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**Freedom of Information request reference number:** 6401.1

**Date of response:** 25 March 2022

**Request:**

*Could you please share a breakdown of :*

- Maternity leave entitlement and pay for full time firefighters*
- Shared parental leave entitlement and pay for full time firefighters*

**Response:**

I have attached a copy of the LFB policy number 555b (Maternity, maternity support and adoption provisions, including maternity and adoption support leave and shared parental leave - uniformed staff) to this response.

This includes full details of leave and pay entitlement for maternity leave and shared parental leave for LFB operational staff (including firefighters).

For completeness, the LFB Uniformed operational staff pay rates policy (policy number 558) is published on our website and can be accessed via the following link: <https://www.london-fire.gov.uk/media/6119/pn558-081121.pdf>

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request [on our website](#).

## Maternity, maternity support and adoption provisions, including maternity and adoption support leave and shared parental leave - uniformed staff

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New policy number: **555b**  
 Old instruction number: **PER:G025:a1**  
 Issue date: **25 January 2008**  
 Reviewed as current: **11 March 2021**  
 Owner: **Assistant Director, People Services**  
 Responsible work team: **HRM Policy Group**

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Review date: **11 March 2024**

Last amended date:

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## 1 Introduction

- 1.1 This policy sets out the arrangements for maternity leave, maternity support, adoption and includes advice from the Home Office and the London Fire Brigade's medical advisor on the employment of pregnant uniformed operational staff.
- 1.2 Line managers on becoming aware of an employee being pregnant should contact the HR adviser to arrange a maternity discussion between the pregnant employee, the HR adviser and the line manager. This will ideally take place 12 – 16 weeks into the pregnancy. The HR adviser will provide a copy of the Brigade's maternity booklet and any other relevant documents. Any queries in the interim should be directed to the HR adviser in the first instance.

## 2 Home Office advice on employment on operational duties of pregnant firefighters

- 2.1 As operational firefighting might encompass exposure 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.
- 2.2 In view of the potential risk to the unborn child and the mother, the Home Office consider that any recommendation should err on the side of caution and therefore recommends that pregnant uniformed operational staff should be removed from operational duties and be placed on non-operational light duties.
- 2.3 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.

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

- 3.1 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 development and planning officer, who is the lead for their course. (All course members will already be issued with the development and planning officer's number)
- 3.2 As soon as pregnancy is reported, the individual will be released from operational duty and discussion concerning alternative work arrangements will take place. See appendix 1 for flow chart 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 their station following their 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 the individual will work their 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 the individual's normal contractual hours.
- 3.3 The proposed arrangements and the nature of the work will be subject to a discussion between the pregnant firefighter (and their trade union representative if appropriate), and their line managers, taking into account the health and safety risk assessment (please see paragraph 4 below) and any medical advice from the Occupational Health service.
- 3.4 The People Services Department and 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 the employee and a copy saved to the individual's e-PRF (see appendix 2 for letter template). The line manager is responsible for making a note in the individual's 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 the individual's 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 included in appendix 3.
- 3.5 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 documents dispatched to appropriate locations must be under sealed confidential cover.
- 3.6 A manager may require an individual to attend an appointment with the medical advisor, who may also be consulted by the individual if medical issues arise during pregnancy. Appointments can be made via the Wellbeing team in the People Services Department. Furthermore, confidential counselling/advice can be obtained from Counselling and Trauma Services on 0208 555 1200 extension 39555.
- 3.7 If the pregnancy ceases for any reason, the employee must be seen by the medical advisor before a return to duty is made so that a fitness assessment can be completed. To this end, an urgent appointment should be arranged through Wellbeing team.

## **4 Undertaking a risk assessment**

- 4.1 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 an employee has informed the People Services Department that they are pregnant.
- 4.2 Once the employee reports their pregnancy, the line manager will contact the HR adviser who will liaise with the relevant Deputy Assistant Commissioner to nominate a suitable officer to undertake this 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 [http://hotwire-live/Operations/Health\\_and\\_safety/Pages/New-and-expectant-mothers.aspx](http://hotwire-live/Operations/Health_and_safety/Pages/New-and-expectant-mothers.aspx)
- 4.3 The line manager will send a copy of the completed risk assessment to the Health and Safety adviser, the HR adviser and arrange for a copy to be placed on the individuals e-PRF.
- 4.4 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 as necessary. Updated copies must be circulated to the relevant parties as set out above.

- 4.5 On return to working following maternity leave, the risk assessment must be reviewed if the employee is breastfeeding.
- 4.6 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 or email HSS@london-fire.gov.uk.

## 5 Contractual maternity pay and leave

- 5.1 Pregnant employees will be entitled to the following:
- (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) OML which will be paid at a rate of 15 weeks at full pay and 11 weeks at half of normal pay.
  - (c) AML which will be paid at a rate of 13 weeks at half of normal pay. The remaining 13 weeks will be unpaid.
  - (d) 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).
  - (e) 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).
  - (f) Pregnant employees must not return to work in the two weeks immediately following childbirth.

**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 30 onwards).**

## 6 Statutory maternity pay

- 6.1 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.
- 6.2 SMP is off set against contractual pay and not paid in addition to contractual pay.

## 7 Ante-natal care

- 7.1 Any pregnant member of staff is entitled to paid time off to attend ante-natal care i.e. hospital and midwife appointments and must produce evidence of appointments if requested to do so. This also includes parent craft classes.
- 7.2 A pregnant employee may consult the medical advisor via the Wellbeing team, People Services Department if medical problems arise during the pregnancy. Additionally, confidential counselling/advice is also available via the Counselling and Trauma Services and they can be contacted on: 020 8555 1200 extension 39555.

## 8 Notification requirements for maternity leave

8.1 Employees **are required to complete** the follow notification procedures:

- An employee must give notice to the Brigade (HR Service Centre<sup>1</sup>) in writing of their pregnancy no later than 15 weeks prior to her EWC. The notification must confirm that she is pregnant, confirm her EWC and state when she intends her maternity leave to start.
- An employee 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 Service Centre
- 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.
- An employee must notify the Brigade (HR Service Centre) at any time after the fourth week before the EWC if she is unable to come to work because of any illness connected with her pregnancy.
- An employee must send a copy of the baby's birth certificate to HR Service Centre as soon as is reasonably practicable after the birth.
- An employee must notify the Brigade (HR Service Centre) in writing of the date on which she intends to return to work at least 8 weeks prior to the return date.
- An employee must notify the Brigade (HR Service Centre) in line with her contractual obligations, if she does not intend to return to work.

8.2 An employee considering curtailing Maternity Leave and opting to take SPL leave should take the earliest available opportunity to share this information, (ideally during the maternity visit) and explore options informally before making a formal request.

## 9 Relationship with leave

9.1 All maternity leave - ordinary maternity leave (OML) and additional maternity leave (AML) - counts towards the accrual of contractual annual leave entitlement.

9.2 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 management prior to taking any leave in the normal way.

9.3 All maternity leave (OML and AML) shall be regarded as reckonable service for the purpose of calculating long service leave entitlements.

9.4 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, she will be regarded as having returned to work.

9.5 If the individual employee takes a period of unpaid parental leave, following the end of her maternity leave, she will be regarded as having returned to work.

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

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<sup>1</sup> HR Services can be contacted via the HR Helpdesk on extension 89100, or on [IT.HR@london-fire.gov.uk](mailto:IT.HR@london-fire.gov.uk).

## 10 Relationship with sickness

- 10.1 Where an employee is 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 889 – managing attendance policy.

## 11 Keeping in touch days

- 11.1 An employee is allowed up to 10 Keeping-In-Touch (KIT) days whilst on maternity leave. The purpose of KIT days is to allow the employer and employee 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 employees contract of employment and could include, for example attending conferences, undertaking training and development activities, re-familiarisation or attending team meeting or events. Employees will be entitled to contractual salary, less any contractual maternity and SMP for working a KIT day. Individuals will be recorded as being on light Duties when performing KIT days, examples of duties to be carried out by individuals undertaking light duties can be found in appendix 3.
- 11.2 To ensure payment is made for KIT days, line managers in addition to entering light duties 'LD' code on STARS must notify HR Service Centre by e-mail the visit and activities have taken place.
- 11.3 An employee can expect reasonable contact from the LFB whilst on maternity leave. This is separate from KIT days and could include for example discussions on return to work, or discussions on organisational changes.

## 12 Premature birth - early birth leave (EBL) and neonatal care leave (NCL)

- 12.1 Where a baby is born prematurely (37 weeks into the pregnancy or earlier), for each full calendar week the baby remains in hospital, the parents will receive a 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.
- 12.2 In cases where a baby is born after 37 weeks of a pregnancy or earlier, and requires neonatal treatment, parents will receive a week's additional leave for each full week the baby spends in neonatal care, up to a maximum of 4 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 with full contractual pay and come at the end of either their Maternity or Maternity Support Leave.

## 13 Still birth or miscarriage

- 13.1 The maternity provisions will be applied if the baby dies or is still born after 24 weeks of pregnancy. Where this occurs before 24 weeks (miscarriage), sympathetic consideration will be given as to what action is necessary by way of granting a period of paid leave or sickness absence. This will be decided on the basis of the individual circumstances, with advice as appropriate from the medical adviser and in consultation with the head of service/assistant commissioner.



- 13.2 If the pregnancy ceases for any reason, the employee must be seen by the medical advisor before a return to work is agreed so that a risk health assessment can be carried out. Accordingly, an urgent appointment should be arranged by the line manager through the wellbeing section of the People Services Department.

## **14 Returning to work after a period of maternity leave**

- 14.1 On returning to duty after the birth of the child, the individual 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 the individual has ceased breastfeeding and the medical advisor has determined that the returnee is fit for full operational duties. As regards to any training, this will not begin until the individual has been found fit to undertake this role by the medical advisor. See appendix 4 for return to work flow chart.

## **15 Training**

- 15.1 After giving birth returnees assessed as being fit for operational duties by the medical advisor following a period of maternity leave are likely to be required to undertake training in order to ensure that they are able to fulfil the operational requirements of their 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 the individual and appropriate line manager which may include a combination of centrally delivered training or station based training in accordance with Policy number 427 and Policy number 427a - The development and maintenance of operational professionalism (DaMOP).

## **16 Breastfeeding**

- 16.1 The LFB recognises that maternity returnees may wish to continue breastfeeding after returning to work and will be facilitated in doing so. The LFB also acknowledges the health and other benefits that breastfeeding can bring to the child and the mother.
- 16.2 Employees returning to work after maternity leave must notify the LFB (line manager) at the earliest opportunity that they are breast feeding. Line managers must then arrange an appointment with a medical advisor and contact the HR Adviser. The line manager will also be required to review the previous risk assessment, and update it as necessary forwarding a copy to the H&S adviser, the HR Adviser and arranging for a copy to be placed on the e-PRF.
- 16.3 Individuals must be removed from operational duty until they have ceased breastfeeding. As with other maternity related instances, before returning to full operational duties, a medical assessment must be arranged with the medical advisor. At this appointment the medical advisor will determine whether the individual is fit to return to full operational duties.
- 16.4 For reasons of health and safety and in the absence of childcare facilities at LFB workplaces, it is not possible for babies to be fed on LFB premises. The provisions apply to mothers who are currently breastfeeding at home. Facilities will be available for nursing mothers to express milk at work and they will be allowed appropriate time off facilities for this purpose. They will however be responsible for providing an appropriate container for the purpose of storing and the transporting of the expressed milk.

### **Impact on substantive position**

- 16.5 Six months is the critical period in which a baby benefits from being breastfed according to the Department of Health guidelines, although women may choose to continue breastfeeding for

longer periods. However, in the interests of operational efficiency, it is not reasonably practicable for sections to sustain temporary arrangements for longer than six months and the Brigade reserves the right to review the arrangements.

## 17 Accompanying a partner to ante-natal appointments

- 17.1 In preparing for the birth of a baby, partners (regardless of gender) may take unpaid leave to accompany the expectant mother to 2 ante-natal appointments. The maximum time absent from work on each occasion is half a day, capped at 6½ hours.
- 17.2 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 station commander (SC) or above. 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 Service Centre so the appropriate deductions from salary are made.
- 17.3 Individuals will be expected to sign a declaration (see Appendix 6) confirming they are the biological father, or partner (regardless of gender) of the pregnant woman. A partner can be a spouse or civil partner (regardless of gender) and a person of either sex in a long term relationship with the pregnant woman.
- 17.4 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.
- 17.5 As ante-natal appointments are usually scheduled with notice, it is reasonable staff give notice at the earliest opportunity of their intention to accompany the pregnant woman to the appointment. Notice of the first appointment should be included in the detail of the declaration (See appendix 6). If one hasn't already been signed, HR Service Centre will issue one following the appropriate code being entered on STARS.
- 17.6 For the second appointment, an e-mail to the individual's line manager or SM, 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 Service Centre by e-mail of the absence and confirm the appropriate amount of hours to be deducted from salary.

## 18 Maternity support leave (MSL)

- 18.1 Maternity support leave (MSL) of up to two weeks shall be granted to an employee who undertakes a support role to an expectant mother at or around the time of birth and can begin from the date of birth onwards. The employee must either be:
- The biological father and expects to have some responsibility for his baby's upbringing. If the child's father is separated or divorced from and not living with the child's mother and plays little or no part in the child's upbringing, he will not be entitled to MSL.
  - The mother's spouse or partner (someone who lives with the mother, regardless of gender in an enduring family relationship, but who is not a blood relative and expects to have some responsibility for the baby's upbringing).
- 18.2 Amount of MSL:
- If an employee has completed less than 26 weeks continuous service prior to the 15<sup>th</sup> week of EWC, they will be entitled to maternity support leave of up to five working days if working a five day week, or one complete tour if watch based.

- If an employee does not comply with the notice requirements as set out in section 18, their entitlement to maternity support leave will be limited to 5 working days if working a five day work pattern, or one complete tour if watch based.
- If an employee has 26 weeks or more continuous service prior to the 15<sup>th</sup> week before the expected week of childbirth (EWC), they will be entitled to take up to two weeks maternity support leave. This must be taken in one block of two weeks, and not two separate weeks.
- Watch based staff will therefore take two tours off, staff on a flexible working pattern will take the equivalent that covers their normal working pattern for two calendar weeks.

18.3 MSL must be taken within 56 days of the birth of the baby.

## 19 Notification requirements for MSL

19.1 Employees must comply with the following notification procedures:

- An employee who wishes to take leave must give notice by the end of the 15<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 the HR Service Centre 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 (one or two tours) will be automatically calculated by the form.
- The employee may change the start date of leave provided 28 days' notice is given or as soon as is reasonably practicable.
- The employee will confirm they are taking leave to care for the child or to support the mother, that they expect to have some responsibility for the upbringing of the child and that they are either the father of the child, the husband or civil partner or partner (regardless of gender) of the mother.
- The employee must inform the LFB of the date of the baby's birth as soon as is practicable after the birth.
- Form link: <http://lfb-forms-live/Lists/MaternitySupport/NewForm.aspx?Source=http://lfb-forms-live/Lists/MaternitySupport/AllItems.aspx&RootFolder=>

## 20 Relationship with leave in respect of MSL

- 20.1 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 the individual so elects. All such leave shall be taken into account in calculating service for the purpose of increments where this is applicable.
- 20.2 All 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 Return to work following MSL

21.1 At the end of MSL the employee is guaranteed the right to return to their current post.

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

22.2 An employee (regardless of gender) 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. Where the member of staff

is a co-adopter and the other co-adopter has elected to take the 5 days paid leave, the member of staff 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 the employee to complete a period of continuous service in order to be eligible to take adoption leave.
- 23.2 Leave and pay arrangements will only apply to employees newly matched with a child/children to be placed with them by a UK adoption agency. The employee must have confirmed with the agency the placement and the date of placement. The employee must notify the Brigade of when they want to take their adoption leave within 7 days of the date on which they were notified of having been matched with the child/children.
- 23.3 If an employee is 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. The employee must give notice within 28 days of receiving "official notification", or within 28 days of completing 26 weeks of service with the LFB if that is later. The employee must give at least 28 days' notice of the start of their 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) 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 An employee who becomes the parent of an adopted child but who does not have primary child care responsibilities for that child shall be allowed ASL leave mirroring the provisions of MSL.

## **24 Contractual additional adoption leave provisions**

- 24.1 An employee who becomes the parent of an adopted child and is the primary carer (the primary adopter) will be entitled to the following:
- 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).
  - OAL which is paid at a rate of 15 weeks at full pay and 11 weeks at half of normal pay.
  - AAL which is paid at a rate of 13 weeks at half of normal pay. The remaining 13 weeks will be unpaid.
- 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 The adopter should provide their notice of the 'match' no more than 7 days after receiving notification of the match, or as soon as they practically can. They should advise the Brigade of the expected date the child is to be placed with them 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, the primary adopter will be able to continue adoption leave for up to eight weeks after the end of the placement.
- 24.6 Primary adopters may choose to curtail their Adoption Leave after the initial two week period and opt to take SPL, as detailed in Paragraph 30 onwards.

## **25 Statutory adoption pay**

- 25.1 Staff in an adopting role qualify for Statutory Adoption Pay (SAP), provided they have completed 26 weeks continuous service by the week in which they 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 an employee starts a period of annual leave immediately after their adoption leave has ended, they will be regarded as having returned to work.
- 26.5 If the individual employee takes a period of unpaid parental leave, following the end of the adoption leave period, they 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 an employee is 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 889 – Managing attendance.

## **28 Keeping in touch days**

- 28.1 The employee is allowed up to 10 keeping-in-touch (KIT) days whilst on adoption leave. The purpose of KIT days is to allow the employer and employee 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 employees contract of employment and could include, for example attending conferences, undertaking training and development activities, re-familiarisation, or attending team meeting or events. Employees will be entitled to contractual salary, less any contractual adoption and Statutory Adoption Pay for working a KIT day.

- 28.2 An employee is 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 17.1 and 17.2, 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 and not two separate blocks.

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

- 30.1 On resuming work following OML/OAL, the employee will be entitled to return to the same role as they occupied prior to commencing the maternity/adoption leave both ordinary and additional, on the same terms, conditions and salary as that of when the employee left the organisation on leave.
- 30.2 An employee who takes 26 weeks or less SPL is entitled to return to the same job on the same employment terms and conditions as if they 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, the employee 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 biological and/or adoptive parents (regardless of gender) . SPL gives couples 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 couples 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 the mother, the primary adopter or the partner of the mother or primary adopter. The term "partner" is non-gendered and includes the father 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 mother. In the case of a child placed for adoption, the partner is the person who, at the date of the adoption placement was married to, or the partner, or civil partner of the primary adopter. The term partner includes someone, regardless of gender who lives with the mother or primary adopter and the child in an enduring family relationship, but who is not the mother'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.

- 32.4 If the mother or primary adopter is the only member of the couple employed by the LFB, 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.
- 32.5 If the partner is employed by the LFB, the mother or primary adopter must (where relevant) submit any notifications to take SPL to their own employer. The mother 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**

- 32.6 The total amount of SPL available is 52 weeks minus the number of weeks taken by the mother or primary adopter as maternity or adoption leave.
- 32.7 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 mother or primary adopter. The remaining period that parents could take as SPL is 50 weeks.
- 32.8 The employee can request to take SPL in one continuous block (in which case the LFB 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.
- 32.9 The mother'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.
- 32.10 The mother, 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 employees to be eligible to take SPL, both parents must meet certain eligibility requirements.
- 33.2 The mother 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 LFB 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 mother 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 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 Employees wishing to take SPL must comply with the following notice requirements;

- If the employee is the child's mother or primary adopter, they must complete the "maternity/adoption leave curtailment notice" (appendix 9) setting out when they propose to end their maternity leave or adoption leave. If the employee has already returned to work before the end of their maternity or adoption leave, (having given the required eight weeks notice), they will not be required to complete the leave curtailment notice;
- Employees wishing to take SPL must complete the relevant "notice of entitlement and intention" (appendix 7 or 8 ) 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" (appendix 11) setting out the start and end dates of each period of SPL that they are requesting.

### The leave curtailment notice (appendix 9)

34.2 Unless the mother 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 (appendix 9) to HR Service Centre 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 Service Centre and
- at least one week before what would be the end of the additional maternity or adoption leave period.

34.3 The mother or primary adopter must provide the maternity or adoption leave curtailment notice at the same time as the notice of entitlement and intention (appendix 7)

34.4 A curtailment notice cannot be given if the mother 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 mother, primary adopter, or partner are entitled to SPL or statutory shared parental pay, and the mother 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 mother 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 – (appendix 7) (mother or primary adopter) or appendix 8 (partner), 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 HRM Employment Services.

34.6 Evidence of entitlement.

At the same time, the employee must provide HR Service Centre 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, employees 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 mother or the primary adopter and the partner that they agree to the variation.

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

34.9 Employees 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, the employee 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 LFB 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, the employee is entitled to take the leave as one continuous period of leave. In that event, they 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. The employee is responsible for notifying the LFB of that date within five days of the end of the two-week discussion period. If the employee does 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, the employee 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 the employee informs the LFB of their intention to take SPL, the more likely it is that their 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) 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 mother 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 2021 it is £151.20 , 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 mother 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 mother 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 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 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 Employees should where possible take any outstanding annual leave due to them in the year that the leave is accrued. Therefore if the leave year is due to end during the SPL, the employee should take their outstanding leave before starting their 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 employer and employee 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. Employees will be entitled to contractual salary, less any contractual statutory shared parental pay for working on a SPLIT day.
- 36.2 An employee is entitled to reasonable contact from the LFB 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 The employee has 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 the employee is 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, the employee has the right to return to the same role as they occupied prior to commencing the maternity/adoption leave both ordinary and additional, on the same terms, conditions and salary as that of when the employee went on leave.

## Appendix 1 – Notification of pregnancy flowchart

For reasons of safety, health and wellbeing, pregnant operational staff must inform their line manager of their pregnancy as soon as it is known.

### When you are notified that an individual is pregnant

- Place them on light duties
- Offer them an appointment with Occupational Health (the appointment is optional)
- Contact your HR adviser.  
Your HR adviser will:
  - arrange for a risk assessment to be carried out
  - contact the Area team to assist with work allocation
  - make an appointment to visit

#### What to do...

- Discuss with the individual the working options available to them:
  - Following the watch as normal (i.e. staying for the full night duty).
  - 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 as there is no further meaningful work that can be done).
  - 4 day duties at their station, following the watch for their watches day duties, in addition to working an additional 2 day duties with another watch at the same station/ in the Area team (NB the expectation is that within reason the individual is to work their full contractual hours).
  - 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 the individual's normal contractual hours.

If for any reason the hours for the alternative working patterns are not suitable, then the individual would be required to follow the watch as normal.

- Discuss the work to be carried out whilst on light duties.
- Arrange for relevant IT permissions to be allocated to individuals.

#### What not to do...

- You should not make decisions regarding working patterns to be worked and duties to be carried out without the agreement of the individual.
- Do not arrange for PPE to be removed immediately. The individual may retain their PPE for as long as it is reasonably practicable to undertake drills etc. Then arranged for their PPE to be returned.

## If the pregnancy ceases for any reason

```
graph TD; A[If the pregnancy ceases for any reason] --> B[Before 24 weeks:]; A --> C[After 24 weeks:];
```

### Before 24 weeks:

- Sympathetic consideration given to what action is necessary by way of granting a period of paid leave or sickness absence. This will be decided on the basis of the individual circumstances, with advice as appropriate from the medical advisor and in consultation with the head of service/assistant commissioner.
- An appointment should be made to see Occupational Health before a return to work is agreed.

### After 24 weeks:

The maternity provisions will apply

## Appendix 2 – Template letter to employee confirming hours whilst on light duties due to pregnancy



London Fire Brigade Headquarters  
169 Union Street London SE1 0LL  
T 020 8555 1200 F 020 7960 3602  
Textphone 020 7960 3629  
www.london-fire.gov.uk

**Private and confidential**

London Fire Brigade is run by  
London Fire Commissioner

Date **[Date]**

Dear

Confirmation of Discussion

Further to our discussion on the **[date]**, I am writing to confirm that the following hours were agreed between yourself and I for the duration of your pregnancy. The hours agreed are as follows:

Day 1 – **[agreed hours]**

Day 2 – **[agreed hours]**

Day 3 – **[agreed hours]**

Day 4– **[agreed hours]**

These hours will be subject to review over the course of your pregnancy in line with the risk assessment, and may be varied either by the parties through mutual agreement or in line with any medical advice received by the Brigade.

Yours sincerely

**[Name]**

## Appendix 3 - List of suggested duties for a firefighter on light duties due to pregnancy

### Duties linked to the firefighter role-map

<p><b>Reference FF1</b> Inform and educate your community to improve awareness of safety matters.</p>
<p>Schools visits, visits to station, talking to community groups:</p> <ul style="list-style-type: none"> <li>• Inputting information onto the system</li> <li>• Taking calls</li> <li>• Arranging visits</li> </ul>
<p><b>Reference FF2</b> Take responsibility for effective performance.</p>
<ul style="list-style-type: none"> <li>• In charge of the station diary</li> <li>• Pre-planning events</li> <li>• Paperwork for Home Fire Safety visits</li> <li>• Inputting data following visits</li> <li>• Watchroom duties</li> </ul>
<p><b>Reference FF6</b> Support effectiveness of operational response.</p>
<ul style="list-style-type: none"> <li>• Inventory checks</li> <li>• POMS ordering and receiving</li> </ul>
<p><b>Reference FF7</b> Support the development of colleagues in the workplace.</p>
<ul style="list-style-type: none"> <li>• Delivering training lectures (PowerPoint presentations)</li> <li>• Inputting the training onto StARS and STEPS reports</li> </ul>
<p><b>Reference FF8</b> <b>Contribute to safety solutions to minimise risks to your community</b></p>
<ul style="list-style-type: none"> <li>• Carrying out daily Health and Safety checks, following up on the outcomes and taking actions</li> </ul>

### Project work

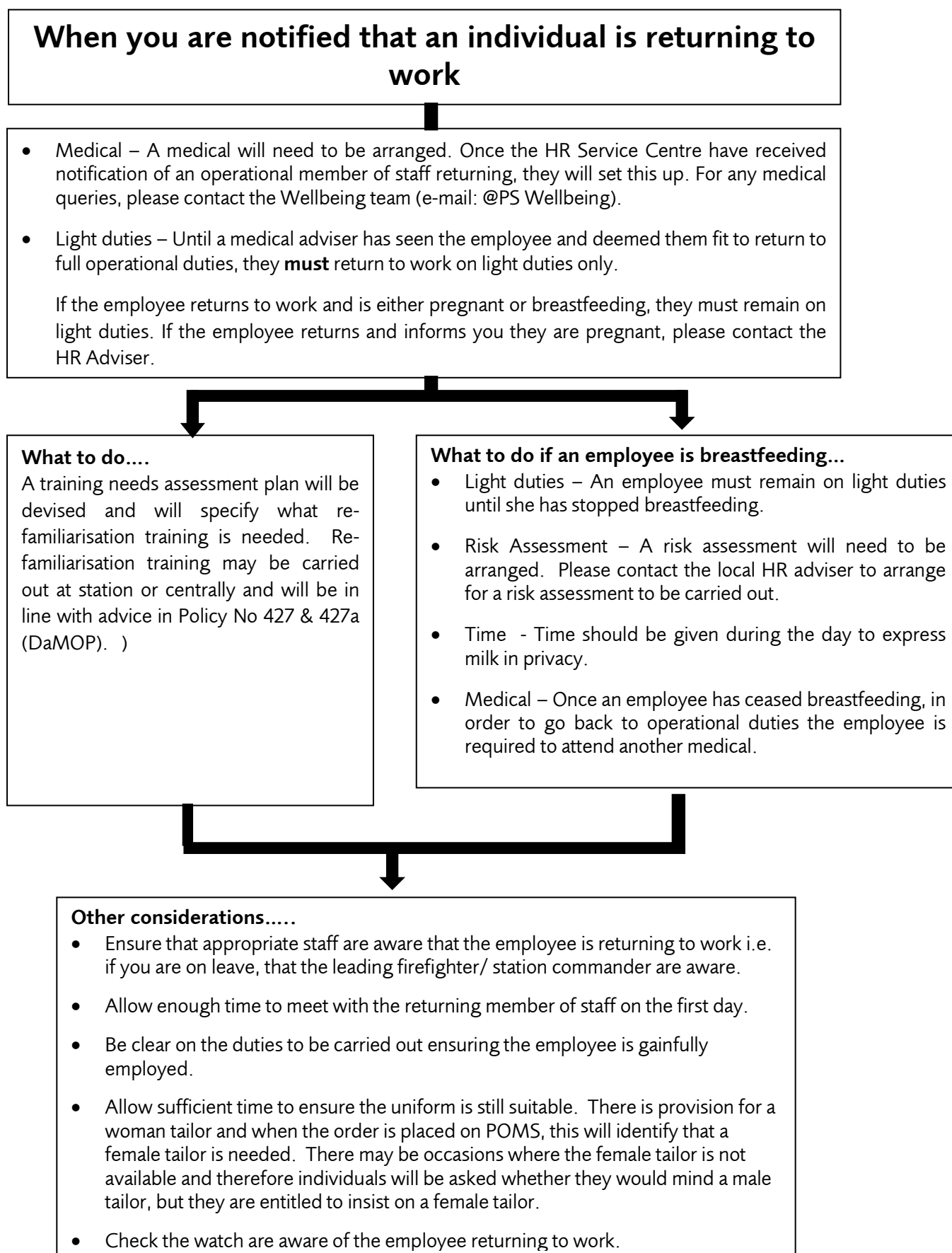
### Training

All of the duties below would require a risk assessment by the manager before the training takes place:

- Knots and lines
- Pumps and pumping
- Safety officer role
- Entry control officer
- Comms officer



## Appendix 4 – Return to work flowchart



## Appendix 5 - Adoption support leave application form

Surname: ..... First Name(s): .....

Pay Number: .....

Station/Section: ..... Role/Grade: .....

Expected date of adoption: ..... Date adoption support leave to commence: .....

**PLEASE NOTE** - In order to qualify for 2 tours/weeks of ASL, you **must** have fulfilled the ASL criteria, and have ticked **all** four boxes under 'Declaration' below. ASL cannot start until **after** the date of adoption and must be taken within 56 days of that date.

Please refer to policy number 555a (FRS) and policy number 555b (uniformed staff) for a full explanation of the ASL criteria before completing this form.

Length of Adoption Support Leave requested (please tick):

- One Week                       Two Weeks  
 One Tour                       Two Tours

### DECLARATION

**I declare that (please tick):**

- I am
  - The co-adopter, **or**
  - Married to the primary carer, **or**
  - Living with the primary carer in an enduring family relationship  
but am not an immediate relative
- I have responsibility for the child's upbringing
- I am taking this leave in order to fulfil my role as co-adopter to this adopted child.
- I am giving 15 weeks notice of my intention to take this leave prior to the expected date of adoption

Signed (Applicant):

.....Date.....

(Print name)

Signed (Line Manager).....

(Print name)

### FOR OFFICE USE ONLY

DOB: ..... DATE ASL TAKEN: ..... DATE PROCESSED: .....

.....

## Appendix 6 - Accompanying a partner to ante-natal appointments

Ante-natal appointment declaration and application	
Full name:	
Job title:	
Pay number:	
<p><b>I declare that</b> my wife, partner, or civil partner is pregnant and I intend to accompany them to an ante-natal appointment(s) arranged on the advice of a registered medical practitioner, nurse or midwife.</p> <p>Or</p> <p>I am intending to become the parent of a child through a surrogacy arrangement and intend to apply for a parental order in respect of the child, so am accompanying the biological mother to an appointment .</p>	

Please tick boxes as appropriate	
I am the child's father	<input type="checkbox"/>
I am not the child's father, but am married to, the partner, or the civil partner of the child's mother	<input type="checkbox"/>
I am entering in to a surrogacy arrangement and intend to become the adoptive parent of the child	<input type="checkbox"/>

<b>Leave notice</b>	
The date and time of the first ante-natal appointment is:	
The hospital or clinic address:	
<p>If known, please provide details of the second ante-natal appointment you intend to attend.</p> <p>(Please note the maximum duration of your absence from work is 6 ½ hours, should you exceed this, the additional hours can be deducted from your salary, unless other</p>	

## Appendix 6

<p>arrangements are made with your line manager (Station commander or above) to make up additional time absence. This does not apply to the initial 6 ½ hours.</p>	
<p>The information that I have provided in this declaration to take unpaid leave is also an acknowledgement that my employer may deduct the hours I am away from work, from my salary.</p>	
<p><b>Signed:</b></p>	
<p><b>Date:</b></p>	
<p><b>Line Managers signature:</b> <b>(Station commander or above)</b></p> <p><b>Date of receipt:</b></p> <p><b>Please send to HR Service Centre, 2nd Floor Union Street, BHQ</b></p>	

## Appendix 7 - Notice of entitlement and intention

<b>Shared parental leave: notice of entitlement and intention (mother or primary adopter)</b>	
<b>Full Name of LFB employee:</b>	
<b>Job title/ Role/ Grade:</b>	
I wish to provide the Brigade with an initial indication of my proposed shared parental leave, as well as the required declarations from myself and my partner. I confirm that I have made my line manager aware of this intention.	
<b>Section A: information to be provided by employee</b>	
My partner's name is:	
My maternity or adoption leave [started/is expected to start] on:	
My maternity or adoption leave [ended/is expected to end] on:	
My [child's expected week of birth is/child was born on] – anticipated, or actual week of placement is:	
The total amount of shared parental leave my partner and I have available is:	
I intend to take the following number of weeks' shared parental leave:	
My partner intends to take the following number of weeks' shared parental leave:	
I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):	

## Appendix 7

The total amount of shared parental pay (if applicable) my partner and I have available is:	
I intend to take the following number of weeks' shared parental pay (if applicable):	
My partner intends to take the following number of weeks' shared parental pay (if applicable):	
I intend to take shared parental pay on the following dates (if applicable):	
<b>Section B: declaration to be completed by employee</b>	
<b>I [satisfy/will satisfy] the following eligibility requirements to take shared parental leave:</b>	
I [have/will have] 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and, by the week before any period of shared parental leave that I take, I will have remained in continuous employment with the organisation	
At the date of the child's birth or adoption placement, I [have/will have] the main responsibility, apart from my partner, for the care of the child	
I am entitled to statutory maternity or adoption leave in respect of the child	
I have [complied with the organisation's maternity or adoption leave curtailment requirements/returned to work before the end of my statutory maternity or adoption leave period], and will comply with the organisation's shared parental leave notice and evidence requirements	
<b>The information that I have provided is accurate</b>	

## Appendix 7

<b>I will immediately inform the organisation if I cease to care for the child</b>	
<b>Section C: declaration to be completed by employee's partner</b>	
<b>My name is:</b>	
<b>My address is:</b>	
<b>[My national insurance number is/I do not have a national insurance number]:</b>	
<b>I [satisfy/will satisfy] the following eligibility requirements to enable the mother to take shared parental leave:</b>	
I have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth	
I have average weekly earnings of at least £30 for any 13 of those 66 weeks	
At the date of the child's birth, I [have/will have] the main responsibility, apart from the mother, for the care of the child	
<b>I am the father of the child, or am married to, the civil partner of, or the partner of, the mother or primary adopter.</b>	
<b>I consent to the amount of shared parental leave that the mother or primary adopter intends to take</b>	
<b>I consent to your organisation processing the information provided in this form</b>	
<b>Section D: signatures</b>	

## Appendix 7

<b>Signed (mother or primary adopter):</b>	
<b>Dated (mother or primary adopter):</b>	
<b>Signed (partner):</b>	
<b>Dated (partner):</b>	



## Appendix 8 - Notice of entitlement and intention (partner)

<b>Shared parental leave: notice of entitlement and intention (partner)</b>	
<b>Full Name of LFB employee:</b>	
<b>Job title / Role / Grade:</b>	
I wish to provide the LFB with an initial indication of my proposed shared parental leave, as well as the required declarations from myself and the mother or my partner. I confirm that I have discussed this with my line manager at the time of submitting this notice.	
<b>Section A: information to be provided by employee</b>	
<b>The mother or primary adopter's name is:</b>	
<b>The mother's maternity leave or primary adopter's adoption leave [started/is expected to start] on:</b>	
<b>The mother's maternity leave or primary adopter's adoption leave [ended/is expected to end] on:</b>	
<b>The mother or primary adopter [received/is expected to receive] the following periods of [statutory maternity pay/maternity allowance/adoption pay]:</b>	
<b>My [child's expected week of birth is/child was born on, or adoptive child is placed/expected to be placed]:</b>	
<b>The total amount of shared parental leave the mother/ my partner and I have available is:</b>	
<b>I intend to take the following number of weeks' shared parental leave:</b>	
<b>The mother or primary adopter intends to take the following number of weeks' shared parental leave:</b>	
<b>I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):</b>	

## Appendix 8

<b>The total amount of shared parental pay (if applicable) the mother, or my partner and I have available is:</b>	
<b>I intend to take the following number of weeks' shared parental pay (if applicable):</b>	
<b>The mother or primary adopter intends to take the following number of weeks' shared parental pay (if applicable):</b>	
<b>I intend to take shared parental pay on the following dates (if applicable):</b>	
<b>Section B: declaration to be completed by employee</b>	
<b>I declare that I [satisfy/will satisfy] the following eligibility requirements to take shared parental leave:</b>	
I [have/will have] 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth or adoption placement and, by the week before any period of shared parental leave that I take, I will have remained in continuous employment with the LFB	
At the date of the child's birth, I [have/will have] the main responsibility, apart from the mother or primary adopter, for the care of the child	
I will comply with the organisation's shared parental leave notice and evidence requirements	
<b>The information that I have provided is accurate</b>	
<b>I am the father of the child, or am married to, the civil partner of, or the partner of, the mother or primary adopter</b>	
<b>I will immediately inform the organisation if I cease to care for the child or if the child's mother informs me that she has revoked the curtailment of her maternity leave or pay period</b>	

## Appendix 8

<b>Section C: declaration to be completed by the mother or primary adopter</b>	
<b>My name is:</b>	
<b>My address is:</b>	
<b>[My national insurance number is/I do not have a national insurance number]:</b>	
<b>I [satisfy/will satisfy] the following eligibility requirements to enable my partner to take shared parental leave:</b>	
I 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	
I have average weekly earnings of at least £30 for any 13 of those 66 weeks	
At the date of the child's birth or adoption placement, I [have/will have] the main responsibility, apart from my partner, for the care of the child	
I am entitled to statutory maternity leave, statutory maternity pay, statutory adoption pay or maternity allowance in respect of the child	
I have [curtailed my maternity leave/returned to work before the end of my statutory maternity leave or adoption leave period]	
<b>I consent to the amount of shared parental leave that my partner intends to take</b>	
<b>I will immediately inform my partner if I no longer meet the requirements to curtail my maternity or adoption leave (and pay, if applicable)</b>	
<b>I consent to your organisation processing the information provided in this form</b>	
<b>Section D: signatures</b>	
<b>Signed (partner):</b>	

## Appendix 8

<b>Dated (partner):</b>	
<b>Signed (mother/primary adopter):</b>	
<b>Dated (mother/primary adopter):</b>	
<p><b>Notes</b></p> <p>The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week.</p> <p>This notice is to allow the organisation to check that you are entitled to shared parental leave and to provide the organisation with an initial indication of the shared parental leave pattern that you wish to take. The notice is not binding and you must give the organisation a period of leave notice at least eight weeks before the first period of shared parental leave in that notice that you wish to take. Any periods of shared parental leave that you indicate in this notice can be changed at a later date by giving the organisation a variation notice.</p>	

## Appendix 9 - Maternity and adoption leave curtailment notice

Shared parental leave: maternity and adoption leave curtailment notice	
<b>Name of employee:</b>	
<b>Pay Number:</b>	
<b>Job title/ Role/ Grade:</b>	
I wish to bring my [ordinary/additional] maternity or adoption leave [and statutory maternity or statutory adoption pay] to an end to be able to take shared parental leave. I have also completed a [form providing a notice of entitlement and intention to take shared parental leave/declaration that my partner has provided a notice of entitlement and intention to take shared parental leave to their employer and that I consent to the amount of leave that they intend to take].	
<b>I wish to end my [ordinary/additional] maternity or adoption leave on:</b>	
<b>I wish my statutory maternity or adoption pay period (if applicable) to end on:</b>	
<b>Signed:</b>	
<b>Dated:</b>	
<p><b>Notes</b></p> <p>You should complete and submit this form alongside the Brigade's Shared Parental Leave form: <b>Notice of entitlement and intention (mother or primary adopter)</b> including the declaration that your partner has provided a notice of entitlement and intention to take shared parental leave to their employer and that you consent to the amount of leave that they intend to take.</p> <p>Please think very carefully before you submit this form. Once the form is submitted, you can withdraw your maternity leave curtailment notice only in limited circumstances.</p> <p>The date on which you end your maternity leave must be at least:</p> <ul style="list-style-type: none"> <li>• eight weeks after the date on which you provide this notice to HR Service Centre;</li> <li>• two weeks after you give birth or your child is placed with you for adoption; and</li> <li>• one week before what would have been the end of your additional maternity leave or adoption leave.</li> </ul>	

## Appendix 10 - Period of leave notice

Shared parental leave: period of leave notice	
<b>Name of employee:</b>	
<b>Pay Number:</b>	
<b>Job title/ Role/ Grade:</b>	
I wish to take the following period(s) of shared parental leave. Please complete either section A or section B.	
<b>Section A: please fill out if your child has already been born or if you know the exact dates on which you would like to take shared parental leave.</b>	
<b>I intend to take shared parental leave on the following dates (please include the start and end dates for each period of leave that you intend to take):</b>	
<b>Section B: please fill out if your child has not been born yet and you wish your shared parental leave to start either on the day on which your child is born or placed for adoption, or a specified number of days after the day on which your child is born or placed for adoption.</b>	
<b>I wish my shared parental leave to start [on the day on which my child is born or placed for adoption/the following number of days after the date on which my child is born or placed for adoption]:</b>	
<b>I wish my shared parental leave to end the following number of days after the date on which my child is born or placed for adoption:</b>	
<b>Signed:</b>	
<b>Dated:</b>	

**Notes**

You can request to take shared parental leave in one continuous block (in which case the organisation is required to accept the request as long as you meet the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case you need the organisation's agreement). A maximum of three requests for leave per pregnancy can normally be made by each parent.

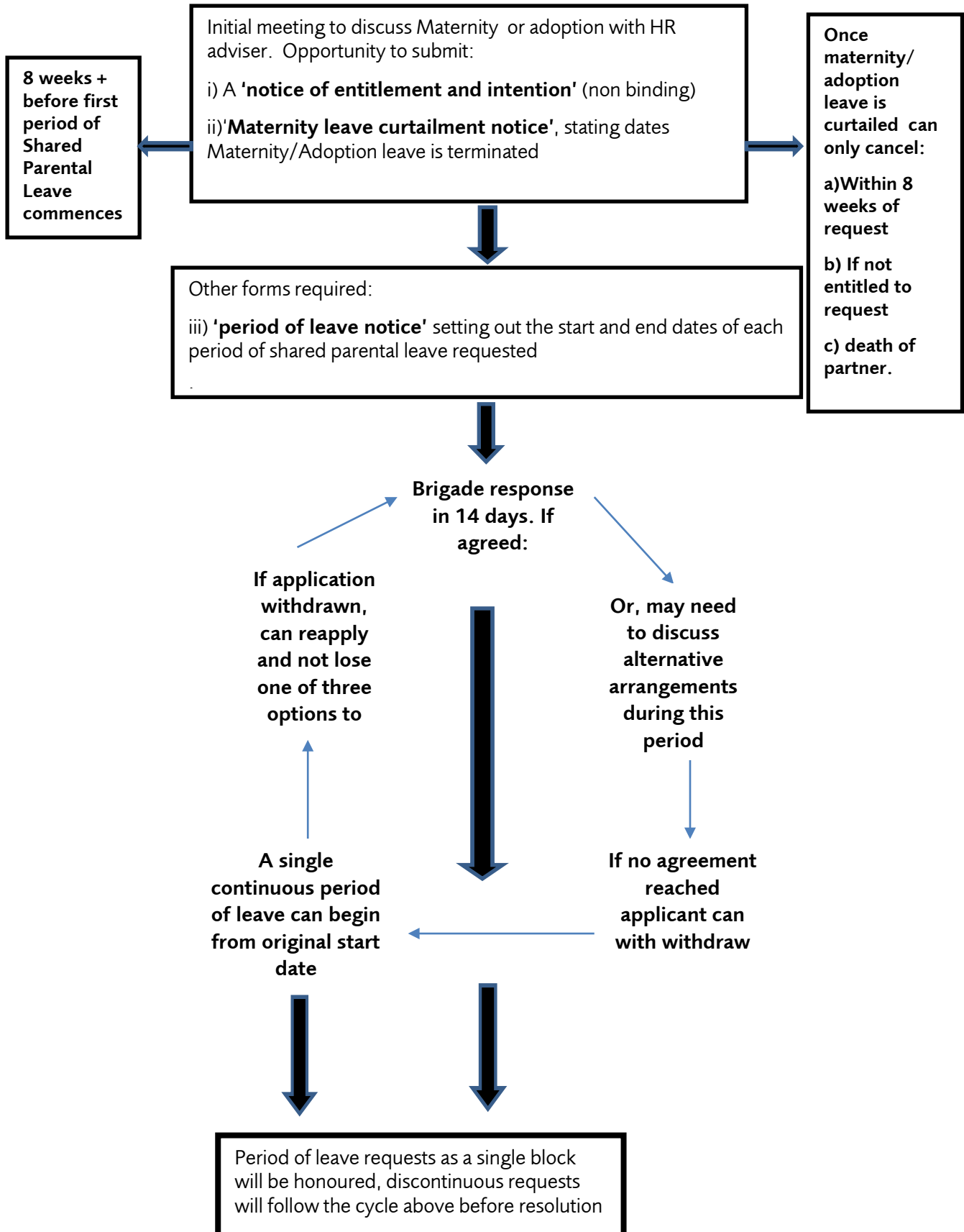
The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice to HRService Centre. Shared parental leave must be taken in blocks of at least one week.

This notice is to confirm to the Brigade the shared parental leave that you intend to take. You must have already submitted a notice of entitlement and intention before using this form.

The organisation recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your shared parental leave before submitting this form, as opportunities to amend requests for shared parental leave are limited. Apart from exceptional circumstances, you can submit a period of leave notice or a notice that you have changed your mind about shared parental leave dates on a combined total of just three occasions.

You and your partner must take any shared parental leave within 52 weeks of the birth or adoption placement of your child.

# Appendix 11 - Agreeing shared parental leave arrangements





## Document history

### Assessments

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

EIA	03/10/19	SDIA	03/10/19	HSWIA	03/10/19	RA	
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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 3 Para 6.1 Page 4 Para 9.3 Page 5 Para 12.1 Page 6 Para 16 and 17	Paragraph updated Paragraph updated. New bullet point added to top of list. New sections - relationship with leave and relationship with sickness added.	16/10/2008
Page 7 Para 13.1	New paragraph on pre-adoption leave.	07/01/2009
Pages 10 to 14 para's 22 to 28	Amendment to policy following legislative changes to maternity/adoption support leave which extended the minimum two week ordinary maternity and adoption support leave to 26 weeks additional maternity/adoption support leave for eligible staff.	01/08/2011
Pages 16-27 Appendices Page 3 Para 3 Page 3 Para 3.1  Page 3 Para 3.2 (a-d) Page 4 Para 3.4  Page 4 Para 4  Page 7 Para 13 to 15  Page 16 – 17 Page 18  Page 19  Page 20	Appendices added to show templates of the forms referenced in the main text of the policy Paragraph updated. Paragraph updated - The requirement for Pregnant staff to be seen by OH automatically, is to be removed. Paragraph updated to clarify the working arrangements options available and how this should be recorded. Reference made to new appendix (appendix 3) listing example duties a pregnant firefighter may be able to carry out. New sections – Undertaking a risk assessment added. Consolidating the Health and Safety arrangements – pregnant staff and maternity returnees into this policy. New sections – Returning to work after a period of maternity leave, refresher training and breastfeeding. Consolidating the Health and Safety arrangements – pregnant staff and maternity returnees and the Breastfeeding policy into this policy. Appendix added – Notification of pregnancy flowchart. Appendix added – to show template of the letter referenced in para 3.4 – page 4. Appendix added – List of suggested duties for a firefighter on light duties due to pregnancy, referenced in para 3.2 (a-d) – page 3. Appendix added – Return to work flow chart referenced in para 13 – page 7.	01/11/2013

<b>Page/para nos.</b>	<b>Brief description of change</b>	<b>Date</b>
Throughout	Minor amendments made to policy, please read through to familiarise yourself with the changes.	12/12/2013
Page 3 para 3.1	A minor amendment has been made to this paragraph.	17/01/2014
Page 8 Para 17.1	Amended wording to reflect notification period required is rounded to end of 15 <sup>th</sup> week, rather than to the day.	23/07/2014
Page 3, para 3.2(b)	Word 'childbirth' removed from sentence as was there in error.	19/08/2014
Page 8, Para 16, & Appendix 11 Page 34	Addition of unpaid leave for ante-natal appointments. EIA & SIA updated.	13/10/2014
Page 34	'Subjects list' table - template updated.	20/11/2014
Throughout Page 11, para 21.1 Page 9, para 14.1	Changes to incorporate introduction of Shared Parental Leave including new Appendices. Amended entitlement for adopting parents to time off. TRIO's role for those returning to work from a break amended to reflect changes to training provision.	07/04/2015
Page 24	Appendix 1 updated contact details from Michelle Remedios to your HR advisor.	28/04/2015
Page 8 Para 11.2 Page 10, Para 18.1 & Page 28, Appendix 5	Additional paragraph to clarify line management notification of KIT days. Amended to reflect that only online forms are accepted for Maternity Support Leave. 'Ordinary maternity support leave application' form removed.	09/03/2016
Throughout	Removal of Additional Maternity Support Leave (AMSL), and Additional Adoption Support Leave (AASL), as they no longer exist, and Appendices 6-9 (supporting paperwork/forms relating to this) Altered terminology/naming of leave types, to omit inappropriate use of the word 'support' and abbreviations.	13/01/2017
Throughout	Reference to PN712 – attendance management policy updated to PN889 – managing attendance policy.	21/02/2017
Page 10, 21.2 Page 12, 28.2	Reformat of bullet points. Leave category amended in line with Jan 2017 changes.	06/03/2017
Page 9, Para 17.1	Additional text to clarify commencement date of MSL.	30/03/2017
Page 23, Appendix 4	Amended Risk Assessment contact details from Michelle Remedios to the local HR adviser.	14/11/2017
Page 9, Para 17.2	Additional text to clarify the pro-rata nature of time off for MSL, one tour is treated as one week.	22/08/2019
Throughout	This policy has been reviewed as current with rank to role changes made throughout. Redrafting of unnecessarily gendered pronouns and other minor re-drafts following input from the Inclusion department; and	15/10/2019

Page/para nos.	Brief description of change	Date
	alterations to team/department names.	
Page 7, Para 12 Throughout	New paragraph covering Premature birth - early birth leave (EBL) and neonatal care leave (NCL) Minor re-drafting including department/team name changes, re-ordering of paragraphs and added links to Government website and LFB form.	11/03/2021

## 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