

Family Leave Policy

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Mandatory to read?	Non-clinical staff <input checked="" type="checkbox"/>	Clinical staff <input checked="" type="checkbox"/>
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Version	Section/Para/Appendix	Version/Description of Amendments	Date	Author/	Version
1.0		Adoption by CCG	Nov 14	HR	

FAMILY LEAVE POLICY

1 POLICY STATEMENT

- 1.1 The organisation is committed to supporting staff to successfully combine work with their maternity, paternity, adoption and parenting responsibilities to create a balance between their work and family commitments.
- 1.2 The organisation recognises the important role of parents at the time of the birth, after birth and adoption of a child and their responsibilities to look after the child and to make arrangements for the child's welfare.

2 SCOPE OF THE POLICY

- 2.1 This policy applies to all eligible employees

3 GENERAL PRINCIPLES

- 3.1 This policy sets out the support that is available to employees as they combine career and family responsibilities. There is various legislation in place to support employees with caring responsibilities, and these policies comply fully with this legislation and with national Terms and Conditions of Service for NHS employees. The family leave policies set out in this document cover the rules relating to:

- maternity leave
- adoption leave
- paternity leave
- parental leave

4 ROLES AND RESPONSIBILITIES

4.1 Responsibilities of Managers

- Managers are required to be aware of the different types of leave available to employees
- Managers are required to keep accurate records of the different leave taken by employees
- Managers are required to ensure that decisions are made and leave is granted in a timely, fair and consistent manner
- Managers are required to carry out risk assessments for pregnant workers

4.2 Employee responsibilities

Employees are required to have an awareness of the different types of family leave available and request the appropriate leave in accordance with this policy when required

5 SPECIFIC PROVISIONS

5.1 The following section provides a summary of the provisions relating to maternity, paternity, adoption and parental leave and should be read in conjunction with the relevant terms and conditions of service.

5.2 There are occasions when employees are entitled to other statutory benefits/allowances and information about all statutory maternity/adoption and paternity rights can be found using the following link:

<http://www.direct.gov.uk/en/Parents/Moneyandworkentitlements/WorkAndFamilies/index.htm>

Information about health and safety for new and expectant mothers at work can be found using the following link:

<http://www.hse.gov.uk/mothers/>

SUMMARY OF FAMILY LEAVE PROVISIONS

Type of leave	Eligibility	Paid entitlement	Unpaid entitlement	Guidance notes
Maternity Leave	<p>Pregnant employees</p> <p>An employee must inform her manager of the pregnancy as soon as possible and by the end of the 15th week before the expected week of confinement (EWC) and should include her intention to take maternity leave and the date she intends to start her maternity leave</p> <p>The employee must forward her original Mat B1 certificate, which can be issued by a GP or midwife from the 20th week of pregnancy, to her line manager as soon as possible as no maternity entitlements can be given until this form is received.</p>	<p>39 weeks</p> <p>Entitlement to and levels of pay will be dependant on length of service and whether the employee intends to work for the CCG or another NHS employer after her maternity leave</p>	13 weeks	<p>As soon as written notification is received, it is the responsibility of the manager to complete a risk assessment of the work condition of the employee concerned. Further risk assessments must be carried out every 3 months up to the commencement of maternity leave.</p> <p>All employees have the right to reasonable time off with pay for ante-natal care, which includes medical examination, relaxation and parent craft classes. Employees should plan these periods of absence with their managers and the employee must provide evidence of all appointments.</p> <p>The employee may commence maternity leave at any time after the 11th week prior to the expected week of birth. However, if an employee is off work ill, or becomes ill, with a pregnancy-related illness during the last four weeks before the expected week of childbirth, maternity leave will normally commence at the beginning of the 4th week before the expected week of childbirth or the beginning of the next week after the employee last worked, whichever is the later.</p>

				<p>The preferred start date can be changed if at least 28 days notice is given.</p> <p>Employees are not permitted to work during the two weeks following the birth of their baby</p> <p>Employees who take maternity leave will be entitled to take up to 10 keeping in touch days during the course of the maternity leave period.</p> <p>An employee wishing to return to work early must give at least 28 days' notice of her return</p> <p>Employees may request different working arrangements on return to work in accordance with the Flexible Working Policy</p> <p>Support for breastfeeding mothers will be provided as far as practicable</p> <p>In a redundancy situation, women on maternity leave are statutorily "entitled to be offered" a suitable vacancy where one exists before it is offered to any other employee and before the end of her employment under her existing contract.</p>
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<p>Paternity/Maternity Support Leave</p>	<p>Available to those employees who:</p> <ul style="list-style-type: none"> • are the father of the child or the mother's spouse or partner (including same sex partner) • have at least 26 weeks continuous NHS service by the end of the 15th week before the expected week of childbirth (EWC)) or, for adoption paternity leave, 14 days prior to the placement of an adopted child. • have or expect to have responsibility for the upbringing of the child if they are the father or • expect to have the main responsibility for the upbringing of the child if they are the mother's spouse or partner but not the child's father • have given at least 28 days notice before they anticipate requiring the leave, recognising that precise dates may be subject to change 	<p>2 weeks at full pay after 12 months' service, taken in blocks of a minimum of 1 week.</p> <p>Employees with more than 26 weeks continuous service but less than 12 months will be entitled to Statutory Paternity Pay</p> <p>Time off with pay to allow employees to accompany their partner to attend antenatal appointments, child-care classes or adoption meetings will be at the discretion of managers up to a maximum of 10 attendances</p>	<p>Staff with less than 26 weeks continuous employment will be granted unpaid paternity leave. Further unpaid leave may be available at manager's discretion if required to continue to support the mother and baby or adopter and child</p>	<p>The earliest paternity leave can start is the date of the baby's birth/child's adoption.</p> <p>Paternity leave must be completed within 56 days of the baby's birth/child's adoption.</p> <p>Only one period of paternity leave can be taken in relation to one pregnancy/ adoption, even if more than one baby is born/adopted.</p> <p>Paternity leave is not transferable and cannot be divided into individual days except in the case of premature births when the leave may be taken in two parts, one around the date of the birth and the other when the baby leaves hospital</p>
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	<p>A qualifying employee will be entitled to paid leave if the baby is stillborn after 24 weeks of pregnancy. If the baby is born alive at any point in the pregnancy but dies later, the employee will still be entitled to paid paternity leave.</p>			
<p>Additional Paternity Leave (APL)</p>	<p>Available to those employees who are:</p> <ul style="list-style-type: none"> • are the father of the child or the mother's spouse or partner (including same sex partner) • have at least 26 weeks continuous NHS service by the end of the 15th week before the expected week of childbirth (EWC)) or, for adoption paternity leave, 14 days prior to the placement of an adopted child. • still be employed by the organisation in the week before APL is due to start • have or expect to have responsibility for the upbringing of the child if they are the father or 	<p>Paid leave is subject to: The mother or adopter having started working again and any relevant payment having stopped, with at least two weeks of the 39 week payment period remaining. Additional Statutory Paternity Pay is only payable during the period of the mother/adopter's 39 week Maternity Allowance, Statutory Maternity or Statutory Adoption Pay period.</p>	<p>On expiry of statutory payment period up to a maximum of 26 weeks leave in total (including any paid leave)</p>	<p>Additional Paternity Leave is for a maximum of 26 weeks.</p> <p>It can be taken:</p> <ul style="list-style-type: none"> • from 20 weeks after the child was born • from 20 weeks after the child was placed for adoption, or entered Great Britain in the case of overseas adoptions <p>until a maximum of</p> <ul style="list-style-type: none"> • the child's first birthday • one year after the child was placed for adoption, or entered Great Britain in the case of overseas adoptions <p>Employees who take additional paternity leave will be entitled to take up to 10 keeping in touch days during the course of the additional paternity leave period.</p>

	<ul style="list-style-type: none"> expect to have the main responsibility for the upbringing of the child if they are the mother's spouse or partner but not the child's father have given at least 8 weeks notice before they anticipate requiring the leave, recognising that precise dates may be subject to change 			
Adoption Leave	<p>Where both adoptive parents are employed by South Lincolnshire CCG, only one, to be agreed by the couple, will be eligible for adoption leave. The other partner may qualify for paternity/maternity support leave.</p> <p>To qualify for adoption leave an employee must:</p> <p>a) have worked continuously for the CCG for 26 weeks ending with the week in which they are notified of being matched with a child for adoption.</p> <p>b) be "newly" matched with a child for adoption by an adoption agency.</p>	<p>Paid time off to attend meetings about the child to be adopted</p> <p>39 weeks</p>	13 weeks	<p>Where the child is below the age of 18 adoption leave and pay will be modelled on the same principles as Maternity leave.</p> <p>Evidence of the adoption, eg matching certificate will be required in order to qualify for leave</p> <p>Adopters must inform the CCG of their intention to take adoption leave within 7 days of being notified by the adoption agency that they are being matched. Adopters can choose to start their adoption leave either:</p> <ul style="list-style-type: none"> From the date of the child's placement (whether this is earlier or later than the date expected), or from a fixed date which can be up to 14 days before the expected date of placement.

	<p>Adoption leave is not available in circumstances where a child is not newly matched for adoption, for example where fostering prior to adoption or a step parent is adopting a partner's child. In these cases there is scope for local arrangements on the amount of leave and pay in addition to time off for official meetings.</p>			<ul style="list-style-type: none"> Adoption leave can start on any day of the week. <p>An employee will be able to change their mind about when they want to start their adoption leave provide they give at least 28 days notice, unless this is not reasonably practicable.</p> <p>An employee who wishes to return to work before the end of the full period must give their manager 8 weeks notice of the date they intend to return.</p> <p>If the child's placement ends during the adoption period, the employee can continue adoption leave for up to 8 weeks after the end of the placement.</p>
<p>Parental Leave</p>	<p>Available to those employees who:</p> <ul style="list-style-type: none"> have a child aged under five, (or under 18 if the child is disabled), have at least one year's continuous NHS service are named on the child's birth certificate, or named on the child's adoption certificate or have legal parental responsibility for a child under five (under 18 if the child is disabled). 	<p>Nil</p>	<p>Up to 13 weeks per child (18 weeks in the case of a disabled child)</p>	<p>Each parent can take a total of up to 13 weeks' parental leave for each child up to their fifth birthday.</p> <p>If the child is adopted, each parent can take a total of up to 13 weeks' parental leave until the fifth anniversary of their placement or until their 18th birthday, whichever comes first.</p> <p>If the child is disabled (that is, receiving disability allowance) each parent has the right to take up to 18 weeks' parental leave until their 18th birthday.</p>

	<ul style="list-style-type: none"> • give notice of at least 1 calendar month, in writing, to the appropriate manager. <p>Employees who are separated and don't live with their children have the right to parental leave if they keep formal parental responsibility for the children.</p>			<p>Parental leave can be added to periods of paternity or maternity leave.</p> <p>Leave has to be taken in periods of one week; however, parents of disabled children may take leave in one day or multiple day periods.</p> <p>No more than 4 weeks parental leave may be taken in any 12 month period.</p> <p>Managers should only postpone leave in exceptional circumstances and give written reasons. Employees may also postpone or cancel leave that has been booked with local agreement.</p>
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