



Your reference: N/A

Our reference: FOI_24_1046

E-mail: FOI
@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 18/12/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_1046

On 21/11/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Greetings Gloucestershire colleagues,

[...]Questions I would like answered under FOI are as follows:

1. Does your force offer full pay under Shared Parental Leave or do you only allow staff and officers to take ShPP (Govt rate of £184 a week)
2. If you do offer qualifying parents to take SPL and at full pay how long do you offer it for?
3. If your force does offer full pay under SPL was this decision in line with your forces commitment to equal pay and opportunities for your workforce.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Following receipt of your request, I can confirm that your request has sent to the relevant department who has been confirm the following:

1. Eligible individuals may be entitled to take up to 37 weeks ShPP pay while taking SPL. The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance period. Please note that in claiming SPL pay allowance any maternity allowances will stop on commencement of SPL pay. As this is paid at a statutory rate individuals should be aware that this may be at a lesser rate than maternity benefits might have been payable; in the early parts of leave.

ShPP may be payable during some or all of SPL, depending on the length and timing of the leave. In addition to meeting the eligibility requirements for SPL, an individual seeking to claim ShPP must further satisfy each of the following criteria:

- the mother/adoption must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;
- the individual must intend to care for the child during the week in which ShPP is payable;
- the individual must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions;
- the individual must remain in continuous employment until the first week of ShPP has begun;
- the individual must give proper notification in accordance with the rules set out below.

Where an individual is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give their line manager/supervisor written notice advising of their entitlement to ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL. This notification should be forwarded immediately to People Services Centre.

In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:

- the start and end dates of any maternity/adoption pay or maternity allowance;
- the total amount of ShPP available, the amount of ShPP the individual and their partner each intend to claim, and a non-binding indication of when the individual expects to claim ShPP;
- a signed declaration from the individual confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the organisation should they cease to be eligible.

It must be accompanied by a signed declaration from the individual's partner confirming:

- their agreement to the individual claiming ShPP and for the organisation to process any ShPP payments to the individual;
- (in the case whether the partner is the mother/ adopter) that they have reduced their maternity/adoption pay or maternity allowance;
- (in the case whether the partner is the mother/ adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

Any ShPP due will be paid at a rate set by the Government for the relevant tax year.

2. Eligible individuals may be entitled to take up to 50 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother's/adoption's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL. A mother/adoption may reduce their entitlement to maternity/adoption leave by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.

If the mother/adopter is not entitled to maternity/adoption leave but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL. This is calculated by deducting from 52 the number of weeks of SMP, SAP or MA taken by the mother/adopter.

SPL can commence as follows:

- the mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child;
- The adopter can take SPL after taking at least two weeks of adoption leave;
- The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).

Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements.

SPL will generally commence on the individual's chosen start date specified in their leave booking notice, or in any subsequent variation notice.

3. please see above

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer

