# Family-friendly policies

**Introduction**

It is the policy of the church to ensure that as far as possible you are able to combine your career and family responsibilities. We recognise that parenthood brings additional responsibilities.

We have set out our policies for complying with this and allowing you your full rights. The family-friendly policies set out the rules relating to:

* maternity leave
* adoption leave
* paternity leave
* parental leave & shared parental leave

You should follow the respective policies. These policies are not contractually binding and the contents may be subject to revision from time to time. If you have any queries, please contact your Manager.

## Maternity leave policy

The following sets out the church’s policy on maternity leave, maternity pay and all other issues relating to pregnancy and maternity.

The policy is designed to be as comprehensive as possible. However, if you have any queries which are not answered or if you have any other questions about the policy, please contact your Manager**.**

### Policy statement

We value the contributions of our female staff and every effort is made to encourage women to return to work from maternity leave. This policy applies to all employees, full-time and part-time.

We also recognise that arrangements for cover during the period of maternity leave and additional leave, as well as arrangements for communication during maternity leave, are important for ensuring smooth transitions at every stage.

### Maternity leave

When you receive medical confirmation that you are pregnant, you should notify your Manager of this, the expected week of childbirth (EWC) and the date on which you want or expect to begin maternity leave (which must not be a date earlier than the 11th week before the EWC). If requested to do so, you should provide a medical certificate confirming it.

As soon as practicable after the notification of your pregnancy, arrangements will be made for you to meet with your Manager. This will be an informal meeting, the purpose of which is to ensure that:

* you understand your right to ordinary maternity leave and additional leave, including the requirements for you to give appropriate notices
* the right to return is explained, together with any potential opportunities for flexible working
* arrangements for time off are known, and any possible health and safety concerns are discussed
* you know your entitlements to payment during maternity leave.

Arrangements for cover during the period of maternity leave and additional leave and for enabling you to keep in touch with any developments at work are important for ensuring smooth transitions at each stage. Before starting maternity leave you will be informed of the arrangements for covering your work and also for remaining in contact whilst you are on leave. These arrangements will be finalised in consultation with you. If you have staff reporting to you, we will try to involve you in all decisions relating to the temporary reporting arrangements to cover your maternity leave.

You will usually remain on circulation lists for internal memoranda and other documents and will be included in invitations to work-related social events. We will try to ensure that maternity leave does not cause you any long‑term disadvantage in relation to your training needs and/or self‑development.

As you have the right to return to your own job after ordinary maternity leave or to a suitable alternative one if this is not practicable after your additional maternity leave, we will seek to avoid putting you into a position of potential redundancy. In accordance with statutory requirements, where job losses are unavoidable, you will be given first consideration for any suitable alternative employment that may arise.

At least two weeks before you are due to return to work, you may be invited for an informal meeting with Manager in order to discuss any material points concerning your return to work. These include:

* updating you on developments at work
* considering whether any retraining needs have arisen, because of your absence or new technical or other developments. It is our aim to ensure that your maternity leave does not put you at a disadvantage in relation to skills or other training needs
* confirming any flexible working arrangements which have been agreed.

The meeting will also provide an opportunity to discuss and explain any necessary and unavoidable changes to your work.

The opportunities for flexible working will depend on the needs of the business, but we recognise that many women will be interested in reducing their working hours or working at home for a while after their return from maternity leave. We will make every effort to accommodate requests for part‑time working, provided that your duties can still be effectively carried out on such a basis. Any request for a contract variation should be made under the flexible working policy.

### Time off for ante-natal care

You are entitled to take time off during your normal working hours to receive ante-natal care. You should try to arrange your appointments at the start or end of your working day, whenever possible. Ante-natal care includes:

* appointments with your GP
* hospital clinics

You may be required to produce an appointment card or some other document confirming all appointments other than the first. You should advise your Manager that you will be absent as far in advance of your appointment as possible.

There will be no deduction from your salary for attendance at authorised ante-natal appointments, including any time spent travelling to and waiting for the appointment.

### Time off for ante-natal appointments (partners and fathers)

Qualifying employees have a statutory right to take unpaid time off to accompany a pregnant woman at up to two ante-natal appointments. The maximum time off allowed is 6.5 hours on each occasion. No request for time off will be unreasonably refused.

The appointment must be made on the advice of a registered medical practitioner, registered midwife or registered nurse.

In order to qualify, the employee must:

* be the husband or civil partner of the pregnant woman, or
* live with the woman in an enduring family relationship (but not a parent, grandparent, sister, brother, aunt or uncle of the woman), or
* be the father of the expected child, or
* be a parent of the expected child by virtue of section 42 or 43 of the Human Fertilisation and Embryology Act 2008, or
* be a potential applicant for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008 in respect of the expected child.

Requests to attend ante-natal appointments from employees who do not qualify for the statutory right, or requests for time off on more than two occasions, will be considered at Manager’s discretion. Employees may be required to submit a written declaration to Manager confirming the following:

* that the employee has a qualifying relationship with a pregnant woman or her expected child,
* that the employee’s purpose in taking time off is to accompany the woman to an ante-natal appointment,
* that the appointment in question is made on the advice of a registered medical practitioner, registered midwife or registered nurse, and
* the date and time of the appointment**.**

### Ordinary maternity leave (OML)

You are entitled to take 26 weeks’ ordinary maternity leave, irrespective of your length of service or the number of hours worked each week, provided you comply with certain notification requirements (see below).

### Additional maternity leave (AML)

If you qualify for ordinary maternity leave you will also qualify for AML. This is a further 26-week period that starts the day after your OML ends.

### Compulsory maternity leave

Legislation prohibits you from returning to work during the two-week period (four weeks if you work in a factory) immediately after the birth of your child.

### When does your maternity leave start?

You can choose to start your maternity leave at any time after the start of the 11th week before the week in which your child is due, up until the birth of your child. The only exception to this is if you are absent from work wholly or partly because of your pregnancy at any time after the start of the fourth week before your child is due. In this case the church reserves the right to require you to start your maternity leave on the first day after your absence.

If you have properly notified the church (see below) of the date on which you wish to start your maternity leave, you may vary that date provided you notify your Manager in writing of the variation at least 28 days before the new date.

### Notification requirements

No later than the end of the 15th week before the EWC you must give notice in writing addressed to your Manager.

That notice must state:

* that you are pregnant
* the week in which your child is due (note that for these purposes a week begins on a Sunday)
* whether you intend to take ordinary maternity leave and/or additional maternity leave
* when you want, your maternity leave to start; this date cannot be earlier than the 11th week before the EWC.

You should also enclose a Form MAT B1 signed by your GP or midwife with your letter which confirms the EWC.

As stated above, if you are absent from work wholly or partly because of pregnancy on the first day after the beginning of the fourth week before the EWC, your ordinary maternity leave will start the following day. You do not need to notify The church that you intend maternity leave to start, but you will not be entitled to OML unless you have notified your Manager as soon as is reasonably practicable that you are absent from work wholly or partly because of pregnancy and the date your absence began. Such notification must be in writing.

Similarly, if you give birth before your ordinary maternity leave has started, your OML period will begin on the day that follows childbirth. Again, in such circumstances you do not need to notify your Manager of the date on which you intend to start ordinary maternity leave, but you are not entitled to OML unless you have notified your Manager as soon as is reasonably practicable that you have given birth and the date on which birth occurred. Such notification must be in writing.

If you notify your Manager of your intended start date or that your ordinary maternity leave period has been triggered due to premature absence or premature childbirth, we will notify you, in writing:

* of the date on which your ordinary maternity leave period will end
* *of the date your additional maternity leave period will end.*

The above notification will be given to you where we have been notified of:

* the intended start date, or that it has been triggered by premature absence or premature childbirth within 28 days from the date in which The church received the notification
* a variation, within 28 days of the date on which your ordinary maternity leave period started.

### Stillbirth

The definition of childbirth is the birth of a child either living or dead, after 24 weeks of pregnancy. If you suffer a stillbirth after this time, you have the right to maternity leave.

### Returning from maternity leave

You have the automatic right to come back to work following maternity leave and it is assumed that you will return unless you say otherwise. Although you are not required to give any formal notice of returning to work it helps us to plan for your return if you contact us in advance to discuss your return.

If you wish to return to work before your maternity leave has ended, you must give us at least eight weeks’ notice of the date on which you intend to return.

### Maternity pay

If you have at least 26 weeks’ service at the start of the 15th week before your child is born you will normally be entitled to receive statutory maternity pay (SMP) and company maternity pay, whether or not you intend to return to work.

Maternity pay is payable at three rates for a maximum of 39 weeks**.**

We as an organisation supplement SMP according to length of service, if you have less than two years’ service, you will be entitled to six weeks full pay and four weeks half pay. After this time, you will be paid at the lower SMP rate which is in force at the time.

If you have more than two years’ service, you will be entitled to eight weeks full pay and eight weeks half pay. After this time, you will be paid at the lower SMP rate which is in force at the time.

To be entitled to maternity pay, you must give 28 days’ notice in writing of your absence on maternity grounds (as above). If you intend to take maternity leave you need only give the written notice as referred to above. You must also provide us with a MATB1 form from the midwife.

Your maternity pay will be paid into your bank account on the same date that you would have received your salary and will be subject to the usual deductions for tax, National Insurance and pension contributions. If you start work with a new employer after the start of your maternity pay period, your SMP will cease. If you do not qualify for maternity pay you may be able to claim state maternity allowance.

### Contractual benefits

You will continue to receive your contractual benefits during your maternity leave period (apart from remuneration).

### Fixed Term Contracts

Where a fixed term contract ceases after the qualifying week (15th week before the expected week of birth) or during paid maternity leave, any contractual maternity pay will cease with effect from the contract end date. The organisation will continue to pay Statutory Maternity Pay, if the employee is eligible under the governmental guidance, through the organisation’s usual payroll for the remainder of the provision.

### Holidays

While you are on maternity leave your contractual holiday, entitlement continues to accrue. Manager will discuss arrangements for taking your holiday entitlement with you. This may include arranging for you take holidays immediately before and/or after your maternity leave.

### Grievances related to maternity rights

If you are dissatisfied with any decision made in respect of your maternity rights, you should instigate our formal grievance procedure as set out in the church policy.

### Health and safety

A risk assessment for new and expectant mothers should be completed with you by your manager once they are aware you are pregnant to highlight and aim to limit any potential risks in the workplace.

If you are employed in a position which has been identified as posing a risk to your health or that of your unborn child, you will be notified immediately, and arrangements will be made to eliminate that risk.

For this reason, you are required to notify your Manger as soon as you are aware that you may be pregnant. Arrangements will then be made to alter your working conditions.

If you have any concerns about your own health and safety at any time, you should consult your Manager immediately.

### Returning to work

If you return to work immediately after a period of ordinary maternity leave, you will return to work in the same job that you left. If, for health and safety reasons, you were doing a different job while you were pregnant, you may be required to return to that different job for a short time if you are still at risk when you return to work.

If you return to work from a period of additional maternity leave you will be entitled to return to the job in which you were employed before your absence. If that is not reasonably practicable for the church, then you will return to another job which is both suitable and appropriate in the circumstances.

Your right to return means that you return on terms and conditions no less favourable than those that would have been applied if you had not been absent and with the same level of your position held, pension rights and other similar rights.

If you wish to return part-time after maternity leave, you will need to put your request in writing. This will be carefully considered on a case-by-case basis. There is no absolute right to work part-time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the organisation. It is helpful if requests are made as early as possible. The procedure for dealing with such requests is set out in our flexible working procedure.

If annual salary reviews occur during your period of absence, you will be notified of your reviewed salary at this time.

Your SMP will be recalculated to take account of any salary increase occurring between your original SMP calculation period and the end of your maternity leave period.

If you decide not to return to work, you should notify your Manager of your decision immediately. You must give notice in accordance with the terms of your contract. If you have received contractual maternity pay in excess of your statutory entitlement, you will have to repay this amount to the church upon termination of your contract.

If you cannot return to work because you are ill, you should notify your Manager, who will advise you how much, if any, sick leave you are entitled to.

### Keeping in Touch Days

You are entitled to work for up to 10 days during your maternity leave without affecting your eligibility to SMP. These days could be for training, or just for ‘keeping in touch’ (KIT days). There is no obligation to provide KIT days and you are under no obligation to work these days. We will advise you if the opportunity for any such days arises.

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## Adoption leave policy

As soon as practicable after the notification that you will be adopting a child, arrangements will be made for you to meet with your Manager, this will be an informal interview, the purpose of which is to confirm that:

* your right to adoption leave and any additional leave is understood, including the requirements to give appropriate notices
* the right to return is explained, together with any potential opportunities for flexible working arrangements
* arrangements for time off are known, and any possible health and safety concerns are discussed
* you know your entitlements to payment during adoption leave.

We recognise that orderly arrangements for cover during the period of adoption leave and also for enabling you to keep in touch with any developments at work are important for ensuring smooth transitions at each stage. Before the start of adoption leave, you will be informed of the arrangements for covering your work and also for remaining in contact whilst you are on leave.

These arrangements will be finalised in consultation with you as far as possible. If you have staff reporting to you, you will be involved in all decisions relating to the temporary reporting arrangements to cover your adoption leave.

In addition, you will usually remain on circulation lists for internal memoranda and other documents and will be included in invitations to work-related social events.

We will try to ensure that adoption leave does not cause you any long-term disadvantage in relation to your training needs and self-development.

As you have a right to return to work in your old job, we will seek to avoid placing you into a position of potential redundancy whilst on adoption leave. In accordance with statutory requirements, where job losses are unavoidable you will be given first consideration for any suitable alternative employment that may arise.

At least two weeks before you are due to return to work, you will be invited for an informal meeting with your Manager. This is in order to discuss any material points concerning your return to work.

These include:

* updating you on developments at work
* considering whether any retraining needs have arisen because of your absence or new technical or other developments. It is our aim to ensure that your adoption leave does not put you at a disadvantage in relation to skills or other training needs
* providing you with the opportunity of indicating whether you wish to be considered for flexible working arrangements
* providing you with an opportunity to discuss and explain any necessary and unavoidable changes to your work.

### The right to adoption leave

Adoption leave and pay will be available to:

* people who adopt
* one member of a couple where the couple adopt jointly. In this case, the couple may choose which partner takes adoption leave. The partner who doesn’t take the adoption leave may be entitled to paternity leave and pay.

### Qualification

To qualify for adoption leave you must:

* be newly matched with a child for adoption by an approved adoption agency; this right will not therefore apply to step-parents adopting a stepchild
* have been employed continuously by the church for 26 weeks leading into the week in which you are notified of being matched with a child for adoption.

### Length of leave

You are entitled to up to 26 weeks’ ordinary adoption leave (OAL) followed immediately by up to 26 weeks’ additional adoption leave (AAL) (presuming you qualify for the leave). This gives you a maximum of 52 weeks’ leave in total. Only one period of leave is available even if you are adopting more than one child. If the child’s placement ends during adoption leave, you will be able to take up to eight weeks’ adoption leave, after the end of the placement.

### When can adoption leave start?

Adoption leave can start:

* from the date of the child’s placement (whether this is earlier or later than expected) or
* from a fixed date which can be up to 14 days before the expected date of placement.

### Adoption pay (AP)

The statutory scheme provides for 39 weeks’ pay at the current statutory rate or 90% of your average weekly earnings if this is less than the statutory rate.

We as an organisation supplement Statutory Adoption Pay (SAP) according to length of service. AP stops being payable if you return to work sooner or if the placement is disrupted. You are entitled to SAP and any additional employer supplement if:

* If you have at least 26 weeks’ service at the end of your Qualifying Week and are still employed by us during that week;
* Your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the government.
* You have given us the relevant notifications in writing.
* Please note that those on international contracts and who are not paying full National Insurance contributions may not be entitled to AP but will be entitled to the employer contribution.

We as an organisation supplement Statutory Adoption pay (SAP), according to length of service, if you have less than two years’ service, you will be entitled to six weeks full pay and four weeks half pay. After this time, you will be paid at the lower SAP rate which is in force at the time.

If you have more than two years’ service, you will be entitled to eight weeks full pay and eight weeks half pay. After this time, you will be paid at the lower SAP rate which is in force at the time.

Your adoption pay will be paid into your bank account on the same date that you would have received your salary and will be subject to the usual deductions for tax, National Insurance and pension contributions. If you start work with a new employer after the start of your adoption pay period, your SAP will cease.

### Notification

You are required to inform your Manager in writing of your intention to take adoption leave within seven days of being notified that you have been matched with a child for adoption, unless this is not reasonably practicable. You will need to state:

* when the child is expected to be placed with you and
* when you want your adoption to leave to start.

You will also have to provide us with a ‘matching certificate’ from the adoption agency.

You can change your mind about the date you want to start your adoption leave but will have to inform your Manager at least 28 days in advance, unless this is not reasonably practicable. We will write to you within 28 days of receiving your notice, setting out the date on which we expect you to return to work if the full entitlement to adoption leave is taken.

### Contractual benefits

You will continue to receive your contractual benefits during your adoption leave period (apart from remuneration).

### Holidays

While you are on adoption leave your contractual holiday, entitlement continues to accrue. Your Manager will discuss arrangements for taking your holiday entitlement with you. This may include arranging for you take holidays immediately before and/or after your adoption leave.

### Returning to work

You have the right to return:

* with your position held, pension rights and similar rights
* on terms and conditions no less favourable than those which would have applied if you had not been absent.

You will not be subject to any detriment by the church because you took or sought to take adoption leave. If you wish to return to work before the end of your adoption leave period, you must give us at least eight weeks’ advance notice in writing.

If annual salary reviews occur during your period of absence, you will be notified of your reviewed salary at this time. Your SAP will be recalculated to take account of any salary increase occurring between your original SAP calculation period and the end of your adoption leave period.

If you wish to return part-time after adoption leave, you will need to put your request in writing. This will be carefully considered on a case-by-case basis. There is no absolute right to work part-time, but you do have a statutory right to request flexible working and we will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the organisation. It is helpful if requests are made as early as possible. The procedure for dealing with such requests is set out in our flexible working procedure.

If you decide not to return to work, you should notify your Manager of your decision immediately. You must give notice in accordance with the terms of your contract. If you have received contractual adoption pay in excess of your statutory entitlement, you will have to repay this amount to the church upon termination of your contract.

### Keeping in Touch Days

You are entitled to work for up to 10 days during your adoption leave without affecting your eligibility to SAP. These days could be for training, or just for ‘keeping in touch’ (KIT days). There is no obligation to provide KIT days and you are under no obligation to work these days. We will contact you if the opportunity for any such days arises.

### Paternity leave and pay on adoption

You will be eligible for paternity leave and pay on the adoption of a child if you:

* have or expect to have the main responsibility for the child’s upbringing
* are either married to or the partner of the child’s adopter
* have worked continuously for the church for 26 weeks ending with the week in which the child’s adopter is notified of having been matched with the child
* have given the correct notice and complied with any requirements to produce evidence.

### Length of paternity leave

You can choose to take either one week or two consecutive weeks’ leave (not occasional days or separate weeks) within 56 days, beginning with the date on which the child is placed with the adopter.

You can choose to start the leave:

* from the date on which the child is placed with the adopter
* on a chosen date falling a specified number of days after the date on which the child is placed with the adopter
* on a predetermined date that is later than the date on which the child is expected to be placed with the adopter.

### Pay

During your paternity leave you will be entitled to statutory paternity pay (SPP) from the church. SPP will be at the rate which is in force at the time.

### Notice

You must inform us of your intention to take adoption leave no more than seven days after the date on which the adopter is notified of having been matched with the child. If that is not reasonably practicable, you must notify us as soon as possible.

You will need to specify:

* the date on which the adopter was notified of having been matched with the child
* the date on which the child is expected to be placed with the adopter
* whether you wish to take one or two weeks’ leave
* when you want the leave to start.

You must inform us, in writing, as soon as is reasonably practicable after the child’s placement of the date on which the child was placed.

You are required to give (at least 28 days before the date from which it is expected that liability to pay SPP will begin) your Manager a signed declaration stating that you wish to take adoption leave to care for a child or support the child’s adopter and that you satisfy the eligibility criteria as set out at the beginning of this policy.

You must confirm, in writing:

* the name of the person claiming SPP
* the date on which the child is expected to be placed for adoption (or, where the child has already been placed for adoption, the date of placement of the child)
* the date from which it is expected that the liability to pay SPP will begin
* whether the period chosen in respect of which SPP is to be payable is a week
* the date the adopter was notified he or she had been matched with the child for the purposes for adoption.

If you have given notice of your intention to take adoption leave and wish to change the date that it begins, you must give us written notice 28 days before the new period of leave is due to start.

### Contractual benefits

You are entitled to your normal terms and conditions of employment, except for terms relating to wages or salary (unless the contract of employment provides otherwise) throughout your ordinary adoption leave. You may, however, be entitled to SAP for the ordinary adoption leave period.

You will remain bound by any obligations arising under your contract of employment.

### Return to work after paternity leave

You have the right to return:

* with your position held, pension rights and similar rights
* on terms and conditions not less favourable than those which would have applied if you had not been absent.

You will not be subject to any detriment by the church because you took or sought to take paternity leave. For further details on paternity leave, please refer to the church’s paternity leave policy.

## Paternity leave policy

You will be eligible for paternity leave and pay if you:

* are the father of the child or the mother’s husband or partner (including same-sex partner)
* have worked for the employer for a minimum of 26 weeks by the ‘notification week’ (i.e. the end of the 15th week before the expected week of childbirth (EWC)) or, for adoption paternity leave, by the end of the week in which the child’s adopter is notified of matching
* have or expect to have responsibility for the upbringing of the child if you are the father, or
* expect to have the main responsibility for the upbringing of the child if you are the mother’s husband or partner but not the child’s father
* have given the correct notice.
* Paternity leave is also available to the partner of an adopter, whether male or female.

### Length of paternity leave

You can choose to take either one week or two consecutive weeks’ paternity leave (not occasional days or separate weeks) and you can choose to start your leave:

* from the date of the child’s birth (whether this is earlier or later than expected) or
* on a chosen day after the date of the child’s birth (whether this is earlier or later than expected) or
* from a chosen date which is later than the first day of the EWC.

Paternity leave must be taken:

* if the child is born before the EWC
* within 56 days of that date or
* within 56 days of the actual date of birth of the child.

Only one period of leave will be available to you even if more than one child is born as the result of the same pregnancy.

### Pay

During your paternity leave you may be entitled to statutory paternity pay (SPP) from the church. SPP will be at the rate which is in force at the time. In addition, as a contractual benefit to those who qualify for such leave we will make up your pay to the equivalent of your normal salary for the 2-week ordinary paternity leave period. Any further paternity leave taken will be paid at the SPP rate which is in force at the time.

### Notice

You are required to inform us of your intention to take paternity leave in or before the 15th week before the EWC, unless this is not reasonably practicable. You will need to tell your Manager in writing:

* the week the baby is expected
* whether you wish to take one or two weeks’ leave
* when you want the leave to start.

You must inform us, in writing, as soon as is reasonably practicable after the child’s birth, of the date on which the child was born.

You may be required to give your Manager a signed declaration that you wish to take paternity leave to care for a child or support the child’s mother and that you satisfy the eligibility criteria as set out at the beginning of this policy. If you have given notice of your intention to take paternity leave and wish to change the date that your paternity leave begins, you must give us written notice 28 days before the new period of leave is due to start.

### Holidays

While you are on paternity leave your contractual holiday, entitlement continues to accrue. Your Manager will discuss arrangements for taking your holiday entitlement with you. This may include arranging for you take holidays immediately before and/or after your paternity leave.

### Additional Paternity Leave

You are entitled to Additional Paternity Leave if, in addition to the conditions above:

* You remain employed by us until the week before the first week of your Additional Paternity Leave;
* The child's mother or your co-adopter, as the case may be, has been entitled to statutory leave:
* In birth cases, the child's mother has been entitled to maternity leave, statutory maternity pay or maternity allowance in respect of her pregnancy, or
* In adoption cases, the child's adopter has been entitled to one or both of adoption leave or statutory adoption pay in respect of the child's adoption; and
* The child's mother or your co-adopter, as the case may be, has returned to work.

### Length of Additional Paternity Leave

Additional Paternity Leave must be taken as multiples of complete weeks and as one period. The minimum amount of Additional Paternity Leave that can be taken is two weeks and the maximum is 26 weeks.

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

### Paternity Pay

Relevant Period means:

* In birth cases, the eight-week period ending immediately before the 14th week before the Expected Week of Childbirth.
* In adoption cases, the eight-week period ending immediately before the week in which you or your spouse, civil partner or partner were notified of being matched with the child.

If you take Ordinary Paternity Leave in accordance with this policy, you will be entitled to ordinary statutory paternity pay (OSPP) if, during the Relevant Period, your average weekly earnings are not less than the lower earnings limit set by the government.

If you take Additional Paternity Leave in accordance with this policy, you may be entitled to additional statutory paternity pay (ASPP). Whether and, if so, for how long you may be entitled to ASPP will depend on:

* Your average weekly earnings being not less than the lower earnings limit set by the government during the Relevant Period; and
* The child's mother or your co-adopter, as the case may be, having returned to work without having taken at least two weeks of their maternity allowance, maternity pay, or adoption pay period. Your entitlement to ASPP will equate to the balance of the number of weeks of your partner’s maternity allowance, maternity pay, or adoption pay period that remain when you commence APL. Your partner’s pay period continues to run even if there is a gap between your partner returning to work and you commencing APL.

OSPP and ASPP are paid at a prescribed rate which is set by the government for the relevant tax year, or at 90% of your average weekly earnings calculated over the Relevant Period if this is lower. For details of the current prescribed rate, please contact your Manager.

You should discuss your particular circumstances with your local social security office (Department for Work and Pensions) as you may be eligible for further financial support, such as housing benefit, council tax benefit, tax credits or a Sure Start Maternity Grant.

### Notice of Additional Paternity Leave

If you wish to take Additional Paternity Leave in relation to a child's birth or following a child’s adoption, you must provide us with the following at least eight weeks before the date on which you would like to start your leave:

A written "leave notice" stating:

* the Expected Week of Childbirth or date on which you were notified that you had been matched with the child;
* the child's date of birth or date on which the child was placed with you; and
* the dates on which you would like your Additional Paternity Leave to start and finish.

A signed "employee declaration" confirming that:

* you are either the child's father or that you are the spouse, partner or civil partner of the child's mother or that you have been matched for adoption with the child;
* apart from the child's mother, you have or expect to have the main responsibility for the upbringing of the child, or in adoption cases, are either the spouse, partner or civil partner of the child's co-adopter; and
* you wish to take Additional Paternity Leave in order to care for the child.
* A written "mother declaration" (or equivalent “adopter declaration”) from the child's mother (or adopter) stating:
  + his or her name, address and National Insurance number;
  + the date he or she intends to return to work;
  + your relationship with the child;
  + that, to his or her knowledge, you are the only person exercising an entitlement to Additional Paternity Leave in respect of the child; and
  + that he or she consents to us processing the information she has provided.

We will write to you to confirm the start and finish dates of your Additional Paternity Leave within 28 days of receiving your leave notice, your employee declaration and the mother or adopter declaration.

We may require you to provide a copy of the child's birth certificate and the name and address of the mother's or adopter’s employer or, if self-employed, his or her business address.

In adoption cases, we may also require documentary evidence issued by the adoption agency that matched you with the child which confirms:

* the name and address of the adoption agency;
* the date on which you were notified that you had been matched with the child; and
* the date on which the agency expected to place the child with you.

### Keeping in touch during Additional Paternity Leave

We may make reasonable contact with you from time to time during your Additional Paternity Leave.

You may work (including attending training) for up to 10 days during Additional Paternity Leave without bringing your paternity leave or your ASPP to an end. The arrangements, including pay, would be set by agreement with your manager. You are not obliged to undertake any such work during Additional Paternity Leave.

Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements on your return.

### Contractual benefits

You are entitled to your normal terms and conditions of employment, except for terms relating to wages or salary (unless the contract of employment provides otherwise) throughout your paternity leave. You may however be entitled to SPP for this period.

You will continue to remain bound by any obligations arising under your contract of employment.

All of the terms and conditions of your employment remain in force during Ordinary Paternity Leave and Additional Paternity Leave, except for the terms relating to pay. In particular:

* Benefits in kind such as use of a Church vehicle if applicable shall continue;
* Annual leave entitlement under your contract shall continue to accrue; and
* Pension benefits shall continue.

### Return to work after paternity leave

You are normally entitled to return to work following either Ordinary Paternity Leave or Additional Paternity Leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

However, if you have combined your Ordinary Paternity Leave or Additional Paternity Leave with a period of:

* additional adoption leave; or
* parental leave of more than four weeks and it is not reasonably practicable for you to return to the same job, we will offer you a suitable and appropriate alternative position.

If you wish to postpone your return from Additional Paternity Leave, you should either:

* Request unpaid parental leave in accordance with our Parental Leave Policy, giving us as much notice as possible but not less than 21 days; or
* Request paid annual leave in accordance with your contract, which will be at our discretion.

If you are unable to return to work from Additional Paternity Leave as expected due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply.

In any other case, a late return will be treated as unauthorised absence.

We will deal with any requests by employees to change their working patterns (such as working part-time) after paternity leave on a case-by-case basis, in accordance with our Flexible Working Policy. We will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the business. It is helpful if requests are made as early as possible.

If you do not intend to return to work or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should submit your resignation in accordance with your contract. Once you have done so you will be unable to change your mind without our agreement. This does not affect your right to receive SPP.

## Parental leave policy

You are entitled to unpaid parental leave of a maximum of 18 weeks for each child. You also have the right to return to the same job or (if more than four weeks’ leave are taken) to a similar job with the same or better terms and conditions.

If you have been in our employment continuously for one year you are entitled to parental leave, provided you expect to have responsibility (i.e. parental responsibility) for a child. The leave should be taken before the child’s fifth birthday. The child, therefore, must be under five years old or, if disabled, less than 18 years old.

Both natural and adoptive parents may exercise these rights.

### Before taking parental leave

As soon as practicable after you have notified us that you intend to take parental leave, arrangements will be made for you to meet with your Manager.

This will be an informal interview, the purpose of which is to confirm that:

* you understand your rights to parental leave and the requirements to give appropriate notices (see below)
* the right to return to work is explained, together with any potential opportunities for flexible working
* arrangements for time off are known, and any possible health and safety concerns are discussed
* you are aware that the leave from work is unpaid.

### Notice

Once you have given us notice of your intention to take parental leave, you must comply with any request to produce evidence of your entitlement. Leave must be taken in blocks of one week.

If the child qualifies for a disability living allowance, however, the leave can be taken as single days or multiples of a day.

The notice given to us must specify your intention to take parental leave and the dates on which the period of leave is to begin and end. Notice must be given 21 days before the date on which the leave is to begin. You may not take more than four weeks’ leave in respect of an individual child during a particular year.

If the operation of the business will be unduly disrupted by the parental leave, it may be postponed if absolutely necessary.

You are not entitled to parental leave unless you have complied with the request by us to produce evidence of your entitlement. In certain circumstances, we are entitled to postpone a period of parental leave.

The types of evidence that we may request is such evidence that shows:

* your responsibility or expected responsibility for the child in respect of whom you propose to take parental leave
* the child’s date of birth, or in the case of a child who was placed with you for adoption, the date on which the placement began, and
* in the case where your entitlement depends on whether the child is entitled to disability living allowance (i.e. after the child’s fifth birthday or for a period less than a week), the child’s entitlement to that allowance.

No request will be made by us unless it is reasonable.

### During parental leave

Arrangements will be made for cover of your workload, and you will be kept informed of any important work developments. We will also ensure that you remain on circulation lists for internal memoranda and will be included in invitations to work-related social events.

We will try to ensure that parental leave does not cause any long‑term disadvantage to you concerning your training needs and self‑development. You are bound during the parental leave period by your implied obligation to the church of good faith and specific terms relating to:

* notice
* disclosure of confidential information
* acceptance of gifts
* whether you are participating in any other business.

The disciplinary and grievance procedures continue to apply, as does any entitlement to compensation for redundancy.

**Holidays**

While you are on parental leave your holiday, entitlement continues to accrue.

**Returning to work**

If the period of leave is four weeks or less, you have the right to return to the same job. If the period is more than four weeks (because it followed on from other statutory leave), then the right is to return to the same job. If that is not practicable, you have the right to return to a similar job which has the same or better status, terms and conditions as the old job.

If you are entitled to return to the same job, this means a right to return with your position held, and similar rights and on terms and conditions not less favourable than those which would have been applied if you had not been absent. You will not to be subjected to any detriment by the church for taking or requesting parental leave.

Shared parental leave policy (SPL)

This policy outlines the statutory right to take shared parental leave (SPL) to care for a child due to be born or placed for adoption on or after 5 April 2015. It also outlines the arrangements and notification requirements before a period of SPL and the entitlement to pay during SPL.

SPL gives employees with caring responsibilities for babies or newly adopted children the opportunity to share up to 52 weeks’ leave should they wish to do so. Parents taking SPL can take leave in separate blocks, returning to work in between blocks, and can be on leave at the same time. Eligible employees are entitled to submit up to three ‘period of leave’ notices and are entitled to take SPL on those dates if a continuous period of leave is requested.

Employees and Managers should where possible have an informal discussion prior to employees giving formal notification of intention to take SPL so that statutory entitlements to other types of leave and pay can be discussed, and to ensure that plans for any discontinuous periods of leave can be considered as early as possible.

Requests for SPL which are not made in accordance with the statutory notification requirements will be given reasonable consideration but may not be granted.

### Entitlement to SPL

To be entitled to SPL you must:

* be the mother, father, or main adopter of the child, or the partner of the mother or main adopter (each will be referred to in this policy as a parent)
* have (or share with the other parent) the main responsibility for the care of the child
* have at least 26 weeks’ continuous service at the 15th week before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the ‘relevant week’)
* still be in continuous employment until the week before any SPL is taken.

In addition, the other parent must:

* have at least 26 weeks’ employment (employed or self-employed) out of the 66 weeks prior to the relevant week
* have average weekly earnings of at least £30 during at least 13 of the 66 weeks prior to the relevant week.

If the other parent meets those conditions, but does not qualify for SPL, you may be entitled to the whole SPL period – the main advantage being the ability to request leave in different blocks and return to work in between those blocks. You must also follow the statutory notification and information requirements detailed below.

### Amount and timing of SPL

SPL must be taken in blocks of at least one week and within a one-year period beginning with the date of the baby’s birth or the child’s placement for adoption.

The maximum of 52 weeks’ SPL will be reduced by the number of weeks’ maternity or adoption leave that has already been taken by the mother or main adopter (or the number of weeks’ statutory maternity/adoption pay, or maternity allowance already taken if the mother or main adopter is not entitled to statutory maternity/adoption leave).

After the birth of a child it is compulsory mother to take two weeks’ maternity leave (four weeks for new mothers who work in a factory), so in the majority of cases working parents will have the opportunity to split 50 weeks of SPL.

SPL is in addition to the statutory right to two weeks’ paternity leave for fathers and partners. If you wish to take paternity leave you must do so before you take any SPL.

### Entitlement to Shared Parental Pay

In addition to the requirements regarding entitlement to leave outlined above, if you wish to claim shared parental pay (ShPP) you must have average weekly earnings equal to or above the Lower Earnings Limit over the eight-week period ending with the relevant week.

A maximum of 39 weeks’ ShPP is payable, and this will be reduced by the number of weeks’ statutory maternity/adoption pay or maternity allowance already taken by the mother or main adopter. ShPP is payable at the current statutory rate or 90% of your average weekly earnings if this is less than the statutory rate.

You must follow the statutory notification and information requirements detailed below.

### Notification requirements

The notification requirements for SPL and ShPP are very specific and detailed. You will be provided with a form to assist you to provide the required information and declarations.

### Notice of entitlement and intention to take SPL and ShPP

You must notify the church in writing at least eight weeks before the start date of the first period of SPL. The written notice must contain the following information:

* Your name and the other parent’s name
* The start and end dates of the mother’s or main adopter’s maternity/adoption leave (or the start and end dates of the statutory maternity/adoption pay or maternity allowance period if the mother/main adopter is not entitled to statutory leave)
* The expected date of birth/placement and the actual date of birth/placement if the written notice is given after the birth/placement
* The amount of SPL and ShPP available and an indication of how much each parent intends to take (this may be varied by a subsequent written notice signed by both parents)
* An indication of the start and end dates of the periods of SPL and ShPP that you intend to take. This indication is not binding and can be amended at a later date.
* A declaration that you meet the conditions for entitlement to SPL, the information provided is accurate and that you will notify the church immediately if you cease to meet the conditions for entitlement.
* A declaration from the other parent containing his or her name, address and National Insurance number, confirmation that s/he meets the employment and earnings conditions, consents to the amount of leave the employee intends to take and will immediately inform you if s/he ceases to satisfy the employment and earnings conditions.

### Notice of curtailment of statutory maternity/adoption leave and payments

At the same time that a notice of entitlement and intention to take SPL is submitted, the mother/main adopter must give his or her employer a leave and pay curtailment notice. Thereby giving eight weeks’ notice of the date on which maternity/adoption leave and pay is to end (or the date on which maternity/adoption pay is to end if s/he is not entitled to maternity/adoption leave). If the mother is only entitled to maternity allowance (and not maternity leave) her notice of curtailment must be submitted to Jobcentre Plus. Her maternity allowance cannot be reinstated, so she is in effect giving consent for her partner to take the whole of any ShPP entitlement.

Notice of curtailment is usually binding, but may be revoked in the following circumstances:

* it becomes apparent that neither parent is entitled to SPL or ShPP
* if the curtailment notice was given before the birth and is revoked within six weeks of the birth (in this case another curtailment notice can be submitted)
* if the other parent dies.

### Notice to take a specific period of SPL and ShPP

In practice, at least the first period of SPL will be identified in the initial notice of entitlement and intention to take SPL. You are entitled to submit a maximum of a further two ‘period of leave’ notices. Each notice must be given at least eight weeks before the start of a period of leave, stating the dates of the leave and the dates on which ShPP will be claimed, if applicable.

If the first ‘period of leave’ notice is given prior to the birth of a child, the notice may express the start date in relation to the date of birth, for example ‘starting two weeks after the baby is born for a period of four weeks’.

### Confirmation of SPL and ShPP

If a continuous period of leave is requested in each period of leave notice, you will be entitled to take that period of leave and this will be confirmed in writing.

If more than one period of leave is requested in a period of leave notice, Your Manager will seek to accommodate the request, but this cannot be guaranteed. Your Manager will discuss the request with you to determine if it can be accommodated. If it cannot be accommodated, there may be an alternative pattern of leave which can be agreed, or the request may be refused. Your Manager’s decision will be confirmed in writing.

If no agreement is reached within two weeks of the period of leave notice being submitted, you can:

* take the discontinuous periods of leave requested in one continuous block, beginning on the original start date.
* take the continuous block starting on a new date, as long as the new date is later than the original start date, and you notify the church of the new date within five days of the two-week period referred to above.
* withdraw the request at any time up to the 15th day after it was originally made. If the request is withdrawn in these circumstances it will not count as one of your three requests.

### Varying a period of leave

You are entitled to submit a request to vary a period of leave in the following ways:

* vary the start or end date as long as the variation is requested at least eight weeks before the original start date and the new start date
* vary or cancel the amount of leave requested at least eight weeks before the original start date
* request that a single period of leave become a discontinuous period of leave, or vice versa.

A variation will count as one of your three period of leave notices unless:

* it is made as a result of the child being born earlier or later than the expected week of childbirth
* The church has requested the variation
* The church has agreed to accept more than three period of leave notices.

The usual eight-week notice requirement may be modified if your child is born early and the new start date for the period of leave is the same length of time following the birth as in the original notice. In this case notice to vary the start date should be given as soon as reasonably practicable after the birth of the child.

### Evidence requirements

The church may request a copy of the child’s birth certificate and the name and address of the other parent’s employer.

In the case of adoption, the church may request the name and address of the other parent’s employer, along with evidence confirming the following:

* the name and address of the adoption agency
* the date that the main adopter was notified of having been matched for adoption with the child
* the date on which the adoption agency expects to place the child.

Any such request will be made by the church within 14 days of receiving your notice of entitlement and intention to take SPL and ShPP. You must respond to the request for evidence within 14 days (or within 14 days of the birth of the child if our request was made before the child was born).

If a birth certificate has not yet been issued, you must sign a declaration stating that fact along with the date and location of the child’s birth. If the other parent has no employer, this must also be declared.

### Keeping in touch during SPL

You may be asked to attend work on occasional days during your SPL period. These days could be for training, to attend department meetings, or just for keeping in touch (KIT). You may work for up to 20 days without bringing the SPL to an end, but work during SPL will not have the effect of extending your SPL period. If you do work, you will be paid your normal rate of pay inclusive of any ShPP entitlement. You are under no obligation to work during SPL, and the church is under no obligation to offer work.

The 20 KIT days available during SPL are in addition to the 10 KIT days available during maternity and adoption leave.

### Contractual benefits

You will continue to receive your usual contractual benefits during your SPL period (apart from remuneration).

### Holidays

While you are on SPL your contractual holiday entitlement continues to accrue. Your Manager will discuss appropriate arrangements for taking your holiday entitlement with you before your SPL starts.

### Returning from SPL

If you wish to return early from SPL, or extend the period of your SPL, you must notify the church at least eight weeks’ before both the original end date and the new end date.

If you return to work immediately after a period of SPL which (together with any statutory maternity/adoption leave you may have taken to care for the same child) was 26 weeks or less, you will return to work in the same job that you left.

If you return to work from a period of SPL which (together with any maternity/ adoption leave you may have taken to care for the same child) was 26 weeks or more, you will normally be entitled to return to the job in which you were employed before your absence.

If that is not reasonably practicable for the church, then you will return to another job which is both suitable and appropriate in the circumstances.

Your right to return means that you return on terms and conditions no less favourable than those that would have been applied if you had not been absent and with the same level of seniority, pension rights and other similar rights.