

WCA Maternity and Paternity Policy

Part 1: Policy Details

1. What does this policy cover?

You'll find everything related to our procedures for maternity and paternity leave and pay. It includes details of your statutory rights.

Almost all of the rights covered by this policy apply to each period of pregnancy and subsequent leave, and not to each baby. This means, for example, that the rights covered and the periods of leave for twins (or more) are the same as those for just one baby.

2. Who does it apply to?

All employees. It does not apply to other workers or self-employed contractors.

3. It is not part of your employment contract

This policy is not part of your employment contract. We, **Windsor Christian Action**, may amend this policy at any time.

4. Important acronyms and their meanings

Employment law contains a lot of technical terms and acronyms. To make life easy, we've defined all the acronyms here, as well as where they arise for the first time in our policy.

EWC

Expected Week of Confinement (or the week in which a pregnant woman is due to give birth)

Qualifying Week

The 15th week before the Expected Week of Confinement (EWC)

MA

Maternity Allowance. This is the name of the social security benefit payable for up to 39 weeks to women who are not entitled to statutory maternity pay (SMP) because they are either low-paid or self-employed. If you are ineligible for SMP, we will give you a completed HMRC Form SMP1, which will enable you to claim MA.

SMP

Statutory Maternity Pay. This is the legal minimum pay that women are entitled to receive from their employers while on maternity leave.

KIT days

'Keeping In Touch' days. The days where those on leave can come into the office and get themselves up to speed with what has been happening at work and can start to prepare for their return

Part 2: Pregnancy

1. Informing us of your pregnancy

You are not obliged to tell us that you are pregnant before the end of your Qualifying Week. We do, however, encourage all pregnant employees to tell us as early as they feel able to. The sooner we are aware, the earlier and better we are able to provide appropriate support to those employees, in terms of ensuring their comfort, appropriate workload allocations, assessing and acting on any additional health and safety needs and helping to manage their absence and any work-schedule anxieties around check-ups and scans, etc.

To be eligible for maternity leave and Statutory Maternity Pay (SMP), pregnant employees must give **Jane Deakin, Secretary, WCA**, written confirmation of the following key information, before the end of their Qualifying Week, (which is the 15th week before the Expected Week of Confinement (EWC)):

- a. Confirmation that you are pregnant. A copy of your form MATB1 (also commonly known as the Maternity Certificate) will suffice. This is the form that your midwife or doctor will sign and provide to you at the first antenatal appointment after your 20-week scan. Alternatively, you can obtain a copy from your doctor. This form contains the confirmed date you are expected to give birth. You should provide this form to us as soon as possible after you receive it.
- b. The week the baby is due; and
- c. Your proposed maternity leave start date
- d. That you intend to start claiming your SMP.

In return for you supplying this information, we will reply normally within 28 days setting out when your full maternity leave will end. Failure to give adequate notice will be disregarded if it was not reasonably practicable for you to notify us correctly and in time – for example, because you failed to realise that you were pregnant, or you only started working for us after notification was due. In such cases, you should notify us as soon as reasonably practicable, i.e. when you find out that you are pregnant or start work.

You may change your start date (c) – but if you want to bring it forward, you must give at least 28 days' notice before your new start date.

If you want to take your original start date back, you must give at least 28 days' notice before the original start date. You may

further vary the start date using the same procedure, but you must notify each change in writing.

2. Attending scans and antenatal appointments - mothers

Pregnant employees are entitled to paid time off for antenatal appointments and they may attend these appointments during working hours.

Any appointments must have been arranged on the advice of your GP, midwife or health visitor with a nurse or doctor.

Legally, you are only entitled to 6.5 hours off work for each appointment (which includes travelling and waiting time); but if you need more time, please discuss it with us.

We are allowed to ask you to provide us with as much notice of these appointments as you're able to give so that we can make appropriate arrangements for cover in your absence and help to support you in making these appointments on time. We are entitled to ask to see confirmation of any such appointments.

We are entitled to ask you to produce a certificate from your GP, midwife or health visitor for the second and subsequent appointments confirming your pregnancy and an appointment card verifying the nature of the appointment.

3. Attending scans and antenatal appointments – ‘qualifying relationship partners’

If you are:

- a. The baby's father
- b. The pregnant woman's spouse, or
- c. The pregnant woman's partner

you have what is known as a **'qualifying relationship'** with the pregnant woman or the unborn child.

This means that you are entitled to unpaid time off to accompany the pregnant mother to a maximum of **two** antenatal appointments per pregnancy. The same entitlement applies if you are having the child by a surrogate mother.

You must give us as much notice as possible of these appointments.

Time off to attend any further appointments must be requested as time off for holiday (which will be managed in the usual way - as laid out in our Holiday policy) or unpaid leave, which must still be authorised by **Jane Deakin, Secretary WCA**.

We are entitled to ask you to provide us with evidence, in the form of a signed statement, setting out the date and time of each antenatal appointment. Your statement must also confirm that:

- a. You are in a relevant 'qualifying relationship' with the mother (and you will need to specify which type (father, spouse, partner)
- b. The purpose of the leave is exclusively to accompany the mother to her antenatal appointment
- c. The mother needs to attend the appointment, which has been organised, in the normal course of pregnancy check-ups, with a doctor or midwife.

4. Health and safety at work

Some types of job may pose a potential risk to an employee's health and safety during her pregnancy.

If your job is identified as one which may carry such risks, we will notify you and you can rest assured that we will take all reasonable measures to eliminate those risks.

If you have any concerns about your health and safety, you should speak to **Jane Deakin**.

Part 3: Maternity leave

Your entitlement to maternity leave

However long you have worked for the business, and regardless of the number of hours that you typically work, you may take up to 52 weeks of maternity leave made up as follows:

- a. 26 weeks of what's called 'ordinary' maternity leave (OML), and
- b. 26 weeks of 'additional' maternity leave (AML).

Your rights during the AML are different from those during OML and this is explained in more detail in this section.

Note that your entitlement to take maternity leave is not the same as your right to receive maternity pay. We've explained more about this in the maternity pay section below.

Start date

The earliest you can start your maternity leave is 11 weeks before your EWC (remember this is the Expected Week of Confinement, or the week in which your baby is due).

You can start your maternity leave any time within those 11 weeks.,

As explained above, mothers can change their start dates. If you decide to change the start date after you have given us the usual notification (according to the pregnancy notification procedure set out above), you must let us know in writing at least 28 days before the earlier of the original or the revised start date.

Your maternity leave may start earlier than the date you first identified to us, if:

- a. you need to take time off work, for pregnancy-related reasons, at any time in the four weeks leading up to your EWC,
or
- b. if your baby is born prematurely. The latest day that leave can begin is on the day after your baby is born.

Don't worry if this happens – this is not unusual. All you need to do in these circumstances is to inform us (ideally in writing), as soon as you are able, of your need to take leave earlier, or of the baby's unexpectedly early arrival. We will then provide you with the paperwork to record the official start date within 28 days.

End date

We will calculate this for you and we will confirm your latest return date to you in writing within 28 days of you notifying us that you are pregnant.

This will be the date that you must return to work if you take up your full maternity leave entitlement.

Of course, you do not have to take your full entitlement (and we cover your entitlement and arrangements for returning to work in more detail below). However, by law, you are not allowed to return to work within 2 weeks of your baby being born. (This is called 'compulsory maternity leave').

If you change your start date, giving us the 28-day notice required, we will write to you within 28 days of you giving us the new date, to confirm the new date for your maternity leave to end (assuming you take your full entitlement).

Pay - are you entitled to it?

Not everyone is entitled to SMP. To be eligible for SMP:

- a. You must have been employed by Windsor Christian Action
- b. for at least 26 weeks by the end of your Qualifying Week. In essence, this means you should have been one of our employees for just over nine months by the time the baby is due
- c. Your average weekly earnings must be at or above the National Insurance Lower Earnings Limit (We calculate average weekly earnings on the basis of your earnings in the eight weeks that end with your Qualifying Week.)

NOTE:

You must give at least 28 days' notice that you intend to claim SMP (or as much notice as possible), and you must still be pregnant or have already had your baby 11 weeks before the EWC (due date).

If you are not eligible for SMP, we will provide you with a completed form (HMRC Form SMP1) to enable you to claim Maternity allowance. You may claim this as soon as you have been pregnant for 26 weeks and payments can start 11 weeks before your baby is due.

You must provide us with medical evidence of the week that baby is due and the actual week of birth no later than the end of the 3 week of the statutory pay period unless we accept there was good reason not to do so.

Pay – what do you get?

We will pay Statutory Maternity Pay (**SMP**) for up to 39 weeks of maternity leave. It is paid at a rate of:

- a. 90% of your average weekly earnings for the first six weeks, and
- b. the standard SMP rate for the remaining 33 weeks.

The standard rate is set by the government, and we will confirm to you how much you will receive. If your average weekly earnings fall below the standard rate, we will pay SMP at 90% of your average weekly earnings for all of your maternity leave.

Tax and National Insurance contributions will be deducted in the normal way from your SMP.

Employee benefits and accruing holiday entitlement

All of your contractual benefits (except pay), will continue to be available to you, as usual, while you are on maternity leave. Your pay will differ, as explained below.

You will also continue to accrue holiday entitlement in the normal way. If you are due any holiday before your maternity leave begins, we encourage you to take it where practical.

Keeping in touch

During your maternity leave, we may want to contact you on occasion; for example, so that we can discuss arrangements for your return, ensure that you're kept abreast of new opportunities and/or remind you about training opportunities or ongoing qualification criteria (if relevant). You do not have to consent to this – and if you would rather that we did not make this contact with you, please let us know this in writing.

We will also offer you the choice to attend what are called 'Keeping in Touch' days (**KIT days**). These are up to 10 working days that you can attend while you are on maternity leave, at a rate of pay that we will agree with you before you return to work.

These days may be used to help you ensure you keep a qualification valid, to include you in key meetings, to ensure you don't miss out on training days, appraisals or any consultation meetings.

You are not obliged to attend work on all or any of these KIT days and your decision will not affect your right to maternity leave and/or statutory maternity pay (SMP). These are known as Keeping In Touch days (also known as KIT days).

Planning to return to work

Unless you intend to return to work sooner than your 52 weeks' entitlement, you don't need to tell us when you're coming back. We will already have confirmed your return date with you before you go/went on leave.

If you choose to return earlier than that date, you'll need to give **Jane Deakin** at least 8 weeks' written notice of your intention. If you don't give us this length of notice, we may delay your return to work by up to eight weeks – or until the end of your maternity leave if that's earlier.

If you return to work immediately after your period of 'ordinary maternity leave' expires, (i.e. at the end of the first 6 months of your leave), you are entitled come back to the same job that you had with us before on the same terms and conditions.

If you decide to return after this period, (during months 7-12), we are not obliged to guarantee that your previous role will still be available. Instead, we may offer you a similar job to the one you previously held (which is both suitable and appropriate), if it is not reasonably practical for you to resume the exact same one. Your terms and conditions will be unchanged.

If returning to work poses a risk to you

Some types of job may pose a potential risk to an employee's health and safety as a new mother or because they are breastfeeding.

If your job is identified as one of these roles, we will notify you and you can rest assured that we will take all reasonable measures to eliminate those risks.

If you have any concerns about your health and safety, you should speak to **Jane Deakin**.

Deciding not to return to work

If you decide not to come back to work after your maternity leave ends, you must inform us in writing as soon as possible. Your employment contract contains the directions you must follow when giving us that written notice.

Back at work

We are committed to making your return to work as smooth as possible for you. As soon as you return, **your manager** will meet with you to discuss what has happened in your absence and ensure you're up to date and that you feel included. You will also have the opportunity to talk about other matters, such as breastfeeding, or arrangements to enable you to express milk during working hours.

Part 4: Paternity leave

Your entitlement to Paternity Leave

By law, if you are eligible, you can take paternity leave for a maximum of two weeks, after the birth of the child and in order to care for and support the baby and its mother.

Eligibility for paternity leave

To be eligible for paternity leave:

- a. you must have worked for **Windsor Christian Action** for at least 26 weeks by the end of the 15 week before the EWC (due date for the baby), and
- b. you must be one of the following:
 - a. the baby's biological father with main responsibility, together with the mother, for the child's upbringing and welfare, or
 - b. the baby's biological father, with some clearly agreed responsibility for the child's upbringing and welfare, or
 - c. the mother's partner, and you are expected to have the main responsibility, together with the mother, for the child's upbringing and welfare.

We may request that you provide evidence of your paternal status.

Requesting paternity leave

If you qualify for paternity leave and want to request it, you must tell **Jane Deakin**, in writing and by the end of the 15 week before the baby's due date (the Qualifying Week), or as soon as possible:

- a. The EWC (due date)
- b. Whether you would like to take one or two weeks' paternity leave, and
- c. When you would like it to start. (You can change this date by giving us 28 days' notice (or as much as you can)).

Start date and how you can take the leave

Your paternity leave must be taken within 56 days of the birth. If the baby comes early, the time starts running from due date and not from the actual date of its birth.

You do not have to take the full two weeks. However, unless we have expressly agreed to a different arrangement, you can take a single week's paternity leave or two consecutive weeks, but not separate weeks or as odd days.

Pay – are you entitled to it during paternity leave?

By law, you are entitled to what is called 'Statutory Paternity Pay'. This is the lower sum of:

- a. a fixed weekly rate set by the government, or
- b. 90% of your average weekly earnings.

Tax and National Insurance contributions are deducted in the usual way.

Benefits and accruing holiday entitlement

All the terms and conditions not relating to pay in your employment contract will continue to apply during your paternity leave, including the accrual of holiday entitlement.

Returning to work after paternity leave

When you return from paternity leave, you have the right to the same job with the same terms and conditions as you had before your paternity leave began.

Part 5: Shared parental leave (ShPL)

What is ShPL?

Shared Parental Leave is a period of leave which the parents can share as they see fit. It gives you and your partner greater flexibility with childcare arrangements in the first year of the child's life. It allows you both share the statutory maternity leave entitlement between you and potentially to benefit from shared parental pay (SSP – which is described later in this section).

You can take it in blocks of time and if you wish to do so, provided you give us the relevant notices and details of your dates and intentions, you should be able to alternate those blocks between you to balance both time at home and time at work.

Your entitlement to ShPL

Provided that you are both eligible, ShPL enables you to split the 52 weeks of leave to which a mother is entitled between the two of you. But, as a minimum, the mother must take any period of compulsory maternity leave. This means that you could both take time off at the same time, or you could choose to take it consecutively.

The 52 weeks will in fact be reduced by:

- a. The statutory 2 weeks immediately after the birth that the mother is legally obliged to take
- b. Any maternity leave that the mother took before or after the baby was born.

But, the 52 weeks are in addition to the 2 weeks of paternity leave to which the father or partner is legally entitled.

Your eligibility for ShPL

You or your partner may be eligible for ShPL if:

- a. You are the mother and share the main childcare responsibility with the child's father or your partner, OR
- b. You are the father and share the main childcare responsibility with the child's mother; OR
- c. You are the mother's partner and share the main childcare responsibility with the mother in place of the father;
AND
- d. You have worked for us for at least 26 continuous weeks by the end of the Qualifying Week and you will still be employed by us before you take ShPL; AND
- e. The other parent:
 - a. has worked at least 26 of the 66 weeks before the EWC (due date) – this can be as an employee or self-employed – and
 - b. had weekly earnings averaging at least £30 during 13 of those weeks; AND
- f. You and the other parent fulfil the notice and other requirements detailed below.

We may also request the following from you:

- a. A copy of your child's birth certificate, or a signed declaration of the date and place of birth (if you have yet to get the birth certificate) and/or
- b. Contact details for the other parent's employer, or a declaration that they do not have an employer. **NOTE:** If your child is adopted, then we are entitled to ask for evidence of the adoption of the child by your spouse/partner (including the name/address of the adoption agency), and a declaration that they have elected to receive received Statutory Adoption pay. (See also Part V11 below.)

Start date

If you're the mother, you cannot start ShPL until the end of the compulsory maternity leave period. This is usually two weeks after birth.

The child's father, or the mother's partner, may want to consider using their two weeks' paternity leave before starting ShPL, since once ShPL starts, entitlement to any paternity leave not already taken is lost.

If your baby arrives early (before the start of the EWC), we may agree to you starting ShPL early also, even if this means that you have not been able to give us 8 weeks' notice of your intentions (which is the notice generally required). Before we can agree to this earlier start date, you must:

- a. write to tell us as soon as possible if your 'period of leave' notice gave us a set date within the 8 weeks following the EWC for your ShPL to start, and you now want to move the date forward by the same number of days. Once we receive this written request, we should be in a position to agree, or
- b. give us your opt-in notice and 'period of leave' notice as soon as possible, if you don't yet have a set date but want to

take ShPL in the eight weeks following birth and your baby arrives early.

If, however, you had a start date of a set number of days – rather than a set date – after the birth in your ‘period of leave’ notice, you do not need to do anything. You may start the leave early without further need to notify us.

Step 1: Requesting ShPL – the ‘ShPL Opt-in Notice’

There’s a fair amount of paperwork involved in requesting ShPL and some important notice periods and deadlines. We have set these out in the sections that follow.

If you have any questions about how this applies in your case, however, please speak with **Jane Deakin** as soon as you can so that we can assist you.

At least 8 weeks before you want the ShPL to begin, you must inform us in writing that you want take this leave (called opting in to the SHPL scheme.)

The written notice must be provided to **Jane Deakin**, and within it, you must include the following details:

- a. Both parents’ names
- b. The start and end dates of the mother’s maternity leave (or the SMP or MA start and end dates, if the mother is not eligible for maternity leave)
- c. How many weeks of ShPL is available (52 weeks minus maternity leave, SMP or MA already taken by the mother, or due to be taken)
- d. How many weeks ShPL you intend to take and how many the other parent will take. (You can change this by telling us in writing, and you do not have to take your full allowance.)
- e. The total Statutory Shared Parental Pay (**ShPP**) available (39 weeks minus the number of weeks of SMP or MA already taken, or due to be taken)
- f. How many weeks of the ShPP available is to be allocated to you, and how many to the other parent. (You can change this by writing to us, and you do not need to use all your allocation.)
- g. The arrangements for leave you want to take, with start and end dates for each block of leave. (Although this is not binding, it will help us if you give us as much information as possible.)
- h. Signed declarations from both you and the other parent that you are both eligible to claim ShPL and ShPP.

Step 2a: cutting short maternity leave – the ‘curtailment notice’

If you’re the child’s mother, then at the same time as you supply the ShPL opt in notice, (i.e. at least 8 weeks before you want to take up the ShPL), you must also provide **Jane Deakin** with written notice that you intend to bring your maternity leave to an end.

This written notice is called a ‘curtailment notice’ and must clearly state the date on which you intend your maternity leave to end. That date cannot be any earlier than 2 weeks after your baby is born.

We must receive this curtailment notice or you will not be able to take ShPL.

Step 2b: written declaration where your partner is taking the ShPL

If it is your partner taking the ShPL, you must provide **Jane Deakin** with a written declaration that their employer has received an ShPL opt-in notice from your partner, and that all the necessary declarations have been made.

Your partner may be able to take ShPL from their employer before your maternity leave ends, but only if:

- a. we have received your curtailment notice to end your maternity leave and/or your SMPor
- b. you have given the benefits office a curtailment notice ending your Maternity Allowance (MA) or
- c. you have returned to work.

The legal status of curtailment notices and whether you can revoke one

Curtailment notices are legally binding and cannot usually be revoked. You can only revoke one if:

- a. you are still on maternity leave and it has not yet finished AND
- b. you meet one of the following applies:
 - a. You find out that neither you nor the other parent is eligible for ShPL or ShPP. (If this happens, you can revoke the curtailment notice by writing to us any time up to eight weeks after it was given.)
 - b. The curtailment notice was issued before the birth of your baby, and you are revoking it in writing within the six weeks after the birth
 - c. The child's other parent has died.

If you choose to revoke a curtailment notice, you cannot opt back into the scheme you've revoked, except if you have provided the notice to us before the birth and it is revoked in writing within 6 weeks after the birth.

Step 3: actioning the ShPL

If you've followed the steps above, you've now opted into the ShPL scheme.

Next, you need to provide us with what's called 'a period of leave notice', so that you can get that time booked off.

Ideally, we recommend that you provide us with this notice at the same time as the ShPL opt-in notice and the curtailment notice, but in any event, you should provide it at least 8 weeks before you want the first period of ShPL to begin.

Within the 'period of leave' notice itself, you can either give us specific dates or the number of days after the birth that you want ShPL to start and finish.

You may prefer the second option if the father intends to take paternity leave as soon as the baby is born and wants ShPL to run on from it.

You must take ShPL in blocks of at least one week at a time and you are automatically entitled to take a single continuous block of ShPL.

We will also consider any request for separate (alternating) blocks of ShPL, on the basis of the following:

- a. You may lodge up to 3 'period of leave' notices, which may allow you to take up to three separate ShPL blocks with periods at work in between. If you later reschedule or cancel one of the blocks, it nevertheless counts towards your three notices. A cancellation will cause any agreed right to take up that particular block of time to expire.
- b. You should discuss your proposed intentions with **Jane Deakin** as early as possible and before you submit your formal 'period of leave' notice. This will make it easier for us to consider allowing you to take ShPL in more than one block and to take steps, if we are able, to accommodate it within the business.
- c. You must ensure that we have the necessary detail of these proposed alternating, separate blocks of leave in your period of leave notice. We will then:
 - a. either agree immediately to your request, or
 - b. we will start a discussion period with you that will last for up to two weeks.

If we reach agreement, we will confirm this in writing before the end of that two-week period. If are unable to agree, you can take all the ShPL you asked for in one continuous block, beginning on the start date you gave us in your notice.

For example, if you asked for three separate three-week periods, you can combine them into one continuous 9-week leave period.

- d. As an alternative to (c) above, if we do not immediately agree to what you have proposed, the following approach could also be followed during the 2-week discussion period:
- a. You choose a new start date and inform us of it within 5 days of the 2-week discussion period ending. The new date has to be at least eight weeks after the start date of the first of the blocks you asked for, or
 - b. You withdraw the period of leave notice and inform us within 2 days of the 2-week discussion period ending. This will not be counted as a 'period of leave' notice, and you are free to submit a fresh one

Changing ShPL arrangements, once they've been agreed

Requests for changes must be made in writing to **Jane Deakin** and made within the relevant statutory time frames, as follows:

- a. Cancelling a period of ShPL: must be requested at least eight weeks ahead of the relevant block start date
- b. Changing a start date for a period of ShPL: must be requested at least eight weeks before whichever is the earlier of the original and new start dates
- c. Changing the end date for a period of ShPL: must be notified to us at least eight weeks before whichever is the earlier of the original or new end dates
- d. Combining blocks of ShPL into one continuous period: you will need to give us the new start or end date, whichever is relevant, within 8 weeks.
- e. Splitting a continuous period of ShPL into two or more periods separated by periods at work: you will need to tell us the new start or end date.

We may not be able to agree, but we will consider your request as if you had asked for separate blocks of ShPL in the first place.

If you request a change to, or cancellation of, a block of leave, we will count this as one of your three 'period of leave' notices, unless your request is triggered by one of the 3 exceptions to this legal rule:

- a. You're requesting the change because your baby was born earlier or later than the EWC
- b. You're cancelling a request for separate blocks of leave within two days of the two-week discussion period ending
- c. We ask you to make the change.

Statutory Shared Parental Pay (SSPP) – what do you get?

When you give us your 'period of leave' notice (or notices), you must notify us that you intend to claim ShPP while you are on ShPL.

(You can also write to us at least 8 weeks before the date you want us to start paying your ShPP, if you have not already told us in a 'period of leave' notice.)

We will pay you Statutory Shared Parental Pay for up to 39 weeks of ShPL, provided that:

- a. You have at least 26 weeks' continuous employment with us at the end of the Qualifying Week (the 15 week before the EWC, i.e. the due date), and
- b. Your average earnings are not less than the lower earnings limit set each tax year.

We will pay this at the rate set annually by the government, minus any SMP or MA already claimed by either you or your partner.

Employee benefits and accruing holiday entitlement

All of your contractual benefits (except pay) will continue to be available to you, as usual, while you are on ShPL.

Annual leave will continue to accrue at the rate set out in your contract. If your ShPL continues into the next holiday year, any

holiday entitlement that cannot reasonably be taken before stating your leave may be carried over [and must be taken immediately before returning to work unless your manager agrees otherwise].

If you are due to take any holiday before your ShPL begins, we encourage you to take it, where practical, and if you are the mother, to discuss the taking of it with **Jane Deakin**. All holiday dates are subject to approval by your manager.

Keeping in touch – ‘SPLIT days’

During your ShPL leave, we may want to contact you on occasion; for example, so that we can discuss arrangements for your return, ensure that you’re kept abreast of new opportunities and/or remind you about training opportunities or ongoing qualification criteria (if relevant). You do not have to consent to this and if you would rather that we did not make this contact with you, please let us know this in writing.

You may also be asked to work during ShPL for up to 20 days. These are known as SPLIT (shared parental leave in touch) days. This includes training sessions and – if you are a woman – is in addition to the 10 Keeping In Touch days you have the option to work during your maternity leave.

You are not obliged to work any of these days and your decision will not affect your right to ShPL. If you do decide to work one or more of them, you will be paid at a rate agreed, in advance of your coming in, with **Jane Deakin**. This rate of pay will also apply if you request to work on any of those 20 days.

Extending your ShPL

If you have unused ShPL entitlement and you want to extend your ShPL, you must tell us in writing by submitting a ‘period of leave’ notice at least 8 weeks before the date you had intended returning to work.

You won’t be unable to extend your ShPL without our agreement if you have already used your three ‘period of leave’ notices. But you may still be able to take annual leave or to request ordinary parental leave.

Planning to return to work – coming back early

If you decide to return to work from ShPL early, you must give us eight weeks’ notice in writing (please provide this to **Jane Deakin**), and specify your proposed new return-to-work date.

By law, you won’t be able to end your ShPL early without our agreement, if you have already used your three ‘period of leave’ notices. We will, however, endeavour to accommodate all reasonable return requests where we are able to do so.

Planning to return to work – same job entitlement?

When you come back to work, you’re legally entitled to resume the same job with the same employment terms that you had before going on ShPL.

Under certain circumstances, however, it may not be reasonably practical for you to resume your previous role. Where that is the case, we may place you in another appropriate post with no less favourable terms and conditions.

We would only do this if:

- a. Your ShPL, plus any maternity or paternity leave, taken amounts to more than 26 weeks, irrespective of whether or not it was taken consecutively OR
- b. Your ShPL was taken consecutively, before or after more than four weeks of ‘ordinary parental leave’ (defined in more detail in its own section below).

Flexible working requests

Please refer to our Flexible Working Policy if you want to make a flexible working request.

We encourage you to make this request as early as possible, because that allows us time to properly consider it.

Deciding not to return to work

If you decide not to come back to work after ShPL, you must inform us in writing as soon as possible. Your employment contract contains the directions you must follow when giving us that written notice.

If you are the mother and returning to work poses a risk to you

Some types of job may pose a potential risk to an employee's health and safety as a new mother or because they are breastfeeding.

If your job is identified as one of these roles, we will notify you and you can rest assured that we will take all reasonable measures to eliminate those risks.

If you have any concerns about your health and safety, you should speak to **your manager**.

Back at work

We are committed to making your return to work as smooth as possible for you. As soon as you return, **your manager** will meet with you to discuss what has happened in your absence and ensure you're up to date and that you feel included.

If you are the mother, you will also have the opportunity to talk about other matters, such as breastfeeding, or arrangements to enable you to express milk during working hours.

Part 6 : Unpaid Parental Leave

Unpaid Parental Leave is a form of statutory **unpaid** leave that is available to some working parents in addition to statutory maternity, paternity and adoption leave (and since April 2015), shared parental leave. The age limits for children in respect of whom parental leave can be taken is until a child's 18th birthday.

Unpaid Parental Leave can be flexible in terms of the time at which it is taken and the way in which the total leave entitlement may be split up into a number of shorter periods (unlike arrangements for maternity, paternity or adoption leave).

Your entitlement to unpaid parental leave – and what it is

Parental leave is available to birth and adoptive parents and also to anyone who has, or expects to have, parental responsibility for a child. The right applies in respect of each child: an employee with one qualifying child may normally take 18 weeks' leave, an employee with two children would be entitled to 36 weeks' leave in total.

Each parent is entitled to take 18 weeks' parental leave for each child. The right is a personal one; it cannot be transferred from one parent to another.

The leave should be used only for the purpose of caring for a child.

To take parental leave, an employee must, at the time the leave is to be taken, satisfy both of the following:

- a. have been continuously employed for a period of not less than one year, and,
- b. have, or expect to have, responsibility for a child.

You cannot take less than a week at a time, unless the child is disabled.

The leave can be taken at any time until a child's 18th birthday. It cannot be taken after that.

Eligibility for unpaid parental leave

To be eligible for this leave, you must:

- a. already have – or expect to have – responsibility for a child. (Those eligible include the registered father and anyone else with formal parental responsibility for the child.)
- b. have worked for us for at least a year
- c. intend using the leave only to care for the child, or otherwise spend time with them.

Taking the leave

You must give **Jane Deakin** 21 days' notice that you intend to take parental leave. We endeavour to meet all requests for parental leave, but it is possible that we might need to rearrange your dates if your absence would disrupt our business by, for example, leaving us short-staffed.

If your leave has to be postponed because of this, we will tell you why in writing within 7 days of your request and we will propose new start and end dates that can then be agreed with you.

Requests to postpone the leave

We are unable to postpone parental leave if you have asked us for it to start immediately after a child's birth or adoption.

We are also unable to postpone parental leave beyond six months, or if that postponement would extend after the child's 18 birthday.

Employee benefits and accruing holiday entitlement

All of your contractual benefits (except pay), will continue to be available to you, as usual, while you are on maternity leave.

You will also continue to accrue holiday entitlement in the normal way. If you are due any holiday before your maternity leave begins, we encourage you to take it where practical.

Returning to work

You're legally entitled to resume the same job with the same employment terms that you had before going on parental leave following:

- a. unpaid parental leave for an isolated period of four weeks or less
- b. unpaid parental leave for a period of four weeks or less which was the last of two or more consecutive periods of statutory leave and did not include:
 - a. any period of parental leave of more than four weeks; or
 - b. any period of statutory leave which, when added to any other period of statutory leave (excluding parental leave) taken in relation to the same child, means that the total amount of statutory leave taken in relation to

that child totals more than 26 weeks.

Part 7 : Adoption and surrogacy

Entitlement

When an employee takes time off to adopt a child or have a child through a surrogacy arrangement they might be eligible for Statutory Adoption Pay and Leave.

Statutory Adoption Leave

Employees can take up to 52 weeks' Statutory Adoption Leave. The first 26 weeks is known as 'Ordinary Adoption Leave', the last 26 weeks as 'Additional Adoption Leave'.

Leave can start:

- on the date the child starts living with the employee or up to 14 days before the expected placement date (UK adoptions)
- when an employee has been matched with a child to be placed with them by a UK adoption agency
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (parents in surrogacy arrangements)

Statutory Adoption Pay

Statutory Adoption Pay (SAP) for employees is:

- 90% of their gross average weekly earnings for the first 6 weeks
- £151.97 a week or 90% of their gross average weekly earnings (whichever is lower) for the next 33 weeks

Ref: WCA MatPatPolicy21

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