

## Family support leave (including maternity) policy

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### Contents

1	Introduction .....	3
2	Fertility .....	3
3	Home Office advice on employment on operational duties of pregnant firefighters.....	5
4	Procedure relating to pregnant uniformed operational staff (including firefighter trainees).....	5
5	Undertaking a risk assessment .....	6
6	Contractual maternity pay and leave .....	6
7	Statutory maternity pay .....	7
8	Ante-natal care .....	7
9	Notification requirements for maternity leave .....	8
10	Relationship with leave .....	8
11	Relationship with sickness .....	9
12	Keeping in touch days.....	9
13	Treatment or premature birth - neonatal care leave (NCL) and early birth leave (EBL).....	9
14	Still birth or miscarriage.....	10
15	Operational staff returning to work after maternity leave .....	10
16	Operational staff training .....	10
17	Breastfeeding .....	10
18	Accompanying a partner to ante-natal appointments .....	11
19	Maternity support leave (MSL).....	11

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20	Notification requirements for MSL .....	12
21	Relationship with leave in respect of MSL .....	12
22	Adoption – Pre-adoption leave (PAL) .....	12
23	Eligibility for ordinary and additional adoption leave .....	13
24	Additional adoption leave provisions.....	13
25	Statutory adoption pay .....	14
26	Relationship with leave .....	14
27	Relationship with sickness .....	15
28	Keeping in touch days.....	15
29	Pay during MSL, ASL .....	15
30	Rights on return to work.....	15
31	Fostering to adopt .....	15
32	Shared parental leave (SPL) .....	16
33	Eligibility for SPL .....	17
34	Notice requirements for SPL .....	18
35	Statutory shared parental pay.....	20
36	Shared parental leave keeping in touch days (SPLIT) days.....	21
37	Childcare allowance .....	22
38	Parental bereavement leave .....	22
39	Carers leave .....	23
40	Records .....	24
41	Help and support .....	24
	Document history.....	25

# 1 Introduction

- 1.1 This policy sets out the Brigade's arrangements for fertility, maternity, maternity support and adoption provisions and applies to all employees. It also includes advice from the Home Office and the Brigade's occupational health service (OHS) on the employment of pregnant operational staff.
- 1.2 This policy should be applied in line with the Brigade's values:
- Service – We put the public first.
  - Courage – We step up to the challenge.
  - Learning – We listen so that we can improve.
  - Teamwork – We work together and include everyone.
  - Equity – We treat everyone fairly according to their needs.
  - Integrity – We act with honesty.

## 2 Fertility

- 2.1 The Brigade recognises that you may need additional consideration, support, and adjustments whilst undergoing fertility treatment
- 2.2 Discussing treatment is a personal choice, but the explicit inclusion of fertility in policy is to ensure you are confident to ask for support and workplace adjustments in order to continue your role in the Brigade, and make managers aware of how they can support you.

More detailed information is accessible via this link: [family related leave](#).

### Managers should note

- 2.3 Fertility treatment is any treatment or medical procedure (inclusive of egg freezing for 'future-proofing' conception) intended to increase the likelihood of a person successfully conceiving a child.
- 2.4 Fertility treatment can be physically and emotionally challenging, time-consuming, and costly, and it is common for people undergoing treatment to experience some degree of stress, anxiety, and even depression during and after treatment. You should be sensitive to this and note the medicines and procedures involved can cause physical side effects, you should ensure appropriate measures are in place to support your staff wellbeing.

If you are undergoing fertility treatment the Brigade provides practical and psychological support in the workplace.

### Practical Support

- 2.5 Time off for appointments – (for appointments less than 4 hours). 'GTV' information available in policy number 0888 - Partial attendance policy
- 2.6 You can take up to 16 days paid leave in 12 months (April to March) to attend appointments which require an absence from work lasting a full day that are associated with your treatment stages<sup>1</sup>. This includes if you travel abroad for treatment. This should be applied for using the

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<sup>1</sup> See Family friendly page for more information on stages

special leave process as set out in policy number 0512 - Special leave and public duties leave policy.

- 2.7 If you require more than these provisions per cycle, you will need to use your own leave allocation and/or take unpaid leave to cover the absence.
- 2.8 If you are operational and using your own leave, this will be outside of the normal station leave allocation ('GM381') policy number 0538 - annual and public holiday leave allocation arrangements 2025 policy - operational staff; to account for last minute appointments, should an allocation be unavailable.
- 2.9 Where you are the supporting partner, (not seeking to conceive) you are still eligible to take up to 5 days paid leave per treatment cycle and a further 5 days unpaid. This should be applied for using the special leave process as set out in policy number 0512 - Special leave and public duties leave policy.

## **Workplace adjustments**

- 2.10 In all fertility treatment cases workplace adjustments can be made to a working pattern/location and/or work status using either, but not limited to, the Brigade's:
- Policy number 0448 - working with choice - flexible working options
  - Policy number 0211 - non availability for full duties - posting policy
  - Policy number 1005 - Supporting health and wellbeing policy
- It is optional that workplace adjustments can be recorded in your Workplace Adjustment passport. Please visit the Workplace Adjustment passport details on Hotwire here to record this.
- 2.11 Ideally you will feel able to engage with your manager about your fertility treatment, but if you would prefer, you can talk directly and in confidence to an occupational health practitioner and/or a member of the Wellbeing Team by email to [wellbeing@london-fire.gov.uk](mailto:wellbeing@london-fire.gov.uk) or by telephone on extension 30490.
- 2.12 Adjustments made will be reflective of your physical and psychological wellbeing whilst undergoing fertility treatment. Health and safety considerations will always have primacy in any such discussions, but if there is a preference to remain within your working environment, this will be facilitated with any necessary adjustments made, including, but not limited to,
- making sure regular rest breaks are taken, and hydration levels kept to an optimum to support fatigue management
  - private spaces are made available to administer medications
  - a safe place is made available to store medications (especially those that must be kept refrigerated)
  - the ability to follow the Watch on light duty is facilitated if practically possible

## **Psychological support**

- 2.13 Psychological support is available for staff and their partner(s) (through joint counselling) and can be accessed via the Counselling and Trauma Service. All such engagements will be in the strictest of confidence. For details contact [counselling@london-fire.gov.uk](mailto:counselling@london-fire.gov.uk) or by telephone on extension 35555.
- 2.14 For further advice and guidance please contact the Wellbeing Team on x30490. And via the Family support page on Hotwire.

### **3 Home Office advice on employment on operational duties of pregnant firefighters**

- 3.1 As operational firefighting could expose you to toxic environments, heat, humidity and physically arduous conditions of work, medical advice has been issued by the Home Office on the implications for a pregnant firefighter.
- 3.2 In view of the potential risk to the unborn child and the birthing mother/parent, the Home Office recommend that pregnant uniformed operational staff should be removed from operational duties and be placed on non-operational light duties.
- 3.3 Following the birth of the baby, the Home Office advises that pregnant operational staff should not return to operational firefighting duties until they have regained physical fitness, and until they have ceased breast feeding.

### **4 Procedure relating to pregnant uniformed operational staff (including firefighter trainees)**

- 4.1 For reasons of safety, health and wellbeing, pregnant operational staff must inform their line manager in the first instance and station commander (SC) of their pregnancy as soon as it is known. Trainees will notify their senior trainer and the firefighter development operations course lead.
- 4.1 As soon as pregnancy is reported, you will be released from operational duty and discussion concerning alternative work arrangements will take place. The line manager must maintain confidentiality, they should discuss and agree with you when, and how others are made aware of your pregnancy.
- 4.2 Please see the notification of pregnancy flowchart on Hotwire summarising the areas to be discussed. Alternative duty options that may be considered are detailed below:
  - (a) Following the watch as normal (including the completion of 2 x night shifts).
  - (b) Following the watch, with reduced night shift (i.e. individual will work from 17:00 – 23:00 and may be excused for the stand down period if there is no further meaningful work that can be done).
  - (c) 4 day duties at your station following your watch for 2 x day duties, in addition to working an additional 2 x day duties with another watch at the same station/in the area team (NB the expectation is that within reason you will work your full contractual hours).
  - (d) Day duties working in a specified location within the Operations, Prevention and Response Department, or specialist department, where the hours worked will be commensurate with that of your normal contractual hours.
- 4.3 The proposed arrangements and the nature of the work will be subject to a discussion between you, (and your trade union representative if appropriate), and your line managers taking into account the health and safety risk assessment (please see paragraph 4 below) and any medical advice from the OHS.
- 4.4 The appropriate senior officer (not less than station commander role) of the individual must be kept informed of this discussion and its outcomes. The agreed work pattern will be confirmed in writing to you and a copy saved to your e-PRF. A template letter is available in Template and Resources on Hotwire. The line manager is responsible for making a note in your PARC card of the duty pattern agreed and the duty pattern should be reflected in the rota book going forward. Full account will be taken of your knowledge, skills and experience and how best these can be

used. A list of examples of the types of duties that a pregnant firefighter may be able to carry out is available on Hotwire.

- 4.5 It is important that confidentiality is maintained at all times throughout these processes and only those staff specifically involved in this procedure will need to know the individual's condition. Any maternity related document sent must be under sealed confidential cover.
- 4.6 A manager may require you to attend an appointment with the OHS who may also be consulted by you if medical issues arise during pregnancy. Appointments can be made via the Wellbeing team. A confidential counselling/advice can be accessed from Counselling and Trauma Services.
- 4.7 If the pregnancy ceases for any reason, you must be seen by the OHS before a return to duty is made so that a fitness assessment can be completed. An appointment should be arranged through the Wellbeing team.

## **5 Undertaking a risk assessment**

- 5.1 There is a legal requirement to ensure that the work activities of pregnant and breast feeding employees does not expose them (and their unborn child) to unacceptable risks which could cause harm due to the pregnancy or breastfeeding. The potential risks are identified through a risk assessment being undertaken once you have informed the Brigade that they are pregnant.
- 5.2 Once you report your pregnancy, the line manager will undertake a risk assessment at the earliest possible opportunity in line with Policy number 673 - Risk assessment procedure, using the risk assessment form accessed via the following link on hotwire [RA - New and Expectant Mother's Risk Assessment.docx](#). All relevant hazards need to be identified so that steps can be taken to reduce/eliminate them, using the possible risks guide. For operational staff, the line manager will liaise with the relevant Deputy Assistant Commissioner to nominate a suitable officer to undertake this risk assessment
- 5.3 Any significant risks found as a result of these assessments must be recorded using the maternity provisions risk assessment logging form.
- 5.4 The line manager will send a copy of the completed risk assessment to the Health and Safety adviser and arrange for a copy to be placed on your e-PRF.
- 5.5 Line managers will be required to review the risk assessment on a regular (two monthly) basis, and it should be updated as the pregnancy progresses to ensure that any additional issues arising are dealt with. Updated copies must be circulated to the relevant parties as set out above.
- 5.6 On return to working following maternity leave, the risk assessment must be reviewed.
- 5.7 A dedicated Health and Safety adviser can provide advice and guidance with regards to Risk Assessments. Health and Safety can be contacted via the help desk on extension 89100 or by email to [HSS@london-fire.gov.uk](mailto:HSS@london-fire.gov.uk).

## **6 Contractual maternity pay and leave**

### **Higher tier**

- 6.1 Pregnant employees with at least 52 weeks' continuous service prior to the 11<sup>th</sup> week before the expected week of childbirth will be entitled to the following contractual or higher tier maternity pay:
  - (a) Up to 12 months maternity leave, of which the first 26 weeks will be ordinary maternity leave (OML) and the remaining 26 weeks will be additional maternity leave (AML).

- (b) During OML you will be paid for 26 weeks at the full pay rate.
  - (c) During AML you will be paid for 13 weeks at a full pay rate. The remaining 13 weeks will be paid at half of your normal pay.
- 6.2 Pregnant employees may choose to start their maternity leave on any date in or after the 11th week before the expected week of childbirth (EWC).
- 6.3 The maternity leave period will be triggered automatically if the employee is absent from work wholly or partly because of pregnancy after the beginning of the 4th week before the expected week of childbirth (EWC).
- 6.4 Employees may not return to work in the two weeks immediately following childbirth.
- 6.5 Higher tier payments (in excess of SMP) are made on condition that employees return to work for the Brigade (or another GLA Group employer) at the end of their maternity leave for at least six months. Employees who do not will have to repay any maternity pay which exceeds SMP after the 18th week of maternity.

### **Lower tier**

- 6.6 Pregnant employees with less than 52 weeks' continuous service at the 11<sup>th</sup> week before the expected week of childbirth (EWC) will still be entitled to the contractual lower tier maternity pay provisions:
- (a) Up to 12 months maternity leave, of which the first 26 weeks will be ordinary maternity leave (OML) and the remaining 26 weeks will be additional maternity leave (AML).
  - (b) During OML you will be paid at a rate of 15 weeks at the full pay rate and 11 weeks at the half pay rate.
  - (c) During AML you will be paid at a rate of 13 weeks at a half normal pay rate. The remaining 13 weeks will be unpaid.
- 6.7 Lower tier payments (in excess of SMP) are made on condition that employees return to work for the Brigade (or another GLA Group employer) at the end of their maternity leave for at least six months. Employees who do not will have to repay any maternity pay which exceeds SMP after the 18th week of maternity.
- 6.8 All eligible employees can choose to curtail their Maternity Leave after the two week period and opt to take Shared Parental Leave (SPL), (as detailed in Paragraph 32 onwards).

## **7 Statutory maternity pay**

- 7.1 All pregnant employees who have completed 26 weeks continuous service up to and including the 15<sup>th</sup> week prior to the expected week of childbirth (EWC) qualify for Statutory Maternity Pay (SMP). SMP cannot commence earlier than the 11<sup>th</sup> week prior to the EWC and is payable for 39 weeks. It is payable for six weeks at the rate of 90% average earnings followed by 33 weeks at a flat rate in line with the higher rate of SMP in force at that time.
- 7.2 SMP is offset against contractual pay and not paid in addition to contractual pay.

## **8 Ante-natal care**

- 8.1 All pregnant employees are entitled to paid time off to attend ante-natal care and must produce evidence of appointments if requested to do so. This also includes relaxation and parental craft classes.

- 8.2 A pregnant employee may consult the OHS via the Wellbeing team if medical problems arise during the pregnancy. Additionally, confidential counselling/advice is available via the Counselling and Trauma Services.
- 8.3 Where pregnant staff require additional uniform items through the course of their pregnancy, they should seek items through POMS in the first instance. Staff may claim up to £200 per trimester towards the purchase of required clothing or alterations where Brigade issued clothing is not appropriate

## **9 Notification requirements for maternity leave**

- 9.1 You are required to complete the follow notification procedures:
- You must give notice to HR Services in writing of your pregnancy no later than 15 weeks prior to your EWC. The notification must confirm that you are pregnant, confirm your EWC and state when you intend your maternity leave to start.
  - You must provide a MAT B1 certificate (usually obtainable from the doctor or mid-wife after the 20<sup>th</sup> week of pregnancy) stating the EWC at least 28 days prior to starting maternity leave, forwarding this to HR Services.
  - The start of maternity leave must be no earlier than the 11<sup>th</sup> week prior to the EWC. The leave date may be changed as long as 28 days notice is given or as soon as is reasonably practicable.
  - You must notify HR Services at any time after the fourth week before the EWC if you are unable to come to work because of any illness connected with your pregnancy.
  - You must send a copy of the baby's birth certificate to HR Services as soon as is reasonably practicable after the birth.
  - You must notify HR Services in writing of the date on which you intend to return to work at least 8 weeks prior to the return date.
  - You must notify HR Services in line with your contractual obligations, if you do not intend to return to work.
- 9.2 If you are considering curtailing Maternity Leave and opting to take SPL leave, then you should share this information at the earliest available opportunity, (ideally during the maternity meeting with HR) and explore options informally before making a formal request.

## **10 Relationship with leave**

- 10.1 All maternity leave - ordinary maternity leave (OML) and additional maternity leave (AML) - counts towards the accrual of contractual annual leave entitlement.
- 10.2 Pregnant employees should, if at all possible, take any accrued leave prior to commencing maternity leave. Where this is not possible accrued leave may be taken at the end of the maternity period or upon return to work. Permission must be sought from your manager before taking any leave, in the normal way.
- 10.3 All maternity leave (OML and AML) shall be regarded as reckonable service for the purpose of calculating long service leave entitlements.
- 10.4 AML commences on the day after the last day of an employee's OML. Periods of annual leave cannot be taken in between OML and AML. If an employee starts a period of annual leave immediately after her maternity leave has ended, they will be regarded as having returned to work.
- 10.5 If the employee takes a period of unpaid parental leave, following the end of their maternity leave, they will be regarded as having returned to work. This will not however apply for the



purpose of calculating the six months post maternity return to work period, where time worked, or paid accrued leave taken only, will count towards this calculation.

- 10.6 Time off in lieu will be given for any public holidays that fall during the period of paid maternity leave.

## **11 Relationship with sickness**

- 11.1 Where you are unable to return to work on the expected date, due to sickness, you will be regarded as having returned to work and in these circumstances, the sickness provisions will be applied as outlined in Policy Number 1005 – Supporting health and wellbeing policy.

## **12 Keeping in touch days**

- 12.1 You are allowed up to 10 Keeping-In-Touch (KIT) days whilst on maternity leave. The purpose of KIT days is to allow the Brigade and you to keep in touch during the period of maternity leave. These days must be agreed by mutual consent and are optional. These days must not occur during the period of compulsory maternity leave (2 weeks immediately after the birth). KIT days can be used for any activity that would normally be classed under the employee's contract of employment and could include, for example attending conferences, undertaking training and development activities, re-familiarisation or attending team meeting or events. You will be entitled to contractual salary, less any contractual maternity and SMP for working a KIT day. Operational staff will be recorded as being on Light Duties when performing KIT days.
- 12.2 To ensure payment is made for KIT days, line managers must notify HR Services by email the visit and activities that have taken place.
- 12.3 You can expect reasonable contact from the Brigade whilst on maternity leave and line managers should agree the frequency and means of contact prior to the maternity leave starting.

## **13 Treatment or premature birth - neonatal care leave (NCL) and early birth leave (EBL)**

### **Neonatal care leave (NCL)**

- 13.1 Following the introduction of the Neonatal Care (Leave and Pay) Act 2023, the Brigade has extended its provisions. From when a baby is born and within 28 days of their birth, should they require neonatal treatment that is:

- medical care received in a hospital
- care given to the baby after leaving hospital, under the direction of a consultant
- ongoing monitoring and visits by healthcare professionals arranged by the hospital
- palliative or end-of-life care,

Their parents will receive one week's additional leave for each working week or tour the baby spends in neonatal care. A maximum duration of 12 calendar weeks neonatal care leave (NCL) is available. (A parent for these purposes is: a biological parent, an intended parent due to become the legal parent through surrogacy, or a partner regardless of gender, of the child's parent, if they live with the parent in an enduring family relationship.) NCL will be fully paid and come at the end of either their Maternity or Maternity Support Leave. For each working week/tour the baby remains in hospital, the parents will receive one week's additional leave, up until the due date. Early birth leave (EBL) will be with full pay and comes at the end of either their Maternity or Maternity Support Leave.

- 13.2 Leave can be split as weeks, and if not taken as a continual block combined with other leave attached to other family leave (Tier 1)), but split and taken later, it will be referred to as 'Tier 2' leave. When split, the Brigade will require notice of Tier 2 leave, requiring 15 days notice for one week of tier 2 leave and 21 days for two weeks or more. NCL can only be split into two periods and all neonatal leave must be concluded by 68 weeks after the baby is born.

### **Early birth leave (EBL)**

- 13.3 In exceptional cases where a baby is born more than 12 weeks before the expected week of childbirth, and their stay in hospital extends beyond 12 weeks, but not beyond the expected date of birth, any weeks over the initial 12 weeks of NCL can be added at the end of any other leave taken. **[e.g. a baby is born 14 weeks prematurely and spends 15 weeks in hospital, the parent is entitled to 12 weeks of NCL, then 2 weeks of EBL]** this leave will be taken immediately after Maternity, Maternity Support, and any Neonatal Care Leave period as one block and is paid.

## **14 Still birth or miscarriage**

- 14.1 The maternity provisions will be applied if the baby dies or is still born after 24 weeks of pregnancy. Where pregnancy loss occurs before 24 weeks, support will be provided. This will be discussed between the individual, their line manager and a human resources representative to ensure the right action is in place for your individual circumstances. Occupational Health advice will also be sought where appropriate.
- 14.2 If the pregnancy ceases for any reason, the employee must be seen by the OHS before a return to work is agreed so that a risk health assessment can be carried out. An urgent appointment should be arranged by the line manager through the Wellbeing team.

## **15 Operational staff returning to work after maternity leave**

- 15.1 On returning to duty after the birth of the child, you will remain on a duty pattern in line with arrangements previously agreed and as detailed at paragraph 3.2 (a - d) above. Full operational duties must not be resumed until you have ceased breastfeeding and the OHS has determined that you are fit for full operational duties. Training will not begin until you have been assessed as fit to undertake your operational role by the OHS. Please see the return to work flow chart on Hotwire.

## **16 Operational staff training**

- 16.1 Once you are assessed as being fit for operational duties by the OHS, you are likely to be required to undertake training so that you are able to fulfil the operational requirements of your role. This incorporates a fitness assessment and health screening. The extent of this training will vary, taking into account the circumstances of each case, but will result in a 'training needs assessment plan' agreed between you and your appropriate line manager which may include a combination of centrally delivered training or station based training in accordance with Policy number 427 - The development and maintenance of operational professionalism (DaMOP).

## **17 Breastfeeding**

- 17.1 The Brigade recognises that maternity returnees may wish to continue breastfeeding after returning to work and will be facilitated in doing so. Please see Policy number 313 – Maternity provisions breastfeeding policy.

## 18 Accompanying a partner to ante-natal appointments

- 18.1 In preparing for the birth of a baby, partners (regardless of gender and sexual orientation) may take unpaid leave to accompany the expectant birthing mother, parent to 2 ante-natal appointments. The maximum time absent from work on each occasion is half a day, capped at 6½ hours.
- 18.2 Exceptionally day time appointments could require an absence from work which goes beyond the cap. In these circumstances it is suggested this is managed locally by agreement with the line manager minimum of FRS D, Control Commander or station commander. This can be done by combining with other forms of leave including time off in lieu (TOIL), exchange of duty or unpaid leave. However this is arrived at, the total absence up to the maximum 6 ½ hours allowed, will be deducted from salary. The length of the unpaid absence will be confirmed with HR Services so the deductions from salary are made.
- 18.3 You are expected to sign a declaration which is available on Hotwire in Templates and Resources [> Family Leave](#) confirming you are the biological father, or partner (regardless of gender and sexual orientation) of the pregnant person. A partner can be a spouse or civil partner (regardless of gender and sexual orientation) and a person of either sex in a long term relationship with the pregnant person.
- 18.4 Should a person be entering in to a surrogacy arrangement with the intention of applying for a Parental Order for the child born through that arrangement, this facility applies too.
- 18.5 As ante-natal appointments are usually scheduled with notice, it is reasonable that you give notice at the earliest opportunity of your intention to accompany the pregnant person to the appointment. Notice of the first appointment should be included in the detail of the declaration. If one hasn't already been signed, HR Services will issue one following the appropriate code being entered on STARS.
- 18.6 For the second appointment, an email to your line manager or station commander, whichever is more senior, in advance is required. A code will be created on StARS for Ante-natal support and the line manager will notify HR Services by email of the absence and confirm the appropriate amount of hours to be deducted from salary.

## 19 Maternity support leave (MSL)

- 19.1 Maternity support leave (MSL) of up to two weeks shall be granted to you if you undertake a support role to an expectant birthing mother/parent or partner at or around the time of birth and can begin from the date of birth onwards. You must either be:
- The biological father or non-birth giving parent and expect to have some responsibility for the baby's upbringing. If the child's father or non-birth giving parent is separated or divorced from and not living with the child's mother, birth parent and plays little or no part in the child's upbringing, they will not be entitled to MSL.
  - The birthing mother's/ parent's spouse or partner (someone who lives with the birthing mother/parent, regardless of gender and sexual orientation in an enduring family relationship, but who is not a blood relative and expects to have some responsibility for the baby's upbringing).
- 19.2 Providing you meet the criteria set out in 19.1, you will be entitled to take up to two weeks maternity support leave. This can be taken in one block of two weeks, or as two separate week blocks.

- Watch based staff will therefore take one or two tours off (one per week), staff on a flexible working pattern will book either 7 or 14 calendar days covering one or two calendar weeks.

19.3 MSL must be taken within the first year of the birth of the baby, or the adoption placement.

19.4 In order to support the expectant mother during childbirth, partners may take paid leave, Maternity Support Leave Absence (MSLA). You should notify your line manager by phone or in person if at work before leaving. If labour continues over further shifts/days, the same effort should be made by staff to keep their line manager, or if unavailable, place of work/department, informed. This leave should cease the day after the baby is born, at which point MSL can begin.

## 20 Notification requirements for MSL

20.1 You should comply with the following notification procedures:

- You should give notice by the end of the 4<sup>th</sup> week prior to the expected week of childbirth. This notice should be given by completing the online MSL form accessible through Hotwire, (see link below). The completed form will then pass to the line manager for their approval before being automatically sent to HR Services within the required notice period.
- The notice will include the date of the expected week of childbirth and the start date of the MSL – the leave entitlement specifying one or two tours. If there are any issues with this information, please contact HR Services.
- You may change the start date of leave provided 28 days' notice is given or as soon as is reasonably practicable.
- You will confirm you are taking leave to care for the child or to support the birthing mother/parent, that you expect to have some responsibility for the upbringing of the child and that you are either the father/non-birth parent of the child, the husband or civil partner or partner (regardless of gender and sexual orientation) of the birthing mother/parent.
- You must inform the Brigade of the date of the baby's birth as soon as is practicable after the birth.
- If you are booking a second separate week of leave, you should again provide a minimum of 4 weeks of notice to the Brigade beforehand.
- Form link: <https://apps.powerapps.com/play/e/241b5812-787e-43c2-bacb-8e954a401a0e/a/489936f6-0438-4c46-af05-811bdabbba34?tenantId=ae87e802-14de-4443-b441-dc6a549889c2>

## 21 Relationship with leave in respect of MSL

21.1 Periods of 30 days or less absence, will be counted as pensionable service. Thereafter further periods of absence may be counted as pensionable service, if you select this. All such leave shall be taken into account in calculating service for the purpose of increments when applicable.

21.2 Periods of absence on maternity support leave, irrespective of length, will count towards the reckoning of annual leave (in the case of part time employees, the annual leave period will be pro-rata).

21.3 At the end of MSL you are guaranteed the right to return to your current post.

## 22 Adoption – Pre-adoption leave (PAL)

22.2 An employee (regardless of gender and sexual orientation) in the process of adopting a child as a primary adopter will be entitled to take up to 5 days paid leave in order to attend appointments in relation to the adoption or fostering of a child who is likely to be matched with them.

- 22.3 Where you are a co-adopter and the other co-adopter has elected to take the 5 days paid leave, you may be eligible to take up to 3 days paid leave to attend appointments in relation to the adoption or fostering of a child who is likely to be matched with the co-adopters.

## **23 Eligibility for ordinary and additional adoption leave**

- 23.1 Where the child is placed for adoption, there is no requirement for you to complete a period of continuous service in order to be eligible to take adoption leave.
- 23.2 Your leave and pay arrangements will only apply when newly matched with a child/children to be placed with you by a UK adoption agency. You must have confirmed with the agency the placement and the date of placement. You must notify the Brigade of when you want to take your adoption leave within 7 days of the date on which you were notified of having been matched with the child/children.
- 23.3 If you are adopting from overseas, the adopter must have received "official notification" confirming that the adopter has been assessed and approved as being a suitable adoptive parent. You must give notice within 28 days of receiving "official notification", or within 28 days of completing 26 weeks of service with the Brigade if that is later. You must give at least 28 days' notice of the start of your leave and must provide evidence that the child has entered the United Kingdom. The earliest that adoption leave and pay may begin is the date the child enters country, but within 28 days of the child's entry to the United Kingdom.
- 23.4 These arrangements are only available to an employee who adopts or to the primary carer where the couple adopt jointly.
- 23.5 Where a couple adopt jointly, either parent (regardless of gender and sexual orientation) can take adoption leave as the primary carer, but not both. The partner of an individual who adopts may be entitled to adoption support leave and pay (ASL).
- 23.6 Where you become the parent of an adopted child but do not have primary child care responsibilities for that child you shall be allowed ASL leave mirroring the provisions of MSL.

## **24 Additional adoption leave provisions**

### **Higher tier**

- 24.1 An employee with at least 63 weeks' continuous service prior to the start of ordinary adoption leave (OAL) who becomes the parent of an adopted child and is the primary carer (the primary adopter) will be entitled to the following higher tier adoption pay:
- Up to 12 months adoption leave, of which the first 26 weeks will be OAL and the remaining 26 weeks will be additional adoption leave (AAL).
  - During OAL, you will be paid for the first 26 weeks at full rate of pay.
  - During AAL, you will be paid at a full rate of pay for 13 weeks. The remaining 13 weeks will be paid at half of normal pay.
- 24.2 OAL can start from the date of placement, or from a fixed date which can be up to 14 days before the expected date of placement. OAL can start on any day of the week.
- 24.3 As the adopter you should provide your notice of the 'match' no more than 7 days after receiving notification of the match, or as soon as you practically can. You should advise the Brigade of the expected date the child is to be placed with you for adoption – OAL will then begin on that date or within 14 days of the adoption placement.

- 24.4 Only one period of OAL/AAL will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.
- 24.5 If the child's placement ends during the adoption leave period, as the primary adopter you are able to continue on adoption leave for up to eight weeks after the end of the placement.
- 24.6 Higher tier payments (in excess of Statutory adoption pay (SAP)) are made on condition that you return to work for the Brigade (or another GLA Group employer) at the end of your adoption leave for at least six months. If you do not you will have to repay any adoption pay which exceeds SAP after the 18th week of adoption.

### **Lower tier**

- 24.7 Employees with fewer than 63 weeks' continuous service prior to the start of ordinary adoption leave (OAL) will still be entitled to the contractual lower tier adoption leave pay provisions:
- (a) Up to 12 months adoption leave, of which the first 26 weeks will be ordinary adoption leave (OAL) and the remaining 26 weeks will be additional adoption leave (AAL).
  - (b) During OAL you will be paid at a rate of 15 weeks at the full pay rate and 11 weeks at the half pay rate.
  - (c) During AAL you will be paid at a rate of 13 weeks at a half normal pay rate. The remaining 13 weeks will be unpaid.
- 24.8 Lower tier payments (in excess of SAP) are made on condition that you return to work for the Brigade (or another GLA Group employer) at the end of your adoption leave for at least six months. If you do not you will have to repay any adoption pay which exceeds SAP after the 18th week of adoption.
- 24.9 Primary adopters can choose to curtail their adoption leave after the initial two week period and opt to take SPL, as detailed in Paragraph 26.

## **25 Statutory adoption pay**

- 25.1 Staff in an adopting role qualify for Statutory Adoption Pay (SAP), provided you have completed 26 weeks continuous service by the week in which you are matched with the child/children. SAP is payable for 39 weeks at the standard rate of SMP in force at the time.
- 25.2 SAP is offset against contractual pay and is not paid in addition to contractual pay.

## **26 Relationship with leave**

- 26.1 All adoption leave (OAL and AAL) counts towards the accrual of contractual annual leave entitlement.
- 26.2 Adopting employees should, if at all possible, take any accrued leave prior to commencing adoption leave. Where this is not possible accrued leave may be taken at the end of the adoption period or upon return to work. Permission must be sought from management prior to taking any leave in the normal way.
- 26.3 All adoption leave (OAL and AAL) shall be regarded as reckonable service for the purpose of calculating long service leave entitlements.
- 26.4 Periods of annual leave cannot be taken in between OAL and AAL. If you start a period of annual leave immediately after your adoption leave has ended, you will be regarded as having returned to work.

- 26.5 If you take a period of unpaid parental leave, following the end of the adoption leave period, you will be regarded as having returned to work.
- 26.6 Time off in lieu will be given for any public holidays that fall during the period of paid adoption leave.

## **27 Relationship with sickness**

- 27.1 Where you are unable to return to work on the expected date, due to sickness, they will be regarded as having returned to work and in these circumstances, the sickness provisions will be applied as outlined in Policy number 1005 – Supporting health and wellbeing policy.

## **28 Keeping in touch days**

- 28.1 You will be allowed up to 10 keeping-in-touch (KIT) days whilst on adoption leave. The purpose of KIT days is to allow the Brigade and you to keep in touch during the period of adoption leave. These days must be agreed by mutual consent and are optional. KIT days can be used for any activity that would normally be classed under the employee's contract of employment and could include, for example attending conferences, undertaking training and development activities, re-familiarisation, or attending team meeting or events. You will be entitled to contractual salary, less any contractual adoption and Statutory Adoption Pay for working a KIT day.
- 28.2 You are entitled to reasonable contact from the Brigade whilst on adoption leave. This is separate from KIT days and could include for example discussions on return to work, or organisational changes.

## **29 Pay during MSL, ASL**

- 29.1 Subject to compliance with the provisions contained in paragraphs 18.1 and 18.2, eligible staff will be entitled to two weeks full pay in respect of maternity support leave, and adoption support leave (for the joint or co-carer, but not applicable to the primary carer). This will be taken in one block of two weeks or as two separate blocks.

## **30 Rights on return to work**

- 30.1 On resuming work following maternity or adoption Leave you will be entitled to return to the same role as you occupied prior to commencing the maternity/adoption leave both ordinary and additional, on the same terms, conditions and salary as that of when you left the organisation on leave.
- 30.2 Where you take 26 weeks or less SPL then you are entitled to return to the same job on the same employment terms and conditions as if you had not been on SPL.

## **31 Fostering to adopt**

- 31.1 Fostering to Adopt was introduced in 2015 and is distinct from other forms of fostering. It is a step, entered in to by all parties with a view to go on to formally adopt the child placed. It is not envisaged by government to be a very common approach, but staff members who are entering in to this arrangement will be able to treat the beginning of the placement in the same manner as the beginning of an adoption and are eligible for adoption leave and pay.
- 31.2 In the event that a Fostering to Adopt arrangement ceases, you will no longer be eligible for Adoption leave and will be expected to return to work.

## 32 Shared parental leave (SPL)

### Introduction

- 32.1 SPL is available to the parents, biological/surrogate and/or adoptive (regardless of gender and sexual orientation) of a child. SPL gives those who will have the main responsibility for the child's upbringing greater flexibility in how to share the care of the child for the first 12 months after birth, or adoption placement. Eligible parents can choose how to split the available leave between themselves and can decide to be off work at the same time, or at different times and may be able to take the leave in more than one block.
- 32.2 SPL is distinct from the already established 'Parental Leave' as detailed in Policy number 400 - Parental leave.
- 32.3 This section sets out the arrangements for requesting SPL, whether the employee requesting SPL is; i) the birthing mother/parent, the primary adopter or, ii) the partner of the birthing mother/parent or primary adopter. The term "partner" is non-gendered and includes the father/non-birth parent of the child, or the person who, at the date of the child's birth, is married to, the civil partner of, or the partner of the birthing mother/parent.
- 32.4 In the case of a child placed for adoption, the partner is the person who, at the date of the adoption placement is married to, is the partner, or the civil partner of the primary adopter. The term partner includes someone, regardless of gender and sexual orientation who lives with the birthing mother/parent or primary adopter and the child in an enduring family relationship, but who is not the birthing mother's/ parent's or primary adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew. The term "Parent" means one of two people who will share the main responsibility for the child's upbringing.
- 32.5 If the birthing mother/parent or primary adopter is the only member of the couple employed by the Brigade, it is the partner's responsibility to submit any notifications to take SPL to their own employer, if they wish to take a period of SPL. The partner's employer may have its own SPL policy in place.
- 32.6 If the partner is employed by the Brigade, the birthing mother/parent or primary adopter must (where relevant) submit any notifications to take SPL to their own employer. The birthing mother/parent or primary adopter and the partner should ensure that they are each liaising with their own employer to ensure that requests for SPL are handled as smoothly as possible.

### Amount of shared parental leave available

- 32.7 The total amount of SPL available is 52 weeks minus the number of weeks taken by the birthing mother parent or primary adopter as maternity or adoption leave.
- 32.8 SPL cannot be commenced until after the compulsory maternity leave period, which is two weeks after the birth, or two weeks after the adoption placement. The first two weeks following birth or adoption are therefore reserved for the birthing mother/parent or primary adopter. The remaining period that parents could take as SPL is 50 weeks.
- 32.9 The employee can request to take SPL in one continuous block (in which case the Brigade is required to accept the request as long as the employee meets the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case the employee needs their line manager's agreement). Discontinuous blocks of SPL must be for a minimum period of one week. A maximum of three requests for leave per pregnancy or adoption can be made by each parent.



- 32.10 The birthing mother's/parent's or primary adopter's partner can begin a period of SPL at any time from the date of the child's birth, or adoption, (subject to section 34.8 above). If they are eligible, the partner may take their two weeks' OMSL or adoption support leave following the birth or adoption of the child. If the partner takes SPL, without first using their MSL/adoption support leave, they will lose their entitlement to MSL, adoption support leave.
- 32.11 The birthing mother/parent, primary adopter and partner must take any SPL within 52 weeks of birth, or the adoption placement. If SPL is not taken within this time frame, it will be forfeit.

### **33 Eligibility for SPL**

- 33.1 For you to be eligible to take SPL, both parents must meet certain eligibility requirements.
- 33.2 The birthing mother/parent or primary adopter is eligible for SPL if they:
- have at least 26 weeks continuous employment ending with the 15th week before the expected week of childbirth or adoption placement and remain in continuous employment with the Brigade until the week before any period of SPL that is taken;
  - have, at the date of the child's birth or adoption placement, the main responsibility, apart from the partner, for the care of the child; and
  - comply with the relevant maternity or adoption leave curtailment requirements (or have returned to work before the end of statutory maternity or adoption leave), and SPL notice and evidence requirements.
- 33.3 In addition to the section 31.2 above. For the birthing mother/parent or primary adopter to be eligible for SPL the partner must:
- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth or adoption placement;
  - have average weekly earnings of at least the maternity allowance threshold (currently £30) for any 13 of those 66 weeks; and
  - have, at the date of the child's birth, or adoption placement the main responsibility (apart from the mother or primary adopter) for the care of the child.
- 33.4 Partner's of either gender and sexual orientation are eligible for SPL if they;
- have at least 26 weeks continuous employment ending with the 15th week before the expected week of childbirth or adoption placement;
  - have, at the date of the child's birth or adoption placement, the main responsibility, (apart from the mother or primary adopter), for the care of the child; and
  - comply with the relevant SPL notice and evidence requirements.
- 33.5 In addition to section 35.4 above, for the partner to be eligible for SPL, the mother or primary adopter must:
- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth or adoption placement;
  - have average weekly earnings of at least the maternity allowance threshold (currently £30) for any 13 of those 66 weeks;
  - have, at the date of the child's birth or adoption placement, the main responsibility (apart from the partner), for the care of the child;
  - be entitled to statutory maternity leave, statutory maternity pay or maternity allowance in respect of the child; and
  - comply with the relevant maternity/adoption leave or pay curtailment requirements (or have returned to work before the end of the statutory maternity or adoption leave period).

## 34 Notice requirements for SPL

34.1 You must comply with the following notice requirements to take SPL;

- You are the child's birthing mother/parent or primary adopter, you must complete the "maternity/adoption leave curtailment notice" on Hotwire in [Templates and Resources > Family Leave](#) setting out when you propose to end your maternity leave or adoption leave. If you have already returned to work before the end of your maternity or adoption leave, (having given the required eight weeks notice), you will not be required to complete the leave curtailment notice;
- Employees wishing to take SPL must complete the relevant "notice of entitlement and intention" on Hotwire in [Templates and Resources > Family Leave](#) giving an initial, non-binding indication of each period of SPL that they are requesting; and
- Employees wishing to take SPL must complete a "period of leave notice" on Hotwire in [Templates and Resources > Family Leave](#) setting out the start and end dates of each period of SPL that they are requesting.

### The leave curtailment notice

34.2 Unless the birthing mother/birth parent or, primary adopter, wishing to take SPL has returned to work before the end of their maternity or adoption leave, they must send a maternity or adoption leave curtailment notice on Hotwire in [Templates and Resources > Family Leave](#) to HR Services. The leave curtailment notice must state the date on which the maternity or adoption leave is to end. That date must be:

- after the compulsory maternity leave period, which is the two weeks after the birth, or two weeks after the adoption placement;
- at least eight weeks after the date on which the mother gave the maternity leave curtailment notice to HR Services;
- at least one week before what would be the end of the additional maternity or adoption leave period.

34.3 The birthing mother/parent or primary adopter must provide the maternity or adoption leave curtailment notice at the same time as the notice of entitlement and intention on Hotwire in [Templates and Resources > Family Leave](#).

34.4 A curtailment notice cannot be given if the birthing mother/parent or primary adopter has already returned to work. Once the curtailment notice is given, it can only be withdrawn in limited circumstances, which are as follows:

- Neither the birthing mother/parent, primary adopter, or partner are entitled to SPL or statutory shared parental pay, and the birthing mother/parent or primary adopter withdraws the maternity or adoption leave curtailment notice within eight weeks of the date the notice was given, or;
- the curtailment notice was given before the birth or placement of the child and the birthing mother/parent or primary adopter withdraws the curtailment notice within six weeks of the placement or birth, or;
- the partner has died.

34.5 The Notice of Entitlement and Intention – (birth parent or primary adopter) or (partner) on Hotwire in [Templates and Resources > Family Leave](#), must be signed and submitted 8 weeks before the start date of the first period of SPL to be taken by the employee. The 8 weeks is counted from the date of receipt by HR Services.

## Evidence of entitlement

34.6 At the same time, you must provide HR Services with:

- a copy of the child's birth or matching certificate or, if the child has not been born or placed at the date of the request, provide a copy of the child's birth or matching certificate within 14 days of the birth or adoption placement. If the appropriate certificate has yet to be issued after this period, a signed declaration stating the date and location of the child's birth or placement will suffice; and
- the name and address of the other parent's employer (or a declaration that the other parent has no employer).

34.7 The Brigade will respond to the request within 14 days of receipt.

34.8 To cancel proposed SPL dates following the submission of a notice of entitlement and intention, you must submit a signed and dated notice which includes the following information:

- an indication as to when the employee intends to take SPL (including the start and end dates for each period of leave);
- details of any periods of SPL that have been notified through a period of leave notice;
- details of any periods of statutory shared parental pay that have been notified in relation to periods where SPL was not to be taken; and
- a declaration signed by the birthing mother/parent or the primary adopter and the partner that they agree to the variation.

Again the written notice must be received by HR Services no less than eight weeks before any period of leave varied or cancelled by the notice, is due to commence

34.9 You can provide a combined total of up to three period of leave notices or variations of period of leave notices per pregnancy or adoption.

34.10 If a period of leave notice, requests one continuous period of leave, you will be entitled to take that period of leave.

34.11 If a request is made for discontinuous periods of leave, beginning with the date the period of leave notice was given, within two weeks the Brigade can:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

34.12 If agreement is reached within the period, SPL will begin on the dates agreed. If no agreement has been reached within that two week discussion period, you are entitled to take the leave as one continuous period of leave. In that event, you must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. You are responsible for notifying the Brigade of that date within five days of the end of the two-week discussion period. If you do not choose a start date within five days of the end of the two week discussion period, the period of continuous leave will start on the date of the original request.

34.13 Alternatively, if the request is refused, or no agreement has been reached during the two week discussion period, you may withdraw a period of leave notice requesting discontinuous periods of leave at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave an employee can make in relation to the birth or adoption placement of the child.

- 34.14 The earlier you inform the Brigade of your intention to take SPL, the more likely it is that your line manager will be able to accommodate the dates for which SPL has been requested, particularly in relation to requests to take SPL in discontinuous blocks.

## **35 Statutory shared parental pay**

- 35.1 Statutory shared parental pay is available for eligible parents (regardless of their gender and sexual orientation) to share between them while on SPL. The number of weeks' statutory shared parental pay that is available to the parents will depend on how much statutory maternity or adoption pay, or maternity allowance, has been paid when maternity or adoption leave or pay period ends.
- 35.2 A total of 39 weeks' statutory maternity or adoption pay, or maternity allowance is available to the birthing mother/parent or primary adopter. As there is a compulsory maternity period of two weeks following the birth, this means that a mother who ends their maternity leave at the earliest opportunity could share up to 37 weeks' statutory shared parental pay with their partner. The same arrangements apply in relation to adoption leave and pay.
- 35.3 Any statutory shared parental pay due during shared parental leave will be paid at a rate set by the Government for the relevant tax year, as of March 2023 it is £172.48 , or 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate. For the latest information access the Government website: <https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>
- 35.4 It is up to the parents as to who is paid the statutory shared parental pay and how it is apportioned between them.

### **Eligibility for statutory shared parental pay**

- 35.5 The birthing mother/parent or primary adopter is eligible for statutory shared parental pay if they:
- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth or placement, and remains in continuous employment with the employer until the week before any period of shared parental pay that they get;
  - have normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth or adoption placement of at least the lower earnings limit for national insurance contribution purposes;
  - have, at the date of the child's birth, or adoption placement, the main responsibility, apart from the partner, for the care of the child;
  - are absent from work and intend to care for the child during each week in which they receive statutory shared parental pay; and
  - are entitled to statutory maternity or adoption pay in respect of the child, but the maternity or adoption pay period has been reduced.
- 35.6 In addition to section 33.5 above, for the birthing mother/parent or primary adopter to be eligible for statutory shared parental pay, the partner must:
- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth or adoption placement;
  - have, at the date of the child's birth or placement, the main responsibility, apart from the mother or primary adopter, for the care of the child; and
  - have average weekly earnings of at least the maternity allowance threshold [currently £30] for any 13 of those 66 weeks.
- 35.7 The partner is eligible for statutory shared parental pay if they:

- have at least 26 weeks continuous employment ending with the 15th week before the expected week of childbirth or placement, and remain in continuous employment with the employer until the week before any period of shared parental pay that they get;
- have normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- are absent from work and intend to care for the child during each week in which they receive statutory shared parental pay; and
- are entitled to statutory maternity or adoption pay in respect of the child, but the maternity or adoption pay period has been reduced.

35.8 In addition to section 33.7 above, for the partner to be eligible, the birthing mother/parent or primary adopter must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth or adoption placement;
- have average weekly earnings of at least the maternity allowance threshold (currently £30) for any 13 of those 66 weeks;
- have, at the date of the child's birth, or placement the main responsibility, apart from the partner, for the care of the child; and
- be entitled to statutory maternity pay, maternity allowance or adoption pay in respect of the child, but the maternity pay period, maternity allowance or statutory adoption pay period has been reduced.

35.9 During the period of shared parental leave, the employee's contract of employment continues to be in force and they are entitled to receive all their contractual benefits, except for salary which will be replaced by Statutory shared parental pay, but only if the employee is eligible for this. Pension contributions will continue to be made during any period when the employee is receiving payment, but not for periods of SPL when the employee is on nil pay.

35.10 You should where possible take any outstanding annual leave due to you in the year that the leave is accrued. Therefore if the leave year is due to end during the SPL, you should take your outstanding leave before starting your SPL. If the outstanding leave entitlement cannot reasonably be taken prior to the SPL, it can be carried over to the next holiday year, subject to the approval of the line manager.

## **36 Shared parental leave keeping in touch days (SPLIT) days**

36.1 Parents are allowed to have up to 20 shared parental leave keeping-in-touch (SPLIT) days whilst on SPL between them. The purpose of SPLIT days is to allow the Brigade and you to keep in touch during the period of SPL. These days must be agreed by mutual consent and are optional. These days must not occur during the period of compulsory maternity leave (two weeks immediately after the birth), or the first two weeks after adoption placement. SPLIT days can be used for any activity that would normally be classed under the employee's contract of employment and could include, for example attending conferences, undertaking training and development activities, re-familiarisation or attending team meeting, or events. You will be entitled to contractual salary, less any contractual statutory shared parental pay for working on a SPLIT day.

- 36.2 You are entitled to reasonable contact from the Brigade whilst on SPL. This is separate from SPLIT days and could include for example discussions on return to work, or updates on organisational changes.
- 36.3 You have the right to resume working in the same job when returning to work from SPL if the period of leave, when added to any other period of SPL, statutory maternity leave or statutory paternity leave taken by the employee in relation to the same child, is 26 weeks or less.
- 36.4 If you are returning to work from SPL and the period of leave taken is more than 26 weeks, when added to any other period of SPL, statutory maternity, adoption or paternity leave taken in relation to the same child, or was the last of two or more consecutive periods of statutory leave that included a period of ordinary parental leave of more than four weeks, you have the right to return to the same role as you occupied prior to commencing the maternity/adoption leave both ordinary and additional, on the same terms, conditions and salary as that of when you went on leave.

## **37 Childcare allowance**

- 37.1 The Brigade runs a childcare allowance scheme for eligible employees to assist with childcare costs. There is also an interest free loan to help with up front costs. Please visit the childcare allowance scheme details on Hotwire.

## **38 Parental bereavement leave**

- 38.1 Following the introduction of the Parental Bereavement (Leave and Pay) Act 2018, the Brigade will grant you two calendar weeks of Parental Bereavement Leave (PBL) absence from work following the death of a child under the age of 18. This will be at full pay and will not count against the normal provision of up to 10 days Special Leave. This would be automatic and cover two tours for staff following a Watch pattern.
- 38.2 If a child is stillborn after 24 weeks pregnancy the birthing mother/parent is entitled to normal maternity provisions as set out in paragraph 14 above and shall also be eligible to take PBL at the end of this period, provided it is completed within 56 weeks of that date. Other parents of the child are entitled to PBL provisions as set out in this policy.
- 38.3 PBL provisions apply to the:
- Parent;
  - adoptive parent, if the child was living with them;
  - person who lived with the child and had responsibility for them, for at least 4 weeks before they died;
  - 'intended parent' – due to become the legal parent through surrogacy;
  - partner of the child's parent regardless of gender, if they live with the child and the child's parent in an enduring family relationship.
- 38.4 The PBL conditions are:
- PBL can be taken within 56 weeks following the child's death. The date of the child's death is the first day of the 56 weeks.
  - If more than one child dies, the employee is entitled to two calendar weeks PBL for each child.
  - An employee can choose to take either one or two weeks leave. If an employee takes two weeks, this can be taken in one go, or as two separate weeks.
  - The employee must give notice to take PBL and tell their line manager or the HR HelpDesk when they want the leave to start; whether they want to take one or two weeks leave; and the date their child died. This notice does not have to be in writing.

- If PBL is taken within 8 weeks of their child dying, an employee can start their leave as soon as they give notice. PBL can be taken on the first day that notice is given provided this is before the employee is due to start work, otherwise PBL must start the following day.
- PBL can be cancelled provided notice is given before this starts. This can be on the day PBL is due to start as long as this is before the employee is due to start work. Any cancelled leave can be taken later by giving notice again.
- If PBL is taken more than 8 weeks since their child died, the employee must give one week's notice (a) to take the leave; and (b) to cancel the leave. Again, any cancelled leave can be taken later by giving notice again.

38.5 PBL can be approved by the absence code 'PBL' for Parental Bereavement Leave is found in StARS under 'New'/'Other'.

## 39 Carers leave

39.1 The Carer's Leave Act came into force on 6 April 2024. Employees are entitled to unpaid leave to give or arrange care for a 'dependant' who has:

- A physical or mental illness or injury that means they're expected to need care for more than 3 months.
- A disability (as defined in the Equality Act 2010).
- Care needs because of their old age.

The dependant does not have to be a family member. It can be anyone who relies on them for care.

39.2 You are entitled to take carer's leave from your first day of employment. You can take up to one week of leave every 12 months. A 'week' means the length of time that you usually work over 7 days. For example, if someone usually works 4 days a week, they can take 4 days of carer's leave. You can either take a whole week off or take individual days or half days throughout the year.

39.3 You will need to give the Brigade notice before you want to start your leave. If the request is for half a day or a full day, the notice period must be at least 3 days. If the request is for more than one day, the notice period must be at least twice as long as the requested leave. For example, if the request is for 2 days, the notice period must be at least 4 days. The notice period needs to be in full days, even if the request includes half day amounts. Please provide a record of your request using the special leave form. You do not need to give evidence of your dependant's specific care needs. But outside of leave arrangements you might wish to consider other Brigade support available to you such as requesting a reasonable adjustment to support your caring responsibilities using the Workplace adjustments passport.

39.4 Carers leave should be recorded as Carers Absence (CA) on StARs. Managers cannot refuse a carer's leave request but can ask the employee to take it at a different time. They can only do this if the employee's absence would cause serious disruption to the organisation.

If they delay it, the manager must:

- Agree another date within one month of the requested date for the leave to be taken.
- Put the reason for the delay and new date in writing to the employee (e.g. this can be by return of email) within 7 days of the original request, and before the requested start date of the leave.

Please also see the Carers Page on hotwire for more information regarding support for staff with caring responsibilities.

## 40 Records

- 40.1 Please send records by email to [RecordsServices@london-fire.gov.uk](mailto:RecordsServices@london-fire.gov.uk). Records will be kept on your electronic personal record file (e-prf) and retained in accordance with Policy number 788 - Electronic personal record file. Personal data shall be processed in accordance with Policy number 351 – Data protection and privacy policy.

## 41 Help and support

- 41.1 Please contact the Wellbeing team by email to [WellbeingTeam@london-fire.gov.uk](mailto:WellbeingTeam@london-fire.gov.uk). You can contact HR Helpdesk on extension 89100 option 3 and by email to [IT.HR@london-fire.gov.uk](mailto:IT.HR@london-fire.gov.uk).
- 41.2 Please contact the Counselling and Trauma Service for counselling and advice on extension 35555 and by email to [counselling@london-fire.gov.uk](mailto:counselling@london-fire.gov.uk).
- 41.3 Line managers on becoming aware of an employee being pregnant should contact the HR Helpdesk to arrange a maternity discussion between the pregnant employee, the HR Helpdesk and the line manager. This should take place 12-16 weeks into the pregnancy, but may be in person, via Teams or by phone. Any other appropriate information to be kept by the pregnant employee will be shared at or after the meeting, as appropriate.
- 41.4 This policy may also be available on request in other alternative accessible formats as set out in Policy number 290 – Guidance note on translation and interpretation. Please contact Communications on extension 30753 and by email to [communications.team@london-fire.gov.uk](mailto:communications.team@london-fire.gov.uk) to discuss your needs and options.
- 41.5 The Brigade invites your engagement so that it can learn so if you have a suggestion that can improve this policy then please submit your idea via the Staff Suggestion Scheme on Hotwire as set out in [Policy number 887](#) – Staff suggestion scheme. Any changes do need to go through the agreed engagement, consultation, negotiation or governance requirements.



## Document history

### Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	24/04/23	SDIA	L - 01/09/23	HSWIA	04/09/23	RA	NA
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### Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Page 21, para 38	Parental Bereavement Leave provisions added (moved over from PN512 Special Leave and Public Duties policy).	25/02/2025
Page 22, para 39	Carers Leave provisions added (moved over from PN512 Special Leave and Public Duties policy).	
Page 3 and 4, para 2.6, 2.7 and 2.9	Fertility treatment paid and unpaid time off provisions added (moved over from PN512 Special Leave and Public Duties policy)	03/04/2025
Throughout	Fertility treatment leave increased to 16 days.	20/06/2025
Paragraph 13	Modifications to NCL and EBL extending duration of NCL to 12 weeks	05/08/2025

### Subject list

You can find this policy under the following subjects.

Leave	Maternity

### Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	FOIA exemption	Security marking classification