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Employers' Secretary, Charles Nolda

**POLICE SUPPORT STAFF
COUNCIL
Employers' Side**

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**To: Clerks to Police Authorities (copy enclosed for Treasurer)
(England and Wales excluding Metropolitan Police)**

**Chief Constables (copy enclosed for Force Personnel Manager)
(England and Wales excluding Metropolitan Police)**

Metropolitan Police and Forces in Scotland (for information only)

10 March 2003

CIRCULAR EMP/1/03

Dear Sir/Madam

EMPLOYMENT ACT – POLICE SUPPORT STAFF (PSSC) HANDBOOK

1. In accordance with the Employment Act 2002, new legislative changes are coming into force for pregnancies with an expected date of childbirth on or after 6th April 2003. As a result the Maternity Scheme as outlined in the current PSSC handbook at Annex 5 will be updated as follows:
 - All employees will have entitlement to 26 weeks' ordinary maternity leave as opposed to 18 weeks at present;
 - Employees with 26 weeks' service at the 15th week before the expected date of childbirth will have entitlement to a further 26 weeks' additional maternity leave which will start at the end of the ordinary maternity leave period i.e. employees will be entitled to leave of 52 weeks in total;
 - Employers are required to notify pregnant employees of the expected date of return assuming they take their full entitlement;
 - Entitlement to statutory maternity pay (SMP) will be extended to 26 weeks, 6 weeks at 9/10th's pay followed by 20 weeks at the basic rate of SMP at an increased level of £100 per week. Therefore under the PSSC agreement the Maternity pay entitlement will be the first 6 weeks 9/10ths of a week's pay offset against SMP payments and (where the intention to return to work has been declared in writing) the subsequent 12 weeks should be paid at half a week's pay. For the remaining 8 weeks the employee will receive their SMP entitlement.

- Changes have also been made to the notification requirements standardising the notification of early return at 28 days (outlined overleaf).
2. The changes to the notification requirements are as follows - Employees must notify their employer of their pregnancy 28 days before their absence begins. Within 28 days of receiving that notice the employer must inform the employee of their expected date of return should they take their full entitlement. Although changes were made to the legislation to require that employees give 28 days' notice of early return no changes were made to the current provisions for notification of early return. These therefore remain unchanged at 7 days in the case of ordinary maternity leave and 21 days in respect of additional maternity leave.
 3. Employees entitled to Maternity Support will receive two weeks pay payable at fixed or earnings-related weekly rate. The current handbook advocates 5 days paid leave for Maternity Support. In order to bring this in line with the Employment Act the Employers Side feel Maternity Support should be continued to be paid at 5 days with the second week SMP.
 4. Discussions on this issue are continuing with the National Trade Union Side on the Joint Review of PSSC Handbook with the intention to incorporate the new provisions of the Employment Act into the forthcoming revised Handbook. If require any further information on this circular please do not hesitate to contact me on 020 7296-6746.

Yours faithfully

Hamish Gardener
For Employers' Secretary