



TEMPLATE DOCUMENT: Family friendly policy

Introduction:

This document sets out all the statutory family friendly entitlements, to enable individuals to be aware of all their potential rights at a glance. Although it sets out the statutory minimum entitlements it can be customised to reflect any enhancements you may wish to make to any scheme. It also includes optional sections on non-statutory leave including, miscarriage, neonatal care (which is due to become statutory in the future) and fertility treatment.

For further guidance on this topic, do refer to the appropriate pages on our HR Knowledge Base.

Legal considerations:

The following pieces of legislation apply to this policy:

- Health and Safety at Work Act 1974
- Social Security Act 1989
- Employment Rights Act 1996
- Maternity and Parental Leave Regulations 1999
- Work and Families Act 2006
- Equality Act 2010
- Parental Leave (EU Directive) Regulations 2013 (as transposed into UK law)
- Children and Families Act 2014 and accompanying regulations, including the Shared Parental Leave Regulations 2014, the Shared Parental Pay (General) Regulations 2014 and the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014.
- Maternity and Parental Leave etc (Amendment) Regulations 2014.
- Parental Bereavement (Leave and Pay) Act 2018

How to generate your policy:

Throughout the policy, you will see icons and highlighted areas (see key below). The icons used are for guidance on how to amend the document and should be deleted from the final document, together with any non-applicable optional clauses.

Key:

INFORMATION	ACTION	OPTIONAL	WARNING

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This icon demonstrates the text is for information only.	This icon means you need to make an amendment to the text.	This icon means the advice provided is optional.	This icon means the text is important. Please take note of the advice.
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Any text you find highlighted should be amended to **suit your customisations** and/or removed from the document.

Customising your policy:

In addition to the text emphasised with icons and highlights, you can also amend the font, margins and footer information to suit your needs.

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To remove the icons, click on them and press delete.

You will find a checklist of customisations at the end of the document. Please run through this once you have completed your customisations. You will also need to **delete this page by clicking Insert -> Cover Page -> Remove Current Cover Page**.

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Family friendly policy

1 Purpose

- 1.1 We are committed to helping working parents. This policy aims to assist and ensure both managers and employees are informed of, and understand their rights, whichever form of family friendly leave they wish to take.
- 1.2 In all cases the relevant legislation will apply.

<We advise that you make all your policies non-contractual to minimise the risk of a breach of contract claim, and also to enable ease of updating.>

- 1.3 This policy is not contractual but indicates how we intend to deal with an employee's entitlement to various forms of family friendly leave and pay.

2 Scope

- 2.1 <Tailor to suit the range of workers in your business:> This policy applies to all employees who meet the eligibility requirements for the respective leave and pay options discussed in this policy.

3 Key terms

Key term:	Definition:
Additional Adoption Leave (AAL)	The second 26 weeks of leave and begins straight after the period of OAL
Additional Maternity Leave (AML)	The second 26 weeks of leave and begins straight after the period of OML
Compulsory Maternity Leave	Employees are not permitted by law to return to work during the first two or four weeks immediately after childbirth
Date of placement	The date the adopted child is placed with the employee
Discontinuous periods of leave	Where the employee takes blocks of shared parental leave on and off throughout the year
Expected date of confinement/childbirth (EDC)	The date on which a GP/midwife expects the baby to be born
Expected week of confinement/childbirth (EWC)	The week commencing the Sunday on or before the EDC
Fostering for adoption	An employee who is a registered foster carer and who has also been approved as an adopter
Ordinary Adoption Leave (OAL)	The first 26 weeks of adoption leave
Ordinary Maternity Leave (OML)	The first 26 weeks of maternity leave

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Keeping in touch (KIT)	Employees may work for up to 10 days during their maternity, adoption and shared parental leave and these are known as “keeping in touch” (KIT) days
MAT B1	A certificate confirming the pregnancy that is signed by a GP or midwife and which confirms the EDC. This is not usually completed until approximately 26 weeks into the pregnancy
Notification of matching	Formal notification that the employee has been matched with a child for adoption
Parental Order	A parental order transfers parentage from a surrogate mother to the intended parent
Qualifying relationship	A “qualifying relationship” includes the baby’s father, the mother’s spouse, civil partner or partner in an enduring relationship, or a man or woman who is in a surrogacy arrangement with the pregnant woman.
SAL	Statutory Adoption Leave
SAP	Statutory Adoption Pay
SML	Statutory Maternity Leave
SMP	Statutory Maternity Pay
SPL	Shared Parental Leave
ShPP	Shared Parental Pay

4 Maternity and adoption leave

4.1 Eligibility

- 4.1.1 Maternity leave is available to all pregnant employees, regardless of length of service or the number of hours worked each week.
- 4.1.2 Adoption leave is available to an adoptive parent (of any gender), regardless of length of service or the number of hours worked each week:
- who adopts a child aged up to 18 years
 - one member of a couple where a couple adopt jointly (the couple must choose which partner takes adoption leave and the other may take statutory paternity and/or shared parental leave).
- 4.1.3 Employees wishing to take adoption leave must have notified an adoption agency of their acceptance of the placement of a child with an agreed date of placement.

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- 4.1.4 The rights to statutory adoption leave (and pay) are also extended to surrogate parents who meet the criteria to apply for a Parental Order and to individuals fostering a child under the 'Fostering for Adoption' scheme run by local authorities, if they meet the other qualifying criteria that apply to this form of leave.
- 4.1.5 Those who are on a fixed term contract are entitled to statutory maternity/adoption leave and pay so long as they meet the qualifying rules. In the event of a fixed term contract expiring, the statutory maternity/adoption leave would also expire, however the employee would continue to be entitled to receive statutory maternity/adoption pay, where eligible.

4.2 Leave entitlement

- 4.2.1 All employees, who are eligible for maternity or adoption leave are entitled to take up to a total of 52 weeks' leave.
- 4.2.2 Whilst maternity leave is made up of 26 weeks' OML and up to 26 weeks' AML, the overall period of leave is a single continuous period with no gaps between the two types of leave.
- 4.2.3 Whilst adoption leave is made up of 26 weeks' OAL and up to 26 weeks' AAL, the overall period of leave is a single continuous period with no gaps between the two types of leave.
- 4.2.4 For those taking maternity leave, employees are not permitted by law to return to work immediately after childbirth. The initial weeks of OML are therefore known as 'Compulsory Maternity Leave'. The period of compulsory maternity leave lasts for:
- two weeks from the date of childbirth; or
 - four weeks from the date of childbirth if the employee works in a factory; or
 - until some later date, if there exists another statutory requirement which prevents the employee from working due to having given birth.
- 4.2.5 Employees will continue to be employed during their leave and this will count towards their period of continuous employment.
- 4.2.6 In the deeply tragic event a baby is either stillborn after 24 weeks of pregnancy or born alive at any point of the pregnancy and then dies, employees who meet the eligibility conditions may still take maternity leave. Those employees who were seeking to adopt the baby and meet the eligibility conditions may still take adoption leave. See also; Parental Bereavement Leave.

4.3 Providing notice

Maternity

- 4.3.1 Whilst employees are not required to inform us that they are pregnant until the end of the 15th week before the expected week of the birth of their baby, we both benefit if the news is shared as early as possible before then. This will enable us to explain the entitlement to paid time off for antenatal care, to take appropriate steps regarding health and safety risk assessments and to plan ahead and make arrangements for covering the period of maternity leave.

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- 4.3.2 To take advantage of the right to maternity leave, the employee must notify us in writing no later than the end of the 15th week before the baby is due or as soon as reasonably practicable:
- that the employee is pregnant
 - when the baby is due (normally supported by the signed MAT B1)
 - when the employee intends maternity leave and pay to start.
- 4.3.3 Maternity leave may begin no earlier than the 11th week before the expected week of childbirth.
- 4.3.4 We will confirm the leave and return dates together with the details of maternity pay. This will be done within 28 days of receiving the employee's notification.
- 4.3.5 In exceptional circumstances, notification can be given late or after the child is born, but as a rule, failure to give notice at the relevant time, when it was reasonably practicable to do so, may mean that we insist that at least three weeks' notice is provided, resulting in a delay in starting the maternity pay and/or leave.
- 4.3.6 Employees should normally give us at least 28 days' notice of any change in the date they wish to start their maternity leave. Maternity leave may however start before the notified date if:
- the employee gives birth before the notified date, or before a date that has been notified to us. In this case, maternity leave starts automatically on the day after the date of the birth. The employee must notify us of the date of birth as soon as it is reasonably practicable to do so.
 - the employee is absent from work due to a pregnancy-related reason after the beginning of the fourth week before the expected week of childbirth but before the date notified. In this case, maternity leave begins automatically on the day after the first day of absence.

Adoption

- 4.3.7 Statutory adoption leave can start:
- from the date the child starts living with the employee
 - up to 14 days before the date the child is expected to start living with the employee
 - from either the date the child enters the UK (for adoptions outside of the UK) or up to 28 days after the date the child enters the UK
 - on any day of the week.
- 4.3.8 For UK based adoptions, employees should inform us within seven days of being told that they have been matched with a child, however if this is not possible, they must tell us as soon as possible. The notification should specify the date of placement; the commencement date of the leave; the name and date of birth of the child; and date of notification of matching and should include documentary evidence showing the name and address of the adoption agency.
- 4.3.9 Written confirmation of the adoption leave will be issued within 28 days of receipt of notification.
- 4.3.10 Employees can request to vary the start date of the leave by giving at least 28 days' notice.
- 4.3.11 For overseas adoptions, employees should give written notice in three stages:

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- Employees should inform us of the adoption within 28 days of receiving official notification of the placement date and the date the child is expected to enter the UK.
- Employees must give 28 days' notice of the intended adoption date (this cannot be before the child enters the UK). 28 days' notice must be given if employees subsequently wish to alter this date.
- Employees must inform us of the date the child entered the UK within 28 days of the entry.

4.4 Maternity and adoption pay

Statutory maternity/adoption pay

- 4.4.1 To qualify for either Statutory Maternity or Statutory Adoption Pay (SMP/SAP), employees must have completed 26 weeks' continuous service by the end of the 15th week before their expected week of childbirth, or by the week that they are matched with the child.
- 4.4.2 SMP or SAP is paid for 39 weeks and is made up of six weeks at 90% of average gross weekly pay, followed by the lesser of either 90% of average gross weekly pay or the flat rate of SMP or SAP for the remaining 33 weeks.
- 4.4.3 To be eligible to receive either SMP or SAP, employees must also meet certain other conditions:
- at least 28 days' notice should be given of the intention to take maternity leave, unless there is a good reason for not doing so and provide the correct notice to take adoption leave
 - provide the MATB1 form or evidence of the adoption or surrogacy
 - to have received average weekly earnings at least at the lower earnings limit for National Insurance contributions in the relevant period
 - if the baby has been born, the employee must inform us within four weeks of the date of the birth
 - the employee must not be in legal custody at the beginning of the maternity pay period and must not have started work with another employer after the birth
 - confirm that the intention to take adoption leave is to care for the child.

<The section below is entirely optional and should be deleted or used to include details of any enhanced payment scheme you may offer.>

Company maternity/adoption pay

- 4.4.4 In addition to Statutory Maternity/Adoption Pay, we provide an enhanced Pay scheme to <specify eligibility criteria>. Eligible employees will be entitled to <include details here>, provided they return to work for at least <specify period, e.g. "six months"> following their maternity or adoption leave. <Optional:> Eligible employees will be required to sign a repayment agreement prior to the commencement of their leave.

4.5 'Maternity Allowance'

- 4.5.1 Employees who are not entitled to SMP may be entitled to 'Maternity Allowance' provided they meet a qualifying condition based on their National Insurance Contributions record. We will give these employees a form to complete and send to the address stipulated.
- 4.5.2 Maternity Allowance is paid for 39 weeks at the rate of 90% of normal average weekly earnings or the current flat rate of SMP, whichever is lower.
- 4.5.3 Further details of the qualifying conditions and how to claim the allowance are available from the Department for Work and Pensions.

4.6 Health and safety

- 4.6.1 The health and safety at work of new and expectant mothers must be protected. A maternity risk assessment will be undertaken that will pay attention to any risks that could affect the health and safety of the new or expectant mother or her baby. All reasonably practicable measures will be taken to prevent exposure to risks through the removal of hazards or implementation of controls.
- 4.6.2 The employee will be informed of any potential risks and if a risk cannot be removed, we will ensure that the employee is not exposed to the risk.
- 4.6.3 However, it is the employee's responsibility not to put either her own health and safety, nor that of her baby, at risk. This is especially relevant with regards to lifting, carrying, or working from height. Pregnancy increases the risk of manual handling injury, therefore particular care should be taken to avoid lifting generally, but particularly during the three months prior to and after the birth.
- 4.6.4 Measures within the workplace that might be taken include (but are not limited to):
- modifying workstations
 - ensuring that lighter or different duties are undertaken for the duration of the pregnancy on the same terms and conditions of employment
 - adjusting working hours without loss of pay.
- 4.6.5 Other risk assessments will take place during the pregnancy; these are likely to be each trimester of the pregnancy or as required.
- 4.6.6 The ultimate action to avoid a risk to a new or expectant mother is to suspend her from work on maternity grounds, but before taking this action, we will seek to offer suitable alternative work, if any is available. An employee on maternity suspension will be paid her normal wages or salary whilst the suspension lasts.

4.7 Appointments and pregnancy related absences

Maternity

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- 4.7.1 All pregnant employees, irrespective of the hours that they work or their length of service, are entitled not to be unreasonably refused paid time off work to attend appointments for antenatal care. Other than for the first appointment, evidence of the pregnancy and the times of appointments may be requested. Antenatal care may include relaxation or parentcraft classes as well as medical examinations. Employees are asked, wherever possible, to arrange to attend these classes outside of normal working hours. However, if this is not possible then reasonable time off will not be refused.
- 4.7.2 Employees receiving IVF treatment will be entitled to paid time off for antenatal care only after the fertilised embryo has been implanted. They are however encouraged to discuss any requirements for time off with their manager. Such requirements would normally be taken as unpaid leave, time off in lieu, holiday, or the time made up. We will be sympathetic to their situation and seek to accommodate them.
- 4.7.3 Employees should advise their manager of any absences relating to antenatal appointments as far in advance as possible (preferably giving at least one week's notice) and may be asked to produce an appointment card.
- 4.7.4 Any absence due to illness during pregnancy will be treated as any other sickness absence in line with our absence policy, unless the absence is pregnancy-related and occurs during the period starting four weeks before the expected week of childbirth.

Adoption

- 4.7.5 Employees are entitled to take time off work to attend adoption appointments providing the leave is authorised in advance. The main/primary adopter is entitled to take paid time off to attend up to five appointments of up to 6.5 hours each, while the secondary adopter will be entitled to take unpaid time off for up to two such appointments. Employees should provide evidence of the appointments.

Antenatal appointments for partners

- 4.7.6 Employees who have a "qualifying relationship" with a pregnant woman or her expected child, irrespective of earnings or length of service, are entitled to take unpaid time off work to accompany her to antenatal appointments that are made on the advice of a registered medical practitioner, registered midwife, or registered nurse.
- 4.7.7 These employees are allowed time off to attend up to two antenatal appointments, each absence lasting no more than 6.5 hours, including travelling and waiting time.
- 4.7.8 We reserve the right to ask for a written declaration from the employee (this can be done via email) confirming the relationship with the mother and details of the appointments. This may be in the form of a certificate from the doctor, midwife or the signed MAT B1 form confirming the pregnancy.
- 4.7.9 Time off will only be refused for good business reasons; however, we ask that employees notify us of any proposed absence as far in advance of the appointment(s) as possible.

- 4.7.10 The above also applies to agency workers who have at least 12 weeks' qualifying service in the same job with the same business.

4.8 Keeping in touch days (KIT)

- 4.8.1 Employees may work for up to 10 days during their maternity/adoption leave (irrespective of the length of leave taken) without losing any pay or this affecting their leave period. These days are known as "keeping in touch" (KIT) days. They can be used to attend any training or any other event requirement or to help ease back into work before the actual return to work date. We are not obliged to offer KIT days and employees are not obliged to work them. No detrimental action will be taken against an employee who decides not to work KIT days.
- 4.8.2 Any KIT days must be approved in advance by the employee's manager. They can be worked at any time during the maternity/adoption leave period (excluding the period of compulsory maternity leave) and may be taken in single days or in blocks.
- 4.8.3 Employees who work KIT days will be paid for the hours worked that day, but the rate paid will not exceed their normal hourly or daily salary. Employees who are receiving SMP/SAP will have their pay made up to their normal hourly rate for the hours worked. Employees who are receiving no pay will be paid at their normal hourly rate.
- 4.8.4 Employees will usually remain on circulation lists for internal memos and other documents and will be included invitations to work-related social events during their leave.
- 4.8.5 We will aim to ensure that employees who have any executive/management supervisory responsibilities are given the opportunity for consultation about any decisions taken in their absence.
- 4.8.6 We ask that employees keep in reasonable contact with us during their maternity/adoption leave.

4.9 Returning to work after maternity or adoption leave

- 4.9.1 For those taking a period of maternity leave, see above the restrictions around compulsory maternity leave. Unless we are advised otherwise, we will assume that an employee will be taking the full statutory maternity leave period of 52 weeks.
- 4.9.2 Employees who wish to return to work before the end of their statutory maternity/adoption leave period need to give at least eight weeks' notice. If employees fail to give the required notice to return, we reserve the right to postpone their return to obtain a maximum of eight weeks' notice.
- 4.9.3 Employees who are unable to attend work at the end of their maternity/adoption leave due to sickness or injury should follow our normal arrangements for notification of sickness absence (please refer to our absence policy).

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- 4.9.4 Employees who wish to vary their working pattern on return from their leave should make a request in writing. **<Optional – delete if you don't have this policy:>**The full details of this are set out in our flexible working policy, a copy of which is **<specify location, eg “included in the Employee Handbook”>**.
- 4.9.5 Employees who do not intend to return to work at the end of their leave and therefore wish to resign, must give us their full contractual notice.
- 4.9.6 Employees who are still breastfeeding on their return to work should notify us, so that we may make the necessary arrangements and facilities for rest and the storage of expressed milk.
- 4.9.7 An employee who returns to work at the end of the OML/OAL period is entitled to return to the same job.
- 4.9.8 An employee who returns to work at the end of AML/AAL is entitled to return to the same job unless this is not reasonably practicable, in which case, the return is to a similar job on similar (or better) terms and conditions, unless otherwise agreed.

5 Shared parental leave (SPL)

5.1 Overview

- 5.1.1 Shared parental leave may be taken if the employee who is on either maternity or adoption leave opts to end this early and convert the remainder of it into “shared parental leave” (SPL) instead. They may also convert part of their statutory maternity/adoption pay into “shared parental pay” (ShPP). This is provided the eligibility requirements are satisfied, the required notice is given and the leave is agreed.
- 5.1.2 Employees may choose to opt into shared parental leave at any time, provided there is still some untaken maternity/adoption leave left to share with someone else.
- 5.1.3 These two individuals may choose to take time off together if they wish, or they may take it in turns to have periods of leave. Their leave does not have to be taken in one continuous block each. Forward planning is therefore essential to ensure leave and cover arrangements are effectively managed.

5.2 Eligibility



<Note: most of the policy reflects the statutory entitlements and process for taking SPL. It may therefore be enhanced (for example by reducing the eligibility requirements or offering enhanced payments) but the basic framework must be followed and statutory entitlements may not be reduced.>

- 5.2.1 To be eligible to take SPL, both individuals must have caring responsibility for the child. Individuals who are eligible for shared parental leave with the mother/primary adopter include employees or self-employed earners who are the child’s second parent or the mother’s partner.
- 5.2.2 In addition:

- the mother/primary adopter must have at least 26 weeks' continuous service with their employer at the 15th week before the baby's due date/week in which they were notified of having been matched with a child for adoption and must still be working for that same employer when they intend to start the leave. (For a parental order parent in a surrogacy arrangement, the continuity of employment test is the same as that which applies to birth parents, even though they get adoption leave and pay.)
- the other parent/carer must also have worked (on an employed or self-employed basis) for any 26 out of the 66 weeks preceding the baby's expected date of birth/week in which they were notified of having been matched with a child for adoption and have earned at least £30 (gross) pay per week for any 13 of the 66 weeks.

5.2.3 If the mother/primary adopter does not qualify for maternity/adoption leave, their partner will not be eligible. (So, for example, a male employee whose pregnant partner does not work will not be entitled to take shared parental leave.) If only one parent meets the eligibility criteria (but both meet the employment and earnings test), one parent may still be able to take shared parental leave. (For example, an employee who qualifies for maternity leave, but who lacks the requisite service to take SPL, may still convert the balance of their leave into SPL, to be taken by their eligible partner.)

5.2.4 Surrogate parents who meet the criteria to apply for a Parental Order are eligible for shared parental leave and pay if they meet the other qualifying criteria that apply to this form of leave.

5.3 Leave entitlement

5.3.1 SPL may commence at any time following either:

- the period of compulsory maternity leave
- after having taken at least two weeks of adoption leave

In either case, the mother/primary adopter chooses to end their SML/SAL early and to convert the untaken balance of SML/SAL (up to 50 weeks in total) and their SMP/SAP (up to 37 weeks in total) to SPL and ShPP. The mother/primary adopter does not need to return to work before the other parent takes SPL, as the balance is shared between the two of them.

5.3.2 Any SPL must be taken within 52 weeks of the child's birth/adoption. The second parent or partner can take SPL immediately following the birth/placement of the child but may first wish to use any entitlement to ordinary paternity leave (as statutory paternity leave or pay may not be taken after any SPL or ShPP).

5.3.3 SPL can be taken by both parents separately or together, and it does not need to be taken in consecutive blocks. There is a maximum of three blocks of leave (per parent). Each block must be a minimum of one week (which may start on any day of the week), and must be taken as complete weeks, unless we agree otherwise. (Leave may not be taken as individual days.) A maximum of three notifications of leave or variations of planned leave (per parent) is therefore permitted unless we agree otherwise.

5.4 Providing notice

- 5.4.1 **Notice to end maternity/adoption leave:** the mother/adopter must give their employer eight weeks' notice to end the entitlement to maternity/adoption leave early, which will then enable both parents to take advantage of the shared parental leave regime. This notice can be given before or after the birth/placement. If it is given after the birth, the notice is binding; if it is given before the birth, the mother may withdraw the notice up to six weeks after the birth.
- 5.4.2 **Declaration of entitlement:** both partners must first sign a declaration that they intend to take shared parental leave (this must be done at least eight weeks before any shared parental leave may start).
- 5.4.3 The declaration should give:
- their names and NI numbers
 - confirm that they meet the eligibility criteria
 - that the information provided is correct and that if either cease to meet the conditions of entitlement to shared parental leave then they will immediately notify the employer
 - specify how much leave has been taken as maternity/adoption leave and pay and how much is therefore available as SPL and ShPP
 - a non-binding indication of how much leave each person is intending to take as SPL and the proposed start and end dates of the leave and importantly, if more than one period of leave is requested
 - The partners should also state the date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption; and should include a non-binding indication of when the employee expects to take the leave.
- 5.4.4 A copy of the child's birth certificate (in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption) and the name and address of the partner's employer must be provided within 14 days of any request to do so.
- 5.4.5 **Leave request:** an employee who is entitled to and who intends to take shared parental leave must then give a separate written notice at least eight weeks before the start of any proposed period of SPL. The notice can be given at the same time as the declaration above, or later.
- 5.4.6 Each employee is permitted to make three separate leave requests. We will aim to respond promptly to a leave request.
- 5.4.7 **Continuous leave:** if the employee asks for a single continuous period of leave, they may take this on their chosen dates.
- 5.4.8 **Discontinuous leave:** if the request is for discontinuous periods of leave:
- This is subject to a two-week discussion period during which we may agree, refuse, or propose alternative dates. Such requests will be carefully considered, but if we cannot

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reach agreement on a requested pattern of leave, the employee must either take that period of leave in a single block starting on a date of their choice or withdraw the request for leave (in which case it will not count towards their three permitted requests).

- The employee has 19 days from the date the request was made to us to choose when this leave period will begin, but the leave cannot start earlier than the initial notified start date.

5.4.9 Note that requests for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

5.4.10 Once agreed, we will confirm the details in writing. The leave may then only be varied in certain circumstances (for example, if the relationship breaks down or on the death of either the mother or her partner). In the former case, both parties need to agree to the change. However, if the mother gave notice of her intention to take SPL before the birth, they can change the details within six weeks of the birth, by giving us at least eight weeks' notice before the period of SPL starts. Otherwise, a request to change the dates must provide eight weeks' notice and will count as one of the three requests.

5.4.11 Different notification requirements apply if the baby is born early (before the beginning of the expected week of childbirth) and the parent had booked shared parental leave/pay to be taken in the eight-week period following the expected week of childbirth (EWC). In this case, the parent may prefer to take the booked leave and pay after the actual birth. They should provide us with notice to vary their shared parental leave and pay as soon as practicable following the birth. This flexibility does not apply to shared parental leave or pay booked to start eight or more weeks after the EWC, nor does it allow the parent to vary the number of weeks of leave or pay booked. (The latter would count as one of the three notices and would require eight weeks' notice of the variation.)

5.4.12 Because shared parental leave may involve more than one period of leave, and more than one employer, we encourage employees who intend to take such leave to plan early and to discuss their initial intentions with us on an informal basis as soon as possible. This will enable us to plan more effectively for this, to discuss what may/may not be practical and therefore may also prevent the employee from using one of the three requests for an arrangement that is unlikely to be accepted. We will always consider requests, but discontinuous periods of leave will be subject to us being able to arrange suitable cover for the absences.

5.5 Shared parental pay (ShPP)

5.5.1 If the parents take shared parental leave, the balance of the untaken statutory maternity/adoption pay may be converted into shared parental pay (ShPP) and be shared with the partner. The total period of paid leave will not exceed 39 weeks, whichever parent takes the leave. The mother, or primary adopter must take at least two weeks of statutory maternity or adoption pay <insert if factory workers are employed> (four weeks in the case of factory workers). The maximum amount of ShPP that can be created is therefore 37 weeks.

5.5.2 If the mother/primary adopter does not qualify for statutory maternity pay/maternity allowance/statutory adoption pay, their partner will not be eligible for ShPP.

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- 5.5.3 To qualify for ShPP, the partner must (in addition to passing the continuity of employment test above) have earned an average salary equivalent to the Lower Earnings Limit for eight weeks prior to the 15th week before the baby's due date/expected placement date. If the mother's partner meets the economic test but is self-employed, the employee can still apply for SPL but the partner will not be able to receive ShPP on the weeks that they are caring for the child.
- 5.5.4 Note: ShPP is paid at the flat statutory rate; the higher rate of maternity payments does not apply. This applies even if the mother returns from maternity leave after only two weeks (so during the period when she would have been paid the higher level of statutory maternity pay).
- 5.5.5 In addition to the information included in the notice of entitlement to take SPL, the partners should include in their declaration details of the start and end dates of any maternity/adoption pay or maternity allowance; the total amount of ShPP available; the amount of ShPP the employee and partner each intend to claim; a non-binding indication of when the employee expects to claim ShPP; and a signed declaration from the employee confirming that the information given is correct and that they will notify us of any change in circumstances that mean that they cease to be eligible for ShPP. The mother/primary adopter should sign a declaration agreeing to the partner claiming ShPP; confirming that they have reduced their maternity/adoption pay or maternity allowance and that they will immediately inform their partner should they cease to satisfy the eligibility conditions.
- 5.5.6 <Specify here the details of any enhanced payment scheme you provide over and above ShPP. If applicable, include reference to any relevant repayment agreement that must be signed prior to the enhanced payments being made.>

5.6 Work and contact during the leave period (SPLIT days)

- 5.6.1 In addition to the usual 10 KIT days for employees on maternity/adoption leave, employees who take shared parental leave are eligible to take 20 SPLIT days each, without this bringing their period of SPL to an end or affecting their ShPP.
- 5.6.2 SPLIT days may be taken at any time during the period of shared parental leave, subject to the employee and their manager agreeing work to be covered. There is no obligation to attend or to provide SPLIT days. Any SPLIT days worked will not extend the period of SPL.
- 5.6.3 Employees on SPL are encouraged to keep in touch with us and we will continue to make reasonable contact with them during their period of leave.

5.7 Returning to work after shared parental leave

- 5.7.1 An employee who has been absent for no more than 26 weeks in total (either as one block or in aggregate and including any time on maternity, paternity, or adoption leave) is entitled to return to their original job, and to return to a job that is similar and suitable if the absence is longer than 26 weeks.

- 5.7.2 An employee who wishes to return to work earlier or later than the expected return date should make a written request to do so, giving at least eight weeks' notice of the proposed date of return. This will count as one of the three permitted requests. If the employee has already used all three notifications to book/vary leave, then we will consider the request but are not obliged to accept it.

6 Paternity leave

6.1 Eligibility

- 6.1.1 To qualify for paternity leave, employees must be taking the time off to look after the child and:
- have, or expect to have, responsibility for the child's upbringing
 - be the biological or adoptive parent of a child born or placed for adoption, or be the mother's partner, or the intended parent (if the baby is born through a surrogacy arrangement)
 - have worked continuously for 26 weeks' or more by the end of the 15th week before the baby is due; or, for adoption, have a minimum of 26 weeks' continuous service extending into the 'matching week'. (For UK adoptions, this is the week beginning on a Sunday and ending on a Saturday in which the employee is notified of having been matched with the child; for overseas adoptions, it is the date the child enters the UK or when the employee wants the paternity pay to start).
- 6.1.2 Where a child is adopted jointly, one partner (of any gender) may take adoption leave and the other may take paternity leave (subject to meeting the eligibility criteria).
- 6.1.3 Paternity leave cannot be taken after a period of shared parental leave has been taken. Therefore, an employee wishing to take both paternity leave and shared parental leave is advised to take paternity leave first.

6.2 Leave entitlement

- 6.2.1 Qualifying employees may take up to two weeks' paternity leave.
- 6.2.2 Paternity leave may be taken:
- from the date the baby is born (whether this is earlier or later than expected)
 - from a chosen number of days or weeks after the date the baby is born (whether this is earlier or later than expected)
 - from a chosen date.
- 6.2.3 The leave must be completed:
- within 56 days of the actual birth of the baby/placement for adoption within the UK, or date of entry into the UK for overseas adoptions
 - if the baby is born early, within the period from the actual date of birth up to 56 days after the expected week of birth.

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- 6.2.4 Paternity leave may be taken as either one week or two weeks' consecutive leave but cannot be taken as odd days. It can start on any day of the week.
- 6.2.5 If the baby is born early, leave must be completed within the period from the actual date of birth up to 56 days after the expected week of birth. (This means that parents of premature babies have a longer period after the birth in which to take paternity leave.) Paternity leave may not be taken before the birth, so an employee who has given notice for a date and the baby is not yet born must continue to work and leave will start the day after the baby is born.
- 6.2.6 Only one period of leave will be available, irrespective of whether more than one child is born as the result of the same pregnancy.
- 6.2.7 Employees are entitled to return to the same job following paternity leave.

6.3 Providing notice

- 6.3.1 **Birth:** the employee must inform us, in writing, of the intention to take paternity leave by the end of the 15th week before the baby is due, unless this is not reasonably practicable (in which case as soon as it is reasonably practicable).
- 6.3.2 The notification should specify:
- the week the baby is due
 - whether the employee wishes to take one or two weeks' leave
 - the date of starting the leave.
- 6.3.3 **UK adoption:** the employee must inform us of the intention to take paternity leave within seven days of the date of official notification of having been matched with a child.
- 6.3.4 **Overseas adoptions:** the employee must inform us of the intention to take paternity leave within 28 days of the date of official notification of the placement. 28 days' notice should be given of the date of starting the leave and the date the child will enter the UK.
- 6.3.5 Employees may change their minds about the date on which they want the leave to start providing they inform us in writing at least 28 days in advance (unless this is not reasonably practicable). They should also tell us the date they wish any payments of SPP to start at least 28 days in advance (unless this is not reasonably practicable).
- 6.3.6  **<Optional:>** Employees who wish to take paternity leave should complete the appropriate request form.

6.4 Paternity pay

- 6.4.1 This is paid at the current rate of Statutory Paternity Pay (SPP), which is either the flat weekly rate or 90% of the employee's earnings if this is less. SPP is treated as normal pay and therefore is subject to deductions for tax and National Insurance.

- 6.4.2 To qualify for statutory paternity pay, in addition to the above the employee must still be employed up to the date of the birth and have average earnings at least equal to the lower earnings limit for NI contributions.

6.5 Time off for antenatal/pre-placement adoption appointments

- 6.5.1 Employees who have a “qualifying relationship” with a pregnant woman or her expected child, or are the secondary adopter, are entitled to take time off work to attend antenatal appointments or pre-placement adoption appointments with the mother/primary adopter. For further details, see ‘Appointments and pregnancy related absences’ under our Maternity and Adoption leave section above.

7 Parental leave

7.1 Eligibility

- 7.1.1 Employees have the right to parental leave if they have one year's continuous employment and they:
- are the parent of a child who is under 18 years old and are either named as a parent of the child on the birth certificate or have formal parental responsibility for the child although separated in marriage and/or not living with the child, OR
 - have adopted a child who is under the age of 18.
- 7.1.2 Both parents may take parental leave, regardless of their gender and including those in same-sex relationships. However, foster parents are not entitled to parental leave.

7.2 Leave entitlement

- 7.2.1 Employees may take up to a total of 18 weeks' unpaid parental leave to care for their child (born or adopted) from birth up until the child's 18th birthday. For part-timers, this leave is calculated on a pro rata basis (so a “week's leave” for an employee working three days a week will be three days).
- 7.2.2 Parental leave applies in respect of each child, so the parents of twins will be entitled to 18 weeks' leave for each child.
- 7.2.3 Parental leave is to be used to care for the child/children or to make arrangements for the child's welfare.
- 7.2.4 Any leave taken with previous employers will count towards the 18-week allowance for each child.

7.3 Providing notice

- 7.3.1 Employees who wish to take parental leave should:

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- notify their manager at least 21 days in advance, giving the reason for the requested leave and producing an appropriate birth or adoption certificate or such other documentation as we reasonably request (required for the first period of parental leave for each child only)
- <optional>complete the Application for Parental Leave Form
- declare any periods of parental leave taken with a previous employer.

- 7.3.2 Employees must give 21 days' notice before the date on which the leave is to commence. For a prospective parent, where leave is to commence on the day the child is born, the notice must be given at least 21 days before the beginning of the EWC; for prospective adoptive parents, at least 21 days before the expected week of the placement. In rare cases where this is not possible, an adoptive parent should give the notice as soon as is reasonably practicable.
- 7.3.3 Employees who wish to take parental leave will be required to provide evidence that they are either the parent or are legally responsible for the child. This evidence might take the form of information contained in the child's birth certificate, papers confirming a child's adoption or the date of placement in adoption cases or, in the case of a disabled child (and where a parent wishes to make a special request to take leave in multiples of days, as discussed below) the award of disability living allowance for the child.
- 7.3.4 Parental leave should be taken in blocks of one week, unless the child is disabled, in which case it may be taken in multiples of a day. A maximum of four weeks may be taken each year. A "year" is a twelve-month period commencing at the anniversary of starting employment (if the employee already has a child under the age of 18) or commencing with the child's date of birth/adoption if the employee already has twelve months' service.
- 7.3.5 Employees who take leave of less than one week (unless the child is disabled) will forego a week's leave for the purposes of the 18 weeks' leave entitlement but will continue to be paid as normal for the time worked.
- 7.3.6 We reserve the right to postpone parental leave if we believe that the absence would unduly disrupt the business. If we deem it necessary to postpone parental leave, we will notify the employee in writing within seven days of receipt of the request for parental leave. We will set out the reason for the postponement and attempt to agree a suitable alternative date on which parental leave can be taken. The leave will not be postponed to a date later than six months from the original date requested.
- 7.3.7 We will not postpone leave if the employee wishes to take it immediately on the birth or adoption of a child, provided the required 21 days' notice has been given, nor will we postpone leave if the postponement would mean that the employee would no longer qualify for parental leave (e.g. postponing it until after the child's 18th birthday).

7.4 Returning to work after parental leave

- 7.4.1 On return from parental leave, employees have the right to return to the same job if the leave was for a period of four weeks or less; if it was for a longer period (ie where the leave spans across an anniversary of employment or the birth of the child and the employee decides to take both years' entitlements, or where leave is taken for more than one child) the employee is entitled to return to the same job, or, if that is not reasonably practicable, a similar job which has the same or no less favourable terms and conditions as the previous job.

8 Parental bereavement leave

8.1 Overview

- 8.1.1 In the deeply tragic event that an employee suffers the loss of their child, parental bereavement leave will be available to eligible parents.

8.2 Eligibility

- 8.2.1 Statutory parental bereavement leave (PBL) is available to employees who were the primary carers for a child under the age of 18 who has recently passed away. This also applies to babies are stillborn after the 24th week of pregnancy.
- 8.2.2 This will be a "day one" right, meaning that employees will be entitled to statutory parental bereavement leave regardless of their length of service.
- 8.2.3 In most cases, this will allow birth parents whose child has died to take leave, unless they were not the child's primary carers (for example if their child had been subsequently adopted, the previous carers would not be entitled to leave). The entitlement will be focused more on who has responsibility as the "primary carers" for the child and less on the legal status between the adult and the child.
- 8.2.4 As well as birth parents, leave will also be available to adults with parental responsibility for children in "non-traditional family structures". This means that entitlement will cover:
- adoptive parents
 - individuals who are fostering to adopt
 - legal guardians
 - most foster parents (although short-term arrangements, such as emergency foster care, may not be covered).
- 8.2.5 Pregnant mothers who suffer a stillbirth 24 weeks or more into pregnancy will still be entitled to take up to 52 weeks of statutory maternity leave (and any related statutory maternity pay), in addition to parental bereavement leave. Similarly, those who would have been eligible to take adoption leave, shared parental leave or paternity leave in respect of a child who is stillborn from 24 weeks or more into pregnancy, will still be entitled to take these statutory leave periods as normal and in addition to parental bereavement leave. In such cases, PBL will normally be taken after the other period of statutory leave.

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- 8.2.6 Statutory parental bereavement leave will be applicable for each child in situations involving multiple deaths.

8.3 Leave entitlement

- 8.3.1 Employees may take up to two weeks parental bereavement leave.
- 8.3.2 The leave can be taken as one block of two weeks or two blocks of one week. Leave may not be taken as individual days.
- 8.3.3 The leave must be taken within 56 weeks from the date of the death of the child. This will allow flexibility regarding when the leave is taken. For example, one week can be taken immediately following the child's death and the second week could be taken around the first anniversary of the child's death.
- 8.3.4 The 56-week timeframe also allows for employees who are entitled to other types of statutory family leave, such as maternity leave to use this in conjunction with parental bereavement leave.
- 8.3.5 Where an employee is taking a period of parental bereavement leave and this is to be interrupted by another statutory leave entitlement (such as maternity, paternity or parental leave) the PBL will end immediately before the start of the other leave. Any remaining entitlement to PBL may then be taken at the end of the other period of leave and must be taken in a single consecutive period.



- 8.3.6 **<If you have a general compassionate or bereavement leave policy in place, reference the name of the policy here and insert details regarding how parental bereavement leave will be offered either in addition to or integrated with your existing arrangements.>**

8.4 Providing notice

- 8.4.1 Employees will not be required to give notice for taking statutory parental bereavement leave immediately following the loss of the child.
- 8.4.2 Employees should give at least one weeks' notice for taking statutory parental bereavement leave if they intend for this to begin after 56 days of the date the child passed away.
- 8.4.3 Employees are not required to evidence the death by producing a death certificate or letter from a GP. A written declaration may be required for statutory parental bereavement leave taken after the initial period and not immediately following the child's death.

8.5 Parental bereavement pay

- 8.5.1 To be eligible for statutory parental bereavement pay, the employee must have:
- at least 26 weeks' continuous employment ending with the week before the week in which the death occurred and still be employed on the day on which the death occurred; and

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- normal weekly earnings in the eight weeks up to the week before the child's death that are not less than the lower earnings limit for National Insurance contribution purposes.

8.5.2 Within a reasonable timeframe, employees will be required to provide a written declaration confirming that they meet the eligibility requirements to receive statutory parental bereavement pay.

8.5.3 The need to provide a written declaration for statutory parental bereavement pay is separate to the right to statutory parental bereavement leave.

8.5.4 Statutory parental bereavement pay will be the lesser of either 90% of average gross weekly pay or the flat rate of statutory parental bereavement pay for each of the two weeks.



8.5.5 <Insert here the details of any enhanced scheme you provide over and above SPBP. If applicable, include reference to any relevant repayment agreement that must be signed prior to commencement of parental bereavement leave>.

9 Other leave

9.1 Time off for dependants

9.1.1 All employees have the right to take a reasonable amount of unpaid time off work to deal with unexpected situations involving a dependant and not to be dismissed or victimised for so doing. This right applies to all employees, irrespective of their length of service or hours worked.

9.1.2 A “dependant” is a parent, spouse, civil partner, child or someone who lives with the employee as part of the family or who reasonably relies on the employee for care in the event of illness or injury. It does not include tenants or boarders living in the family home, or someone who lives in the household as an employee, such as a live-in housekeeper.

9.1.3 This time off is intended to deal with unforeseen matters and emergencies. There is no set limit to the amount of time off which can be taken and this will depend on individual circumstances. In most cases one or two days should be sufficient to deal with an immediate problem and to make any longer-term arrangements.

9.1.4 Circumstances where an employee can take time off include:

- if a dependant falls ill, or has been injured or assaulted
- when a dependant gives birth
- to make longer term care arrangements for a dependant who is ill or injured
- to deal with a death of a dependant
- to deal with an unexpected disruption or breakdown of care arrangements for a dependant
- to deal with an unexpected incident involving the employee’s child whilst at school or nursery or on a school trip.

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- 9.1.5 Time off to attend a funeral, or to carry out executorial duties, would normally be taken as compassionate leave. Where employees need time off for arrangements which are planned in advance (e.g. to take someone to hospital for a check-up), the time off should normally be booked as holiday, or other authorised time off. This leave is not intended to be used for the purposes of the day to day caring for a sick dependant.
- 9.1.6 During any period of time off for dependants, employees continue to be bound by and remain entitled to the benefit of their normal terms and conditions of employment, except for terms relating to wages or salary. They will remain employed by us and accrue unbroken continuity of service and also continue to accrue statutory holiday entitlement under the Working Time Regulations.

9.2 Miscarriage and stillbirths

- 9.2.1 We recognise the loss of an unborn child may be a deeply distressing time. If the loss of an unborn child occurs from the 24th week onwards into the pregnancy (known as a stillbirth), then the mother will still be entitled to take statutory maternity leave and pay. See section 4 for further guidance.
- 9.2.2 Our parental bereavement leave policy will also apply to those who suffer the loss of an unborn child from the 24th week onwards into the pregnancy. See section 8 for further guidance.
- 9.2.3 Parents who were expecting to take other statutory leave arrangements (such as adoption or paternity leave) in respect of a child who is still born from the 24th week of pregnancy onwards, may also still be entitled to take the applicable leave and pay. See the 'Parental bereavement leave' section for further guidance.



<The following clauses regarding miscarriage are optional. Employers are not legally required to provide leave for miscarriages which occur before the 24th week of pregnancy, but it is recommended. An organisation can set its own pay rules around any leave, such as half pay, full pay or unpaid leave. Employers may choose to provide more leave and/or financial support for the mother rather than the partner due to the additional time likely to be required for physical recovery.>

- 9.2.4 For pregnant employees who suffer the loss of an unborn child before the 24th week of the pregnancy, we will [insert how long] of [unpaid or paid] leave on compassionate grounds, to help support the employee to seek emotional support and recovery from any treatment that may be required.
- 9.2.5 For the second parent or partners of a pregnant mother who have lost an unborn child before the 24th week of pregnancy, we will provide [insert how long] of [unpaid or paid] leave on compassionate grounds and to enable them to support their partner.
- 9.2.6 Throughout this time, employees continue to be entitled to the benefit of their normal terms and conditions of employment, except for terms relating to wages or salary which are detailed above.
- 9.2.7 Employees remain employed by us and accrue unbroken continuity of service and also continue to accrue statutory holiday entitlement under the Working Time Regulations.



<The following section, 'Neonatal leave' is optional, however it is due to become a statutory entitlement for employees in the near future, at which point it will be compulsory for employers to provide. The statutory amount of neonatal leave is currently expected to be up to a maximum of 12 weeks.>

9.3 Neonatal leave

9.3.1 Neonatal leave is a period of absence which is available for parents whose baby is in a neonatal unit because they have been born prematurely, are born sick or have a low birth weight.

9.3.2 Employees whose baby is admitted to hospital as a neonate (28 days old or less) for a continuous period of at least seven days or more, will be able to take up to <insert how much, eg '12 weeks'> leave of absence so that they may spend time at the hospital being with and caring for their baby.

9.3.3 To qualify for neonatal leave, employees must be the biological parent, the mother's partner, an intended parent in the case of adoption where the baby they have been matched with was due to be placed with them at birth or shortly afterwards, or an intended parent in a surrogacy arrangement (where they are eligible for or intend to apply for a Parental Order).

9.3.4 The amount of neonatal leave that may be taken should be the amount equivalent to the number of weeks the baby needs to spend in neonatal care, up to a maximum of <insert as above, eg '12 weeks'>. Weeks may begin on any day of the week. Where there may be a partial week at the end of the neonatal care, this will be treated as a whole week.

9.3.5 Leave must be taken in a continuous block of one or more weeks. It should be taken immediately following the end of maternity and should normally be taken at the end of other forms of leave such as paternity leave and shared parental leave.

9.3.6 All employees, regardless of length of service or hours worked will be entitled to the leave.

9.3.7 We recognise that in many cases admission into neonatal care will be a sudden and unexpected event. Therefore, it may not be possible to provide much (if any) notice of an intention to take neonatal leave. Employees should however try to provide as much notice as possible, up to a maximum of one week. Where neonatal leave is to be taken at a later stage, employees should give one week's notice. We may ask the employee to provide a written declaration.



9.3.8 The leave will be <Confirm if unpaid, paid, paid at a reduced rate such as half pay or capped at a set number of weeks. Confirm whether pay is subject to any eligibility criteria. (When neonatal leave and pay become law, it is expected that pay will be subject to eligibility criteria and will be paid at a statutory rate, comparable to SMP.) Example 'The leave will be paid at the lesser of either 90% of average gross weekly pay or the flat rate of statutory family leave payments, such as SMP. To qualify for pay, employees must have completed 26 weeks' continuous service by the end of the 15th week before the expected week of childbirth, or by the week that they are matched with the child.>.



9.3.9 <Only insert this clause if time off is paid and you wish to include conditions> To be eligible to receive neonatal pay, employees must also meet certain other conditions:

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- <Insert your conditions here. Suggestions below:>
- <Eg:>the employee must give one weeks' written notice to be placed on neonatal pay
- <Eg:>the employee must provide a brief written declaration confirming the circumstances and that the intention to take neonatal leave is to spend time with and caring for their baby in neonatal care
- <Eg:>to have received average weekly earnings at least at the lower earnings limit for National Insurance contributions in the relevant period
- <Eg:>the employee must not be in legal custody at the beginning of the neonatal pay period and must not have started work with another employer after the birth.

9.3.10 Throughout neonatal leave, employees continue to be entitled to the benefit of their normal terms and conditions of employment, except for terms relating to wages or salary. <Optional, but strongly recommended:> Any benefits such as <specify, eg "life assurance, private medical insurance, permanent health insurance, private use of a Company car, laptop, mobile phone" etc> will continue to be provided.

9.3.11 Employees remain employed by us and accrue unbroken continuity of service and continue to accrue statutory holiday entitlement under the Working Time Regulations.



<The following section, 'Fertility treatment' is optional.>

9.4 Fertility treatment



9.4.1 Employees who need time off work to undergo fertility treatment (or because their partner is undergoing fertility treatment) should discuss this with <specify whom, eg "their manager or a member of the HR team">. Time off can be taken as annual leave or alternatively, unpaid leave may be authorised or a form of temporary flexible working may be approved, subject to the needs of the business.



9.4.2 Employees who need such time off should inform <specify whom, eg "their manager or a member of the HR team">. as soon as the plans have been confirmed; provide a statement from a qualified medical practitioner that fertility treatment has been recommended and approved; and, if requested, produce an appointment card for each occasion on which time off is required. Where possible, appointments should be made for times that will cause the minimum disruption to the working day, and we do ask that as much notice as possible is given of the days and times on which time off is required. Any information provided will be maintained in strict confidence.

10 Terms and conditions of employment

10.1 Terms and conditions

10.1.1 Throughout maternity, adoption, shared parental, paternity and parental bereavement leave, employees continue to be entitled to the benefit of their normal terms and conditions of employment, except for terms relating to wages or salary.

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- 10.1.2 Throughout any leave period discussed in this policy, employees remain bound by the terms and conditions of their contract of employment and their duty of good faith to the business and their duty not to disclose confidential information.

10.2 Fixed term contracts

- 10.2.1 Those who are on a fixed term contract are entitled to statutory leave and pay so long as they meet the qualifying rules. In the event of a fixed term contract expiring, the period of statutory leave would also expire, however the employee would continue to be entitled to receive statutory pay, where eligible.

10.3 Contractual benefits

- 10.3.1 Throughout maternity, adoption, shared parental, paternity and parental bereavement leave employees continue to receive all their contractual benefits except wages or salary (unless otherwise agreed). Any benefits such as <specify, eg "life assurance, private medical insurance, permanent health insurance, private use of a Company car, laptop, mobile phone" etc> will continue to be provided.

10.4 Pension contributions

- 10.4.1 During periods of maternity, adoption, shared parental, paternity and parental bereavement leave, we will continue to make contributions into the pension scheme (at the normal rate) for employees who are members of our pension scheme and maintain their pension contributions throughout their **paid** period of leave. Employees' own contributions will be based on their actual earnings during the paid leave period. Once statutory payments are no longer being paid, the employee may opt to pay contributions voluntarily <optional: note the employer does not have to continue to make contributions during the final 13 weeks of unpaid leave: "and we will continue to pay our contributions at the standard rate" or "but employer contributions will cease during this period.">
- 10.4.2 During periods of parental leave, pension contributions cease to continue throughout this period of unpaid leave.

10.5 Annual leave:

- 10.5.1 This continues to accrue during periods of maternity, adoption, shared parental, paternity, parental and parental bereavement leave. Any public or bank holidays or Company-nominated holiday days that the employee would normally benefit from which fall within the period of such leave will not be deducted from the employee's annual leave allowance.
- 10.5.2 Holiday which is accrued but untaken during maternity, adoption and shared parental leave may be carried forward to the next leave year if it has not been taken in the year in which it was accrued. For all other types of leave, holiday cannot usually be carried over from one holiday year to the next, unless it was not reasonably possible to take the holiday due to the statutory leave.

- 10.5.3 To avoid returning from long periods of leave with a large amount of holiday, employees are encouraged to take any remaining entitlement for the current holiday year before starting the leave and to take some of the following year's leave prior to returning to work.

11 Redundancy

11.1 Overview

- 11.1.1 We fully support our employees to make the most of their family leave related rights and encourage them to do so. We recognise that it is important our employees are confident that they may take their statutory entitlements without the worry they may be treated detrimentally for doing so.
- 11.1.2 Employees should be assured that in the event a redundancy situation should arise, they will not be dismissed or selected for redundancy for reasons related to pregnancy, nor because they intended to take or took maternity, adoption, shared parental, paternity, parental, parental bereavement leave or time of for dependants in accordance with this policy.

11.2 Redundancy during maternity/adoption/shared parental leave

- 11.2.1 As above, employees cannot be dismissed or selected for redundancy because they took or intended to take maternity, adoption or shared parental leave. It is however lawful to dismiss or select employees for redundancy on unrelated grounds if these are fair. In this situation, our normal redundancy consultation procedure would be followed.

Family friendly policy

- 11.2.2 If the role of an employee on maternity, adoption or shared parental leave is proposed to be made redundant, the employee will be included in the applicable redundancy consultation process. In some cases, it may be appropriate to extend consultation periods for employees on leave.
- 11.2.3 If an employee's role does become redundant whilst taking maternity, adoption or shared parental leave, they will be offered a suitable alternative vacancy in preference to other employees if one is available.
- 11.2.4 Employees who are made redundant at or following the 15th week prior to the expected week of childbirth, and who are eligible for statutory maternity pay, will still receive the full entitlement to this. In these circumstances, SMP may be paid weekly or as one lump sum. Any other benefits such as holiday entitlement would only be provided or accrue to the end of the notice period.
- 11.2.5 Employees who are made redundant whilst on adoption leave or shared parental leave, and who are eligible for statutory pay, will still receive the full entitlement to this. In these circumstances, SAP/ShPP may be paid weekly or as one lump sum. Any other benefits such as holiday entitlement would only be provided or accrue to the end of the notice period.

12 Related policies and documents



<Tailor your list as appropriate to the policies and documents in place within your business – the list below is only suggestions:>

- Business ethics and integrity policy
- Diversity policy
- Equal opportunity policy
- Flexible working policy
- Health and safety policy
- Holidays and other absences from work policy
- Hybrid working policy
- Adoption checklist
- Maternity checklist
- Maternity risk assessment
- Parental leave record form
- Shared parental leave checklist

The above list is not exhaustive.

13 Further information



Any queries or comments about this policy should be addressed to <specify whom>.

14 Policy owner



This policy is owned and maintained by <specify whom, eg the Managing Director>.

15 Policy review date



Date last reviewed:

__/__/__

Checklist

Upon completion of customisation, please ensure you have:

- ✓ customised all relevant text and removed pink highlighted text
- ✓ removed all icons
- ✓ updated the Table of Contents at the front of the document (highlight the ToC and press F9 or right click and update entire table)
- ✓ removed the front cover (see instructions on front cover)
- ✓ set a review date for this policy (we would suggest annually) and diarised this
- ✓ removed this checklist!