

**POLICE STAFF  
COUNCIL (PSC)  
EMPLOYERS' SIDE**

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**To: Force Personnel/HR Manager/Payroll Manager**  
**Cc: Police and Crime Commissioners**

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8 June 2018

**PSC PAY AND REWARD REVIEW**

**PSC HANDBOOK – MATERNITY PROVISIONS**

Dear Sir/Madam

As part of the agreement on the revised terms and conditions in the PSC Handbook, implemented on 1 April 2017, you will be aware that there were enhancements to the provisions in section five (maternity leave and pay).

Following advice from Counsel on the maternity provisions, the Employers Side's position and advice was that these enhancements should take effect for any employee pregnant on or after 1 April 2017 which was confirmed to you on 19 July 2017 (EMP 5, 2017). This position was challenged and disputed by the Trade Union Side which claimed that the new arrangements should apply for all those employees pregnant within a 18 week period on 1 April 2017 and that employers would be liable for the unlawful deduction of wages. As a result of this, grievances were lodged in some forces and subsequently this led to applications to resolve disputed claims in Employment Tribunals.

In April of this year an Employment Tribunal was held to consider disputed claims brought against Greater Manchester Police, Lancashire Police and Cheshire Police. The claimants were successful in their action with the result that it was ruled that they were entitled to the enhanced maternity pay rates set out in the 2017 Police Staff Handbook between 1 April 2017 and the expiry of their 18th week of maternity leave. As a result of this judgment which we received last month we would now advise that you review how you have applied the provisions to any eligible staff and ensure that the enhanced rate is paid to any employee commencing the 18 week maternity leave period as of 1 April 2017.

This will not apply to you if you have varied this provision through a local collective agreement.

Yours sincerely



David Algie  
Employers' Side Secretariat