



Maternity, Paternity & Adoption Leave Policy

MATERNITY LEAVE

All pregnant employees regardless of their length of service will be entitled to 26 weeks' Ordinary Maternity Leave (OML) and 26 weeks' Additional Maternity Leave (AML).

Statutory Maternity Pay

To qualify for SMP you need to:

- Be employed in the 15th week before the baby is due: and
- Have 26 weeks' continuous service at the 15th week: and
- Have average earnings of not less than the lower earnings limit: and
- Stop work because of pregnancy.

For the first 6 weeks it will be paid at a rate of 90% of average weekly earnings. For the remaining 33 weeks it will be paid at the statutory minimum rate (please refer to the HR Committee).

Starting Maternity Leave

You can choose to start your maternity leave and maternity pay period at any time, provided it is not before the 11th week before the expected week of birth.

Notification Requirements

You are required to inform the HR Committee of your intention to take maternity leave by the 15th week before the expected week of birth. You can change your mind about the date on which you want your leave to start providing you inform the Council at least 28 days in advance (unless this is not reasonably practicable). Failure to follow the procedures set out below may disentitle you to the right to Maternity Pay and Leave.

PATERNITY LEAVE

The right to paternity leave is set out in The Children and Families Act 2014. This right applies to certain employees and agency workers who are in a "qualifying relationship" with a pregnant woman. Those in a qualifying relationship have the statutory right to take time off to attend antenatal appointments. Employees who are considered to be in a qualifying relationship for the purposes of this statutory right includes:

- A pregnant woman's husband, partner, or civil partner (if she is in a same-sex relationship)
- The father of the child
- The parent of the child; and
- Either one of the two intended parents in a surrogacy situation who meet specified conditions.
- In the case of a child who is being adopted: the spouse, civil partner or cohabitant of the adopting mother (or sole male adopter of the child) or the spouse chosen by that couple



to be the “relevant parent” in circumstances involving joint adoption by a same sex married couple.

Those who qualify for time off only have the right to attend **TWO** unpaid antenatal appointments (not all of them) and they can't take more than 6 ½ hours for each one. The appointment must have been made on the advice of the registered medical practitioner, midwife, or nurse.

Paternity leave is available for qualifying employees if they have at least 26 weeks continuous service by the end of 15th week prior to the Expected Week of Childbirth (EWC). Paternity leave is currently two weeks paid at the current rate of SMP and may either be one week or two consecutive weeks. The period within which the leave can be taken runs from the day the baby is born, up to 56 days thereafter, or if later, 56 days after the first day of the EWC.

It is at the employer's discretion if it pays an employee an enhanced rate during this leave.

An employee who avails of “adoptive leave” under the Adoptive Leave Act may not also avail of Paternity Leave.

Notification to employer

Employees are required to notify their employers in writing of their intention to take Paternity Leave as soon as reasonably practicable but not later than 4 weeks before the expected week of confinement or placement for adoption. Where the date of confinement is early, the employee is required to provide written notification within 7 days of the date of actual confinement.

In addition, the Act requires the employee to state the length of leave that s/he intends to take. At the time of the notification or as soon as reasonably practicable, the employee should provide the following to his/her employer:

- a) a statement signed by a registered medical practitioner confirming
 - i) the pregnancy of the expectant mother concerned and
 - ii) specifying the expected week of confinement of the expectant mother concerned
- b) where the expectant mother is an employee, then the employee only has to supply a copy of the medical certificate (or MAT B1 certificate).

SHARED PARENTAL LEAVE AND PAY

Employed mothers will continue to be entitled to 52 weeks of Maternity Leave and 39 weeks of statutory maternity pay or maternity allowance.

If they choose to do so, an eligible mother can end her maternity leave early and, with her partner or the child's father, opt for Shared Parental Leave instead of Maternity Leave. If they both meet the qualifying requirements, they will need to decide how they want to divide their Shared Parental Leave and Pay entitlement.



Paid Paternity Leave of **two weeks** will continue to be available to fathers and a mother's or adopter's partner).

Adopters will have the same rights as other parents to Shared Parental leave and pay.

ADOPTION LEAVE

All employees, regardless of their length of service, will be entitled to 26 weeks Ordinary Adoption Leave (OAL) and 26 weeks Additional Adoption Leave (AAL).

Statutory Adoption Pay (SAP)

To qualify for SAP you need to:

- a) Be continuously employed for at least 26 weeks ending with the week in which they are notified of being matched with a child;
- b) Notified the agency that you agree to the child being placed with them on the expected date of placement; and
- c) Have average earning of not less than the lower earnings limit.

Statutory Adoption Pay (SAP) runs for a maximum of 39 weeks. For the first 6 weeks it will be paid at a rate of 90% of average weekly earnings. For the remaining 33 weeks it will be paid at the statutory minimum rate (please refer to your Line Manager for further details) or lower if you earn less than this – we inform you of your specific entitlements.

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