

Maternity, Adoption, Maternity Support (Paternity) and Shared Parental Leave Policy

Policy reference – HR022

SUMMARY	This policy provides a framework that sets out the organisations maternity, adoption, maternity support (paternity) and shared parental leave and payment process. It provides employees and line managers with guidance on the legislative requirements of pay and conditions of employment and the different types of leave.
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This policy has been aligned to Greater Huddersfield and North Kirklees CCGs in light of shared staff working across the CCGs.

THIS POLICY HAS BEEN SUBJECT TO AN EQUALITY IMPACT ASSESSMENT

VERSION CONTROL SHEET

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1. Purpose

- 1.1. The purpose of this policy is to provide a framework that sets out the organisations maternity, adoption, maternity support (paternity) and shared parental leave regulations. The policy supports employees and line manager to be aware of what type of leave and pay an employee may be entitled to, in line with legislative requirements.
- 1.2. The aim of this policy is to :
 - Ensures that all employees are aware of maternity, adoption, maternity support (paternity) and shared parental leave and pay entitlements;
 - Ensures all employees understand the procedure for accessing maternity, adoption, maternity support (paternity) or shared parental leave;
 - Support line managers with a procedure to follow;
 - Satisfies legislative requirements.

2. Scope

- 2.1. This policy applies to those members of staff that are directly employed by the Clinical Commissioning Group (CCG) and for whom the CCG has a legal responsibility.

3. Responsibility

- 3.1. Good working relations are vital for the CCG to operate successfully and provide services. There is a joint responsibility for management, Trade Unions and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.

3.2. Line Managers

The key responsibilities for line managers include:

- Understanding and adhering to the obligations set out this policy;
- Providing advice and information;
- Undertaking a risk assessment (applicable for pregnant employees only);
- Responsible for informing Payroll of when the employee commences their maternity/maternity support (paternity) and return to work;
- Discussing breast feeding facilities and arrangements where required prior to the employee returning to work.

3.3. Employees

It is the responsibility of the employee to ensure that they:

- Understand their responsibilities in relation to this policy;
- Seek appropriate advice regarding pay based on eligibility (this may include Payroll, HR, ACAS and Direct.Gov where applicable);
- Responsible for notifying their line manager of their pregnancy/maternity support (paternity) as soon as reasonably possible;
- Responsible for identifying risks upon notification and where their condition requires a new risk assessment to be undertaken such as a change to physical requirements to ensure that they are not putting themselves or others at risk of harm.

3.4. Human Resources

The key responsibilities for Human Resources are:

- Leading the development, implementation and review of this policy;
- Supporting line managers and employees with queries relating to the policy and procedure;
- Ensuring the policy and procedure is reviewed and updated as required.

4. General Points

- 4.1. Confidentiality will be maintained in all aspects of this policy and records will be stored and processed in line with Data Protection legislation and the Common Law Duty of Confidence.

5. Equality Statement

- 5.1. In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, carers and sexual orientation. A consistent Equality Impact Assessment is used for all policies and procedures.

6. Accountability

- 6.1. The Chief Officer is accountable for this policy.

7. Implementation and Monitoring

- 7.1. The Remuneration Committee is responsible for the formal approval of this policy. Following approval, the policy will be disseminated to staff via internal communication methods and available through the staff intranet.
- 7.2. The policy and procedure will be reviewed periodically by the HR Team in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen sooner.

8. Procedure for Maternity Leave

- 8.1. **Maternity Leave Eligibility** - All pregnant employees, regardless of length of service, are entitled to take up to 26 weeks ordinary maternity leave and up to a further 26 weeks additional maternity leave and to resume work afterwards. The employee is therefore entitled to a total period of 52 weeks maternity leave.
- 8.2. Employees who take maternity leave have the right to return to work at any time during either the ordinary or additional maternity leave (except for the first two weeks from the day of childbirth), subject to the notification procedures set out in the following paragraphs.
- 8.3. Employees who have at least 26 weeks continuous service at the end of their qualifying week and are still employed during that week will qualify for statutory maternity pay. Further information regarding eligibility and pay can be found here <https://www.gov.uk/maternity-pay-leave>.
- 8.4. Employees who have completed 12 months continuous service at the beginning of the 11th week before the expected week of confinement (EWC) will be entitled to receive the enhanced element of maternity pay, over and above statutory maternity pay, if they are intending to return to work to the same or other NHS employer for at least three months.
- 8.5. Employees who do not meet the qualifying criteria above will be entitled to unpaid maternity leave and may be entitled to claim maternity allowance. Employees should contact the Department of Work and Pensions to obtain the form SMP1.
- 8.6. In cases of both unpaid and paid maternity leave the employee must continue to be employed until the beginning of the 14th week before the EWC and comply with the procedure outlined in the following paragraphs.

9. Maternity Schemes

- 9.1. The choice of maternity schemes is detailed in the table below. The choice will be dependent upon:
- Length of continuous NHS service;
 - The intention, or not, of the employee to return to work.

Period of employment at 14 th week prior to EWC	Scheme
Less than 26 weeks	A
26 weeks and over	B/C/D

- 9.2. All of the above schemes incorporate the statutory rights to 52 weeks protection of all terms and conditions of employment with the exception of pay. Details of schemes A, B, C, and D are contained in Appendix 1.

9.3. Procedure for Requesting Maternity Leave

9.3.1. In order to receive maternity provisions the employee is required to:

- Notify their line manager of their intention to take the appropriate scheme by completing the request form (appendix 2). The employee must submit their request by the 15th week before the EWC unless this is not reasonably practicable;
- Submit the certificate of confinement (form MATB1) to their line manager at least 28 days before the intended maternity leave date or as soon as the employee has received this where possible. The form MATB1 is issued to the employee by a GP/Midwife any time after the 20th week of pregnancy;
- Sign section 2 of the request form if they intend to return to work which confirms their declaration of intent to return to work for a minimum period of 3 months.

10. General Principles

10.1. Maternity leave usually begins 11 weeks before the EWC; however the employee may work beyond this point up to the EWC. If the employee is absent due to pregnancy related illness after the 4th week before the EWC, maternity leave/pay will automatically commence.

10.2. The HR team will keep a record of the dates related to the pregnancy and will confirm in writing the following:

- The entitlement to paid or unpaid maternity leave;
- The expected return to work date based on 52 weeks leave entitlement, unless an earlier date has been confirmed;
- The requirement to give 28 days' notice of the employee's intention to return to work.

10.3. Before going on maternity leave the line manager and the employee should discuss and agree any voluntary arrangements for keeping in touch during the employees maternity leave including:

- Any voluntary arrangements that the employee may find helpful to keep the employee in touch with developments at work and, nearer the time, to facilitate the return to work;
- Keeping the employer in touch with any developments that may affect the intended date of return.

10.4 For the purpose of calculating continuous service the provisions set out in the Agenda for Change Handbook shall apply and further information can be found here - <https://www.nhsemployers.org/tchandbook>.

11. Keep in Touch Days (KIT Days)

- 11.1. Employees can work during their maternity leave on a KIT day without bringing their maternity leave to end or losing their entitlement to statutory maternity pay. The employee may work a maximum of 10 KIT days during the maternity leave but not within the first 2 weeks after the birth of the baby.
- 11.2. The line manager and employee must agree upon the days or dates to be worked. There is no obligation for the CCG to offer such work or for the employee to accept it. A KIT day must be worked by mutual agreement.
- 11.3. The line manager and the employee will agree whether any payment for work carried out on a KIT day should be received and this must be agreed in advance. Any payment will be offset against any statutory maternity pay the employee is entitled to.
- 11.4. The line manager and the employee should agree the type of work that the employee will undertake on a KIT day and this should reflect the employee's duties and responsibilities. Attendance on training courses and attendance at team meetings may be included.
- 11.5. It is the responsibility of the line manager to submit the completed KIT form (appendix 5) along with a Payroll change form to Payroll and a copy to HR.
- 11.6. The total duration of maternity leave will remain at 52 weeks regardless of whether the employee works a KIT day or days.
- 11.7. CCG is entitled to have reasonable contact with the employee during the period of maternity leave and this is separate to KIT days.

12. Return to Work

- 12.1. If the employee chooses scheme A they are required to give written notice of their return to work no later than 28 days before the intended return date.
- 12.2. If the employee chooses scheme B it will be assumed that the employee intends to take the additional maternity leave unless otherwise notified. The 28 days' notice period will apply. Failure to provide this confirmation may result in disciplinary action.
- 12.3. An employee who intends to return to work at the end of the full maternity leave period will not be required to give any further notification of the return date although if the employee wishes to bring the return date forward, the 28 days' notice period will apply.
- 12.4. The employee will have the right to return to their job on no less favourable terms and conditions. If this is not practicable the employee will have the right to return to a job of the same pay band and to work of a similar responsibilities and status. Should the employee wish to return to work on reduced hours or to an alternative working pattern they should enter into discussions with their line manager at the earliest opportunity and no later than 28 days before the return to work. The procedure set out in the Flexible Working Policy should be followed where requests are received.
- 12.5. If the employee does not comply with the requirement to return to work for a 3 month period following their return to work within 15 months from the beginning of their maternity leave, they will be liable to refund to the organisation the whole of any maternity payments made, less any SMP entitlement. Employment with another NHS employer will be accepted provided documentary evidence of this alternative employment is provided.

13. Risk Assessment

- 13.1. For health and safety reasons the employee should notify their line manager as soon as they are aware of the pregnancy in order that the working environment can be assessed to ensure that it does not pose a risk to the employees own health or that of the unborn baby. This equally applies to the employee throughout pregnancy or whilst breast feeding.
- 13.2. As well as an initial risk assessment it is important that assessments are carried out continuously throughout the pregnancy as circumstances change.
- 13.3. Where reasonably practicable alternative work will be provided if it is identified that the employee is incapable of carrying out all, or part of their duties, or where the unborn baby may be at risk. Where this is not possible, the employee will be excluded from work on medical grounds, on full pay.
- 13.4. This provision also applies if the employee has recently given birth and /or is breast feeding.
- 13.5. The pregnant workers risk assessment can be found in appendix 3 of this policy.

14. Annual Leave and Public Holidays

- 14.1. All employees on maternity leave, whether paid or unpaid, retain their right to annual leave and public holidays. No more than the equivalent of one weeks' annual leave and public holidays' entitlement should be carried forward to the next leave year. Employees are encouraged to take their leave entitlement at the beginning or/and end of the maternity leave period. Where it is not possible to take the annual leave and public holidays' entitlement consideration should be given to pay in lieu.

15. Payment and Pension Arrangements

- 15.1. Maternity payments will be paid in monthly intervals but the amount paid each month may vary as it is calculated on the basis of how many Sundays fall in each particular month.
- 15.2. If the employee is not eligible to receive SMP they will be notified by the Payroll provider that they may be eligible for up to 39 weeks maternity allowance from their Social Security Office.
- 15.3. If an employee pays contributions to the NHS Pension Scheme and does not intend to return to work, they may, if they wish, continue to pay contributions during the statutory 39 weeks maternity leave period.
- 15.4. If the employee is a member of the NHS Pension Scheme and intends to return to work after maternity leave, they will be required to continue their contributions in order to cover the maternity leave period. These deductions can be either made during the leave or upon return to work. Advice should be sought from the payroll provider prior to maternity leave commencing.
- 15.5. If the employee is paying contributions towards study/learning and development the repayments will continue whilst the employee is receiving maternity pay. If the employee is on unpaid maternity leave the repayments will cease until the employee returns to work. If the employee does not return to work they will be required to repay the amount outstanding and in order to do this they will be sent an invoice.

16. Illness during Pregnancy/after the Maternity Leave Period

- 16.1. If an employee is ill during pregnancy before they begin their maternity leave sickness benefits will be received in accordance with the Managing Sickness Absence Policy.
- 16.2. If the illness is associated with pregnancy and occurs before the fourth week prior to the EWC, sickness benefits will be received in the usual manner. If the sickness absence continues beyond the fourth week prior to the EWC maternity leave/pay will commence. The employee will thereafter be treated in accordance with the maternity regulations.

17. Ante-Natal and Post Natal Care

- 17.1. Paid time off will be granted for the employee to receive ante-natal care, provided that an appointment has been made and the employee has requested time off work from their line manager in advance. Ante-natal care may include relaxation and parent craft classes, provided the attendance has been recommended by a doctor/midwife. Every attempt should be made to attend these outside of work where possible.
- 17.2. Employees who have recently given birth should be granted paid time off work for post-natal care.

18. Premature Birth

- 18.1. Where an employee's baby is born prematurely the employee will be entitled to the same amount of maternity leave and pay as if the baby had been born at full term.
- 18.2. If the baby is born more than 11 weeks before it was expected, the maternity leave start date will be brought forward to the beginning of the actual week of confinement. If an employee has worked during that week they will be paid for the work done and their maternity leave will begin from the first date of absence in the week of confinement.
- 18.3. If the baby is born prematurely and is in hospital, the employee may divide their maternity leave entitlement by a minimum of 2 weeks leave immediately after confinement, returning to work and then taking the remainder of the entitlement after their baby is discharged from the hospital.

19. Still Birth and Miscarriages

- 19.1. If the employee has a still birth after the 24th week of pregnancy, they will be entitled to maternity leave and pay as if the baby was born alive.
- 19.2. Where an employee has a miscarriage before the 25th week of pregnancy, normal sickness absence provisions will apply.

20. Fixed Term Contracts

- 20.1. If the employee is on a fixed term or training contract which will expire prior to the 11th week before the EWC and they have less than 12 months service, they are not obliged to pay any maternity pay, although the employee may be entitled to SMP.
- 20.2. If the employee holds a contract which expires after the 11th week before the EWC, and the employee has the relevant service, the contract should be extended to enable the employee to receive maternity benefits. Advice should be sought from the Human Resources Team.

21. Incremental Date

- 21.1. Maternity leave, whether paid or unpaid, will count as service for annual increments and for the purposes of any service qualification period for additional annual leave.

22. Deductions from Salary and Salary Sacrifice

- 22.1. Where an unpaid period of maternity leave is involved, any deductions from salary e.g. for trade union subscriptions will cease. The employee should contact the recipient of the deductions directly regarding payments during unpaid leave.
- 22.2. Where the employee is benefiting from a salary sacrifice scheme such as the receipt of child care vouchers it is **essential that they contact Payroll** as early in the pregnancy and no later than the 12th week of pregnancy in order to ensure that any individual financial implications of these arrangements are properly discussed. The contact details for Payroll are available on the CCGs intranet.

23. Arrangements for Breastfeeding

- 23.1. Employees will be given reasonable time off to breast feed or express milk if required. A private area should be made available to the employee to enable the employee to take full advantage of this provision. The facilities that should be provided are as follows:
 - The use of a room that is warm, clean and private with a lockable door;
 - Somewhere to wash hands and equipment;
 - Somewhere clean to leave a steriliser;
 - Use of a fridge to store labelled bottles of expressed milk in before taking them home;
 - A low comfortable chair.
- 23.2. Ideally breast feeding employees should be allowed breaks to express milk at the time of day that they would normally feed the baby at home, or have the baby brought to her by a partner or carer. The employee must inform their line manager in writing that she is breast feeding in order that suitable arrangements can be made in advance of the employee returning to work.

24. Procedure for Adoption Leave

- 24.1. **Adoption Leave Eligibility** - To qualify for adoption leave the employee must be newly matched with the child for adoption by an approved adoption agency and have at least 26 weeks continuous service prior to the week in which the employee is notified of being matched with a child for adoption.
- 24.2. The employee will be required to provide a matching certificate from the adoption agency recognised in the UK as evidence of their entitlement to adoption leave or proof of surrogacy.
- 24.3. The employee should notify the line manager within seven days of being told that they have been matched with a child. If this is not possible they must notify the line manager as soon as possible. The request form for adoption leave can be found in appendix 4.
- 24.4. If both parent who wish to adopt are employees of the CCG they may split the entitlement to adoption leave, but jointly this must not exceed the total leave allowance.
- 24.5. If there is an established relationship with the child, such as fostering prior to the adoption, or where a step parent is adopting a partners child, local agreements will be made on the amount of leave and pay in addition to time off for official meetings. Advice on this should be sought from the Human Resources Team.
- 24.6. If the placement is delayed but adoption leave has already commenced the employee should contact their line manager, as normally the employee would not be able to recommence their adoption leave at a later date. It is therefore strongly advised that the employee identifies that the placement will commence prior to starting their adoption leave.

25. Period of Leave for Adoption and Return to Work

- 25.1. Adoption leave may be taken:
 - When a child starts living with the employee or up to 14 days before the placement date (UK adoptions);
 - When the child arrives in the UK or within 28 days (overseas adoption);
 - The day the child is born or the day after (parents in surrogacy arrangements).
- 25.2. Employees can take up to 52 weeks' Statutory Adoption Leave. The first 26 weeks is known as 'Ordinary Adoption Leave' (OAL), the last 26 weeks as 'Additional Adoption Leave' (AAL). The period of leave should be taken in one block.
- 25.3. Employees are entitled to return to work after their period of both OAL and AAL. If an employee wishes to return to work before the end of the AAL they should give 28 days' notice in writing.
- 25.4. The employee will have the right to return to their job on no less favourable terms and conditions. If this is not practicable the employee will have the right to return to a job of the same pay band and to work of a similar responsibilities and status. Should the employee wish to return to work on reduced hours or to an alternative working pattern they should enter into discussions with their line manager at the earliest opportunity and no later than 28 days before the return to work. The procedure set out in the Flexible Working Policy should be followed where requests are received.

26. Payment during Adoption Leave

- 26.1. Employees who qualify for adoption leave are entitled to receive 39 weeks statutory adoption pay (SAP) or 90% of their average weekly earnings if this are less. To qualify for SAP the employee must also have average weekly earnings at or above the lower earnings limit for national insurance. Further information can be found here <https://www.gov.uk/adoption-pay-leave/pay>.
- 26.2. Employees with 12 months continuous NHS service ending with the week in which they are notified of being matched with a child by the adoption agency will be entitled to occupational adoption pay (OAP). OAP consists of the following:
- 8 weeks at full pay (including SAP);
 - 18 weeks at half pay (plus SAP providing the total receivable does not exceed full pay);
 - 13 weeks SAP or 90% of normal weekly earnings (whichever are the lower).

27. Annual Leave and Public Holidays

- 27.1. All employees on adoption leave, whether paid or unpaid, retain their right to annual leave and public holidays. No more than the equivalent of one weeks' annual leave and public holidays' entitlement should be carried forward to the next leave year. Employees are encouraged to take their leave entitlement at the beginning or/and end of the adoption leave period. Where it is not possible to take the annual leave and public holidays' entitlement consideration should be given to pay in lieu.

28. Keep in Touch Days (KIT Days)

- 28.1. Employees can work during their adoption leave on a KIT day without bringing their adoption leave to end. The employee may work a maximum of 10 KIT days during the adoption leave but not within the first 2 weeks after the adoption of the child.
- 28.2. The line manager and employee must agree upon the days or dates to be worked. There is no obligation for the CCG to offer such work or for the employee to accept it. A KIT day must be worked by mutual agreement.
- 28.3. The line manager and the employee will agree whether any payment for work carried out on a KIT day should be received and this must be agreed in advance. Any payment will be offset against any statutory adoption pay the employee is entitled to.
- 28.4. The line manager and the employee should agree the type of work that the employee will undertake on a KIT day and this should reflect the employee's duties and responsibilities. Attendance on training courses and attendance at team meetings may be included.
- 28.5. It is the responsibility of the line manager to submit the completed KIT form (appendix 5) along with a Payroll change form to Payroll and a copy to HR.
- 28.6. CCG is entitled to have reasonable contact with the employee during the period of adoption leave and this is separate to KIT days.

29. Time off for Adoption Appointments

- 29.1. Paid time off will be granted for the main adopter to receive and attend adoption appointments, provided that an appointment has been made and the employee has requested time off from their line manager in advance. Every attempt should be made to attend these outside of work where possible.
- 29.2. Reasonable paid time off for the secondary adopter to attend adoption appointments will also be given. There is a legal right for the main adopter to be able to take paid time off for up to five adoption appointments and for the secondary adopter to take unpaid time off for up to two appointments. Line managers should seek HR advice regarding reasonable time off.
- 29.3. Employees can request unpaid time off to accompany the surrogate mother to two antenatal appointments. For further information, please refer to the ACAS website www.acas.org.uk/antenatal.
- 29.4. The form to request paid and unpaid leave can be found in the Annual and Special Leave Policy.

30. Procedure for Maternity Support (Paternity) Leave

- 30.1. Maternity support (paternity) leave is a period of two consecutive weeks that fathers or partners can take off from work to care for their baby or child. Where reasonably practicable, employees should give 28 days' notice of their intention to take maternity support (paternity) leave. The application form can be found in appendix 4 of this policy.
- 30.2. Employee needs to complete their maternity support (paternity) leave within 56 days of the actual date of birth or placement of the child. Maternity support (paternity) leave can start for births on:
 - The day the baby is born;
 - A certain number of days after the baby is born;
 - A specific date which is not earlier than when the baby is due.
- 30.3. Maternity support (paternity) leave can start for adoptions and surrogacy:
 - On the date of placement;
 - An agreed number of days after the date of placement;
 - An the date the child arrives in the UK or an agreed number of days after (for overseas adoption);
 - The day the child is born or the day after for surrogate parents.

31. Maternity support (paternity) Leave Eligibility

- 31.1. Eligibility for occupational maternity support (paternity) leave is available to employees who:
- Have or expect to have responsibility for the child's upbringing;
 - Being the biological father of the child, the mother's husband or partner (including same sex relationships) or the partner of the primary adopter;
 - Have worked continuously for one or more NHS employer for 12 months at the beginning of the week in which the baby is due or the beginning of the week in which the child is placed for the occupational maternity support (paternity) pay;
 - For continuous NHS service purposes a break in service of 3 months or less will be disregarded (though not counted as a period of employment).
- 31.2. Employees who are not eligible for the occupational maternity support (paternity) pay may still be entitled to statutory maternity support (paternity) leave, subject to meeting the qualifying conditions (details available from <https://www.gov.uk/government/collections/statutory-paternity-pay-and-leave>):
- Have or expect to have responsibility for the child's upbringing;
 - Being the biological father of the child, the mother's husband or partner (including same sex relationships) or the partner of the primary adopter;
 - Have worked continuously for the CCG for 26 weeks ending with the 15th week before the baby is due, or the end of the week in which the child's adopter is notified of being matched with the child (UK adoption), or the date the child enters the UK (overseas adoptions).

32. Payment during Maternity support (paternity) Leave

- 32.1. There will be an entitlement to two weeks' occupational maternity support (paternity) pay. Full pay will be calculated on the basis of the average weekly earnings rules used for calculating occupational maternity pay entitlements. The employee will receive full pay less any statutory maternity support (paternity) pay receivable.
- 32.2. Only one period of occupational maternity support (paternity) pay is ordinarily available when there is a multiple birth or adoption.

33. Ante Natal Leave

- 33.1. Reasonable time off to attend ante natal appointments or classes will also be given. There is a legal right for a father or partner to take up unpaid leave for up to two appointments for a maximum of 6.5 hours for each ante natal appointment or classes. Line managers should seek HR advice regarding reasonable time off.
- 33.2. The form to request paid and unpaid leave can be found in the Annual and Special Leave Policy.

34. Procedure for Shared Parental Leave

34.1. Shared Parental Leave (SPL) gives parents more flexibility in how they share the care of their child in the first year following birth or adoption. Eligible parents can exchange part of their maternity or adoption leave for SPL. They can then share this leave with each other in a way that best suit their needs in caring for their child.

34.2. Shared Parental Leave Eligibility

To qualify, the employee must be entitled to some form of maternity or adoption entitlement, have given notice to curtail it and must share the main responsibility for caring for the child with the named partner and must pass the continuity of employment test. The other parent in the family must meet the employment and earnings test.

34.2.1. Continuity of employment test - the individual must have worked for the same employer for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and is still employed in the first week that SPL is to be taken.

34.2.2. Employment and earnings test - the individual must have worked for at least 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold of £30 week in 13 of the 66 weeks.

34.3. Employees may be entitled to take up to 52 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave, which allows them to take 52 weeks' leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

34.4. A mother/adopter may reduce their entitlement to maternity/adoption leave by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.

34.5. SPL can commence as follows:

- The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child;
- The adopter can take SPL after taking at least two weeks of adoption leave;
- The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any maternity support (paternity) leave entitlements (as the father/partner cannot take maternity support (paternity) leave or pay once they have taken any SPL or Statutory Shared Parental Pay (ShPP).

34.6. Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements. SPL will generally commence on the employee's chosen start date specified in their leave booking notice, or in any subsequent variation notice. If the employee is eligible to receive it, ShPP may be paid for some, or all, of the SPL period.

34.7. SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.

34.8. Notification of SPL

34.8.1. Eligible employees must give their line manager notification of their entitlement and intention to take SPL at least eight weeks before they can take any period of SPL. Notification must be in writing and requires each of the following:

- The name of the employee;
- The name of the other parent;
- The start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available;
- 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;
- The amount of SPL the employee and their partner each intend to take;
- A non-binding indication of when the employee expects to take the leave.

34.8.2. The employee must provide the CCG with a signed declaration stating:

- That they meet, or will meet, the eligibility conditions and are entitled to take SPL;
- That the information they have given is accurate;
- If they are not the mother/adopter they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adopter;
- That should they cease to be eligible they will immediately inform the CCG.

34.8.3. The employee must also provide the CCG with a signed declaration from their partner confirming:

- Their name, address and national insurance number (or a declaration that they do not have a national insurance number);
- That they are the mother/adopter of the child or they are the father of the child or are the spouse, civil partner or partner of the mother/adopter;
- That they satisfy the 'employment and earnings test' (see 'Who is eligible for SPL') and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee;
- That they consent to the amount of SPL that the employee intends to take;
- That they consent to the CCG processing the information contained in the declaration form and (in the case where the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

34.8.4. Requesting Further Evidence - The CCG may, within 14 days of the SPL entitlement notification being given, request:

- The name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead);
- In the case of biological parents, a copy of the child's birth certificate (or where one has not been issued, a declaration as to the time and place of the birth);

- 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.

34.9. **Arranging Shared Parental Leave**

34.9.1. The employee, in the first instance, should have an informal discussion with their line manager regarding their potential entitlement, to talk about their plans and to enable the CCG to support them. The employee has the right to submit three notifications specifying leave periods they are intending to take. Each notification may contain either a) a single period of weeks of leave or b) two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave. SPL can only be taken in complete weeks but may begin on any day of the week. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week. The correct notification (eight weeks) period must be given prior to commencing any SPL.

34.9.2. **Continuous Leave**

- A notification can be for a period of continuous leave, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row);
- An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in the notice of entitlement) and the employer has been given at least eight weeks' notice;
- An employee may submit up to three separate notifications for continuous periods of leave.

34.9.3. **Discontinuous Leave**

- A single notification may also contain a request for two or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work;
- The CCG will consider a discontinuous leave notification but has the right to refuse it. If the leave pattern is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block. All notices for continuous leave will be confirmed in writing with 14 days of receipt of the request;
- All requests for discontinuous leave will be considered on a case-by-case basis and employees will be informed of the decision as soon as is reasonably practical but no later than 14 days after the request was made.

34.10. **Variations to arranged SPL**

34.10.1. The employee is permitted to vary or cancel an agreed and booked period of SPL provided that they give notice at least eight weeks prior. Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification reducing the employee's right to book/vary leave by one. However, a change as a result of a child being born early, or as a result of the CCG requesting it to be changed, and the employee being agreeable to the change, will not count as further notification.

34.11. **Statutory Shared Parental Pay (ShPP)**

34.11.1. Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance period. ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

34.11.2. In addition to meeting eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:

- The mother/adopter must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;
- The employee must intend to care for the child during the week in which ShPP is payable;
- The employee must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions;
- The employee must remain in continuous employment until the first week of ShPP has begun;
- The employee must give proper notification in accordance with the rules set out below.

34.11.3. Where an employee is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give their line manager written notice advising of their entitlement to ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL.

34.11.4. In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:

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 their partner each intend to claim and a non-binding indication of when the employee expects to claim ShPP;
- A signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for;
- ShPP and that they will immediately inform the CCG should they cease to be eligible.

- 34.11.5. It must be accompanied by a signed declaration from the employee's partner confirming:
- Their agreement to the employee claiming ShPP and for the CCG to process and ShPP payments to the employee;
 - (In the case there the partner is the mother/adopter) that they have reduced their maternity/adoption pay or maternity allowance;
 - (In the case there the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.
- 34.11.6. Any ShPP due will be paid at a rate set by the government for the relevant tax year.
- 34.12. **Terms and Conditions during SPL**
- 34.12.1. During the period of SPL, the employee's contract of employment continues in force and they are entitled to receive all contractual benefits, except for salary. In particular, any benefits in kind will continue and contractual annual leave entitlement will continue to accrue.
- 34.12.2. Pension contributions will continue to be made during any period when the employee is in receipt of ShPP but not during any period of unpaid SPL.
- 34.13. **Shared Parental Leave in Touch Days ('SPLIT' days)**
- 34.13.1. An employee can agree to work for the CCG (or attend training) for up to 20 days during SPL without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week.
- 34.13.2. Any work carried out on a day or part of a day shall constitute a days' work for these purposes. The CCG has no right to require the employee to carry out any work, and is under no obligation to offer the employee any work during the employee's SPL.
- 34.13.3. Any work undertaken is a matter for agreement between the CCG and the employee. An employee taking a SPLIT day will receive full pay for any day worked.
- 34.13.4. If a SPLIT day occurs during a week when the employee is receiving ShPP, this will be effectively 'topped up' so that the individual received full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

34.14. **Returning to work after SPL**

34.14.1. The employee will have been formally advised in writing by the CCG of the end date of any period of SPL. The employee is expected to return on the next working day after this date, unless they notify the CCG otherwise.

34.14.2. If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give the CCG at least eight weeks' notice of their early return. This will count as one of their notifications. If they have already used their three notifications to book and/or vary leave then the CCG does not have to accept the notice to return early but may do if it is considered to be reasonably practical to do so.

34.14.3. The employee will have the right to return to their job on no less favourable terms and conditions. If this is not practicable the employee will have the right to return to a job of the same pay band and to work of a similar responsibilities and status. Should the employee wish to return to work on reduced hours or to an alternative working pattern they should enter into discussions with their line manager at the earliest opportunity and no later than 28 days before the return to work. The procedure set out in the Flexible Working Policy should be followed where requests are received.

34.15. **Employment ending**

34.15.1. If an employee's employment comes to end while they are still entitled to some ShPP then any remaining weeks will usually remain payable unless they start working for another NHS employer.

34.16. **Annual Leave**

34.16.1. SPL is granted in addition to annual leave which will continue to accrue throughout SPL.

34.17. **Shared Parental Leave Request Forms**

The [ACAS Shared Parental Leave forms can be found by clicking on this link](#) and can also be found on the CCG's intranet pages as listed below.

1. Shared Parental Leave forms (for Maternity);
2. Shared Parental Leave forms (for Adoption);
3. Shared Parental Leave forms (for Parental Order Surrogacy);
4. Notice booking a period of Shared Parental Leave (period of leave notice).

35. Procedure for Parental Leave

35.1. Parental Leave Eligibility

35.1.1. Up to 18 week's unpaid parental leave is available to employees with at least 12 months continuous NHS service who meet one of the eligibility criteria as follows:

- The employee is the parent of a child under 18 years of age;
- The employee has adopted a child under 18 years of age;
- The employee has acquired formal parental responsibility for a child under 18 years of age.

35.2. Conditions for Parental Leave

35.2.1. The minimum parental leave block is one week or 2 weeks and leave must be taken on weekly blocks. One week block is classed as 7 days.

35.2.2. The employee must give at least 21 days' notice of their intention to take parental leave and must state the start and finish dates of the leave. The period of notice may be waived in exceptional circumstances.

35.2.3. Parental leave may be postponed by the organisation (other than where parental leave has been requested immediately after childbirth or placement for adoption) where it is considered that the leave would cause undue business disruption. Parental leave can only be postponed for a maximum period of 6 months from the original request. Where parental leave is postponed this must be confirmed in writing to the employee within 7 days after the employee's notice was given to the organisation.

35.2.4. The CCG may make enquiries from previous employers regarding the amount of parental leave an employee has taken in the past and also seek a declaration from the employee about how much parental leave has been taken.

35.2.5. The CCG may also request proof from an employee of their eligibility to take parental leave such as the child's birth certificate or legal documents stating the employee has formal parental responsibility.

35.2.6. The request form for parental leave is contained in appendix 4.

36. Right of Appeal

36.1. Where an employee is dissatisfied with the outcome of their request for leave under this policy, the matter should be raised in the first instance with the line manager. Where the employee remains dissatisfied, the employee should raise the issue through the CCG's Grievance Policy.

Appendix 1 – Maternity Schemes

Scheme A
For those intending to return to work:
<ul style="list-style-type: none"> The employee will receive 52 weeks unpaid leave with protection of all terms and conditions of employment, except pay; The employee may be eligible to receive Statutory Maternity Pay (SMP) or Maternity Allowance payable by the state.
For those not intending to return to work:
<ul style="list-style-type: none"> Employment will be for a period of 52 weeks during which the employee's terms and conditions of employment, except pay, will be protected, e.g. annual leave.
Scheme B
For those intending to return to work:
<p>Scheme B1 - 39 weeks enhanced maternity pay for employees with 12 months service as follows:</p> <ul style="list-style-type: none"> 8 weeks full pay (SMP¹ at 8 weeks already inclusive) ; 18 weeks half pay (plus any SMP¹ or Maternity Allowance including any dependents allowances receivable, providing the total receivable does not exceed full pay); 13 weeks SMP¹ or 90% of normal weekly earnings (whichever are the lower).
<p>Scheme B2 - 39 weeks maternity pay for employees with 26 weeks continuous service but less than 12 months service as follows:</p> <ul style="list-style-type: none"> 6 weeks at 9/10^{ths} of full pay (inclusive of SMP¹); 33 weeks SMP¹ or 90% of normal weekly earnings (whichever is the lower). <p>In addition to paid maternity leave the employee is also entitled to a further 13 weeks unpaid additional maternity leave.</p>
Scheme C
For those not intending to return to work:
<ul style="list-style-type: none"> The employee will receive 6 weeks at 90% of full pay (inclusive of SMP¹) plus a further 33 weeks SMP¹ or 90% of normal weekly earnings (whichever is the lower); Terms and conditions of service, except pay, will be protected over the 52 weeks period.
Scheme D
For those undecided about their intention to return to work:
<ul style="list-style-type: none"> The employee will receive 6 weeks at 90% of full pay (inclusive of SMP¹) plus 33 weeks SMP¹ or 90% of normal weekly earnings (whichever is the lower) An additional 13 weeks unpaid additional maternity leave If the employee returns to work for a minimum of 3 months they will receive the difference in payments between Scheme C and Scheme B.

¹ If you have not been employed by the CCG 26 weeks before the EWC, please contact Payroll for information on pay and the SMP1 form. Additional further information can be found here <https://www.gov.uk/maternity-allowance>

Appendix 2 - Request for Maternity Leave or Maternity Pay

NAME:	
EMPLOYEE NUMBER:	
CCG:	
EXPECTED DATE OF CONFINEMENT:	

MATB1 Form (Certificate of Confinement):

ATTACHED **NOT ATTACHED**

Please complete **Section 1** – if you **do not** intend to return to duty.

Please complete **Section 2** – if you **do intend/or are considering** returning to duty.

Section 1:
<p>I do not intend to return to work and my last day of service will be:</p> <p>I wish/do not wish to continue to pay pension contributions during my 39 weeks statutory maternity leave period. (Please delete as appropriate).</p> <p>SIGNED DATE.....</p>

Section 2:
<p>I apply for maternity leave and/or pay in accordance with scheme* I intend to commence maternity leave on..... I agree to the conditions of service governing maternity leave and undertake to continue in the service of the CCG or another NHS employer for a minimum period of three months after the expiry of my leave.</p> <p>I am aware that:</p> <ul style="list-style-type: none"> • If I intend to return to work earlier than anticipated I must give the CCG 28 days' notice, in writing. Failure to give confirmation may result in disciplinary action being taken; • Should I fail to return to work for the CCG or another NHS employer, I shall be liable to refund the whole of the maternity pay received, less any statutory maternity pay to which I am entitled or entitlement to payment under scheme C; • If I pay pensions contributions now and if I am subject to pension payments on my return to work, I shall be liable for payments during any unpaid period of maternity leave I might take; • It is my responsibility to have read and understood the policy and sought appropriate advice regarding my personal circumstances prior to deciding which scheme is appropriate. <p>SIGNED: DATE:</p>

*** Please indicate whether you are taking scheme A, B, C or D.**

Appendix 3 - Risk Assessment for Expectant or New Mothers

Full Name:			
Job Title and Team:			
Employee Assignment Number:			
CCG:			
Base:			
Line Manager:			
Expectant mother to complete:	New mother to complete:		
Number of weeks pregnant:		Date of birth date of baby:	
Expected week of confinement:		Date returned or returning to work:	
Has a general workplace assessment been carried out for this department?	Yes	No	Date
			Assessor

Please tick "YES" or "NO" and enter any comments in the space provided

	Yes	No	Comments
COSHH <ul style="list-style-type: none"> Is the new/expectant mother likely to be exposed to any hazardous substances or biological agent? Are they up to date with their immunisation programme? (ask employee to check with GP and confirm back to you if they are likely to be exposed to any hazardous substances) Have specific COSHH assessments been carried out for them? Have specific COSHH assessments been carried out for the department? 			
MANUAL HANDLING <ul style="list-style-type: none"> Is the new/expectant mother likely to undertake any manual handling tasks? Have specific assessment(s) been carried out for them? Is any remedial action necessary? Has remedial action (if required) been carried out? Is lifting equipment available if required? 			
VDU (Visual display) EQUIPMENT <ul style="list-style-type: none"> Does the new/expectant mother use VDU equipment? Has their workstation been assessed? Were any problems highlighted? If required, has remedial action been taken or initiated? 			

<p>PERSONAL PROTECTIVE EQUIPMENT (PPE)</p> <ul style="list-style-type: none"> • Is the new/expectant mother required to use/wear any personal protective equipment (PPE). This does not include wearing a uniform? • Has training been given to them on how to use/wear PPE correctly? • Do they find PPE comfortable to wear/use? • Has maternity uniform been ordered or obtained? 			
<p>MACHINERY/EQUIPMENT</p> <ul style="list-style-type: none"> • Is the new/expectant mother likely to use any machinery/equipment? • Does any of the machinery/equipment used present a greater risk to them than to any other worker? • Have they been trained or informed regarding the use/hazards of the equipment? 			
<p>DRIVERS</p> <ul style="list-style-type: none"> • Do they drive a vehicle as an integral part of their job? • Is the vehicle driving position adjustable for driver comfort? 			
<p>ENVIRONMENT</p> <ul style="list-style-type: none"> • Does the department have sufficient welfare facilities? (e.g. toilets, washing facilities, drinking water). • Is the temperature and ventilation generally comfortable? • Is lighting stable and sufficient? • Is there sufficient space for workers? • Is the area kept clean and tidy? • Are the floors even and intact? 			
<p>OTHER (including security and working hours)</p> <ul style="list-style-type: none"> • This section is for the assessor to highlight any other risk within the workplace NOT already covered by the above sections (e.g. violence and aggression, working hours, pace or type of work) • Have any other areas of concern been highlighted? (please explain) • Has remedial action been initiated or taken – please explain? 			

Physical or minor disorders condition

Please enter a brief statement describing general fitness/physical condition of the new/expectant mother at the time of assessment. For example are they suffering from any of the following; morning sickness, backache, fatigue or any other condition which could affect their wellbeing.

Recommendations for Action

Please ensure all signatures are obtained. Please file the above assessment with the employee's maternity leave papers etc. in their personal file and forward any concerns to the health and safety officer for further information or investigation.

Signature of new/expectant mother	Date:
Signature of Senior Manager	Date:

Appendix 4 - Request for Adoption, Maternity support (paternity) and Parental Leave

Applicants must complete Section A and either Section B, C or D

Section A (to be completed by the Applicant)

NAME:	
EMPLOYEE NUMBER:	
CCG:	

I wish to apply for adoption leave/maternity support (paternity) leave/parental leave (please delete as appropriate). I understand that if I provide any false information in support of my request for paid/unpaid leave I may be subject to disciplinary proceedings, which may lead to disciplinary action, including dismissal. I, therefore, confirm that the leave requested below is in accordance with the reason stated.

Section B – Adoption Leave

I wish to apply for:

- a) 26 weeks ordinary adoption leave
- b) 26 weeks additional adoption leave

(please tick all that apply)

The dates applied for are:

I also agree to return to work for a minimum period of three months with the CCG or other NHS Employer. I also confirm that I meet the criteria outlined within the Maternity, Adoption, Maternity support (paternity) and Shared Parental Leave Policy.

Signed by Employee: Date:

Section C –Maternity support (paternity) Leave

I wish to apply for weeks paid leave to be taken on the following dates and confirm that I meet the criteria outlined within the Maternity, Adoption, Maternity support (paternity) and Parental Leave Policy. I wish to apply for maternity support (paternity) paid leave or unpaid leave (please delete as appropriate).

The dates applied for are:

Signed by Employee..... Date:

Section D – Parental Leave

I wish to apply for days/weeks unpaid parental leave (maximum of 18 weeks)

The dates applied for are:

Signed by Employee: Date:

Section E – To be completed by the Line Manager	
I confirm that leave under the following sections:	Number of days/weeks
Section B - Adoption Leave	
Section C - Maternity support (paternity) Leave	
Section D - Parental Leave	
Request has been approved	
Request has been declined and the reasons for declining the request are:	
Signed (Manager): Name and Job Title: Date:	

A copy of this completed form needs to be HR for the personal file and Payroll.

Appendix 5 - Keeping in Touch (KIT) Days Agreement Form

The employee is allowed to work up to a maximum of 10 days during their maternity, adoption and shared parental leave period without losing their statutory pay. These are known as “Keeping in Touch” (KIT) days and can be taken in small blocks of days or as single days. The employee will be paid at the basic daily rate for the hours worked. KIT days are intended to help you keep in touch with the workplace and could also help ease eventual return to work.

Employee Assignment Number:	
Full Name:	
Directorate:	
Base:	
Address (for correspondence):	
Type of Maternity/ Adoption or Shared Parental Leave to be taken:	

Details of KIT days

(Please complete the details below)

Date of KIT day	Reason for KIT day	Start and finish time	Total hours worked excluding breaks	Signed by line manager

Employee’s Signature: **Date:**

Manager’s Signature: **Date:**

Please complete this form with your line manager, photocopy and send the original with a completed ESR change form to Payroll and HR.

Appendix 6 - Equality Impact Assessment

Title of policy	Maternity, Adoption, Maternity support (paternity) and Shared Parental Leave Policy		
Names and roles of people completing the assessment	Tazeem Hanif (HR Business Partner) Jayne O'Connell (Equality & Diversity Advisor)		
Date assessment started/completed	September 2018	Completed 25.09.2018	
1. Outline			
Give a brief summary of the policy	This policy provides a framework that sets out the organisations maternity, adoption, maternity support (paternity) and shared parental leave and payment process. It provides employees and line managers with guidance on the legislative requirements of pay and conditions of employment and the different types of leave.		
What outcomes do you want to achieve	To follow statutory rights and NHS agenda for change terms and conditions.		
2. Analysis of impact			
This is the core of the assessment, using the information above detail the actual or likely impact on protected groups, with consideration of the general duty to; eliminate unlawful discrimination; advance equality of opportunity; foster good relations			
	Are there any likely impacts? Are any groups going to be affected differently? Please describe.	Are these negative or positive?	What action will be taken to address any negative impacts or enhance positive ones?
Age	Yes - Younger employees are less likely to be eligible for paid maternity support (paternity) and maternity leave; this is due to the fact that they are less likely to have worked for their employer for more than six months.	Positive	Clear information is available for employees who are not entitled to paid maternity or maternity support (paternity) leave and what they are entitled to.
Carers	No		
Disability	No	Positive	Where there is a disabled employee who is pregnant or adopting would have had reasonable adjustments taken in to consideration and made.
Sex	Yes – there will be an impact mostly for female employees and due to the nature of maternity. Shared parental leave will affect both parents or adoptive parents and can have a potential positive impact on.	Positive	Ensure that employees on maternity leave are kept informed of what is happening at work and given access to information affecting their employment within the workplace.

			<p>Shared parental leave should provide more balanced support to a new born child that is shared between parents and the CCG needs to ensure like above that employees have access to information affecting their employment within the workplace.</p> <p>Clear information is available for employees who are not entitled to paid maternity or maternity support (paternity) leave and what they are entitled to.</p>
Race	No		
Religion or belief	No		
Sexual orientation	No - maternity support (paternity) leave is available to the biological father of the child, the mother's husband or partner (including same sex relationships) or the partner of the primary adopter. The term is not inclusive but has not been changed in law.	Positive	The policy is clear on the availability of maternity support (paternity) leave to same sex partners.
Gender reassignment	No - Maternity support (paternity) leave is available to the biological father of the child, the mother's husband or partner (including same sex relationships) or the partner of the primary adopter regardless of Trans identity.	Positive	The policy is clear on the availability of maternity support (paternity) leave.
Pregnancy and maternity	Yes	Positive	<p>Ensure that employees on maternity leave are kept informed of what is happening at work and given access to information affecting their employment within the workplace.</p> <p>There is a positive impact on pregnancy related sickness absence and positive impact for shared maternity support (paternity) and parental leave.</p>

Marriage and civil partnership	No - maternity support (paternity) leave is available to the biological father of the child, the mother's husband or partner (including same sex relationships) or the partner of the primary adopter. The term is not inclusive but has not been changed in law.	Positive	The policy is clear on the availability of maternity support (paternity) leave to same sex partners.
Other relevant group	No		
4. Monitoring, Review and Publication			
If any negative/positive impacts were identified are they valid, legal and/or justifiable? Please detail.	<p>No anticipated detrimental impact on any equality group, although this will mostly affect female employees due to the nature of maternity.</p> <p>Shared parental leave will affect both male and female parents and will depend upon the take up of this type of leave. Although there may be an issue of the mother being forced to return to work earlier for financial reasons due to SPL.</p> <p>The policy is applicable to all employees and adheres to the NHS Litigation Authority Standards, statutory requirements and best practice. Makes all reasonable provision to ensure equity of access to all employees. There are no statements, conditions or requirements that disadvantage any particular group of people with a protected characteristic.</p>		

4. Monitoring, Review and Publication			
How will you review/monitor the impact and effectiveness of your actions	The HR team will monitor the impact and effect of the policy by way of feedback.		
Lead Officer	Tazeem Hanif	Review date:	November 2021
5. Sign off			
Lead Officer	Jayne O'Connell (Equality & Diversity Advisor)		
	Date approved:	25.09.2018	