

# PO31 FAMILY FRIENDLY POLICY AND PROCEDURE

---

## Policy

### Introduction

In addition to any statutory and annual leave entitlements, paid leave may be granted for serious and exceptional occurrences. This policy sets out all conditions where compassionate or special leave may be granted, and the process involved. Unless otherwise specified below, all such leave will be unpaid except at the sole discretion of the CEO.

Please note that the organisation may, at any time, require you to provide evidence to validate your claim under any of the headings below. If you are found to have made a fraudulent claim, you will be subject to disciplinary action, up to and including summary dismissal in appropriate cases.

### Compassionate Leave

Compassionate leave may be granted for serious illnesses or bereavement within your immediate family. This period will not normally be longer than 3 days however it may be extended at the discretion of the CEO, dependent on circumstances. For guidance purposes only, you may expect to be permitted 3 days bereavement leave for a family member, plus an additional 2 days for a close family member (defined as a parent, sibling or child, including by marriage or adoption). You will be required to take additional days as annual or unpaid leave.

### Maternity Leave

You have certain statutory rights when you are pregnant. These are addressed in turn below, listing what conditions must be met for you to be entitled to the rights. To obtain the benefit of each right, you must have complied with all of the conditions.

## Guidance

### Ante-Natal Care

You are entitled to reasonable time off work with pay to attend for ante-natal care at appointments made on the advice of a registered medical practitioner, registered midwife, registered health worker. You should provide a certificate of pregnancy (the MAT B1 form) and an appointment card for each attendance.

### Maternity Leave

Pregnant employees are entitled to 52 weeks maternity leave (26 weeks ordinary maternity leave followed by 26 weeks additional maternity leave). Additional maternity leave begins on the day immediately following the day on which ordinary maternity leave ends.

Whilst on maternity leave, employees are entitled to the same terms and conditions (with the exception of remuneration) during both ordinary and additional maternity leave.

At the end of your maternity leave you are entitled to return to the job you were in before you went away. In the event that you take additional maternity leave, you may not be able to return to the same job but may be offered a suitable alternative position on no less favourable terms and conditions.

## **PO31 FAMILY FRIENDLY POLICY AND PROCEDURE**

---

In order to take up your maternity leave you must notify the organisation in writing by the 15<sup>th</sup> week before the Expected Week of Childbirth (EWC) unless that is not reasonably practicable, of the following:

- That you are pregnant
- The EWC
- The date on which you intend your ordinary maternity leave to start, and
- If requested, provide medical evidence of the EWC (ie. the MAT B1 form)

You are legally prohibited from working during the 2 weeks immediately after the birth; this is known as the Compulsory Maternity Leave Period and is considered part of the ordinary maternity leave.

If you wish to return to work prior to the end of the additional maternity leave you must give at least 8 weeks' notice of your intended date of return.

### **Statutory Maternity Pay (SMP)**

If you stop work and meet all of the following conditions you are entitled to receive SMP. You must therefore:

- Have been continuously employed for at least 26 weeks ending the 15<sup>th</sup> week before the Expected Week of Childbirth (EWC)
- Have average earnings not less than the figure set by the Government for the payment of National Insurance contributions
- Still be pregnant at the 11<sup>th</sup> week before EWC or have given birth by that time
- Give at least 28 days' notice that you intend to stop work
- Provide medical evidence for the EWC

For the first 6 weeks SMP is payable at the earnings related rate (equivalent to 90% of earnings) and for the remaining 33 weeks at the standard rate set by the Government.

The above information is for guidance only. Full details will be given to you once you have informed the organisation of your pregnancy.

### **Keeping in Touch Days**

Employees on maternity leave are entitled to work for up to 10 (paid) days during the statutory maternity leave period without that bringing that period to an end as a result of carrying out the work. Work may include training or any other activity undertaken to keep you in touch with the workplace. Any such work will be agreed by the organisation and you. Any such days work will not have the effect of extending that maternity leave period.

### **Parental Leave**

You may be entitled to (unpaid) parental leave if you have, or will be expected to have 'formal parental responsibility for a child'. This includes parents and adoptive parents, unmarried fathers who have a formal agreement or a court order and guardians. To qualify for parental leave you must have 1 year's continuous employment with the organisation. Both mothers and fathers can qualify for parental leave as below:

## **PO31 FAMILY FRIENDLY POLICY AND PROCEDURE**

---

- Up to 18 weeks unpaid leave of absence for each child
- Leave can be taken up to the child's 5<sup>th</sup> birthday
- Adoptive parents can take leave up to the 5<sup>th</sup> anniversary of the placement (or the child's 18<sup>th</sup> birthday, if that is sooner)
- Parents of disabled children may take leave up to their child's 18<sup>th</sup> birthday

Leave must be taken in a minimum of 1 week blocks (except for where a child is disabled then leave may be taken as single days or multiples of one day) and is limited to a maximum of 4 weeks in any year for each child.

At least 21 days' notice must be provided and leave may be postponed apart from leave taken immediately after the birth or adoption, depending on the needs of the organisation.

### **Paternity Leave**

If you are eligible, you will be entitled to ordinary paternity leave. This will allow you to take either one week or two consecutive weeks leave (not odd days) if you:

- Have been continuously employed for at least 26 weeks by the 15<sup>th</sup> week before the expected Week of Childbirth (EWC) or by the week in which an Approved Adoption Agency matches you with a child, and
- Have given notice of your intention to take leave in or before the 15<sup>th</sup> week before the EWC, specifying the length of period you have chosen to take and the date you have chosen the leave to begin.

If you qualify for ordinary paternity leave, you may also qualify for Additional Paternity Leave (APL) provided the following conditions are met:

- You remain employed by the organisation until the week before the first week of APL
- The child's mother or your co-adopter, as the case may be, has been entitled to statutory leave, and
- The child's mother or your co-adopter, as the case may be, has returned to work.

APL must be taken in the period beginning 20 weeks after the child's date of birth or adoption placement, and ending 12 months after that date of birth or adoption.

APL must be taken as multiples of complete weeks and as one period. The minimum amount of APL that can be taken is 2 weeks and the maximum is 26 weeks.

To qualify for Ordinary Statutory Paternity Pay (OSPP) or Additional Statutory Paternity Pay (ASPP) you must have average weekly earnings of not less than the figure set by Government for the payment of National Insurance contributions. You will be paid paternity pay at the standard rate or 90% of your average weekly earnings if this is less. ASPP will equate to the number of weeks unexpired maternity pay or adoption pay that remained when the child's mother or the co-adopter returned to work.

# **PO31 FAMILY FRIENDLY POLICY AND PROCEDURE**

---

## **Adoption Leave**

Adoption leave gives a statutory right to 26 weeks ordinary adoption leave and 26 weeks additional adoption leave, giving a total of up to 1 year's leave. Eligible employees must have been continuously employed for at least 26 weeks ending in the week in which they are notified of having been matched with the child. Leave may be taken by either parent. Further information on Adoption Leave and Pay entitlements can be obtained from your line manager.

## **Family Emergencies**

You are entitled to reasonable time off for urgent incidents of real need involving a dependent who is a member of your immediate family or someone who reasonably relies on you for help, when they are injured or for making arrangements for them to be cared for in the event of illness or injury. This time can be taken as Annual Leave, Flexitime or as unpaid days, as available, and at the sole discretion of your Line Manager.

The entitlement to time off in such circumstances is limited to what is reasonable for you to deal with the immediate problem and sort out any longer term arrangements. If you are unable to attend work due to unforeseen family circumstances such as the death of a dependant, breakdown of childcare arrangements or illness of a dependant, you may be entitled to reasonable time off work.

Related Policies:	PO73 Flexible Working		
Related Documents:	none		
Version:	2.0		
Published:	February 2014		
Review Date:	July 2017	Date Reviewed:	July 2017
Review Date:	July 2019, or earlier subject to changes in legislation		