



Maternity, Paternity and Adoption Policy and Procedure

Policy No. 35

Official – September 2024

People Area	Maternity, Paternity and Adoption Policy and Procedure
Authored by (Responsible Officer):	Senior Head of People
ELT Approved:	4 th October 2024
FBU Consultation:	2 nd April 2024
Unison Consultation:	2 nd April 2024
Executive Committee Approved:	17 th May 2024
CFA Approved:	Not Applicable
Policy Register Review Date:	September 2027
Implementing Officer:	Head of Human Resources

Policy updated 4th October 2024 to reflect the NJC Pay Agreement (as set out in Circular NJC 3/24) relating to the Grey Book pay award effective 1st July 2024.

Policy updated 02nd May 2025 to reflect the legislation introduced from 06th April 2025 under the Neonatal Care (Leave and Pay) Act 2023.

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1. Policy

1.1 Policy Statement

- 1.1.1 Cleveland Fire Authority is an Equal Opportunities Employer that strives for inclusivity and is committed to creating a diverse workforce that is reflective of the communities it serves, whilst protecting individuals from unfair treatment and adhering to legislative requirements.
- 1.1.2 The Authority is committed to providing support mechanisms and measures to help employees to balance their employment requirements and responsibilities with those of their families.

2. Policy Aim

- 2.1 The aim of this Policy and associated procedure is to consolidate the range of provisions available to staff. Specifically, it aims to:
- establish equality of opportunity for all employees regardless of family circumstances
 - prevent an employee being disadvantaged by conditions or requirements that cannot be justified by the requirement of the role
 - positively impact the recruitment and retention of staff
 - support positive morale, engagement, and employment relations
 - support productivity, reduce the number of working days lost and reduce turnover
 - enable access to arrangements that support staff to fulfil their employment without detriment to personal circumstances
 - maintain fair procedures for dealing with individual requirements and requests from employees

3 Scope

- 3.1 The policy and its associated procedure will apply to all employees of the Authority. This Procedure applies to all employees employed on a substantive, fixed term, and temporary basis. It does not apply to self-employed workers or agency staff.
- 3.2 The Authority recognises its duty of care and general responsibilities to support staff in accordance with their statutory entitlements. Considerations will be given to all aspects of employment law to ensure that the Authority is compliant throughout any element of the application of this Policy and Procedure.

3.3 This Policy and Procedure is one of several relating to supporting the balancing an individual's employment with family responsibilities as detailed below:

- Career Break Policy and Procedure No. 18
- Flexible Working Policy and Procedure No.10
- Special Leave Policy and Procedure No. 34

4. Definition and General Principles

4.1 Cleveland Fire Brigade defines the provision within the policy and procedure with reference to:

- legal responsibility for a dependent
- pregnancy and maternity
- paternity leave
- adoption
- IVF
- other circumstances in which time away from work may be sought to support an employee to manage their responsibilities

5. Policy Category

5.1 This policy is categorised as '**Corporate Authority**' within the Key Document Framework.

6. Organising

6.1 **Cleveland Fire Authority** is responsible for:

- approving the Authority's Maternity, Paternity and Adoption Policy

6.2 **Chief Fire Officer** is responsible for:

- developing, maintaining, and reviewing the Authority's Policy and Procedure, and associated arrangements

6.3 **Assistant Chief Fire Officer Strategic Planning and Resources** is responsible for:

- maintaining and developing the framework for the practical application of this Policy and Procedure in line with the Authority's Scheme of Delegation

~~6.4 **Senior Head of People** is responsible for:~~

- ~~• monitoring the application of the policy and procedure~~

6.5 **Head of Human Resources** is responsible for:

- implementing this Policy and Procedure
- monitoring the application of the policy and procedure

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- providing training and development to those involved in the application of the Policy and Procedure
- ensuring that this Policy and Procedure continues to comply with employment legislation
- providing advice and guidance to managers and employees in relation to provision available
- effectively communicating this Policy and Procedure to all staff
- performance managing the maternity, paternity, and adoption arrangements
- maintaining management information and producing regular relevant reports to ELT

6.5 **Heads of Department/ Line Managers** are responsible for:

- operationally managing mechanisms to support such arrangements
- ensuring the fair and consistent application of this Policy and Procedure
- consulting HR on any existing or proposed arrangements relating to maternity, paternity, and adoption provisions

6.7 **Individuals** are responsible for:

- adhering to the requirements of the Policy and Procedure

6.8 **Trade Unions and Representative Bodies** are responsible for:

- supporting the development and implementation of and adherence to this Policy and Procedure

7 **Planning and Implementing**

7.1 This policy is underpinned and implemented through the Authority's Maternity, Paternity and Adoption Procedure at Appendix 1.

7.2 All new staff will be made aware of the Policy and Procedure during their induction and all documents will be accessible via the Brigade's Intranet, The Bridge.

7.3 Existing staff will be informed of this policy and procedure as per the accepted Key Document Framework and it will be accessible via the Brigade's Intranet, The Bridge.

7.4 Where necessary, training for those managers involved in the execution of the Policy will be provided by the Head of HR.

8. **Resource Implications**

8.1 There are people resources required to co-ordinate this Policy and Procedure; most of this work is regarded as core work of the HR Department.

- 8.2 Any identified specific training will be prioritised and resourced through the Brigade's Training Budgets.

9. Equality Impact Assessment

- 9.1 This policy has been assessed in accordance with the Brigade's Equality Impact Assessment Procedure (Attached as Appendix 2)
- 9.2 The findings of the Equality Impact Assessment conclude that this policy and associated procedure does not have a detrimental impact on any group of staff, including those with one or more protected characteristics. Conversely the Policy is considered to provide additional benefits to staff, in the context of the provision to support the management of family responsibilities and pregnancy/maternity.

10. Monitoring

- 10.1 The Senior Head of People will monitor activities under this policy and procedure.

11. Audit

- 11.1 This policy will be audited in accordance with the procedure detailed within the Authority's Key Document Framework.

12. Review

- 12.1 The ACFO SPR will undertake a review of this policy in 2027 to ensure it is taking account of any new or emerging political, social, technological, legislative, environmental, competitive, citizen or reputational factors.

Procedure

1 Introduction

- 1.1 This is the procedure that underpins and implements Cleveland Fire Authority's Maternity, Paternity and Adoption Policy.
- 1.2 This document covers information relating to entitlement of provisions and eligibility criteria. Any questions or clarification on these should be sought from the HR Department.

2. Background

2.1 Employment Law and Best Practice

Consideration will be given to all aspects of employment law to ensure that the Authority is compliant throughout any element of the application of this policy and procedure.

2.2 Employment Rights Act 1996 (section 80F – 80I) and Employment Act 2002

The above regulations relate to the general principles afforded to individuals with employed status in an organisation.

2.3 Data Protection Act 1998/ General Data Protection Regulation (GDPR)

The Authority's records relating to maternity, paternity and adoption provision will be kept confidential and in accordance with the Data Protection Act/ GDPR.

2.4 Part-Time Workers (PTW) (Prevention of Less Favourable Treatment) Regulations 2000

The PTW state that employers cannot treat part-time workers less favourably than their full-time equivalents and cannot subject them to any disadvantage (or detriment) because of their part-time status, unless objectively justified.

2.5 The Equality Act 2010

- 2.5.1 The Equality Act 2010 legally protects people from discrimination in the workplace. It is unlawful to discriminate against people because of any, or all, of the protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, sex, and sexual orientation).
- 2.5.2 The Authority will ensure that direct or indirect discrimination does not occur when applying the procedure for maternity, paternity and adoption leave. Direct discrimination is treating someone with a protected characteristic less favourably than others, whilst indirect discrimination involves the application of rules and/or arrangements in place that apply to everyone but may put someone with a protected characteristic at an unfair advantage.

2.5.3 Under the Disability provisions of the Equality Act the Authority may have to make reasonable adjustments to accommodate an employee who has a disability. HR and Occupational Health, in partnership with departments, will work with managers and individuals in this regard.

~~2.5.3~~

2.6 Neonatal Care (Leave and Pay) Act 2023

~~2.5.4~~ 2.6.1 Under the Neonatal Care (Leave and Pay) Act 2023, from 06 April 2025, parents of babies receiving neonatal care for seven days or more are entitled to neonatal care leave provided the employee meets the eligibility criteria.

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3 Pregnancy and Maternity

3.1 All pregnant employees of Cleveland Fire Brigade (Grey and Green) will be entitled to maternity leave and pay in accordance with the provisions of current legislation,

3.2 **General Maternity Rights** are:

- paid time off for ante-natal care for which evidence of appointments should be requested
- return to the job in which the person was employed, or one of equivalent status, with protected right to pay, conditions and benefits
- two weeks compulsory maternity leave following the birth
- the right to protection from detrimental treatment on the grounds of maternity
- the health and safety implications for pregnant or breast feeding employees will be identified in a workplace risk assessment conducted for each case notified (see SOP E02)

3.3 **Notification**

A pregnant employee should notify the Brigade at least 15 weeks – and preferably as soon as possible before the baby is due. A pregnant employee is required to submit an **Application for Maternity Leave** and must advise:

- Of the Pregnancy; and
- When the expected week (EWC) is; and
- The intended date of maternity leave

3.4 On receipt of notification of pregnancy a risk assessment will be completed by the line manager as soon as possible. The EWC must be confirmed by producing the MATB1 certificate issued by the midwife. Following receipt of this certificate HR will process the relevant arrangements for maternity leave and provide written confirmation (including leave and return dates) to employees.

- 3.5 During the period of pregnancy an employee may request redeployment or alternative work without any loss of salary or status should they feel there is a risk to the unborn child.
- 3.6 Pregnant 'Grey Book' staff will be transferred to modified duties with immediate effect following notification of a pregnancy, for the protection of themselves and their unborn baby. Participation in any operational duties or training may be continued provided that this is permitted within the scope of the individual risk assessment.

Ante-Natal Appointments

- 3.7 All pregnant employees are entitled to reasonable time off with pay to attend clinical antenatal appointments (including travel time). Where possible appointments should be arranged at the beginning or end of the working day to minimise workplace disruption. Proof of appointments is required by the line manager.
- 3.8 This does not include attendance at nonclinical antenatal appointments e.g. relaxation or parent craft classes however local arrangements such as annual leave, annualised hours, or shift swap, may be permitted at the discretion of the line manager.
- 3.9 An expectant partner of a pregnant employee is permitted to take unpaid time off work to attend up to two clinical ante-natal appointments, such as ultrasound scans. Local arrangements such as annual leave, annualised hours, or shift swap, for further appointments may be permitted at the discretion of the line manager.

Maternity Leave

- 3.10 All pregnant employees are entitled to take up to 52 weeks maternity leave regardless of the length of service.
- 3.11 A pregnant employee can choose when to start their maternity leave. This can be any date after the beginning of the 11th week before the baby is due. Maternity leave and maternity pay are separate entitlements. Maternity leave is a single continuous period divided into two types:
- Ordinary Maternity Leave: this is the first 26 weeks of leave
 - Additional Maternity Leave: which lasts for a further 26 weeks and, if taken, must follow immediately after ordinary maternity leave; there cannot be a gap between the two types of leave
- 3.12 Maternity leave can be triggered prior to the date it was due to start, from the beginning of the 4th week before the EWC, by sickness absence caused by the pregnancy or by the birth of the child.

- 3.13 The entitlement for maternity leave and allowances will remain in the event of a still birth or a miscarriage after the 24th week of pregnancy, or a baby being born alive at any point during the pregnancy but not surviving. In such circumstance paid time off will be given to employees to attend counselling.
- 3.14 The employee must notify their line manager of any advice or recommendations suggested by their GP or midwife with regard to their working arrangements.

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Uniform

- 3.15 Maternity wear will be provided to pregnant employees through the Brigade's Stores team.

Maternity Pay

- 3.16 In order to qualify for Statutory Maternity Pay (SMP) an employee must have 26 weeks continuous service by the 15th week before the EWC, and receive the minimum average earnings as set by the Department for Works and Pensions (DWP).
- 3.17 The SMP period is aligned to maternity leave. Employees with at least 1 year's continuous service at the beginning of the 11th week before the EWC will be entitled to:
- Weeks 1- 26: Full pay (inclusive of all allowances and CPD)
 - Weeks 27-39: SMP only
 - Weeks 40-52: Unpaid maternity leave
- 3.18 The pay, as set out in section 3.17, is on the understanding that the employee shall return to work for at least three months. Maternity pay provided may be recoverable if the employee later decides not to return.
- 3.19 Employees with less than 1 year's continuous service at the beginning of the 11th week before the EWC will be entitled to:
- Weeks 1-6: SMP worth 90% of salary
 - Weeks 7- 39: SMP or 90% of earnings if this is less than SMP
 - Weeks 40-52: Unpaid maternity leave
- 3.20 Where an employee does not intend to return following maternity leave and has least 1 year's continuous service at the beginning of the 11th week before the EWC will be entitled to:
- Weeks 1-6: Full pay (inclusive of all allowances and CPD)

- Weeks 7–39: SMP only (where eligible)

3.21 If an employee is not entitled to SMP, Maternity Allowance may be available from the Government. The Brigade will provide the employee with an SMP1 form which can be used to apply for Maternity Allowance from the DWP.

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Pension Contributions

- 3.22 Pension contributions will be deducted from any maternity pay an employee receives, including SMP.
- 3.23 If an employee decides to take unpaid maternity leave pension contributions will not be paid, but they may opt to pay the contributions on their return to work. The decision whether to pay the contributions or not must be made within 30 days of return to work from maternity leave. If an employee does not pay contributions for the unpaid leave this period will not count as service for the purpose of pension calculations.

Keep in Touch (KIT) Days

- 3.24 It is considered useful for an employee to keep in touch with their line manager during a period of maternity leave, and arrangements to achieve this should be discussed before maternity leave begins.
- 3.25 In addition to maintaining general communications during maternity leave, an employee is able to work for up to 10 days (referred to as 'KIT' days) without impacting upon maternity pay. An employee can work these days during any part of the ordinary and/or additional maternity leave, except during the first two weeks after the day of childbirth (which is defined as compulsory maternity leave).
- 3.26 A KIT day can comprise normal duties of the role, training or any other activity undertaken as part of the remit of the job and will be classified as a whole KIT day regardless of the amount of time spent in a work capacity. Whilst the time spent in work will be classified as a full KIT day payment will only be paid for the amount of actual hours worked. It is not permissible for the total payments received, when combining payment for KIT days with income from salary and/or SMP, to exceed normal entitlement.
- 3.27 Employees and their line managers should discuss the implications of any planned work during maternity leave with the Payroll Department before finalising arrangements for KIT days. Depending on the type of work to be undertaken, a risk assessment may need to be carried out.

- 3.28 Any hours/days worked over and above the 10 day entitlement will result in the loss of SMP and should therefore be considered carefully.
- 3.29 KIT days do not extend the period of maternity leave and cannot be carried over to be used after the maternity leave has been concluded.
- 3.30 An employee is under no obligation to agree to KIT days and the Brigade is under no obligation to offer them. Any such work must be by agreement between both parties.
- 3.31 A form to log the number of KIT days used and to claim payment for any time worked can be found on the Brigade's Intranet.
- 3.32 Whilst on maternity leave employees will be given the same opportunities as other employees for promotion and development.

Annual Leave

- 3.33 Annual leave for the year in which the maternity leave will start should be taken prior to the maternity leave commencing.
- 3.34 Annual leave continues to accrue during the Ordinary and Additional Maternity leave periods. In agreement with the line manager any remaining annual leave should be taken during the current leave year once the employee has returned to work.
- 3.35 Payment for leave accrued during maternity leave, but not taken, may be considered when exceeding the statutory entitlement. Holiday entitlement up to the statutory minimum must be taken and payment cannot be made in lieu of these days, however they may be carried over to the following leave year by agreement with line manager.
- 3.36 In the event that an employee does not return to work after a period of maternity leave payment will be made for accrued holidays up to the statutory entitlement.

Returning to Work

- 3.37 An employee is required to advise on the length of maternity leave that they are intending to take, and any proposed changes to this must be communicated as soon as possible and at least 21 days before the change is due to take effect.
- 3.38 An employee returning to work after a period of ordinary maternity leave (the first 26 weeks) are entitled to return to exactly the same job without the loss of status or pay. Employees returning to work after this time have the right to return to the same job or if this is not practicable to a suitable job with terms and conditions on a par with those in place when maternity leave commenced.
- 3.39 Employees wishing to amend their hours on their return to work should make a Flexible Working request as per the Brigade's Flexible Working Policy and Procedure available from the Brigade's Intranet

- 3.40 Firefighters are required to attend an appointment with the Brigade's Occupational Health team to ensure that they are fit enough to return to operational firefighting duties.

Breastfeeding

- 3.41 Employees who return to work and are continuing to breastfeed must notify their line manager prior to their return to work to enable a risk assessment to be undertaken and to ensure the necessary facilities are available.
- 3.42 Operational staff will have their work duties amended whilst breastfeeding as identified within the risk assessment.
- 3.43 Where possible facilities will be provided for the employee to rest and express, and store expressed milk in a private and secure location. Employees will not be permitted to nurse a child on the premises, nor will be afforded paid time off to facilitate breastfeeding other than in exceptional circumstances.

4 Paternity Leave

- 4.1 Employees whose partner is having a baby, adopting a child, or having a baby through surrogacy arrangements may be entitled to statutory leave and pay.
- 4.2 Paternity leave encompasses provisions for same sex partners and the entitlement relates to employees who are:
- the biological father of the child, or married to the mother, or the civil partner or the partner of the child's mother; and/or
 - married to, or be the civil partner or the partner of the child's adopter, or one of a couple jointly adopting a child; and/or
 - have the responsibility for the upbringing of the child

4.3 **If the baby is due before or on 6 April 2024, or before 6 April 2024 for adoptions:**

Employees can choose to take either 1 week or 2 consecutive weeks' leave. The amount of time is the same even if they have more than one child (for example twins).

Leave cannot start before the birth. The start date must be one of the following:

- the actual date of birth
- an agreed number of days after the birth
- an agreed number of days after the expected week of childbirth

Leave must finish within 56 days of the birth (or due date if the baby is early).

The start and end dates are different **if the employee is adopting.**

4.4 If the baby is due after 6 April 2024, or on or after 6 April for adoptions

Employees can take either 1 or 2 weeks' leave. If the employee is taking 2 weeks, they can either be taken consecutively or separately. The amount of time is the same even if they have more than one child (for example twins).

Leave cannot start before the birth. The start date must be one of the following:

- the actual date of birth
- a specified number of days after the birth
- a set date which is after the date of birth

Leave must finish within 52 weeks of the birth (or due date if the baby is early).

The start and end dates are different **if the employee is adopting.**

Paternity Pay

- 4.5 The first week is paid at the employee's normal salary rate and the second week is paid at statutory maternity support pay.

An employee's paternity leave pay can be calculated by using the [maternity and paternity calculator](#).

Extra leave or pay

- 4.6 Employees can get more leave or pay if:
- your partner returns to work, and they qualify for [Shared Parental Leave and Pay](#)
- 4.7 Annual leave will accrue during paternity leave.

5 Shared Parental Leave

- 5.1 Shared Parental Leave (SPL) is aimed at giving parents flexibility over how they share childcare during the first year of the child's life/placement.
- 5.2 Where parents are intending to combine maternity/adoption leave with SPL this section should be read in conjunction with the Pregnancy and Maternity section (2.0).
- 5.3 All eligible staff, including the mother, partner, or adopter, have a statutory right to take SPL and are entitled to share up to a maximum of 50 weeks SPL, combining both paid and unpaid leave, regardless of the number of hours they ordinarily work.
- 5.4 The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave. By reducing maternity/adoption leave – and returning to work

before the full entitlement of 52 weeks has been taken – SPL can be used for the remaining period.

- 5.5 SPL may be taken as a continuous period of leave or as discontinuous periods of leave, in multiples of complete weeks. Continuous leave is a period of leave that is taken in one block e.g. four weeks leave. Discontinuous leave is a period of leave that is arranged around weeks where the employee will return to work e.g. every other week over a period of three months.
- 5.6 SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.
- 5.7 In circumstances when one of the parties of the SPL arrangement is not employed by CFB it is their own responsibility to satisfy the requirements of their employer. Both parties should aim to achieve a coordinated approach to the arrangements being established for SPL.

Eligibility

- 5.8 SPL can only be used by two people:
- the mother/adopter **and**
 - one of the following:
 - the father of the child (in the case of birth) or
 - the spouse, civil partner, or partner of the child's mother/adopter
- 5.9 Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption.
- 5.10 If an employee wishes to take SPL they must notify their employer of their entitlement **at least eight weeks before the start** of any SPL period.
- 5.11 Each parent has to qualify separately to be able to apply for SPL, as detailed in the following Table:

Mother/Adopters Eligibility for SPL (when employed by CFB) <u>OR</u> Partners Eligibility for SPL (when employed by CFB)
Have been continuously employed by CFB for at least 26 weeks by the end of the 15 th week before the expected week of childbirth/placement and remains in continuous employment with CFB until the week before any period of SPL.
Have, at the date of the child's birth/placement, the main responsibility – apart from the partner – for the care of the child.
Is entitled to statutory maternity leave/adoption leave in respect of the child.
Complies with the relevant maternity/adoption curtailment requirements (or has returned to work before the end of statutory maternity/adoption leave), and SPL leave notice and evidence requirements.
In addition, for the Mother/Adopter to be eligible for SPL the partner must:

Have been employed/self-employed in at least 26 of the 66 weeks immediately preceding the expected week of childbirth/placement.
Have average weekly earnings for at least the maternity allowance threshold for any 13 weeks of the 66 weeks.
Have, at the date of the child's birth/placement the main responsibility – apart from the mother – for the care of the child.
In addition, for the partner to be eligible for SPL the mother/adopter must:
Have been employed/self-employed in at least 26 of the 66 weeks immediately preceding the expected week of childbirth/placement.
Have average weekly earnings for at least the maternity allowance threshold for any 13 weeks of the 66 weeks.
Have, at the date of the child's birth/placement the main responsibility – apart from the mother – for the care of the child.
Be entitled to statutory maternity/adoption leave and statutory maternity/adoption pay or maternity allowance in respect of the child.
Comply with the relevant maternity leave or pay curtailment requirements (or have returned to work before the end of statutory maternity leave)

- 5.12 Where the eligibility criteria is met an individual will be entitled to receive Statutory Shared Parental Pay (ShPP) for the remaining period of up to 39 weeks from the start of the maternity/adoption leave.
- 5.13 All contractual benefits with the exception of pay will continue to accrue during the whole period of SPL.
- 5.14 Keeping in touch days are available to support continued communication during periods of SPL.
- 5.15 Annual leave can be used flexibly outside of the SPL; subject to business needs to support effective planning.
- 5.16 Reference to a 'parent' is defined as a person, who is either the:
- a) Mother (the woman who gives birth to a child or the adopter (the adopter means the person who is eligible for adoption leave and/or pay
 - b) Father (the child's biological father or the partner of the mother/adopter)
 - c) Partner (whether of the same or different gender). This can be a spouse, civil partner; or a partner who is living in an enduring relationship with the mother and the child
 - d) They are the intended parent of a child expected by a surrogate.
- 5.17 Following the curtailment of maternity/adoption leave, where the full entitlement to Statutory Maternity Leave or Statutory Adoption Leave has not been used before returning to work, the parents may be eligible to share up to 50 weeks SPL, subject to satisfying the eligibility and notification requirements.

- 5.18 A birth mother must take at least two weeks maternity leave following the birth of a child but can otherwise choose to end their maternity leave at any stage. An adopter must also take a period of at least two weeks' leave after the first day of the statutory adoption but can otherwise choose to end their entitlement at any stage.
- 5.19 A curtailment notice (i.e. where the mother/adopter notifies the employer of the date they plan to cease their maternity/adoption leave and pay) can only be withdrawn if:
- a) it has been issued pre-birth/pre-placement
 - b) there is no entitlement to SPL (either parent)
 - c) the expectant mother/mother/principal adopter's partner dies
 - d) it is done so within 8 weeks of being given or within 6 weeks of the child's date of birth
- 5.20 SPL may be taken any time between the 3rd and 52nd weeks after the child is born/placed for adoption, to end in all cases no later than the child's first birthday, or one year after the child was placed for adoption.
- 5.21 Only one period of SPL will be available irrespective of whether more than one child results from the pregnancy or is placed for adoption.

Applying for SPL

- 5.22 For SPL to start the employee must provide binding notice of the date when they intend to end their maternity/adoption leave, which cannot be changed at a later date, and return to work thereby concluding the maternity/adoption leave.
- 5.23 Each notice of SPL can be for a single block of leave, or the notice may be for a pattern of discontinuous leave involving different periods of leave.
- 5.24 The Authority is obliged to accept and agree to a notice of a continuous block of leave. However, where the notification is for discontinuous blocks of leave the Authority will consider the impact of the arrangements in accordance with operational requirements and respond appropriately.
- 5.25 Depending on the circumstances involved, there are three outcomes available to the Authority once a Shared Parental Leave notification has been received, considered, and discussed.
- 1. confirm a continuous leave period or accept a discontinuous leave request
 - 2. agree a modification to a leave request (an employee is under no obligation to modify a continuous leave notice and will never be put under any pressure to do so)
 - 3. Refuse a discontinuous leave notification.
- 5.26 When a notification has been refused an employee can withdraw their notification on or before the 15th calendar day after the notification was originally made and it will not count as one of their three notifications. If not, they must take the total amount of

leave notified in one continuous block. The employee can choose when this leave period will begin within 19 days of the date the notification was given but it cannot start sooner than the initial notified start date. If they don't, the leave will begin on the starting date stated in the original notification.

- 5.27 In certain situations, an employee's rights and requirements regarding SPL and ShPP may change. In these circumstances the Authority will abide by any statutory obligations.
- 5.28 SPL is a complex area and an employee considering SPL is encouraged to contact their Line Manager and HR to arrange an informal discussion as early as possible regarding their potential entitlement/arrangements.

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6 Adoption

- 6.1 Cleveland Fire Authority recognises that individuals require practical support when undertaking – or preparing to undertake – a process relating to the adoption of a child.
- 6.2 If a couple jointly adopt a child, one may take adoption leave (the “adoptive parent”) and the other parent may be able to take maternity support/paternity leave or shared parental leave.
- 6.3 Adoption leave at Cleveland Fire Brigade applies to an employee defined as an adoptive parent. Adoption leave may be taken when:
- a child starts living with the employee or up to 14 days before the placement date (UK adoptions); or
 - when an employee has been matched with a child for adoption by an adoption agency; or
 - when the child arrives in the UK or within 28 days (overseas adoption)
- 6.4 Employees are entitled to up to 52 weeks of adoption leave, for which there is no qualifying period.
- 6.5 Adoption Pay is paid on the same basis as Maternity Pay, and the same eligibility applies – Refer to 3.16-3.21, page 10. Procedures for keeping in touch, returning to work, annual leave and pension contributions are also the same as the procedures for Maternity -Refer to 3.22-3.40, page 11-12
- 6.6 Employees should notify the relevant line manager within seven days of being told that they have been matched with a child, if this is not possible, they must tell the relevant line manager as soon as possible.

- 6.7 It is the employee's responsibility to provide documentary evidence in the form of a 'matching certificate' from the adoption agency, when requested for the purpose of keeping records.

7 IVF

- 7.1 Cleveland Fire Authority recognises the sensitivity relating to life choices concerning pregnancy and understands that some employees may undergo IVF treatment to assist them in becoming pregnant. Cleveland Fire Authority is committed to providing support to those employees who decide to undertake the process.
- 7.2 An employee undergoing IVF treatment is advised to notify their line manager at the earliest opportunity, and only if they feel comfortable doing so. Information relating to an individual's fertility treatment will be treated in the strictest confidence.
- 7.3 Grey book staff undergoing fertility treatment will be placed on modified duties from the first day of the fertility treatment cycle and will remain so until completion of the cycle and receipt of notification of the outcome. Reasonable adjustments will be made for green book staff undergoing fertility treatment as appropriate.
- 7.4 For employees receiving IVF treatment three paid appointments per cycle of treatment will be provided, limited to one cycle per twelve months and no more than three cycles. This leave is for the purpose of receiving and recovering from fertility treatment and to attend appointments specifically associated with the IVF process (i.e., pre-booked interventions for consultant appointments, collection and delivery of eggs, monitoring tests, etc.). Applications for additional leave, up to a maximum level of 5 in any 12 month period, will be considered on a case by case basis and will be done so sympathetically.
- 7.5 Upon formal confirmation that treatment has been received, a two week paid leave of absence will be given after embryo implantation has taken place.
- 7.6 For employees where it is an essential requirement within the course of treatment for their partner to attend a specific appointment, one paid appointment per cycle will be provided for fertility treatment, limited to one cycle per twelve months and no more than three cycles.
- 7.7 In circumstances where partners are not receiving treatment but would like to attend appointments these will be managed sensitively, and a flexible approach will be applied.
- 7.8 Wherever possible, appointments for the investigation of, and testing for, fertility issues should be arranged outside of normal working hours. Where flexible working arrangements are not practical, time taken during working hours will be treated in the same way as for other doctor/hospital appointments.

- 7.9 Should the members of staff require time off because of the side effects of the treatment, this will be subject to the Brigade's normal sickness absence provisions. Sickness absence associated with IVF will not be regarded as 'pregnancy-related.'
- 7.10 Sickness absence taken following implantation of a fertilised ovum that is related to the procedure itself, will not be counted towards the triggers in the Sickness Absence Policy and will be regarded as 'pregnancy-related.'
- 7.11 Should an employee exhaust the time allowed under this policy, discussion with the individual will help to establish whether alternative arrangements can be applied in accordance with Local Agreements.

8. Parental Leave, Time Off to Care for Dependants and Parental Bereavement Leave

8.1 Please refer to the Brigades' Special Leave Policy.

8—9. Neonatal Care Leave (NCL)

9.1 Cleveland Fire Brigade are committed to sensitively supporting employees in situations where their child is receiving Neonatal Care.

9.2 Neonatal Care Leave (NCL) applies to all permanent and fixed term employees regardless of their length of service for any baby/babies born on or after 06th April 2025. To qualify, the care must have started within 28 days after the date of the child/children's birth.

9.3 An employee can take NCL if they are the child/children's parent, or the employee has responsibility for bringing up the child. Partners of a child's mother will also be entitled to the leave provided they have the main responsibility, apart from the mother, of the upbringing of the child. NCL is not available to grandparents of the child receiving the neonatal care, nor partners of the child's father. NCL is available to adopters, prospective adopters (fostering for adoption arrangements) and overseas adopters, and their partners. In these cases, NCL will only accrue after the child is placed with the employee or, in the case of overseas adoptions, the child enters Great Britain.

9.4 A maximum of 12 weeks of neonatal care leave will be available to parents per pregnancy. A week of neonatal care leave will accrue for each week (period of 7 days) during which a child receives neonatal care without interruption.

9.5 An employee who chooses not to take their NCL while their child is receiving care (or within 7 days afterwards) has the option to take their leave at a later date up to the 68-week cut off. Any weeks of neonatal care leave must be taken within 68 weeks of the child/children's birth. In all cases, the leave must be taken for the purpose of caring for the child.

9.6 The Regulations require less notice if the leave is taken during the 'Tier 1 period'. Tier 1 is defined as the period beginning with the day the child/children started receiving neonatal care and ending with the 7th day after the day the child/children stopped receiving care. During Tier 1, verbal notification is sufficient.

9.7 Leave can start on the day after the first qualifying period and may be taken in non-consecutive weeks. For each week of leave that is taken, notice must be given before the employee is due to start work on the employee's first day of absence from work in that

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week, unless this is not reasonably practicable, in which case notice must be provided as soon as reasonably practicable.

9.8 Leave taken during this 'Tier 2 period' must be taken consecutively. If the employee is only eligible for a single week of leave, notice must be given no later than 15 days before first day of the leave. For two or more consecutive weeks of leave, 28 days' notice must be provided. During Tier 2, written notification must be provided.

9.9 Up to 12 weeks' statutory neonatal care pay (SNCP) will be available for those parents who meet the eligibility criteria (as outlined in above sections). SNCP will be payable at the statutory standard weekly rate, or 90% of normal weekly earnings, whichever is lower. For further information please visit Neonatal Care Pay and Leave: Overview - GOV.UK. Where an employee qualifies for statutory maternity pay, statutory adoption pay or statutory paternity pay, the same criteria used for assessing eligibility for these benefits are used for SNCP. However, if an employee does not qualify for one of these statutory payments, they may still qualify for SNCP as the relevant week for assessing eligibility in these circumstances is the week before NCL starts. An employee would therefore need to have 26 weeks' continuous service by the end of this week and have average earnings of at least the lower earnings limit in the 8 weeks up to the end of this week.

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