or someone contracted to work in a police force.
- 15.2 When referring to any of the Forces policies and procedures there is an expectation that actions taken or processes followed are underpinned by the Code of Ethics, where employees will 'do the right thing in the right way'; basing decisions and actions on the policing principles within the Code.
- 15.3 The Force recognises the contribution of its employees and is committed to creating a fully inclusive working environment. This will be achieved by valuing the difference that a diverse workforce can bring.

16. Retention, review and Disposal

- 16.1 The business owner of this policy maintains ownership and all associated documents. This policy is a 'living document' subject to regular review, reflecting; Force; Home Office; Police Staff Council; best practice and legislative changes, locally and nationally.
- 16.2 This policy will also be subject to Annual Review.
- 16.3 The force processes personal data collected during the formal Family Leave procedure in accordance with its GDPR policy. In particular, data collected as part of this policy is held securely, accessed by, and disclosed to, individuals only for the purpose of responding to and conducting the Family Leave procedure. Inappropriate access or disclosure of employee's data constitutes a data breach and should be reported to Professional Standards immediately. It may also constitute a disciplinary offence which will be dealt with under the Force Misconduct Policy.

17. Consultation

- 17.1 Recognised Trade Unions and Staff Associations will be involved in any changes to this policy in line with Force consultation and negotiation arrangements.
- 17.2 Any amendments will be set out within the version control section of the document.

18. Equality Impact Assessment

- 18.1 An Equality Impact Assessment is conducted for all policies and procedures created, to ensure they will not have a negative impact on our people on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion/belief, sex and sexual orientation. Copies can be obtained from the Employee Relations Team.

19. Glossary

- **EWC** — Expected Week of Confinement, or the week in which a pregnant woman is due to deliver
- **Qualifying week** — the 15th week before the EWC
- **MA** — Maternity Allowance
- **SMP** — Statutory Maternity Pay, the legal minimum women are entitled to receive while on maternity leave
- **KIT** – Keeping In Touch days
- **ShPL** — Shared Parental Leave, the scheme under which a mother can share leave with somebody else (usually the father) by opting out of the statutory maternity leave scheme
- **ShPP** — Statutory Shared Parental Pay, a payment similar to SMP but paid to the mother and her partner while they are on ShPL.
- **SPLIT** – Shared Parental Leave in touch. The equivalent of KITs, in the ShPL context.

Summary of Changes

Version	Date	Author	Description of change
1.0	APRIL 19	People Services	Policy Developed
2.0	July 21	People Services	Policy updated/amended following ***** comments and reformatted
3.0	Jan 2023	People & OD	Amended Paternity Leave to reflect 2 weeks full pay for occupational pay.
4.0	Jan 2024	People & OD	Amended due to upcoming legislation changes with regards to how 2 weeks paternity are taken
5.0	Apr 24	People & OD	Clarified continuous service of 26 wks for paternity leave

Approvals, review and distribution

Name	Department	Role	Date
*****	Unison	Reviewer	Jan 2024
*****	Federation	Reviewer	Jan 2024
*****	Supt's Association	Reviewer	Jan 2024

Associated Documents

Document Name	Document Reference
Flexible Working	
Managing Attendance (Sickness Absence)	
Fostering Friendly Guidance	
Family Leave Guidance	