**Family Friendly Policy and Procedure**

**Template, please adapt to the needs of your organisation**

**Approved on:**

**Next Review Date:**

**Notes to policy prior to completion**

**Line Manager** –the person responsible for supervision/management of the employee, which may be member of the PCC/Management Team/ or Incumbent.

**Sick Pay** –the organisation should insert the details relevant to the benefits set out the employee’s statement of employment.

**Maternity /adoption pay** – the organisation should decide whether they will pay either the minimum of Statutory Maternity/adoption Pay <https://www.gov.uk/maternity-pay-leave/pay> or the whether they will pay additional organisation’s maternity pay.

**Introduction**

The Organisation recognises the importance of enabling employees to balance their work and personal life. The aim of these policies is to support employees through important times of their lives such as during pregnancy, childbirth, adoption, surrogacy and during the early to young adult years of a child’s life.

The Organisation recognises that employees may have questions/concerns relating to these policies and you are encouraged to discuss these with your line manager to ensure that any questions/concerns can be resolved as quickly as possible.

To support you, The Organisation provides the following family friendly arrangements:

* Maternity Leave and Pay
* Paternity Leave and Pay
* Adoption and Surrogacy Leave and Pay
* Shared Parental Leave and Pay
* Parental Leave

**Scope**

These policies and procedures apply to all employees of The Organisation.

**Maternity**

It is important that you advise your line manager as soon as possible once you know that you are pregnant. This should be done no later than the 15th week before your Expected Week of Childbirth (EWC).

The Organisation wants to provide a healthy working environment for all its employees and wants you to take care of yourself and your baby. By informing us that you are pregnant, it will enable you to have access to any help or advice needed which will protect you and your unborn child, and give you the opportunity to discuss any concerns you have about how this relates to your work. It will also enable any special arrangements that are necessary to be made.

You should provide us with your maternity certificate (Mat B1 Form) as soon as possible (this must be the original). Once you have completed your Notification of Maternity Leave Form and provided us with your Mat B1, a member of the management team/line manager will write to you with the details of your eligibility to maternity leave and pay.

If you are unable to continue working in your normal role because your health and safety as a new or expectant mother may be jeopardised, then The Organisation has certain obligations. A Maternity Risk Assessment will be completed to assess the risk to you whilst pregnant, if you have recently returned to work after giving birth, or if you are still breast-feeding when you return to work, and appropriate preventative measures will be taken to either eliminate or reduce the risk.

If this preventative action does not allow you to continue in your normal job then The Organisation will offer you suitable alternative work, if it is available. It must be (a) of a kind which is both suitable and appropriate to you in your circumstances, and (b) the terms and conditions must be the same as, or not substantially less favourable, than those applicable to your present duties under your present contract.

If there is no suitable alternative work then The Organisation may suspend you from work on the grounds that there are compelling health and safety reasons which may affect you and your unborn child. Suspension will continue for as long as necessary in order to avoid the risk. You will be entitled to be paid whilst suspended. However, you will not be paid if you refuse suitable alternative work.

If you have any concerns about your health at work during your pregnancy, please contact a member of the management team/line manager.

During ordinary maternity leave and additional maternity leave, the terms and conditions of the employee's contract except normal pay will continue.

The organisation's pension contributions will continue based on the employee's normal pay during ordinary maternity leave and paid additional maternity leave. However, the organisation's pension contributions will cease during any periods of unpaid additional maternity leave.

If you decide to return to work early and this is at the end of the first 26-week period known as ‘Ordinary Maternity Leave’, you are entitled to return to the job you were in, before your absence. If you return to work either during or at the end of the second period of 26 weeks known as ‘Additional Maternity Leave’, you may be able to return to your original job (or another job which is suitable and appropriate) on terms and conditions no less favourable than previously.

Workers returning from maternity leave are allowed to carry up to 5.6 weeks’ worth of leave into the next leave year. This means that you will be able to carry over 33.5 days into the next leave year.

**Antenatal Care**

Once you have advised us that you are pregnant, you are entitled to reasonable time off work with pay to attend ante-natal appointments made on the advice of a registered medical practitioner, registered midwife, or registered health visitor. Antenatal appointments include antenatal or parenting classes that have been recommended by your GP or midwife.

To be entitled to take this time off, you need to produce a certificate from your GP, midwife or health visitor stating that you are pregnant along with your appointment card.

**Sickness**

Statutory (?and organisation/PCC sick pay) sick pay will apply as normal whilst you are pregnant up to the time that you start your maternity leave. However, if you are absent from work due to a pregnancy-related illness in the four weeks prior to your Expected Week of Childbirth (EWC), your maternity leave will automatically be triggered.

Absence from work due to miscarriage, termination or still birth earlier than the 25th week of pregnancy will be treated as normal sickness and you will be entitled to statutory (? And enhanced organisations sick pay)sick pay as appropriate.

If you have a miscarriage or stillbirth that occurs from the 25th week onward or should your baby not survive following its birth, you are entitled to receive maternity leave and pay in the usual way.

**Starting your Maternity Leave**

You may choose when you want to start your maternity leave subject to the following:

* Your maternity leave cannot start before the 11th week before the EWC.
* The latest your maternity leave can start is the day after childbirth.
* The maternity leave period will be automatically triggered if the member of staff is absent from work due to a pregnancy-related illness after the beginning of the fourth week before the EWC.
* The maternity leave period will be automatically triggered if the baby is born early in which case the maternity leave will start after the baby is born.

**Maternity Pay**

***The organisation should decide whether they will pay additional pay or the minimum of statutory maternity pay as set out below and amend accordingly, using either para 1 or 2 and amend the flow chart***

***Statutory Maternity Pay***

Statutory Maternity Pay (SMP) is a government-determined benefit for women who are on maternity leave that is paid by the organisation. SMP will be paid to you alongside the organisation’s Maternity Pay (as long as you are entitled to it) for a period of 39 weeks.

The earliest you can receive SMP is from the beginning of the 11th week before the week in which your baby is due – but only if you stop work then to take maternity leave. SMP is only payable if you are absent from work. It is not normally payable for part weeks. SMP will commence on the day you have specified to start your maternity leave, provided you start your leave on this day. However, it may start on other days of the week if triggered by the birth of your baby, or absence from work for a pregnancy-related reason in the four weeks before the EWC.

You will be eligible to Statutory Maternity Pay if:

* You have been continuously employed by The Organisation for at least 26 weeks by the end of the 15th week before the EWC;
* You have average weekly earnings in the eight weeks up to and including the 15th week of the lower limit for National Insurance Contributions; and
* You have stopped work to take maternity leave.

Statutory Maternity Pay (SMP) is paid for up to 39 weeks.

*Click here* [*For current rates*](https://www.gov.uk/maternity-pay-leave/pay)

SMP is payable whether or not you intend to return to work after your maternity leave.

If you aren’t entitled to receive SMP, you will usually be entitled to receive Maternity Allowance (MA) which is payable directly by the government.

***Organisation’s Maternity Pay***

Subject to the following conditions, you may be entitled to receive The Organisation’s Maternity Pay. The Organisation’s maternity pay is full pay (this includes your SMP entitlement) for up to 26 weeks of continuous absence before and after childbirth. Organisation’s MP can start from the 11th week before the EWC and will include any statutory maternity payments that you are entitled to.

To qualify for Organisation’s MP you must:

* Be in the employment of The Organisation at the time your maternity leave begins having been employed continuously for at least one year;
* Be employed on a permanent or fixed-term contract;
* Notify the management team/line manager in writing at least by the 15th week before EWC days before your absence is due to begin and submit medical evidence of pregnancy (MAT B1);
* State that you still intend to work for The Organisation after the birth of your child, giving an undertaking to do so and complete at least one month’s service on return; and
* Still be pregnant at the 15th week before EWC, or be confined by this time.

If organisational maternity pay isn’t an option please amend the flow chart below

**Have you been employed by the The Organisation for at least one year by the Expected Week of Childbirth?**

No

Yes

**Do you intend to return to work?**

* **52 weeks’ leave**
* **Pay entitlement:**
	+ **First 6 weeks at 90% of full salary**
	+ **33 weeks SMP**
	+ **13 weeks unpaid**

No

Yes

* **52 weeks’ leave**
* **Pay entitlement:**
	+ **First 26 weeks at full salary**
	+ **13 weeks SMP**
	+ **13 weeks unpaid**

**Contact during Maternity Leave**

The organisation reserves the right to maintain reasonable contact with you during your maternity leave. This can be for a variety of reasons such as to discuss your plans for returning to work, to discuss any special arrangements that need to be made, any training that will help to ease your return to work or to update you on developments at work during your absence.

**Keeping in Touch Days (KIT Days)**

During your maternity leave (except for the first two weeks after childbirth), you can agree to come to work or to attend training for up to 10 days – these are called KIT Days. The days do not have to be consecutive and working for part of a day will count as one day’s work. Any KIT Days worked will not bring the period of maternity leave to an end nor will they extend it.

Where your KIT Day falls in weeks – (dependent on whether your pay enhanced pay and for how long) xx to 52 of your maternity leave, your pay will be topped up to a full day’s pay for any days worked. During your maternity leave, if you wish to work more than the 10 KIT Days that you are entitled to, you will be paid in line with your normal salary but you will lose a week’s SMP if you are receiving this.

**Returning to Work**

If you intend to return to work on the date you have stated before your maternity leave commenced or immediately after the end of your full 52 weeks’ maternity leave, there is no need to give any notice of your return; you have an automatic right to return.

If you wish to return to work earlier that you expected return date, you will need to give your line manager at least 8 weeks’ notice of your return date. If you give less notice, your return may be postponed until 8 weeks have elapsed.

If you fall ill at the end of your maternity leave period and are unable to return to work on the date agreed, you should follow the normal sickness absence reporting arrangements and contact your line manager as soon as practicable.

If you have any questions regarding your maternity period, please speak to your line manager.

**Paternity**

This policy is designed to ensure that all members of staff are treated fairly and consistently and in line with any relevant legislation. This policy covers paternity leave for childbirth and in relation to adoption or surrogacy.

**Antenatal Care**

If you are eligible to take paternity leave (please see below), you will also be eligible to take time off work to attend up to two antenatal appointments – you need to tell us as soon as possible that you are expecting a child.

**Eligibility**

To be eligible for paternity leave, you must satisfy the following criteria:

* Be the biological father of the child, or the spouse, partner or civil partner of the child’s mother: or
* Be the secondary adopter or secondary surrogate parent; and
* Be taking the leave to care for the child and/or support the child’s mother, the primary adopter or first surrogate parent; and
* Have been employed continuously by The Organisation for 26 weeks ending with the:
	+ 15th week before the EWC; or
	+ The week you were notified of having been matched; and
* Have given written notification of your intention to take ordinary paternity leave.

**Notification**

Where you wish to take paternity leave, you will need to give notice in writing to your line manager (and provide the organisation with a copy of the MAT B1) of your intention to take paternity leave as follows:

* For birth – give notice at least 15 weeks before the EWC;
* For adoption or surrogacy – give notice within 7 days of:
	+ Adoption – being notified by the adoption agency that you have been matched with a child;
	+ Surrogacy – sending your application for, or receiving, a Parental order.

When notifying the organisation, you should state the EWC or the expected placement date and the length and dates of paternity that you wish to take.

Once your child has been born or placed with you, you need to inform your line manager as soon as possible.

**Paternity Leave and Pay**

**Paternity Leave and Pay**

During your paternity leave, you will be entitled to take up to two weeks’ leave. These can be taken in one block, or can be split into two separate one-week blocks. The leave can start on any day of the week on the day of or following the child’s birth but must be completed within the first year of the child’s birth.

During your paternity leave, you will be entitled to take up to two weeks’ leave. These must be taken in full blocks; they cannot be taken as single blocks. The leave can start on any day of the week on or following the child’s birth but must be completed within 56 days of either your child’s birth or the first day of the EWC, whichever is the later.

If you wish to take paternity leave you must complete the following form and send copies to (person responsible for HR and payroll)

* Becoming a birth parent - <https://www.gov.uk/government/publications/ordinary-statutory-paternity-pay-and-leave-becoming-a-birth-parent-sc3>
* Becoming an adoptive or parental order parent - <https://www.gov.uk/government/publications/ordinary-statutory-paternity-pay-and-leave-becoming-an-adoptive-parent-sc4>
* Adopting a child from abroad - <https://www.gov.uk/government/publications/ordinary-statutory-paternity-pay-and-leave-adopting-a-child-from-abroad-sc5>

Statutory Paternity Pay (SPP) is a government-determined benefit for those who are on paternity leave paid by the organisation. If you are eligible, SPP will be paid to you alongside Organisation Paternity Pay (xPP) (if are entitled to it) for a period of up to two weeks – the organisation will top up your SPP to the equivalent of your normal full pay.

Your xPP/SPP will commence on the day you have specified to start your paternity leave, provided you start your leave on this day. However, it may start on a different day if triggered by the birth of your child.

If you have any questions regarding your paternity period, please speak to your line manager who have the option to speak to the diocesan HR team if necessary.

**Adoption and Surrogacy**

If you adopt a child or have a Parental Order to have a child through surrogacy, this policy will apply to you, and details the leave and pay you may be entitled to.

If you are eligible, you will be entitled to 26 weeks’ Ordinary Adoption Leave (OAL) and a further 26 weeks’ Additional Adoption Leave (AAL) running from the end of OAL, allowing for a total of 52 weeks’ adoption/surrogacy leave.

The partner of the individual who adopts/has a child through surrogacy, or the second member of a couple adopting jointly, may be eligible for paternity leave/pay.

**Adoption and Surrogacy Appointments**

***Adoption Appointments***

The primary adopter is entitled to paid time off to attend up to five adoption appointments. The second adopter is entitled to paid time off during working hours to attend up to two adoption appointments. You may be asked by your line manager to produce an appointment card or document showing the appointment has been made.

***Surrogacy Appointments***

Both surrogate parents are entitled to time off during working hours to attend up to two ante-natal appointments with the woman carrying your child. You may be asked by your manager to produce:

* A certificate from a registered medical practitioner, midwife or health visitor stating that the surrogate mother is pregnant; and/or
* An appointment card or document showing the appointment has been made.

**Eligibility**

To qualify for adoption and surrogacy leave you must:

* Be the primary adopter or first surrogate parent;
* Be newly matched with a child:
	+ For adoption – from an approved adoption agency who should provide you with a Statutory Adoption Leave and Pay Matching Certificate; or
	+ For surrogacy – have applied for a Parental Order or be in receipt of a Parental Order Acknowledgement; and
* Have worked continuously for The Organisation for 26 weeks leading into the week in which you are notified of being matched.

**Notification**

You should inform your line manager of your intention to take adoption or surrogacy leave within seven days of:

* For adoption – being notified by the adoption agency that you have been matched with a child; or
* For surrogacy – sending your application for, or receiving confirmation of a Parental Order.

When you know the date your child is expected to be born or placed with you, you should confirm your arrangements with your line manager. You may change your mind about the date you want your adoption and surrogacy leave to start, but you should give at least 28 days’ written notice of the change.

You must provide certain evidence to be entitled to Adoption/Surrogacy Leave and Pay:

* For adoption – you should provide a copy of your matching certificate from the adoption agency; or
* For surrogacy – you should provide a copy of your Parental Order applications and confirmation.

***The organisation should decide whether they will pay additional pay or the minimum of statutory adoption pay as set out below and amend accordingly, using either para 1 or 2 and amend the flow chart***

**Adoption Pay and Leave**

***Leave***

Adoption leave commences either on the date that the child is placed with you or a date within 14 days before the expected date of placement. If your child’s placement ends during your adoption/surrogacy leave, you may continue to take adoption and surrogacy leave for up to eight weeks after the end of the placement (unless your entitlement to leave would have ended earlier in the normal course of events). You should give your line manager at least 28 days’ notice of your return to work.

***Pay***

If you are eligible for adoption/surrogacy leave, you will also be entitled to adoption/surrogacy pay during your period of leave (this will be inclusive of any statutory payment or reductions where appropriate).

Statutory Adoption Pay (SAP) is a government-determined benefit for men/women who are on adoption/surrogacy leave that is paid by the organisation. SAP will be paid to you as part of the Organisation Adoption Pay (xAP) (if you’re entitled to receive it). SAP is payable for up to 29 weeks – it is payable at 90% of your earnings for the first six weeks, following which, it is payable at the rate set by the Government for the relevant tax year (or 90% or normal earnings, whichever is lower).

You will be eligible for SAP if:

* You have been continuously employed by The Organisation for at least 26 weeks by the end of the 15th week before the EWC; and
* You have average weekly earnings in the eight weeks up to and including the 15th week of the lower earnings limit;
* You have stopped work to take adoption/surrogacy leave; and
* You have been matched with a child.

***Organisation Adoption Pay***

Subject to the following conditions, you may be entitled to receive xAP. xAP is full pay for up to 26 weeks of continuous absence either from the date of which the child is placed with you or a date within 14 days before the expected date of placement/when the surrogate gives birth.

To qualify for xAP, you must:

* Be in the employment of The Organisation at the time your adoption/surrogacy leave begins having been employed continuously for at least one year;
* Be employed on a permanent or fixed-term contract;
* Notify the ??? writing at least by the 15th week before the placement date before your absence is due to begin and the appropriate evidence (as above); and
* State that you still intend to work for The Organisation after your period of leave, giving an undertaking to do so and complete at least one month’s service on return.

If organisational adoption pay isn’t an option please amend the flow chart below

No

**Have you been employed by The Organisation for at least one year by the placement date?**

Yes

* **52 weeks’ leave**
* **Pay entitlement:**
	+ **First 6 weeks at 90% of full salary**
	+ **33 weeks SAP**
	+ **13 weeks unpaid**

**Do you intend to return to work?**

No

Yes

* **52 weeks’ leave**
* **Pay entitlement:**
	+ **First 26 weeks at full salary**
	+ **13 weeks SAP**
	+ **13 weeks unpaid**

**Contact during Adoption/Surrogacy Leave**

The Organisation reserves the right to maintain reasonable contact with you during your leave. This can be for a variety of reasons such as to discuss your plans for returning to work, to discuss any special arrangements that need to be made, any training that will help to ease your return to work, or to update you on developments at work during your absence.

**Keeping in Touch Days (KIT Days)**

During your adoption/surrogacy leave, you can agree to come to work or to attend training for up to 10 days – these are called KIT Days. The days do not have to be consecutive and working for part of a day will count as one day’s work. Any KIT Days worked will not bring the period of leave to an end nor will they extend it.

Where your KIT Day falls in weeks 27 to 52 of your adoption/surrogacy leave, your pay will be topped up to a full day’s pay for any days worked. During your leave, if you wish to work more than the 10 KIT Days that you are entitled to, you will be paid in line with your normal salary but you will lose a week’s SAP if you are receiving this.

**Returning to Work**

If you intend to return to work on the date you have stated before your maternity leave commenced or immediately after the end of your full 52 weeks’ adoption/surrogacy leave, there is no need to give any notice of your return; you have an automatic right to return.

If you wish to return to work earlier that you expected return date, you will need to give your line manager at least 8 weeks’ notice of your return date. If you give less notice, your return may be postponed until 8 weeks have elapsed.

If you fall ill at the end of your adoption/surrogacy leave period and are unable to return to work on the date agreed, you should follow the normal sickness absence reporting arrangements and contact your line manager as soon as practicable.

If you have any questions regarding your period of adoption/surrogacy leave, please speak to your line manager who will have the option to speak to the diocesan HR team if necessary.

**Shared Parental Leave**

Shared parental leave enables eligible mothers, fathers and partners to choose how to share time off work after their child is born or placed for adoption. Parents can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.

Employees keep their entitlement to 52 weeks of maternity leave and 39 weeks’ statutory maternity pay or maternity allowance plus any organisational occupational entitlement. However, they can choose to give notice to end maternity leave and pay early in order to opt into the shared parental leave and pay arrangements instead.

To access the scheme, both parents must share the main responsibility for care of the child. Additionally, they have to satisfy a number of criteria. The mother must be entitled to statutory maternity/adoption leave or statutory maternity/adoption pay or maternity allowance and must have curtailed this or given notice to curtail it.

They must pass the continuity of employment test with a minimum of 26 weeks’ service at the 15th week before the expected week of childbirth or matching date.

The employee’s partner must also meet the test of employment and earnings. For shared parental leave they must work for at least 26 weeks in the 66 weeks before the expected date of the child’s birth or matching date.

In addition, to qualify for shared parental pay they must have earnings not less than the lower earnings limit for NI in the relevant period, which is usually the 8 weeks leading up to the end of the 15th week before the expected week of child birth, or matching date in the case of adoption.

The amount of shared parental leave and pay is calculated by establishing the amount of maternity or adoption leave and pay that has been taken prior to the mother or adopter curtailing their leave. The remainder is then available to take as shared leave and pay.

An employee who is considering taking shared parental leave and pay should speak to the HR Manager as soon as possible to ensure that all the eligibility and notification criteria can be met before making firm plans.

**Keeping in Touch Days (KIT Days)**

Keeping in touch can help to make it easier for both the employee and the organisation when it becomes time to return to work. The employee is not obliged to do any work or attend any events during shared parental leave but if both employer and employee agree, s/he can work up to 10 days during his/her leave. These are known as ‘Keeping in Touch Days’. They are not limited to the employee’s usual job – they could be used for training or other events. It may be helpful for the employee to use some ‘Keeping in Touch Days’ to ease his/her return to work.

Both the organisation and the employee must agree which days will be worked and what that work will be. The employee cannot be required to take up ‘Keeping in Touch Days’ and The Organisation may not be able to offer them. An employee will not be penalised for refusing to take up a ‘Keeping in Touch Day’.

**Parental leave**

Unpaid parental leave, amounting to 18 weeks per child, applies to parents who have a child aged below 18 and have one year’s qualifying service with The Organisation .

The objective of ordinary parental leave is to enable those with parental responsibility to have time off to spend time with and to look after a child, or to make arrangements for the child’s welfare.

Individuals are entitled to a maximum of 18 weeks’ unpaid leave (of which up to 4 weeks may be taken in any one year) before the child’s 18th birthday.

Leave must normally be taken in blocks of one week or more, up to a maximum of four weeks in a year for each child. If less than a week were taken at a time, under the statutory scheme, this would count as a whole week. However, parents of disabled children can take leave in blocks or multiples of one day.

The eligibility conditions are as follows:

* The individual must have at least one year’s continuous service;
* The individual must have, or expect to have, responsibility for the child; and
* The individual must have given at least 21 days’ notice of intention to take leave and the employer must not have postponed the leave.

Leave may be postponed by the organisation for up to six months from the date requested and ending before the child’s eighteenth birthday, where it is considered that an employee’s absence would be unduly disruptive.

Leave cannot be postponed where an employee gives notice to take ordinary parental leave immediately after the time a child is placed with the family for adoption or the birth of a child.

The organisation has the right to request sight of evidence that the employee is the parent of a child or has parental responsibility for the child. Examples of what might be considered suitable evidence are:

* Information contained on the child’s birth certificate;
* Papers confirming a child’s adoption or the date of placement in adoption cases; and
* In the case of a disabled child, the award of disability living allowance for the child.