**Family Friendly Policy**

**Change History**

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| Issue | Date | Summary of Changes | Initial |
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**Family Friendly Policies and Procedures**

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**1. Introduction**

1.1 This purpose of this Policy and Procedure is to outline family friendly provisions as they apply to Hethel Innovation Ltd (HIL) employees.

1.2 These policies do not form part of your contract of employment and may be amended at any time.

**2. Antenatal and Adoption Appointments**

2.1 You have the statutory right to take time off to attend antenatal appointments and adoption appointments.

2.2 If you are pregnant you may take reasonable paid time off during working hours for antenatal appointments. You should try to give us as much notice as possible of the appointment. Unless it is your first appointment, we may ask to see a certificate confirming your pregnancy and an appointment card. Partners may take unpaid time off to accompany the pregnant woman to two appointments if they have a qualifying relationship with the woman or child.

2.3 If you are adopting a child you may take time off to attend an adoption appointment once you have been notified that that a child (or children) is to be placed with you but before they are actually placed with you. Each adopting couple will need to decide who is to be treated as the primary adopter and who is to be treated as the secondary adopter for the purposes of time off and will need to notify us of your decision when requesting time off. Primary adopters may take reasonable paid time off on up to five occasions in relation to any particular adoption (whether that be to adopt one or more children) and secondary adopters can take unpaid time off on two occasions.

2.4 Please give us as much advanced warning of appointments as you can. We reserve the right to ask for evidence of booked appointments. More leave or pay will be at our sole discretion.

**3. Maternity Pay and Provisions**

**3.1 Introduction**

All pregnant employees, i.e. those working under a contract of employment are entitled to take up to 52 weeks Statutory Maternity Leave (SML).

SML is made up of 26 weeks’ Ordinary Maternity Leave (OML) followed immediately by 26 weeks’ Additional Maternity Leave (AML). An employee must take a minimum of two weeks’ leave after the birth of her child (Compulsory Maternity Leave).

In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. Please refer to our SPL schemes for eligibility and further details.

HIL operates two maternity pay schemes:

* Statutory Maternity Pay (SMP) which is paid by HIL
* Occupational Maternity Pay (OMP) which is paid by HIL in accordance with the National and Local Conditions of Service.

Depending on the length of the employee’s service she may have entitlement under one or both of these schemes. If the employee does not have entitlement to SMP or OMP, she would have access to Statutory Maternity Allowance through the Department of Work and Pensions.

**3.2 Notification and Confirmation of Maternity Leave**

To qualify for maternity leave, the employee should notify their line manager as soon as possible and no later than the end of the 15th week before the expected week of childbirth (EWC) in writing. This letter will confirm:

* the fact that she is pregnant
* the expected date of the baby’s birth
* the date that she intends to start her maternity leave, which cannot be earlier than the beginning of the 11th week before the EWC (the expected date of birth is given on the MAT B1 form that she receives from her registered GP or midwife to confirm her pregnancy.) The date her maternity leave starts can be changed with 28 days notice of the change, prior to when it was originally due to start.

It should be noted that the qualifying week for SMP is the 15th week before the week the baby is due and the qualifying week for OMP is the 11th week before the week the baby is due.

We will write to you within 28 days to confirm your expected start date. You will normally start on this date. However, it may start earlier if you give birth before your Intended Start Date, or if you are absent for a pregnancy-related reason in the last four weeks before your Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.

Shortly before your maternity leave is due to start we will discuss with you your leave and the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave.

**3.3 Eligibility Criteria for SMP**

To receive SMP, an employee must satisfy the following conditions:

* have been continuously employed by HIL for at least 26 weeks, at the start of the 15th week before the baby is due. This 15th week is known as the qualifying week (expected week of childbirth EWC).
* have average earnings of not less than the Lower Earnings Limit for payment of National Insurance Contributions in a defined period.  The defined period is calculated based on the last normal pay day prior to the 15th week before the baby's birth date, then goes back 8 weeks from there to establish the averaging period.
* still be pregnant at the 11th week before the week the baby is due or have had the baby by that time.
* have provided medical evidence (the MATB1) of the date the baby is due at least 28 days before the maternity absence is due to start, and have stopped work.

If the employee satisfies these conditions, she qualifies for SMP. The medical evidence referred to above will normally be the MAT B1 certificate provided by the registered GP or midwife.

If an employee is not entitled to SMP, HIL will issue the employee with a form SMP1 explaining why she is not entitled to SMP and how she can claim State Maternity Allowance (SMA) from the Jobcentre Plus. Managers will need to check if the employee receives this, because any entitlement to SMA is offset against the amount of any

Occupational Maternity Pay she may qualify for. The original MAT B1 form should be returned to the employee and a copy kept for the personnel file.

**3.4 Notification and Confirmation of Statutory Maternity Pay (SMP)**

The start date of SMP is normally the same as the start of maternity leave and most employees will give notice for both at the same time.

Statutory maternity pay (**SMP**) is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks SMP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year.

**3.5 Eligibility Criteria for Occupational Maternity Pay (OMP)**

The Occupational Maternity Scheme applies to pregnant employees regardless of the number of hours worked per week.

To qualify for OMP, the employee must have completed at least 1 years’ continuous service by the 11th week before the date the baby is due. They must also confirm in writing prior to their maternity leave starting that they intend to return to work for at least 12 weeks.

If an employee has less than 1 years’ continuous service at the 11th week before the date her baby is due, then she will not qualify for OMP, but will still get SMP or SMA (Statutory Maternity Allowance) as appropriate.

**3.6 Rates of Occupational Maternity Pay (OMP)**

OMP will be paid for 18 weeks (but the SMP total payment period extends to 39 weeks). Payments will be calculated as follows:

* For the first six weeks of absence, the employee will receive SMP at 9/10 of a week’s average pay.
* For the same 6-week period described above, the employee will receive 1/10 of their weekly contractual pay as OMP.
* For the next 12 weeks, the employee will also receive half a week’s contractual pay as OMP (in addition to any entitlement to SMP or MA provided the two combined do not exceed full pay).
* This is followed by a further 21 weeks at the lower rate SMP provided the eligibility criteria is fulfilled.

As a qualifying condition for OMP, (irrespective of whether there have been any agreed changes in working hours) the employee will be required to return to employment for a period of at least 12 weeks. If she does not return she will be asked to repay the OMP (but not SMP.

**3.7 During Maternity Leave**

With the exception of terms relating to pay, your terms and conditions of employment remain in force during both ordinary and additional maternity leave.

Holiday entitlement will continue to accrue during maternity leave. If your maternity leave will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your maternity leave can be carried over within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting your maternity leave. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we shall make employer pension contributions during OML and any period of paid AML, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any maternity pay you are receiving, unless you inform the Human Resources Department that you wish to make up any shortfall.

**3.8 Keeping in Touch Days**

We may make reasonable contact with you from time to time during your maternity leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work. You may work (including attending training) on up to ten "keeping-in-touch" days during your maternity leave. This is not compulsory and must be discussed and agreed with your line manager. You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any maternity pay entitlement.

**3.9 Returning To Work**

You must return to work on the Expected Return Date unless you tell us otherwise. If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the Expected Return Date if you request annual leave or parental leave, which will be at our discretion.

You are normally entitled to return to work in the position you held before starting maternity leave, and on the same terms of employment. However, if you have taken AML and it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

If you want to change your hours or other working arrangements on return from maternity leave you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible. If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

**4. Adoption Pay and Provisions**

**4.1 Introduction**

This policy assumes that individuals and couples adopting a child through a UK adoption agency.

Eligibility for Adoption Leave and Statutory Adoption Pay (SAP) will be based on the date the employee is matched with a child. This must be confirmed by the ‘matching certificate’, which will be issued by the adoption agency.

Where a couple is adopting, they will be able to choose which of them will take adoption leave. The other member of an adopting couple will be eligible to take Paternity Leave, providing they meet the eligibility criteria for paternity leave. Where an individual adopts they will be the parent eligible for adoption leave.

In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. Please refer to our SPL schemes for eligibility and further details.

The adoptive parent is automatically entitled to a period of 26 weeks ordinary adoption leave and 26 weeks additional adoption leave.

**4.2 Eligibility Criteria for Adoption Leave**

To qualify for Adoption you must meet the following conditions:

* + - * 1. You are adopting a child through a UK or overseas adoption agency.
        2. The adoption agency has given you written notice that it has matched you with a child for adoption and tells you the date the child is expected to be placed into your care with a view to adoption (**Expected Placement Date**).
        3. You have notified the agency that you agree to the child being placed with you on the Expected Placement Date.
        4. Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave).

An employee’s period of adoption leave is unaffected by the placement of more than one child as part of the same arrangement.

**4.3 Notification of Intention to Adopt**

Employees are encouraged to informally notify their manager that it is their intention to take adoption leave as soon as they are approved for adoption, although it is recognised that it is unlikely a date of commencement of leave will be known at this stage.

**4.4 Confirmation of Adoption Leave**

Not more than seven days after the agency notifies you in writing that it has matched you with a child (or where that is not reasonably practicable, as soon as reasonably practicable), you must give us notice in writing of the Expected Placement Date, and your intended start date for adoption leave. We will then write to you within 28 days to inform you of your expected return date assuming you take your full entitlement to adoption leave. Once you receive the matching certificate issued by the adoption agency, you must provide us with a copy.

OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later. If you want to change your Intended Start Date please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward). We will then write to you within 28 days to tell you your new expected return date.

**4.5 Eligibility Criteria for Statutory Adoption Pay (SAP)**

Statutory adoption pay (**SAP**) is payable for up to 39 weeks provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks SAP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year.

**4.6 Eligibility for Occupational Adoption Pay (OAP)**

The primary adopter taking adoption leave will be entitled to Occupational Adoption Pay under the same conditions and at the same rate as those taking maternity leave.

**4.7 During Adoption Leave**

SECTION STILL NEED TO BE COMPLETED

**4.8 Keeping In Touch Days**

We may make reasonable contact with you from time to time during your adoption leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work. You may work (including attending training) on up to ten "keeping-in-touch" days during your adoption leave. This is not compulsory and must be discussed and agreed with your line manager. You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any adoption pay entitlement.

**4.9 Returning from Adoption Leave**

You must return to work on the expected return date unless you tell us otherwise. If you wish to return to work early, you must give us at least eight weeks' notice of the date. It is helpful if you give this notice in writing. You may be able to return later than the expected return date if you request annual leave or parental leave, which will be at our discretion.

You are normally entitled to return to work in the position you held before starting adoption leave, on the same terms of employment. However, if you have taken AAL and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

If you want to change your hours or other working arrangements on return from adoption leave you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

**5. Paternity Pay and Provisions**

**5.1 Introduction**

This policy outlines when an employee may be entitled to paternity leave and paternity pay, and sets out the arrangements for taking it.

In some cases you and your spouse or partner may be eligible to opt into the shared parental leave (**SPL**) scheme which gives you more flexibility to share the leave and pay available in the first year. Please refer to our SPL schemes for eligibility and further details.

Paternity leave is a period of one or two weeks' consecutive leave taken when a child is born or placed with you for adoption. You can start your leave on the date of birth or placement, or later, provided it is taken within eight weeks (56 days) of the birth or placement.

**5.2 Eligibility Criteria for Paternity Leave and Pay**

Paternity leave is available on the birth of a child if you have been continuously employed by us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth and either:

* + - * 1. you are the biological father and will have some responsibility for the child's upbringing; or
        2. you are the partner (that is, spouse, civil partner or cohabiting partner) of the mother, and will have the main responsibility (with the mother) for the child's upbringing; or
        3. the child is born to a surrogate mother where you are, or your partner is, one of the child's biological parents, and you expect to obtain a parental order giving you and your partner legal responsibility for the child.

Paternity leave is available where a child is placed with you for adoption by an adoption agency, if you have been continuously employed by us for at least 26 weeks ending with the week in which the agency notifies you that you have been matched with a child.

**5.3 Notification of Ordinary Paternity Leave**

An employee must give notice that they wish to take paternity leave by giving written notice by the end of the 15th week before the EWC or as soon as reasonably practicable. This includes:

* the EWC
* the length of leave chosen to take i.e. whether you wish to take one week or two weeks’ leave.
* the date on which they intend to begin leave

An employee wishing to commence leave on a predetermined date must give 28 days notice of the date on which they intend to begin their paternity leave or as soon is reasonably practicable.

**5.4 Statutory Paternity Pay**

SPP is payable provided you have at least 26 weeks' continuous employment ending with the **Qualifying Week** (the 15th week before the Expected Week of Childbirth or the week in which the adoption agency notified you of a match) and your average earnings are not less than the lower earnings limit set by the government each tax year. The rate of SPP is set by the government each tax year.

**5.5 During Paternity Leave**

All the usual terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay. Holiday entitlement will continue to accrue during paternity leave. If your paternity leave continues into the next holiday year, any remaining holiday that cannot reasonably be taken before your paternity leave can be carried over to the next holiday year and must be taken within three months of returning to work unless your manager agrees otherwise.

If you are a member of our pension scheme, we will make employer pension contributions during paternity leave, based on your normal salary, in accordance with the scheme rules. Any employee contributions you make will be based on the amount of any paternity pay you are receiving, unless you inform Human Resources that you wish to make up any shortfall.

**6. Shared Parental Leave (Birth) Policy**

**6.1** This policy outlines the arrangements for shared parental leave and pay in relation to the birth of a child. If you are adopting a child please see the Shared Parental Leave (Adoption) Policy instead.

**6.2 Frequently Used Terms**

The definitions in this paragraph apply in this policy.

1. **Expected week of childbirth (EWC)**: the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born.
2. **Parent**: One of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).
3. **Partner**: your spouse, civil partner or someone living with you in an enduring family relationship, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.
4. **Qualifying Week**: the fifteenth week before the EWC.

**6.3 What is Shared Parental Leave?**

Shared parental leave (**SPL**) is a form of leave that may be available if your child is expected to be born on or after 5 April 2015. It gives you and your partner more flexibility in how to share the care of your child in the first year after birth than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

**6.4 Entitlement to SPL**

You are entitled to SPL in relation to the birth of a child if:

* + - * 1. you are the child's mother, and share the main responsibility for the care of the child with the child's father or with your partner;
        2. you are the child's father and share the main responsibility for the care of the child with the child's mother; or
        3. you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

* + - * 1. you must have at least 26 weeks continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
        2. the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC and had average weekly earnings of at least £30 during 13 of those weeks; and
        3. you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth.

If you are the child's father or the mother's partner, you should consider using your two weeks' paternity leave before taking SPL. Once you start SPL you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement.

**6.5 Opting In to Shared Parental Leave and Pay**

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice giving:

* + - * 1. your name and the name of the other parent;
        2. if you are the child's mother, the start and end dates of your maternity leave;
        3. if you are the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period;
        4. the total SPL available, which is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken;
        5. how many weeks of the available SPL will be allocated to you and how many to the other parent (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
        6. if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of the SMP or MA period taken or to be taken);
        7. how many weeks of available ShPP will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
        8. an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
        9. declarations by you and the other parent that you both meet the statutory conditions to enable you to take SPL and ShPP.

**6.6 Ending Your Maternity Leave**

If you are the child's mother and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your maternity leave (a **curtailment notice**) before you can take SPL. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme or a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

The other parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have given the curtailment notice.

The curtailment notice is binding and cannot usually be revoked. You can only revoke a curtailment notice if maternity leave has not yet ended and one of the following applies:

* + - * 1. if you realise that neither you nor the other parent are in fact eligible for SPL or ShPP, in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
        2. if you gave the curtailment notice before giving birth, you can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or
        3. if the other parent has died.

Once you have revoked a curtailment notice you will be unable to opt back into the SPL scheme, unless (b) above applies.

**6.7 Ending your Partner's Maternity Leave or Pay**

If you are not the mother, but the mother is still on maternity leave or claiming SMP or MA, you will only be able to take SPL once she has either:

* + - * 1. returned to work;
        2. given her employer a curtailment notice to end her maternity leave;
        3. given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
        4. given the benefits office a curtailment notice to end her MA (if she is not entitled to maternity leave or SMP).

**6.8 Booking Your SPL Dates**

Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.

The period of leave notice can either give the dates you want to take leave or, if the child has not been born yet, it can state the number of days after birth that you want the leave to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth and wish to take SPL straight afterwards.

Leave must be taken in blocks of at least one week.

If your period of leave notice gives a single continuous block of SPL you will be entitled to take the leave set out in the notice.

If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out below.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

**6.9 Procedure for Requesting Split Periods of SPL**

In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your manager and HR in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

* + - * 1. choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
        2. withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case the notice will not be counted and you may submit a new one if you choose).

**6.10 Changing the Dates or Cancelling your SPL**

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.

You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date or the new end date, whichever is earlier.

You can combine discontinuous periods of leave into a single continuous period of leave. Since this will involve a change to the start date or end date of a period of leave, see above which sets out how much notice is required.

You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see above which set out how much notice is required for the request.

A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:

* + - * 1. it is a result of your child being born earlier or later than the EWC;
        2. you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period.
        3. it is at our request; or
        4. we agree otherwise.

**6.11 Premature Birth**

Where the child is born early (before the beginning of the EWC), you may be able to start SPL in the eight weeks following birth even though you cannot give eight weeks notice. The following rules apply:

* + - * 1. If you have given a period of leave notice to start SPL on a set date in the eight weeks following the EWC, but your child is born early, you can move the SPL start date forward by the same number of days, provided you notify us in writing of the change as soon as you can. (If your period of leave notice already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary.)
        2. If your child is born more than eight weeks early and you want to take SPL in the eight weeks following birth, please submit your opt-in notice and your period of leave notice as soon as you can.

**6.12 Shared Parental Pay**

You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SMP or MA claimed by you or your partner) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid by employers at a rate set by the government each year.

You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

**6.13 Other Terms During Shared Parental Leave**

Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

Holiday entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that before starting your leave can be carried over and must be taken immediately within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Human Resources Department that you wish to make up any shortfall.

**6.14 Keeping in Touch**

We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during maternity leave. KIT days are not compulsory and must be discussed and agreed with your line manager.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any shared parental pay entitlement.

**6.15 Returning to Work**

If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If have already given us three period of leave notices you will not be able to end your SPL early without our agreement.

If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written period of leave notice at least eight weeks before the date you were due to return to work. If you have already given us three period of leave notices you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our Parental Leave Policy), subject to the needs of the business.

You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

* + - * 1. if your SPL and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
        2. if you took SPL consecutively with more than four weeks of ordinary parental leave.

If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

**7. Shared Parental Leave (Adoption) Policy**

7.1 This policy outlines the arrangements for shared parental leave and pay in relation to the adoption of a child. If you or your partner are pregnant or have given birth please see the Shared Parental Leave (Birth) Policy instead.

**7.2 Frequently Used Terms**

The definitions in this paragraph apply in this policy.

1. **Partner**: your spouse, civil partner or someone living with you in an enduring family relationship at the time the child is placed for adoption, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.
2. **Qualifying Week**: the week the adoption agency notifies you that you have been matched with a child for adoption.

**7.3 What is Shared Parental Leave?**

Shared parental leave (**SPL**) is a form of leave that may be available where a child is placed with you and/or your partner for adoption on or after 5 April 2015.

It gives you and your partner more flexibility in how to share the care of your child in the first year after birth than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

**7.4 Entitlement**

You may be entitled to SPL if an adoption agency has placed a child with you and/or your partner for adoption, or where a child is placed with you and/or your partner as foster parents under a "fostering for adoption" or "concurrent planning" scheme. You must intend to share the main responsibility for the care of the child with your partner.

The following conditions must be fulfilled:

* + - * 1. you must have at least 26 weeks continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
        2. your partner must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the Qualifying Week and had average weekly earnings of at least £30 during 13 of those weeks; and
        3. you and your partner must give the necessary statutory notices and declarations as summarised below, including notice to end adoption leave or statutory adoption pay (**SAP**).

Either you or your partner must qualify for statutory adoption leave and/or SAP and must take at least two weeks of adoption leave and/or pay.

If your partner is taking adoption leave and/or claiming SAP, you may be entitled to two weeks' paternity leave and pay (see our Paternity Leave Policy). You should consider using this before taking SPL. Paternity leave is additional to any SPL entitlement you may have, but you will lose any untaken paternity leave entitlement once you start a period of SPL.

The total amount of SPL available is 52 weeks, less the weeks of adoption leave taken by either you or partner (or the weeks in which your partner has been in receipt of SAP if they were not entitled to adoption leave).

**7.5 Opting In to Shared Parental Leave and Pay**

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice which includes:

* + - * 1. your name and your partner's name;
        2. if you are taking adoption leave, your adoption leave start and end dates;
        3. if you are not taking adoption leave, your partner's adoption leave start and end dates, or if your partner is not entitled to adoption leave, the start and end dates of their SAP;
        4. the total SPL available, which is 52 weeks minus the number of weeks' adoption leave or SAP taken or to be taken by you or your partner;
        5. how many weeks of the available SPL will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
        6. if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of SAP taken or to be taken);
        7. how many weeks of the available ShPP will be allocated to you and how many to your partner (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
        8. an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
        9. declarations by you and your partner that you both meet the statutory conditions to enable you to take SPL and ShPP.

**7.6 Ending your Adoption Leave**

If you are taking or intend to take adoption leave and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your adoption leave (a curtailment notice). The notice must state the date your adoption leave will end. You can give the notice before or after adoption leave starts, but you must take at least two weeks' adoption leave.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme or a written declaration that your partner has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

If your partner is eligible to take SPL from their employer they cannot start it until you have given us your curtailment notice.

The curtailment notice is binding on you and cannot usually be revoked. You can only revoke a curtailment notice if your adoption leave has not yet ended and one of the following applies:

* + - * 1. if you realise that neither you nor your partner are in fact eligible for SPL or ShPP, in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
        2. if your partner has died.

Once you have revoked a curtailment notice you will be unable to opt back in to the SPL scheme.

**7.7 Ending your Partner's Adoption Leave or Pay**

If your partner is taking adoption leave or claiming SAP from their employer, you will only be able to take SPL once your partner has either:

* + - * 1. returned to work;
        2. given their employer a curtailment notice to end adoption leave; or
        3. given their employer a curtailment notice to end SAP (if they are entitled to SAP but not adoption leave).

**7.8 Booking Your SPL Dates**

Having opted into the SPL system, you must book your leave by giving us a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.

The period of leave notice can either give the dates you want to take SPL or, if the child has not been placed with you yet, it can state the number of days after the placement that you want the SPL to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of placement and wish to take SPL straight afterwards.

Leave must be taken in blocks of at least one week.

If your period of leave notice gives dates for a single continuous block of SPL you will be entitled to take the leave set out in the notice.

If your period of leave notice requests split periods of SPL, with periods of work in between, we will consider your request as set out below.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

**7.9 Procedure for Requesting Split Periods of SPL**

In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your manager and HR in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

* + - * 1. choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
        2. withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case it will not be counted and you may submit a new one if you choose).

**7.10 Changing the Dates or Cancelling Your SPL**

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.

You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date or the new end date, whichever is earlier.

You can combine discontinuous periods of leave into a single continuous period of leave. Since this will involve a change to the start date or end date of a period of leave, see above which set out how much notice is required.

You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see above which set out how much notice is required for the request.

A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:

* + - * 1. the variation is a result of the child being placed with you earlier or later than the expected placement date;
        2. you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period.
        3. the variation is at our request; or
        4. we agree otherwise.

**7.11 Shared Parental Pay**

You may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SAP claimed by you or your partner) provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year.

You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

**7.12 Other Terms During Shared Parental Leave**

Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

Holiday entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken within three months of returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Human Resources Department that you wish to make up any shortfall.

**7.13 Keeping in Touch**

We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during adoption leave. KIT days are not compulsory and must be discussed and agreed with your line manager.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any shared parental pay entitlement.

**7.14 Returning to Work**

If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If you have already given us three period of leave notices you will not be able to end your SPL early without our agreement.

If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written notice at least eight weeks before the date you were due to return to work. If you have already given us three period of leave notices you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our Parental Leave Policy), subject to the needs of our business.

You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

* + - * 1. if your SPL and any adoption or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
        2. if you took SPL consecutively with more than four weeks of ordinary parental leave.

If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

8. Parental Bereavement Leave Policy

This policy sets out the arrangements for parental bereavement leave, which is a type of compassionate leave intended to help employees deal with the death of a child or a stillbirth after at least 24 weeks of pregnancy.

**8.1 Entitlement to Parental Bereavement Leave**

You may be entitled to parental bereavement leave if your child or a child in your care has died or been stillborn after 24 weeks of pregnancy. Parental bereavement leave can be one week, two consecutive weeks, or two separate weeks. It can be taken at any time during the first 56 weeks after the child's death.

Further compassionate leave may be available at our discretion. Please speak to your manager if you require further time off in addition to parental bereavement leave.

**8.2 Parental Bereavement Pay**

You may qualify for statutory parental bereavement pay (SPBP) during parental bereavement leave if:

* + - * 1. you have at least 26 weeks' continuous employment ending on the Saturday before the child died; and
        2. you earn at least the lower earnings limit for class 1 national insurance contributions.

SPBP is only payable in respect of whole weeks of leave, at the same rate as statutory paternity pay. The rate is set by the government each tax year.

**8.3 Leave in the First Eight Weeks**

In the first eight weeks after a child has died, there is no need to give advance notice to take parental bereavement leave. Please notify your line manager as soon as you can on the day you want your leave to start, preferably before the time you would normally start work, where possible. Someone can do this on your behalf if necessary.

If you have already started work, then your parental bereavement leave period will start on the following day. We would usually allow you to take the rest of the day off as compassionate leave.

You can cancel any planned parental bereavement leave in the first eight weeks by telling us at any time before the leave starts, and no later than the time you would normally start work on the first day of the leave period. You cannot cancel leave once it has started.

**8.4** **Leave After More Than Eight Weeks**

To take parental bereavement leave more than eight weeks after the child has died, please give your line manager at least a week's notice. Parental bereavement leave can be cancelled with a week's notice, and can be re-booked by giving a week's notice.

**8.5 Written Confirmation**

We may ask you to confirm the following information in writing within 28 days of starting any period of parental bereavement leave:

* + - * 1. your name;
        2. the date the child died or was stillborn;
        3. the dates of paid or unpaid parental bereavement leave taken; and
        4. your relationship to the child.

**9. Parental Leave Policy**

9.1 This policy summarises the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.

**9.2 Entitlement to Parental Leave**

To be eligible for parental leave, you must:

* + - * 1. have at least one year's continuous employment with us;
        2. have or expect to have responsibility for a child; and
        3. be taking the leave to spend time with or otherwise care for the child.

You have responsibility for a child if you are the biological or adoptive parent or have legal parental responsibility in some other way, for example under a court order.

Eligible employees are entitled to take up to 18 weeks' parental leave in relation to each child.

You must tell us of any parental leave you have taken while working for another employer as this counts towards your 18-week entitlement.

**9.3 Taking Parental Leave**

In most cases, parental leave can only be taken in blocks of a week or a whole number of weeks, and you may not take more than four weeks' parental leave a year in relation to each child. Parental leave can be taken up to the child's 18th birthday.

Special rules apply where your child is disabled, which for these purposes means entitled to a disability living allowance, armed forces independence allowance or personal independence payment. You can take parental leave in respect of that child in blocks of less than one week. However, there is still a limit of 4 weeks a year for each child and 18 weeks in total for each child.

**9.4 Notification Requirements**

You must notify your line manager of your intention to take parental leave at least 21 days in advance. It would be helpful if you can give this notice in writing. Your notification should include the start and end dates of the requested period of leave.

If you wish to start parental leave immediately on the birth of a child, you must give notice at least 21 days before the expected week of childbirth.

If you wish to start parental leave immediately on having a child placed with you for adoption, you should give notice at least 21 days before the expected week of placement, or if this is not possible, give as much notice as you can.

**9.5 Evidence of Entitlement**

We may ask to see evidence of:

* + - * 1. your responsibility or expected responsibility for the child such as birth certificate, adoption or matching certificate, parental responsibility agreement or court order.
        2. the child's date of birth or date of adoption placement.

**9.5 Our Right to Postpone Parental Leave**

Although we will try to accommodate your request for parental leave, we may postpone your requested leave where it would unduly disrupt our business (for example, if it would leave us short-staffed or unable to complete work on time).

We will discuss alternative dates with you, and notify you in writing of the reason for postponement and the new start and end dates, within seven days of receiving your request for parental leave.

We cannot postpone parental leave if you have requested it to start immediately on the birth or adoption of a child.

We cannot postpone parental leave for more than six months, or beyond the child's 18th birthday (if sooner).

**9.6 Terms and Conditions During Parental Leave**

Parental leave is unpaid. Your employment contract will remain in force, and holiday entitlement will continue to accrue. You will remain bound by your duties of good faith and confidentiality, and any contractual restrictions on accepting gifts and benefits, or working for another business.

**10. Time Off for Dependents Policy**

The law recognises that there may be occasions when you need to take time off work to deal with unexpected events involving one of your dependants. This time off for dependants policy gives all employees the right to take a reasonable amount of unpaid time off work to deal with certain situations affecting their dependants.

**10.1 Reasonable Unpaid Time Off**

You have a right to take a reasonable amount of unpaid time off work when it is necessary to:

* + - * 1. provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
        2. make longer-term care arrangements for a dependant who is ill or injured;
        3. take action required in consequence of the death of a dependant;
        4. deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant (such as a child-minder falling ill); and/or
        5. deal with an unexpected incident involving your child while a school or another educational establishment is responsible for them.

A **dependant** for the purposes of this policy is:

* + - * 1. your spouse, civil partner, parent or child;
        2. a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee; or
        3. anyone else who reasonably relies on you to provide assistance, make arrangements or take action of the kind referred to above.

This policy applies to time off to take action which is necessary because of an immediate or unexpected crisis. This policy does not apply where you need to take planned time off or provide longer-term care for a dependant. If this is the case, you should take advice from your line manager.

Whether action is considered necessary will depend on the circumstances, including nature of the problem, the closeness of the relationship between you and the dependant, and whether anyone else is available to assist. Action is unlikely to be considered necessary if you knew of a problem in advance but did not try to make alternative care arrangements.

Reasonable time off in relation to a particular problem will not normally be more than two days. However, we will always consider each set of circumstances on their facts.

**10.2 Exercising the Right to Time Off**

You will only be entitled to time off under this policy if, as soon as is reasonably practicable, you tell your line manager:

* + - * 1. the reason for your absence; and
        2. how long you expect to be away from work.

If you fail to notify us as set out above, you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.

We may in some cases ask you to provide evidence for your reasons for taking the time off, either in advance or on your return to work. Suspected abuse of this policy will be dealt with as a disciplinary issue under our Disciplinary Procedure.