



# Family Friendly Policy

## Overview

At Greencore our people are at the core and that's what makes us successful as a business. Our family friendly policy provides guidance on options available to new and expectant parents that are designed to adjust working arrangements, which enable colleagues to balance work and home life with family needs.

These policies do not form part of an employee's contract of employment and we may amend them at any time.

## What do I need to know or do?

There are a number of areas which are covered below including:

- Maternity Policy
- Adoption Policy
- Shared Parental Leave Policy
- Paternity Leave Policy
- Parental Leave Policy

## Maternity Policy

The following definitions are used in this policy:

- "Expected Week of Childbirth" (EWC) means the week, starting on a Sunday, during which the colleague's doctor or midwife expects you to give birth
- "Qualifying Week" (QW) means the 15th week before the EWC
- "Ordinary Maternity Leave" (OML) means the initial period of absence due to pregnancy and childbirth. It may begin any date from the beginning of the 11th week before the EWC or later (until birth) and will last for up to 26 weeks (unless the colleague returns to work beforehand)
- "Additional Maternity Leave" (AML) means the additional leave which commences the day after OML ends and may continue for up to 26 weeks

## Notification of Pregnancy

On becoming pregnant, you should notify your line manager as soon as possible. This is important as there are health and safety considerations we will need to review. However, by the end of the QW, or as soon as reasonably practicable afterwards, you are required to inform us in writing of:

- the fact that you are pregnant
- your expected week of childbirth
- the date on which you intend to start your maternity leave

You must also provide a MATB1 form, which is a certificate from a doctor or midwife confirming the EWC. This is normally available after the 20th week of pregnancy.

We will write to you within 28 days to tell you the date we will expect you to return to work if you take your full maternity leave entitlement.

## Time off for Ante Natal care

### Time off if you are pregnant

The following rights in respect of time off for antenatal care are available to you regardless of your length of service:

- On the occasion of your first appointment for antenatal care, you will be entitled to time off on full normal pay.
- For any subsequent appointments for antenatal care, you may be required to produce authoritative medical evidence of such appointments, such as an appointment card, and where this is satisfied you will be entitled to full normal pay for such authorised absence
- Prior to any appointment for antenatal care you should give as much notice as possible in order that cover for your absence can be arranged
- We reserve the right to ask you to change any appointment made if it affects our operation and you must comply with this request if it is reasonably practicable to do so

## Time off for accompanying a pregnant woman

You may take unpaid time off to accompany a pregnant woman to an antenatal appointment if you have a "qualifying relationship" with the woman or the child. This means that either:

- you are the baby's father;
- you are the pregnant woman's spouse, civil partner or cohabiting partner **or** are living with her in an enduring family relationship and she is not your sister, mother, grandmother, aunt or niece;
- she has undergone assisted conception and at that time you were her wife or civil partner or gave the required legal notices to be treated in law as the second female parent; or
- you are one of the intended parents in a surrogacy arrangement and expect to obtain a parental order in respect of the child.

Please give us as much notice of the appointment as possible. You must provide us with a signed statement providing the date and time of the appointment and confirming:

- that you meet one of the eligibility criteria above;
- that the purpose of the time off is to accompany the pregnant woman to an antenatal appointment; and
- that the appointment has been made on the advice of a registered medical practitioner, registered midwife or registered nurse.

You may take time off to accompany a pregnant woman to up to three antenatal appointments in relation to each pregnancy. You must not take more than six and a half hours off for each appointment, including travel and waiting time.

## Health and safety

Under the Management of Health and Safety at Work Regulations 1999, we are required, for pregnant colleagues, to:

- Carry out a workplace risk assessment
- Take preventative or protective action or adjust working conditions or hours, dependent upon the assessment findings
- Offer alternative work if the risk cannot be avoided
- Suspend on full pay if a suitable alternative position cannot be provided

It is the responsibility of the line manager of the pregnant colleague to ensure the work place assessment is carried out as soon as possible after notification of pregnancy. If assistance or further information is required on the Work Place Assessment, then the SHE Manager should be notified.

## Sickness absence

If you are absent from work during pregnancy due to sickness, you will receive normal statutory or contractual sick pay in the same manner as you would during any other sickness absence provided that you have not yet begun your maternity leave. If, however, you are absent from work due to a pregnancy-related illness after the beginning of the fourth week before your EWC, your maternity leave will usually start automatically (see below).

## Maternity Leave

You are entitled to take up to 26 weeks' OML and up to 26 weeks' AML, making a total of 52 weeks of available leave. This is regardless of the number of hours you work or your length of service.

AML begins on the day after OML ends.

OML can start at any time after the beginning of the 11th week before your EWC (unless your child is born prematurely before that date in which case it will start earlier). The leave will start on whichever date is the earlier of:

- your chosen start date
- the day after you give birth if your child is born before maternity leave is due to start
- the day after any day on which you are absent for a pregnancy-related reason in the four weeks before the expected week of childbirth

If you give birth before your maternity leave was due to start, you must notify us of the date of the birth as soon as reasonably practicable.

Once you have notified us of your expected start date, HR will respond in writing to your notification of leave plans, confirming the date on which you are expected to return to work if you take the full 52-week entitlement to maternity leave.

You may bring forward your maternity leave start date, provided that you have advised us in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable.

You may also postpone your maternity leave start date, provided that you advise us in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The law obliges all new mothers to take a minimum of two weeks of maternity leave immediately after the birth of the child (four weeks in the case of factory workers).

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

## Ordinary Maternity Leave (OML)

During OML you will continue to accrue all the benefits that you would otherwise have been entitled to had you remained at work, other than those relating to remuneration. When you return to work after OML you have a right to the same job and the same terms and conditions as if you hadn't been absent.

## Additional Maternity Leave (AML)

During the period of AML you will continue to accrue all the benefits that you would otherwise have been entitled to had you remained at work, other than those relating to remuneration. When you return to work after AML you have a right to the same job and the same terms and conditions as if you hadn't been absent, unless it is not reasonably practicable for us to allow you to return to your original job. If this is the case you may be offered alternative work which is suitable and appropriate for you in the circumstances.

## Maternity Pay (SMP)

SMP is payable for up to 39 weeks during maternity leave. You are entitled to SMP if:

- you have been continuously employed by the organisation for at least 26 weeks at the end of the QW and you are still employed during that week
- your average weekly earnings in the period between the last normal pay day before the end of the QW and the last normal pay day at least eight weeks before that date are not less than the lower earnings limit set by the government
- you are still pregnant 11 weeks before the start of the EWC (or have already given birth)
- you provide a MATB1 form stating your EWC
- you give the organisation proper notification of your pregnancy in accordance with the rules set out above

For the first six weeks, SMP is paid at the higher rate, which is equivalent to 90% of your average weekly earnings, this is calculated over the period between the last normal pay day before the Saturday at the end of the QW and the last normal pay day at least eight weeks before that date. For calculating average weekly earnings, shift allowances, overtime payments, bonuses and commission are all included.

The standard rate of SMP is paid for the remaining 33 weeks (or less if you return to work sooner). Payment of SMP cannot start prior to the 11th week before the colleague's EWC.

If you are not entitled to SMP you may be entitled to receive Maternity Allowance payable directly by the Government.

## Company Maternity Pay

For colleagues who will begin their maternity leave after 1<sup>st</sup> September 2019 and have full 12 months service at the expected date of childbirth, you will qualify for company maternity pay and will receive 12 weeks at 90% of your ordinary pay. This includes any SMP which may be due during this period.

## Keeping in Touch days (KIT)

You are entitled to complete up to ten days work during your maternity leave without losing SMP or bringing your maternity leave to an end. These 10 days are referred to as Keeping in Touch Days (KIT Days). The decision to undertake a KIT day must be made by agreement between yourself and your line manager. We have no right to demand that any such KIT work is undertaken, and you have no right to undertake such work.

The KIT days can be taken at any time during your maternity leave, however you cannot work during compulsory maternity leave which is the two weeks immediately after your child is born (four weeks in the case of factory workers).

These KIT days may be useful for things such as training or team events, however keeping in touch days may be used for any form of work. You will need to agree with your Manager what work is to be done. For any KIT days worked you will receive your normal salary equivalent to the time period worked on your KIT day.

## Contact during Maternity Leave

We will maintain reasonable contact with colleagues during a period of maternity leave.

## Returning to work

You will have been formally advised in writing by the organisation of the date on which you are expected to return to work. If you take the full 52-week entitlement to maternity leave, you are expected to return on this date, unless you notify us to the contrary. If you are unable to attend work at the end of your maternity leave due to sickness or injury, the normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

While you are under no obligation to do so, it would assist us if you confirm as soon as convenient during your maternity leave that you will be returning to work as expected.

If you wish to return to work earlier than the expected return date, you must give us at least eight weeks' notice of your date of early return, preferably in writing. If you fail to do so, we may postpone your return to such a date as will give us eight weeks' notice, provided that this is not later than the expected return date.

If you decide not to return to work after maternity leave, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after maternity leave has ended, we may ask you to return to work for the remainder of the notice period.

## Holiday during Maternity Leave

Holiday entitlement will continue to be accrued in line with the full contractual entitlement during both the period of OML and AML. Colleagues are also entitled to a day off in lieu of any public holiday's occurring during maternity leave. Accrued holiday entitlements should be taken prior to the commencement of your maternity leave as payment-in- lieu cannot be made at a later date. As annual leave and maternity leave cannot be taken or paid concurrently, holiday entitlements accrued during the maternity leave period must be taken upon your return to work as payment in lieu cannot be made at a later date. Where you intend to take accrued annual leave prior to your return to work, you must confirm this in writing 8 weeks' before the end of your maternity leave period.

## Maternity Allowance

Colleagues who are not entitled to SMP may be entitled to receive Maternity Allowance which is payable directly by the government upon completion and submission of a SMP1 form.

This is based on a colleague's recent employment and earnings record and is a state benefit that may be payable for 39 weeks.

To qualify for Maternity Allowance the colleague must have:

- Worked for any 26 weeks in the 66 week period before their baby is due. The 26 weeks do not have to be consecutive and you can count any jobs in which you earned at least the current statutory minimum amount per week and any weeks of self-employment.
- Maternity allowance is paid for 39 weeks at the flat rate of SMP. If you do not qualify for maternity allowance, you may qualify for incapacity benefit or Employment Support Allowance.

## Adoption Policy

### Adoption Leave and notification

You will be entitled to adoption leave if you have:

- Been matched with a child for adoption
- Notified the adoption agency that you agree that the child will be placed with you and have agreed a date for this placement
- Given the correct notice
- Complied with the evidence requirements

The partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to Paternity Leave and Pay. You will not be entitled for Statutory Adoption Leave or Pay if you:

- arrange a private adoption
- become a special guardian or kinship carer
- adopt a family member or stepchild

To qualify for adoption leave you must give us notice:

- That you have been matched with a child and intend to take adoption leave, within 7 days of being matched (or as soon as is reasonably practicable)
- Of the date that the child will come to live with you
- Of the date you want to start your adoption leave – this will be either the date the child joins the family or a date up to 14 days before the expected date of placement
- Proof of the adoption

You can start your adoption leave from up to two weeks before the date that the child is placed with you for adoption (i.e. the date the child joins the family).

You are entitled to take up to 26 weeks' Ordinary Adoption Leave (OAL) and up to 26 weeks' Additional Adoption Leave (AAL), making a total of up to 52 weeks. This is regardless of the number of hours you work or your length of service.

AAL begins on the day after OAL ends.

### If you are adopting a child alone

If you are adopting a child alone, you are treated as the primary adopter.

### If you are adopting a child with another person

You must decide between yourself and your partner who will be treated as the primary adopter and who will be treated as the secondary adopter for the purposes of time off. You must tell us your decision the first time you request time off for an adoption appointment. This will affect how much time you can take off and whether it is paid.

You would usually choose to be the primary adopter if you intend to take adoption leave when the child is placed with you. You would not be able to take paternity leave if you have elected to be the primary adopter.

You would usually choose to be the secondary adopter if you intend to take paternity leave when the child is placed with you, although you might be able to take adoption leave if your partner is not taking it.

## If you are adopting more than one child

If the agency is placing more than one child with you as part of the same arrangement, this is treated as one adoption and will not increase the number of appointments you can take time off to attend. Any time off under this provision must be taken before the first child is placed with you.

## Time off for an adoption appointment

An adoption appointment is one arranged by an adoption agency (or at their request) for you to have contact with a child who is to be placed with you for adoption, or for any other purpose related to the adoption.

You may take time off to attend an adoption appointment once the agency has notified you that a child is to be placed with you for adoption but before the child is actually placed with you.

If you are adopting on your own you may take paid time off to attend an adoption appointment. If you are adopting jointly you may choose to take paid time off or unpaid time off. However, if one colleague in the couple chooses to take paid time off, the other colleague is restricted to taking unpaid time off.

The right to paid time off allows the colleague to attend up to five adoption appointments. The right to unpaid time off allows the colleague to go along to two appointments. Up to 6 ½ hours is allowed for each appointment, which includes travel and waiting time.

Further time off for ante natal appointments is at our absolute discretion, or alternatively, you may wish to take it as annual leave.

## How to book time off

Please give us as much notice of the appointment as possible. You must provide us with a signed statement providing the date and time of the appointment and confirming (a) you meet one of the eligibility criteria above, (b) whether you are adopting a child alone or jointly with another person and if you are adopting with another person, whether you wish to take paid or unpaid time off.

We may sometimes ask you to try and rearrange an appointment where it is reasonable to do so. In exceptional circumstances we reserve the right to refuse a request for a particular appointment but we will not do so without good reason.

## Statutory Adoption Pay (SAP)

SAP is payable for up to 39 weeks during Adoption Leave. You will be entitled to SAP if you have:

- 26 weeks continuous employment at the qualifying week (QW)
- Earned, on average, at least the lower earnings level in the 8 weeks leading up to the date you were notified of a match with a child
- Notified us of when you would like the OAL to begin
- Started your adoption leave

In the vast majority of adoptions, the QW is the week in which a prospective adopter is notified they have been matched for adoption with a child.



For the first six weeks, SAP is paid at the higher rate, which is equivalent to 90% of your average weekly earnings calculated over the period between the last normal pay day before the Saturday at the end of the qualifying week and the last normal pay day at least eight weeks before that date. For the purpose of calculating average weekly earnings, shift allowances, overtime payments, bonuses and commission are all included.

The standard rate of SAP is paid for the remaining 33 weeks (or less if you return to work sooner). Payment of SAP cannot start prior to the 11th week before the colleague's Expected week of childbirth.

The colleague must also provide a declaration that they have elected to receive SAP and not Statutory Paternity Pay.

### Enhanced Adoption Pay

For colleagues who will begin their adoption leave after 1<sup>st</sup> September 2019 and have full 12 months service at the expected date of adoption, you will qualify for company adoption pay and will receive 12 weeks at 90% of your ordinary pay. This includes any SAP which may be due during this period.

### Keeping in Touch days (KIT)

You are entitled to the same KIT entitlement as colleagues on maternity leave, please see above.

### Contact during Adoption Leave

We reserve the right to maintain reasonable contact with colleagues during a period of adoption leave.

### Returning to work

You will have been formally advised in writing by the organisation of the date on which you are expected to return to work if you take the full 52-week entitlement to adoption leave. You are expected to return on this date, unless you notify us to the contrary. If you are unable to attend work at the end of your maternity leave due to sickness or injury, our normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

While you are under no obligation to do so, it would assist us if you confirm as soon as convenient during your adoption leave that you will be returning to work as expected.

If you wish to return to work earlier than the expected return date, you must give us at least eight weeks' notice of your date of early return, preferably in writing. If you fail to do so, we may postpone your return to such a date as will give us eight weeks' notice, provided that this is not later than the expected return date.

If you decide not to return to work after adoption leave, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after adoption leave has ended, we may ask you to return to work for the remainder of the notice period.

## Holiday during Adoption Leave

Holiday entitlement will continue to be accrued in line with the full contractual entitlement during both the period of OAL and AAL. Colleagues are also entitled to a day off in lieu of any public holiday's occurring during adoption leave. Accrued holiday entitlements should be taken prior to the commencement of your adoption leave as payment-in-lieu cannot be made at a later date. As annual leave and adoption leave cannot be taken or paid concurrently, holiday entitlements accrued during the adoption leave period must be taken upon your return to work as payment in lieu cannot be made at a later date. Where a colleague intends to take accrued annual prior to her return to work, she must confirm in writing 8 weeks' before the end of her adoption leave period.

## Shared Parental Leave Policy

### Shared parental leave

Shared Parental Leave is available to parents and adoptive parents or a partner who shares the main responsibility for the care of the child. Shared Parental Leave allows a mother or primary adopter to commit to ending their maternity or adoption leave and pay at a future date, and to share the untaken balance of the leave and pay with their partner or alternatively to return to work early and opt into shared parental leave at a later date.

Shared Parental Leave is a different type of leave to Parental Leave. Shared Parental Leave can be taken in up to three blocks, however; if the blocks are not continuous we have the automatic right to refuse the request.

Sometimes only one parent or adopter in a couple will be entitled to Shared Parental Leave which means that they can't share the leave.

### Eligibility

In order to be eligible for Shared Parental Leave a colleague must meet the following criteria:

- You must be:
  - the child's mother or primary adopter and share the main responsibility for the care with the child's father or with your partner;
  - the child's father or secondary adopter and share the main responsibility for the care of the child with the child's mother/primary adopter;
  - the mother's/primary adopter's partner and share the main responsibility for the care of the child with the mother/primary adopter.
- You must also have worked for us continuously for at least 26 weeks by the end of the fifteenth week before the due date (or date you are matched in terms of adoption)
- You must still be employed while you take your Shared Parental Leave
- the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the arrival of the child and had average weekly earnings of at least £30 during 13 of those weeks; and
- You must give the correct notice including a declaration that your Partner meets the employment and income requirements for you to be entitled to Shared Parental Leave

If you do not meet the eligibility criteria, your request for leave will be rejected.

During Shared Parental Leave all terms and conditions of the colleague's contract except pay will continue.

## Entitlement

If a colleague is eligible and they or their partner end Maternity or Adoption leave or pay early then they can (as appropriate):

- take the rest of the 52 weeks of leave as Shared Parental Leave
- take the rest of the 39 weeks of pay as Shared Parental Leave Pay

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

## Colleague's notice of entitlement and intention

The colleague, whether the mother/primary adopter or the partner must provide us with a non-binding notice of entitlement and intention. This must be in writing, signed by both parties and provided at least eight weeks before the start date of the first period of Shared Parental Leave and must contain the following:

- Mother's or Primary Adopter's name
- Partner's name
- Start and end date of any Maternity/ Adoption Leave and Pay taken or to be taken
- Total amount of Shared Parental Leave available
- If taking Shared Parental Pay ("ShPP") the total ShPP available
- How much ShPP will be allocated to you and how much to the other parent
- Child's expected week of birth or the date of the adopted child's placement with the family
- How much Shared Parental Leave the mother and partner intend to take

Once a notice of entitlement has been received we will request a copy of the child's birth certificate or proof of adoption and the name and address of the other parent's employer. The colleague has 14 days in which to provide this information.

Colleagues are restricted to a combined total of up to three periods of leave notice or variations of notices per pregnancy/ adoption.

Once we receive an entitlement, intention or leave notice a meeting will be arranged with the colleague to discuss the application. If the application is for one continuous period and all qualifying criteria have been met it will be granted. If the request is for a discontinuing period of Shared Parental Leave we retain the right to consent to the leave, propose an alternative pattern of leave, or reject the request.

## Starting Shared Parental Leave

For Shared Parental Leave to start the mother, or adopter, must do one of the following:

- End their maternity or adoption leave by returning to work
- Give a "binding notice" (a decision which cannot be changed) of the date when they will end their maternity or adoption leave
- End their maternity pay or maternity allowance

A mother cannot return to work before the end of the compulsory two weeks of maternity leave following the birth (four weeks in the case of factory workers).

Shared Parental Leave can start for the partner while the mother or adopter is still on maternity or adoption leave if she has given notice of intention to end the leave.

## Booking you Shared Parental Leave Dates

Leave must be taken in blocks of at least one week. If your period of leave notice gives a single continuous block of SPL you will be entitled to take the leave set out in the notice. You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

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

## Variation or cancellation of notice of entitlement and intention

You can vary or cancel your Shared Parental Leave dates in writing up the point that the leave notice is received.

## Contact during Shared Parental Leave

We reserve the right to maintain reasonable contact with colleagues during a period of Shared Parental Leave.

## Shared Parental Leave in Touch days (SPLIT)

You are entitled to complete up to 20 days work during your shared parental leave without losing shared parental leave pay or bringing your shared parental leave to an end. These 20 days are referred to as Shared Parental Leave in Touch Days (SPLIT Days). The decision to undertake a SPLIT day must be made by agreement between yourself and us. We have no right to demand that any such SPLIT work is undertaken and you have no right to undertake such work. These days are in addition to the 10 KIT days already available to those on maternity or adoption leave.

The SPLIT days can be taken at any time during your shared parental leave. These SPLIT days may be useful for things such as training or team events, however SPLIT days may be used for any form of work. You will need to agree with your Manager what work is to be done. For any SPLIT days worked you will receive your normal salary equivalent to the time period worked on your SPLIT day.

## Shared Parental Pay

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

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

You will qualify for company shared parental pay if you have full 12 months service at the expected date of childbirth or adoption placement and have not received any company paternity pay, maternity pay, adoption pay or shared parental pay from our employment during the 12 month period ending with the Qualifying Week.

Company shared parental pay is paid at 90% of your ordinary pay for the first 12 weeks and ShPP for the remainder. Any period of company maternity or paternity pay for the same child will count towards your company shared parental pay entitlement.

Company shared parental pay is only paid if you are receiving ShPP for the same period, and includes the ShPP due.

### Returning to work following Shared Parental Leave

The colleague has the right to resume working in the same job when returning to work from Shared Parental Leave. This is conditional on the period of leave being 26 weeks or less when added to any other period of Shared Parental Leave, Statutory Maternity or Additional Leave taken in relation to the same child.

If the leave is more than 26 weeks the colleague has the right to return to the same job unless this is not reasonably practicable for us to allow. If this is the case they may have the right to return to another job which is suitable and appropriate.

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

## Paternity Policy

### Paternal leave

You are entitled to Paternity Leave if you are the biological father or spouse, civil partner or cohabiting partner of the biological mother and have responsibility for the child's upbringing. This entitlement is to one week or two consecutive weeks leave to be taken within the period from the child's birth to the 56th day following the birth.

We can ask for a declaration that you are taking leave for the purpose of caring for the child or supporting the child's mother. Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Only one period of leave can be taken, irrespective of the number of children who are born at the same time.

### Eligibility for Paternity Leave

Colleagues will need to satisfy the following conditions in order to qualify for paternity leave. They must:

- Have or expect to have responsibility for the child's upbringing
- Be the biological father, the mother's husband or partner or the adoptive parent
- Have worked continuously for us for 26 weeks leading into the 15th week before the baby is due

### Notification of Paternity Leave

Paternity Leave must be notified in advance, no later than the 15th week before the Expected week of childbirth or no more than seven days after the adoption agency notify you of being matched with a child. The notice must set out the length of leave and the date on which leave is to be taken, (although the dates may be subsequently adjusted) and the expected date of child birth or placement. Please speak to Human Resources for any further advice.

### Duration of Paternity Leave

Eligible colleagues will be entitled to choose to take either 1 week or 2 consecutive weeks' paternity leave. Colleagues can choose to start their leave:

- From the date of the child's birth (whether this is earlier or later than expected)
- From a chosen number of days or weeks after the date of the child's birth (whether this is earlier or later than expected)
- From a chosen date

### Statutory Paternity Pay (SPP)

Pay during paternity leave will be at a standard rate or at a rate equivalent to 90% of the colleague's average weekly earnings if this figure is lower. However colleagues whose average weekly earnings are below the lower earnings limit set by the government each year will not be eligible for ordinary statutory paternity pay.

## Enhanced Paternity Pay

For colleagues with a minimum of 12 months service at the expected date of childbirth or adoption placement, we will enhance the Statutory Paternity Pay provision from the standard rate to 90% of your ordinary pay for the first two weeks of leave and SPP for the remainder. This is inclusive of any statutory paternity pay which may be due.

## Rights on and after return to work

On resuming work after paternity leave you are entitled to return to the same job as you occupied before commencing paternity leave on the same terms and conditions of employment as if you had not been absent.

## Parental Leave

If you have a child aged under eighteen, you may have the right to unpaid parental leave.

### Entitlement

To qualify you must be a colleague and have at least one year's continuous service.

You must also either be the parent:

- named on the child's birth certificate
- named on the child's adoption certificate
- with legal parental responsibility for a child under eighteen

You must also be taking the leave to care for the child

If you are separated and you do not live with your children, you have the right to parental leave if you keep formal parental responsibility for the children.

The entitlement is up to 18 weeks in relation to each child and must be taken before the child's eighteenth birthday. The right is individual and non-transferable between parents. The leave is unpaid and is in addition to any maternity, adoption, shared parental or paternity leave entitlement.

Part-time colleagues are entitled to leave on a pro-rata basis.

The entitlement is to a total of 18 weeks with successive employers, not with each individual employer, subject to the one year qualifying service rule in each employment.

We may postpone a request for leave by up to 6 months if the operation of the business would be unduly disrupted. A request for leave cannot be postponed if it is made in conjunction with the birth or placement for adoption of a child. If the leave is to be postponed, you will be notified in writing giving the reason, and the leave must be granted within 6 months.

## Notification of Parental Leave

A request for Parental Leave must be made in writing to your Manager, giving at least 21 days' notice of the date the leave is to commence and end. A prospective father wanting to take leave when the baby is born must give 21 days' notice in writing of the EWC. Where you want to take parental leave when an adoption takes place, you must give at least 21 days' notice of the week in which the adoption is expected to occur, or if that is not reasonably practicable, as soon as is reasonably practicable.

The leave must be taken in blocks of one week up to a maximum of 4 weeks in a 12 month period. Part of a week will count as a week, e.g. if you take 2 days and work the rest of the week it will count as having used one week's entitlement. The requirement to take the leave in blocks of one week does not apply if it is to care for a child with disabilities.

## Rights on and after return to work

On resuming work after parental leave you are entitled to return to the same job as you occupied before commencing parental leave on the same terms and conditions of employment as if you had not been absent.

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

## Other documents I may need?

- Time Away from Work Policy
- Risk Assessment
- Flexible Working Policy