

MATERNITY, PATERNITY, ADOPTION AND PARENTAL LEAVE POLICY

Maternity

Policy Statement

This policy explains the entitlement to maternity, paternity, adoption and parental leave and gives the employees direction and procedural guidance which is relevant to their maternity, adoption and parental leave rights and applications.

Eligibility

Any employee, irrespective of length of service is entitled to maternity leave or contractual terms and conditions. Maternity leave is for a maximum of 52 weeks.

Terminology

Expected week of childbirth (EWC) – the Sunday before the expected due date

Qualifying week – 15th week before the EWC

MatB1 – certificate given by midwife or GP which states the expected due date.

SMP – Statutory Maternity/Paternity Pay which is provided by the company. As of 6th April 2024, SMP was £184.03 per week; for updates, please check www.gov.uk/maternity-pay-leave

MA – Maternity/Paternity Allowance – which is applied directly by the employee.

OML – Ordinary Maternity/Adoption Leave – the first 26 weeks of the maternity leave

AML – Additional Maternity/Adoption Leave – the second 26 weeks of maternity leave

CML – Compulsory Maternity Leave – 2 weeks following the birth where an employee cannot return to work. Considered as part of the OML.

OMP – Occupational Maternity Pay – Benefit provided by the employer to top up SMP to either full or half pay for a period of time.

SPP – Statutory Paternity Pay which is provided by the company. As of 6th April 2024, SPP was £184.03 per week; for updates, please check www.gov.uk/paternity-pay-leave

SPL – Statutory Paternity Leave – up to 2 weeks leave upon the birth or adoption of the child

APL – Additional Paternity Leave – leave transferred from the mother or partner

ASPP – Additional Statutory Paternity Leave Pay – any remaining payment transferred from the mother/adopting parent to the employee

Maternity Leave and Pay

Statutory Maternity Leave is available if:

- Employees with 26 weeks continuous employment with by the qualifying week and whose weekly earnings are above the lower limit for NI contributions will be entitled to SMP.
- SMP for eligible employees can be paid for 39 weeks. SMP entitles the employee to 90% of their base monthly salary (before tax) for a period of 6 weeks and 33 weeks at 90% of their base monthly salary (before tax) or the SMP rate stated by the Government for that financial year (currently £184.03 per week), whichever is lower. The remaining 13 weeks are unpaid.

- Central Employment Agency (Northeast) Ltd. will pay internal employees with 26 weeks' continuous employment additional OMP, details of which can be found in the employee benefits handbook.
- Employees who do not meet the requirements for Maternity Pay may be entitled to Maternity Allowance. This can be claimed directly from the Benefits Agency via their local Job Centre. To be eligible, they must have been in employment for 26 weeks out of the 66 weeks before the EWC. Employees will need to complete the MA1 form which is available at www.gov.uk/maternity-allowance.
- To qualify for Maternity leave (paid or unpaid) the employee must notify their employer that they are pregnant, the expected week of childbirth by means of the MatB1, and the date they intend to start and finish maternity leave. The start date can be no earlier than 11 weeks before the EWC (unless the baby is born early) and can be no later than the expected due date. The employer will then write to the employee within 28 days setting out the specified return date. 8 weeks' notice is required from the employee if they would like the return date to change.
- Maternity leave consists of two parts: **Ordinary Maternity Leave (OML)** for the first 26 weeks and **Additional Maternity Leave (AML)** for the next 26 weeks. Employees can start their maternity leave no earlier than 11 weeks before the expected week of childbirth. There is also a mandatory period of 2 weeks (or 4 weeks for factory workers) of leave post-birth, which is considered part of the OML.
- Ante-natal care – Employees have the right to a reasonable amount of time off for ante-natal care. This can include appointments recommended by the GP, Midwife or Health Visitor as part of their ante-natal care. Employees are expected to provide their employer with appointment documentation to show an appointment has been made. Reasonable notice of appointments should be given to Managers and the HR department by employees wherever possible.
Time off for antenatal care, including appointments recommended by a GP, midwife, or health visitor, is **paid leave**.
- Shared Parental Leave – Transfer of maternity leave so a partner can take Additional Paternity Leave is available for employees. Employees have the right to transfer maternity leave to their partner, spouse or biological father of their child after 20 weeks of the child's birth and this will include the transfer of any SMP if there is any outstanding. This will not include the payment of any contractual maternity pay that the employee is due. Further details on this are included in the Paternity and Parental Leave Policy.
- If the baby is born early. Maternity Leave starts the day after the birth if the baby is born early. The employee must provide proof of the child's date of birth in the form of the birth certificate, or a document signed by the Doctor, GP or Midwife, confirming the child's date of birth. The employee must inform the company in writing of any changes to the expected end of leave agreements.
- In the unfortunate event that the child is stillborn after 24 weeks of pregnancy or dies post-birth, the employee is still entitled to maternity leave and pay. The employee should provide the necessary documentation, such as a birth certificate or a letter from a medical professional, to confirm the event. The maternity leave will commence immediately in such cases.

Adoption Leave and Pay

Adoption Pay – Employees must have 26 weeks' continuous service ending with the week that they are notified of a match with a child from the agency. Couples who adopt will nominate one partner that will take the adoption leave. This will be paid in the same way as outlined under the Maternity Pay section of this policy. The partner that does not take the adoption leave may be entitled to paternity leave or additional paternity pay or leave.

- To qualify for adoption leave (paid or unpaid) employees should notify their employer within 7 days of being told they have been matched with a child and provide any documentation from the matching panel. Once a date has been arranged for the child to be placed with the employee, they should let their employer know when they

expect their adoption leave to start and their expected return date. The start date can be no earlier than 14 days before the child is expected to start living with the employee and no later than the day they start living with the employee (UK Adoption). If the adoption is from overseas, then the leave will start on the day the child enters the UK and the employee will need to provide evidence of this by producing a plane ticket or entry clearance documents. The employer will then write to the employee within 28 days setting out the specified return date. 8 weeks' notice is required from the employee if they would like the return date to change.

- Transfer of adoption leave so a partner can take Additional Paternity Leave is available for all employees. Employees have the right to transfer adoption leave to their partner or spouse after 20 weeks of the child being placed with them and this will include the transfer of SAP if there is any outstanding. This will not include the payment of any contractual adoption pay that the employee is due. Further details of this are included in the Paternity and Parental Leave Policy.
- Some employment types such as agency workers, directors and educational workers may have different rules of entitlement. Please refer to the gov.uk website for further details.

Keeping in touch days

Employees on maternity/adoption leave are entitled to use up to 10 keeping in touch days. These are paid days for the employee to use for training or work-related events. They are intended to help employees keep in touch with the workplace and allow them to do some work during the Maternity Pay period without affecting their SMP. Employees should arrange these directly with their Manager and the HR department. They are not compulsory, and the employee can use all or none of the 10 days they are entitled to. Arrangements should be made for contact during the period of maternity/adoption leave, which may be via email or telephone.

Surrogacy

If the employee is acting as a surrogate for another person or will be receiving a child via surrogacy both are entitled to maternity leave and pay as long as they fit the criteria listed above. This is the case even if both parties are employees of the same organisation. A birth certificate and transfer of parental right certificate will need to be provided for the leave and pay to be granted.

Breastfeeding at work

Central, as a family-friendly company, offers help and support to mothers who are breastfeeding when they return to work. If an employee will be breastfeeding when they return to work, they would need to notify the company in advance of their return so appropriate arrangements can be made e.g. private room for expressing, a fridge to store expressed milk, flexibility in work related tasks.

Return to work

All employees have the right to return to their original post or on no less favorable terms and conditions if they return within 52 weeks of the maternity/adoption leave start date. Accrued annual leave can be taken before the return-to-work date. Any requests for flexible working can be made through the procedure listed within the Flexible Working Policy.

Should an employee wish to raise a grievance regarding a procedural concern they can do so at any time by following the process set out in the Grievance Policy.

The company will review this policy every 3 years unless there are Government changes to legislation in that period.

Paternity

Paternity Leave and Pay

Statutory Paternity Leave is available if:

- the employee is the father of the child or partner or spouse of the mother
- the employee receives notification that they are to be matched with a child for adoption
- the employee is adopting from overseas, and the child has entered the UK

Statutory Paternity Leave will be paid if the employee has worked continuously for 26 weeks at the 15th week before the child is expected to be born or the end of the week in which they are notified they have been matched with a child for adoption. Those who are eligible can choose to take a block of one or two consecutive weeks (not odd days).

Statutory Paternity Leave will be paid at 90% of the employees' base monthly salary or at the SPP rate as set by the Government (currently £184.03 per week), whichever is lower. The employee will need to take their paternity leave within 56 days of the actual date of birth of the child, or if the child is born early, within the period from the actual date of birth up to 56 days after the first day of the week in which the child was expected.

Additional Paternity Leave benefits are available to internal employees and can be found within the employee benefits handbook.

Notification

For overseas adoptions, adoption leave can start when the child enters the UK, and the employee must provide the necessary documentation, such as a plane ticket or entry clearance documents, to confirm the child's arrival. The employee should inform their employer of the expected start date of the leave as soon as possible and no later than 15 weeks before the expected due date of the child, when they are expecting their leave to start and whether they plan to take one or two weeks. The employer will confirm the return date in writing within 28 days. An 8-week notice period is required for any changes to the return date.

Employees will also need to submit the SC3 form which is available on the www.gov.uk website. The employer will send written notification to the employee of the arrangement agreed within 14 days.

Additional Paternity Leave may be available if:

- the employee is the father of the child or the spouse or partner of the mother
- the employee receives notification that they are to be matched with a child for adoption
- the employee is adopting from overseas, and the child has entered the UK
- the child's mother is entitled to statutory maternity/adoption leave, maternity/adoption pay or allowance

Additional Paternity Leave is for a maximum period of 26 weeks and can be taken at any time from 20 weeks after the child is born/placed with the employee for adoption but must finish within 12 months.

For the pay and leave to be taken the mother must have returned to work with at least two weeks of the 39-week payment period remaining. ASPP is only available during the 39 weeks statutory maternity/adoption pay period and cannot continue beyond this point.

The employee must notify their employer in writing at least 8 weeks before the start of the leave. This must include:

- the requested APL start and end date

- the expected date of the baby's birth or date of notification of being matched for adoption
- a letter from the mother stating her name, address and NI number, confirmation that notice for her return has been given to her employer, that she is entitled to SMP or MA, the start date of the maternity/adoption leave, confirmation that the employee satisfies the relationship eligibility and that they are the sole applicant for APL
- the mothers' employers name and address
- a copy of the child's birth certificate or adoption matching details must be submitted to the employer within 28 days of APL being requested

Parental Leave

All employees who have one years' service within the company are entitled to 18 weeks of unpaid parental leave.

Employees can take up to four weeks a year for the purpose of caring for a child. This entitlement extends to any child up to the age of 14 or up to 18 years old for a disabled child. Parental leave should be taken for periods of at least one week.

Parental Leave will be unpaid.

Employees should apply to their manager for parental leave in the same way as is agreed for annual leave.

Additional paternity benefits are available to internal employees and can be found within the employee benefits handbook.

Should an employee wish to raise a grievance regarding a procedural concern they can do so at any time by following the process set out in the Grievance Policy.

Employment Rights

An employee's employment rights such as right to pay, holiday entitlement and returning to employment are protected during Maternity/Paternity and Adoption Leave.

Signed:



Mark Trett – Operations Director

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