



Exeter College

MATERNITY, ADOPTION, PATERNITY & SHARED PARENTAL LEAVE POLICY

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1. INTRODUCTION

All employees have the right not to suffer any detriment on the grounds of pregnancy, childbirth, or for taking maternity, adoption, paternity or shared parental leave or seeking to taking this, or because their employer believes that they are likely to take it. This right applies in relation to both an act and a failure to act. A dismissal for such reasons will be automatically unfair.

We comply with all statutory requirements and offer benefits which are in line with, or exceed, the statutory benefits scheme.

This policy is not contractual but sets out the way in which we plan to manage maternity, adoption, paternity and shared parental leave.

2. SCOPE OF THIS POLICY

This policy covers all employees, including those on fixed-term contracts, who meet the eligibility requirements for statutory maternity, adoption, paternity or shared parental leave and pay.

3. AIMS OF THIS POLICY

This policy aims to set out our procedures for employees taking family leave, and aims to ensure that employees are aware of their entitlements.

An employee who has any questions about this policy or about any other aspect of his/her entitlements should contact the HR Officer.

4. LEGAL CONSIDERATIONS

The following pieces of legislation apply to this policy:

- the Social Security Act 1989
- the Employment Rights Act 1996
- the Maternity and Parental Leave Regulations 1999
- the Work and Families Act 2006
- the Equality Act 2010
- the Children and Families Act 2014 and accompanying regulations including the Shared Parental Leave Regulations 2014, the Shared Parental Pay (General) Regulations 2014 and the Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014.

5. DEFINITIONS

Maternity

- AML: Additional Maternity Leave (the second 26 week period of leave)
- CML: Compulsory Maternity Leave (lasts for two weeks from the date of childbirth, and an employee may not work for her employer during this period)
- EWC: Expected Week of Childbirth (the week in which the baby is expected to be born - as stated on the MATB1 form)
- KIT days: Keeping in Touch days (the employee may work for up to ten days without losing her entitlement to SMP)

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- MA: Maternity Allowance (claimed directly from the Jobcentre Plus by employees with less than 26 weeks' service as at the QW)
- MAT B1 form: form issued by the doctor or midwife and which confirms the EWC - this must not be issued more than 20 weeks before the EWC
- MPP: Maternity Pay Period (the 39 week period during which SMP is payable to eligible employees)
- OML: Ordinary Maternity Leave (the first 26 weeks)
- SMP: Statutory Maternity Pay (paid to eligible employees for up to 39 consecutive weeks)
- QW: Qualifying Week (the 15th week before the expected week of childbirth - employees must have 26 weeks' continuous service by the end of this week to qualify for SMP)
- 11th week before EWC: the earliest date on which an employee can begin her maternity leave and receive Statutory Maternity Pay (SMP)

Adoption

- AAL: Additional Adoption Leave (the second 26 week period)
- KIT days: Keeping in Touch days (the employee may work for up to ten days without losing her entitlement to SAP)
- Matching week: the week (beginning on a Sunday and ending on a Saturday) in which the employee is notified of having been matched with the child
- OAL: Ordinary Adoption Leave (the first 26 week period)
- SAP: Statutory Adoption Pay (paid to eligible employees for 39 weeks)

Paternity

- OPL: Ordinary Paternity Leave (two weeks)
- OSPP: Ordinary Statutory Paternity Pay (two weeks)
- ASPL: Additional Statutory Paternity Leave (up to six months' leave taken once the mother/primary adopter has returned to work)
- ASPP: Additional Statutory Paternity Pay
- SC7: form used to indicate an intention to take additional statutory paternity leave
- SPP: Statutory Paternity Pay (paid for two weeks)

Shared Parental Leave

- Qualifying relationship: a husband or civil partner of the pregnant woman; someone who is of a different sex or the same sex and who lives with the woman in an enduring family relationship but is not a relative of the woman; the father of the expected child; the parent of the expected child under the Human Fertilisation and Embryology Act 2008, or a potential applicant for a Parental Order under the Human Fertilisation and Embryology Act 2008 in respect of the expected child.
- SPL: Shared Parental Leave
- SPLIT days: shared parental leave keeping in touch days (20 per individual)
- ShPP: Shared Parental Pay

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6. MATERNITY LEAVE AND PAY

Maternity - time off for ante-natal care

Pregnant employees: are entitled to take reasonable amounts of paid time off during normal working hours to receive ante-natal care, although wherever possible appointments should be arranged at the start or end of the working day. Ante-natal care includes appointments with the GP, hospital clinics, parent-craft classes, and relaxation classes.

The employee should advise her Head of Department or line manager of any absence as far in advance of the appointment as possible (and normally at least one week in advance and, following the first appointment, may be asked to produce an appointment card). Where there has been an urgent or unscheduled medical visit, the employee must provide their manager with an acceptable explanation as to why they could not provide advance notice. There will be no deduction of pay for attending authorised ante-natal appointments.

Employees receiving IVF treatment: will be entitled to paid time off for ante-natal care only after the fertilised embryo has been implanted. They are however encouraged to discuss any requirements for time off with their manager. Time off will normally be taken as unpaid leave, time off in lieu, holiday, or the time made up, but we will be sympathetic to any requests and seek to accommodate them.

Employees with a "qualifying relationship": employees who have a "qualifying relationship" with a pregnant woman or her expected child, irrespective of their length of service or earnings, may request to take unpaid time off work to attend two ante-natal appointments, of up to 6.5 hours each, (including travelling and waiting time), to accompany the woman when she attends an ante-natal appointment made on the advice of a registered medical practitioner, registered midwife or registered nurse.

The employee should provide us with a signed declaration (this can be done via email) confirming that he/she has a qualifying relationship with a pregnant woman or her expected child; that the purpose of the time off is to accompany her to an appointment made on the advice of a registered medical practitioner, registered midwife or registered nurse; and the date and time of the appointment. Time off will only be refused for good business reasons; however we ask that employees notify us of any proposed absence as far in advance of the appointment(s) as possible.

The above also applies to agency workers who have at least 12 weeks' qualifying service in the same job with the same hirer, and to those who are the partner of a primary adopter.

Maternity - risk assessments

Immediately an employee notifies us of her pregnancy, a separate, individual risk assessment will be undertaken to ensure that all practicable measures are taken to prevent the risk of damage to the health or safety of the mother or her unborn child.

However, it remains the employee's responsibility not to put either their own health and safety, or that of their baby, at risk, and they must always consult with their Head of Department or line manager before attempting any form of work which presents a risk. This is especially relevant with regards to lifting, carrying, or working from a height. Pregnancy increases the risk of manual handling injury. Particular care should be taken to avoid lifting generally, but particularly during the three months prior to the birth and the three months following your return to work after childbirth. If lifting is part of your job (for example boxes of files/documents) you may wish to discuss alternative arrangements with your Head of Department or line manager.

An employee who has concerns about her health and safety should raise these with her Head of Department or line manager, or the HR Officer.

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In addition, we request that employees who return to work and who are breastfeeding notify us of this in advance in order that suitable arrangements can be made to facilitate this.

Maternity - illness during pregnancy

Absence due to illness will be treated the same as any other sickness absence, in line with our Sickness Absence policy, unless it is pregnancy-related and occurs during the period starting four weeks before the EWC, in which case the maternity leave will automatically begin from this date.

Maternity – leave

All employees are entitled to 52 weeks' statutory maternity leave, irrespective of their length of service or the number of hours worked each week.

The first 26 weeks is known as "ordinary maternity leave" (OML); the second 26 weeks is known as "additional maternity leave" (AML).

If an employee becomes pregnant again during maternity leave, she has the right to further ordinary and additional maternity leave.

If an employee loses her baby, but meets all other eligibility conditions, she can still take maternity leave if the baby is either stillborn after 24 weeks of pregnancy or born alive at any point of the pregnancy.

Maternity – commencing maternity leave

Maternity leave may begin at any time after the start of the 11th week before the week in which the baby is due (the expected week of childbirth – 'EWC'). However, employees can continue working as long as they like before the baby is born, provided that they are still capable of doing the job.

If you change your mind about the date on which you want to start your leave, you must give us at least 28 days' notice of the proposed new start date.

If you are absent from work due to illness unrelated to your pregnancy, you can remain on sick leave right up to the date of the baby's birth, or until the date you have notified us that you wish your maternity leave to commence. However, your OML period will commence automatically and at once if you are absent from work "wholly or partly because of a pregnancy related illness" at any time after the beginning of the fourth week before your EWC.

If you have your baby early, before your notified start date of maternity leave, you are required to notify us of the birth of your child no later than 21 days after the birth, or as soon as is reasonably practical. This will usually be done using a MATB2 form. Maternity leave will start automatically on the date of the child's birth.

Maternity - notification requirements

To exercise her right to take maternity leave, the employee must notify us of the following:

- her pregnancy;
- the expected date of her baby's birth;
- her intention to take maternity leave; and
- the date on which she intends this to start.

This notification should be in writing and should be provided no later than the end of the 15th week before the expected week of childbirth. However, it is good to tell the College as soon as possible so

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that we can consider any health and safety issues that may arise. The employee should subsequently also provide a form MAT B1, signed by the doctor or midwife, confirming her pregnancy.

We will write to the employee to confirm receipt of her notification within 28 days of receiving this, and to confirm the date on which her maternity leave will end. This will normally be 52 weeks from the intended start date of her leave, unless the employee requests an earlier return to work.

In exceptional circumstances notification can be given after the child is born but as a general rule failure to serve notice at the relevant time will mean the loss of the right to take maternity leave.

Maternity - work and contact during the maternity leave period

Employees on maternity leave are encouraged to keep in touch with us, and we are entitled to make reasonable contact with them during their maternity leave.

Employees on maternity leave can also work for a few days without losing her right to maternity leave or a week's statutory pay, via "keeping in touch" or KIT days. These days are not limited solely to normal work, but can be used for training or other events, or to help ease an employee's return to work. The number of days is limited to ten, irrespective of the length of maternity leave taken by the employee. KIT days may be taken at any time during the maternity leave period (excluding the first two compulsory maternity leave weeks), and may be taken singly or in blocks.

KIT days do not extend your period of maternity leave, but simply allow you to do some work during your period of maternity leave should you wish to do so.

The employee and her manager should agree in advance what work will actually be done on KIT days. There is no obligation to work any KIT days and we are under no obligation to provide them.

Payment will be agreed with the employee, but it is suggested that if a woman attends for work, she is paid the equivalent of her normal hourly rate for the hours she works on the day in question. Therefore during the period that she is being paid at the rate of full pay (if she qualifies), no further payment would be due. It is suggested that if a woman works a KIT day in a week in which she is receiving SMP only, then her pay should be made up to the equivalent of full pay for the actual hours worked, over and above the amount received under SMP rules. She will continue to be paid her SMP for the remaining days in the week in which the work is done.

Lower rate SMP may be offset against the above payments, where appropriate.

Once the employee has used her KIT days, a whole week of statutory maternity pay will then be forfeited for each week in which she works, even if only for a day. Any statutory maternity pay lost in this way will be lost at the lower rate first.

Note: employees who take Shared Parental Leave are also entitled to "SPLIT" days – see below

Maternity - pay

To qualify for Statutory Maternity Pay (SMP), employees must have at least 26 weeks' service extending into the 15th week before the week in which the baby is due (the 'qualifying week') and must have average earnings equal to, or greater than, the lower earnings limit for National Insurance contributions. SMP is payable whether or not the employee intends to return to work.

SMP is payable for a maximum of 39 weeks. Week one of the maternity pay period is the week after the employee leaves work or starts her maternity leave. To claim SMP the employee must give 28 days' written notice of when she wishes her SMP payments to commence.

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The rate of SMP will vary depending upon earnings and the amount of maternity leave taken: the first six weeks are paid at 90% of average weekly earnings, followed by up to 33 weeks at 90% of average weekly earnings or the statutory weekly rate (whichever is lower). SMP is paid into the employee's bank account on the same date that pay would have been paid, and is subject to deductions for tax, National Insurance and pension contributions in the usual way.

Employees who do not qualify for SMP may be entitled to claim Maternity Allowance.

Employees who are taken into legal custody or who work for another employer during their MPP must notify us of this as their entitlement to SMP may be affected.

Maternity - college maternity pay scheme

Employees who qualify for SMP, and who have more than 52 weeks' service at the 15th week before the expected week of confinement, will be entitled to up to 26 weeks of full pay paid at normal basic weekly rate (inclusive of any SMP entitlement), followed by 13 weeks (if taken) of SMP; the remaining 13 weeks are unpaid.

In the event that an employee decides not to return to work after their maternity leave, or if they return after maternity leave and work less than three months before they leave, the College retains the right to reclaim all or part of the payments made under the College maternity pay scheme, minus the element which the employee would be entitled to keep if they qualified for it. Eligible employees will be asked to sign to accept these terms.

Maternity - contractual benefits

Full holiday entitlement will continue to accrue throughout the period of maternity leave. Please consider and discuss with us how best to take your holiday entitlement and plan for the whole period. You may prefer to use your entitlement accrued to date before you go on maternity leave (allowing you to finish work earlier without financial penalty) and to carry over the remainder for when you return. Alternatively you may prefer to use up the holiday accrued during your maternity leave period before you return (i.e. immediately following your period of maternity leave) - this gives you a longer break and may also be easier to accommodate in terms of relief cover.

If you have notified us, prior to your maternity leave commencing, that you do not intend to return to work after your leave, any holiday entitlement outstanding will be paid in the relevant pay period in which your maternity leave ends.

Other non-pay contractual benefits (such as a company vehicle, life or private health insurance, medical cover or childcare vouchers) will continue to be provided during the full period of maternity leave. However, it should be noted that meals are only provided to eligible staff who are actually on duty at the College. You will not, therefore, be entitled to receive any financial compensation for meals not taken while absent from work.

Note: employees may not be eligible to join a childcare voucher scheme via a salary sacrifice arrangement whilst on maternity leave as SMP is a statutory payment which cannot be altered and employees cannot therefore join whilst receiving SMP only.

The entire period of maternity leave will also be included when calculating the employee's length of service for the purposes of any contractual benefits.

Pension contributions will be paid during the period of paid maternity leave only (up to 39 weeks). The College's contribution will be based on the full pensionable pay the employee would receive if working. The employee's contribution will be based on the actual pay received during the period of maternity leave.

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Maternity - returning from maternity leave

An employee returning to work after ordinary maternity leave has the right to return to the same job. The right to return following additional maternity leave is to the same job unless this is not reasonably practicable, but any alternative job must be both suitable and appropriate. The terms must be no less favourable than those which would have applied had the employee not been absent on maternity leave.

The first two weeks after the birth must not be worked. This is referred to as 'compulsory maternity leave' (CML)

Employees who return to work at the end of their statutory maternity leave period do not need to notify us in advance of the date of return. However, in order to assist us with our planning, we do request they keep in touch with us and notify us of any changes in their intentions as soon as possible.

If an employee wishes to return to work before the end of her 52-week statutory maternity leave period she must give us 56 days' (eight weeks) advance written notice specifying the date on which they now wish to return. Failure to do so may mean that we postpone the employee's return until either the expiry of 56 days, or the end of the maternity leave period, whichever is sooner.

An employee who is unable to attend work at the end of her maternity leave due to sickness or injury should follow our normal arrangements for notifying sickness absence.

An employee who decides not to return to work at the end of her maternity leave is required to give full contractual notice.

Employees may also wish to refer to the College's policies relating to parental leave, flexible working, and time off for dependants, which may apply to them following their return to work.

Maternity - unused maternity leave

A mother whose baby is due on or after 5 April 2015, may elect to end her maternity leave at any time after the compulsory leave period, and share the remainder of her maternity leave and pay with the father/partner. See "Shared Parental Leave" below.

Maternity - salary review

If a salary review is due during the period of maternity leave, the employee will normally be informed of any changes as they become applicable.

Maternity - childcare arrangements

The College strongly suggests that employees who are considering returning to work should start researching the different childcare options when they first become pregnant. Many childcare professionals are booked up well in advance and if you are not able to finalise your arrangements well ahead you may find that your chosen provider will not be able to look after your child. In any case, it is advisable to finalise your childcare arrangements well in advance of your return to work.

The College currently has two sponsored nursery places, which are available to members of the College. For more details of the scheme, please contact the HR Officer.

Organisations that may be able to help you in your research include your Social Services Health Visitor and your local Social Services office who can provide you with a list of nurseries and registered child minders in your area. Additionally, you may wish to contact the National Childminding Association.

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Many nurseries and childminders allow "practice sessions" for your baby before you return to work. You may find it useful to take advantage of these to ensure any initial problems are overcome. This will allow you and your baby time to adjust to the new arrangements and settle in.

Maternity - redundancy

If an employee who is on maternity leave would have been made redundant were she present, she will be included in any redundancy consultation procedure and we will ensure that the employee is promptly informed and consulted with. In some cases it may be appropriate to extend the consultation period for an employee on maternity leave until this has come to an end.

An employee who is made redundant at or following the 15th week prior to her EWC or at any time during her period of maternity leave will still receive her full entitlement to SMP - in such circumstances, SMP may be paid weekly or as one lump sum. (SMP will not be paid if the employee leaves our employment before the 15th week prior to her expected week of childbirth.) Any benefits such as a company car or holiday entitlement will only be provided/accrue to the end of the notice period once the employee is made redundant.

Employees on maternity leave and who are at risk of redundancy have the right to apply for other vacancies, along with other employees 'at risk'. Where an employee's role becomes redundant during the course of her maternity leave she is entitled to be considered for any suitable alternative employment in preference to other employees.

7. ADOPTION LEAVE AND PAY

Adoption - introduction

One adoptive parent (of either sex) may be entitled to take up to 52 weeks' adoption leave. This is made up of 26 weeks' Ordinary Adoption Leave ('OAL') and 26 weeks' Additional Adoption Leave ('AAL').

Adoption - pre-placement appointments

An employee who has a child placed with him/her for adoption will be allowed to take time off to attend adoption pre-placement appointments. Paid time off will be given to a primary/sole adopter for up to five appointments of up to 6.5 hours each to make contact and bond with the child. For joint adoptions, only one adopter may take this paid time off; the other adopter may attend up to two unpaid appointments.

We ask that such employees give us as much notice as possible of these appointments, and provide evidence of the appointments.

Adoption - eligibility requirements

To qualify the employee must:

- be the adopter of a child aged up to 18 years
- have notified the adoption agency that he/she agrees that the child should be placed with him/her, and agreed the date of placement.

Parents who are adopting the step-children of their partner will not be eligible for adoption leave or pay, but may be eligible for parental leave (normally unpaid).

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Only one person may take adoption leave in respect of a child at any time: where a couple is adopting a child jointly, one may take adoption leave and the other may take statutory paternity and/or additional statutory paternity leave (see below).

As from 5 April 2015, the current rights to adoption leave are extended to individuals fostering a child under the 'Fostering for Adoption' scheme run by local authorities.

Adoption – leave

Statutory adoption leave lasts for up to 52 weeks. We will assume that you will take the full 52 weeks unless you tell us otherwise.

Adoption leave may begin on the actual date on which the child is placed with the employee, or it may start on a pre-determined date which falls within the period from 14 days before the child is placed until the expected date of the placement.

If an employee is adopting a child from abroad, the leave may start on either the date the child enters the UK or a pre-determined date no later than 28 days after the date the child enters the UK. Adoption leave can start on any day of the week.

Adoption - notification requirements

The employee must give us notice of:

1. his/her intention to take statutory adoption leave;
2. the date of placement; and
3. the date on which he/she wishes to commence his/her leave. (For the adoption of a child based in the UK, this must be given within seven days of the date on which he/she is notified of having been matched with the child.)

Documentary evidence which shows the name and address of the adoption agency, the name and date of birth of the child, and date of notification of matching and the expected date of placement are also requested.

We will write to confirm our receipt of this notification within 28 days of receiving it, and to confirm the date on which the statutory adoption leave will end. (This will normally be 52 weeks from the intended start date.)

The employee may vary the start date of the leave at a later date by giving us at least 28 days' notice (unless this is not reasonably practical).

Employees who are adopting a child from overseas should give written notice in three stages as follows:

1. He/she should inform us within 28 days of receiving official notification of the date on which he/she received official notification of the placement and the date the child is expected to enter the UK.
2. The employee must give 28 days' notice of the actual date he/she wants the adoption leave to start. (For adoptions from abroad, this cannot be before the child enters the UK.) This date can be changed by giving at least 28 days' notice (or as soon as is reasonably practicable). We will write to confirm receipt of this notification within 28 days of receiving it.

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3. The employee must tell us the date the child entered the UK within 28 days of the entry.

Adoption - work and contact during the adoption leave period

Employees on adoption leave are encouraged to keep in touch with us, and we are entitled to make reasonable contact with them during their maternity leave.

Those on adoption leave are also able to work for up to ten days without losing their right to adoption leave or a week's statutory pay, via "keeping in touch" or KIT days. See maternity section, above.

Adoption - pay

Subject to meeting the relevant qualifying criteria, an employee will be entitled to receive Statutory Adoption Pay (SAP).

For the primary/ sole adopter, the first six weeks will be paid at the rate of 90% of the employee's average weekly earnings; 33 weeks will then be paid at the lesser of either 90% of average earnings or the fixed statutory weekly rate.

Statutory Adoption Pay is only paid to those with 26 weeks' continuous service extending into the 'matching week' (the week beginning on a Sunday and ending on a Saturday, in which the employee is notified of having been matched with the child).

In addition, the employee must:

- stop working, or take leave in order to care for the child;
- have earned more than the lower earnings limit in the eight weeks prior to being notified of the placement;
- elect to receive SAP;
- provide evidence of their entitlement to SAP;
- provide at least 28 days' notice of the date they want SAP to start.

Adoption - college adoption pay scheme

Employees who qualify for SAP, and who have at least 52 weeks' continuous employment by the end of the week in which he/she is notified of having been matched with the child, will normally be entitled to up to 26 weeks of full pay paid at their normal basic weekly rate (inclusive of any SAP entitlement), followed by 13 weeks of SAP. The remaining 13 weeks will be unpaid.

In the event that an employee decides not to return to work after their adoption leave, or if they return after adoption leave and work less than three months before they leave, the College retains the right to reclaim all or part of the payments made under the College adoption pay scheme, minus the element which the employee would be entitled to keep if they qualified for it. Eligible employees will be asked to sign to accept these terms.

Adoption - contractual benefits

Full holiday entitlement will continue to accrue throughout the full period of adoption leave. Please consider and discuss with us how best to take your holiday entitlement and plan for the whole period. You may prefer to use your entitlement accrued to date before you go on adoption leave (allowing you to finish earlier without financial penalty) and to carry over the remainder for when you return. Alternatively you may prefer to use up the holiday accrued during your adoption leave period before

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you return (i.e. immediately following your period of adoption leave) - this gives you a longer break and may also be easier to accommodate in terms of relief cover.

If you have notified us, prior to your adoption leave commencing, that you do not intend to return to work after your leave, any holiday entitlement outstanding will be paid in the relevant pay period in which your adoption leave ends.

Other non-pay contractual benefits (such as a company vehicle, life or private health insurance, medical cover or childcare vouchers) will continue to be provided during the full period of adoption leave. However, it should be noted that meals are only provided to eligible staff who are actually on duty at the College. You will not, therefore, be entitled to receive any financial compensation for meals not taken while absent from work.

Note: employees may not be eligible to join a childcare voucher scheme via a salary sacrifice arrangement whilst on adoption leave as SAP is a statutory payment which cannot be altered and employees cannot therefore join whilst receiving SAP only.

The entire period of adoption leave will be included when calculating the employee's length of service for the purposes of any contractual benefits.

Pension contributions will be paid during the period of paid adoption leave only (up to 39 weeks). The College's contributions will be based on the full pensionable pay the employee would receive if working. The employee's contribution will be based on the actual pay received during the period of adoption leave.

Adoption - salary review

If a salary review is due during the period of adoption leave, the employee will normally be informed of any changes as they become applicable.

Adoption – returning from adoption leave

An employee returning to work after ordinary adoption leave has the right to return to the same job. The right to return following additional adoption leave is to the same job unless this is not reasonably practicable, but any alternative job must be both suitable and appropriate. The terms must be no less favourable than those which would have applied had the employee not been absent on adoption leave.

If the employee intends to return to work at the end of the ordinary or additional adoption leave, he/she need do nothing further. However, we ask that employees keep the College informed of their plans to assist with planning and to facilitate their return. If however, the employee wishes to return to earlier than this, at least 56 days' (eight weeks) notice of the date of intended return must be given. If the employee fails to give the minimum 56 days' notice we may postpone his/her return until 56 days' notice has been given, provided that this is no later than the end of the additional adoption leave.

An employee who decides not to return to work at the end of their adoption leave is still required to give full contractual notice.

An employee who is unable to attend work at the end of his/ her adoption leave due to sickness or injury should follow our normal arrangements for notifying sickness absence.

Employees may also wish to refer to the College's policies relating to parental leave, flexible working, and time off for dependants, which may apply to them following their return to work.

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Adoption - redundancy

If an employee who is on adoption leave would have been made redundant were s/he present, s/he will be included in any redundancy consultation procedure and we will ensure that the employee is promptly informed and consulted with. In some cases it may be appropriate to extend the consultation period for an employee on adoption leave until this has come to an end.

An employee who is made redundant at any time during the period of adoption leave will still receive their full entitlement to SAP (provided they meet the eligibility criteria) - in such circumstances, SAP may be paid weekly or as one lump sum. Any benefits such as a company car or holiday entitlement will only be provided/accrue to the end of the notice period once the employee is made redundant.

Employees on adoption leave and who are at risk of redundancy have the right to apply for other vacancies, along with other employees 'at risk'. Where an employee's role becomes redundant during the course of their adoption leave they are entitled to be considered for any suitable alternative employment in preference to other employees.

Adoption - unused adoption leave

Parents who adopt a child before 5 April 2015 may choose to transfer up to 26 weeks of adoption leave to the father/partner, once the primary adopter has returned to work. For further details, see below: 'Additional Statutory Paternity Leave'.

Please note that an employee who returns from adoption leave early, in order to enable his/her partner to take the remainder of the leave, must give his/her permission for us to release any information confirming his/her return to our employment and the period of adoption leave and pay to his/her partner's employer, before we may do so. Such information will not be disclosed otherwise, which may result in delay in the partner receiving any remaining adoption pay or his/her ASPL being authorised by his/her employer.

An employee who adopts a child/children may elect to end his/her adoption leave at any time, and share the remainder of the adoption leave and pay with his/her partner. See "Shared Parental Leave" below.

8. PATERNITY LEAVE AND PAY

Paternity – ordinary paternity leave (OPL)

Subject to meeting the eligibility requirements, employees who are the father of a child or its mother's husband/partner, and who expect to have responsibility for the child's upbringing (or an adoptive parent who is not taking adoption leave) are entitled to two weeks' paid ordinary paternity leave.

Paternity – eligibility requirements

This entitlement applies to employees who:

- have a minimum of 26 weeks' continuous service ending with the 15th week before the expected week of the child's birth. (For adoption, a minimum of 26 weeks' continuous service extending into the 'matching week'. This is the week beginning on a Sunday and ending on a Saturday in which the employee is notified of having been matched with the child).
- are the natural or adoptive father (or are the mother's husband or partner) of a child born, or placed with them for adoption

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- can demonstrate that they have (or expect to have) responsibility for the child's upbringing or are married to (or the partner of) the child's mother
- have average earnings at least equal to the lower earnings limit for NI contributions.

Paternity - leave

Leave must be taken during the eight-week period beginning with the child's birth date (or placement with its new parents for adoption within the UK, or date of entry into the UK for overseas adoptions). It can be taken either as one single week's leave or two consecutive weeks' leave, but not as odd days. A week can start on any day, for example Tuesday – Monday inclusive.

In the case of adoption, where a child is adopted jointly, either of the adoptive parents may take the two-week period of ordinary paternity leave. The partner of an individual who is adopting will also be able to qualify for ordinary paternity leave and pay if he/she can demonstrate that he/she is to share responsibility for the child's upbringing.

Paternity – notification requirements

The employee must notify us of the date on which he/she intends to take ordinary paternity leave by the end of the 15th week before the mother's expected week of childbirth (EWC).

The notification must specify:

- the expected week of the birth
- the length of the leave you have chosen to take (i.e. one week, or two weeks)
- the date on which you wish the leave to begin. (You may choose either to specify that the leave will begin on the date on which the child is born, or on a specified number of days after the child is born, or on a predetermined date).
- confirmation that the employee meets the 'eligibility' criteria outlined above.

If you wish to change the start date, you may do so provided that you give at least 28 days' notice of this change.

Employees wishing to take paternity leave after the birth of a new child should normally complete an SC3 form and submit this to the College. Employees wishing to take paternity leave after adopting a child should normally complete an SC4 form and submit this to the College.

For an employee who is adopting a child in the UK, notification must be within seven days of the date on which the adopter has been officially notified of having been matched with the child. An employee who is adopting a child from overseas should give written notice in three stages as follows:

1. Where the employee has 26 weeks' qualifying service, he/she should inform us within 28 days of receiving official notification of the date on which he/she received official notification of the placement and the date the child is expected to enter the UK. If the employee has less than 26 weeks' qualifying service, the notice should be given within 28 days of completing 26 weeks' service.
2. In all cases, the employee must give 28 days' notice of the actual date he/she wants the paternity leave to start. (For adoptions from abroad, this cannot be before the child enters the UK.) This date can be changed by giving at least 28 days' notice (or as soon as is reasonably practicable). We will write to confirm receipt of this notification within 28 days of receiving it.

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3. The employee must tell us the date the child entered the UK within 28 days of the entry.

Once the start date of the leave has been notified, employees may amend this, but must provide us with 28 days' notice of the new start date.

Paternity - time off for ante-natal care

Employees who are the biological father of a child, or who are the spouse/ partner of someone who is giving birth or adopting, are entitled to take time off during normal working hours to receive ante-natal care. The College's policy is that up to two such appointments may be attended on full pay, provided that each appointment does not exceed 3 hours. In the event that further appointments are attended, these will normally be unpaid.

Wherever possible appointments should be arranged at the start or end of the working day. Ante-natal care includes appointments with the GP, hospital clinics, parent-craft classes, and relaxation classes.

The provisions relating to attendance of such appointments are as set out in the section on maternity leave above.

Paternity - pay

Ordinary paternity leave is paid at the same rate as lower rate SMP (or 90% of the employee's earnings, if this is less).

Full holiday entitlement will continue to accrue throughout the period of paternity leave and all other non-pay contractual benefits (such as a company vehicle, life or private health insurance, medical cover or childcare vouchers) will continue to be provided during the full period of paternity leave.

Paternity - college paternity pay scheme

Employees who qualify for SPP and who have at least 52 weeks' continuous employment at the 15th week before the expected week of confinement will be entitled to up to 10 days of full pay paid at normal basic weekly rate (inclusive of any Statutory Paternity Pay (SPP) entitlement).

Paternity - additional statutory paternity leave (ASPL)

In addition to the standard two week period of statutory paternity leave, parents of children who were due to be born before 5 April 2015, or who adopted a child before this date, may choose to transfer up to six months of maternity/adoption leave to the father or partner once the mother/primary adopter has returned to work. This is known as additional statutory paternity leave ("ASPL").

Different rules apply in respect of children who are due to be born, or who are placed for adoption, on or after 5 April 2015 – see "Shared Parental Leave" below

Paternity - ASPL - eligibility requirements

Note the term 'father' in this context may be the biological father, the spouse of the mother, or a partner or a civil partner under a same sex relationship.

To be eligible for additional statutory paternity leave the employee must have been continuously employed with us for 26 weeks ending with the 15th week before the baby is due. In an adoption situation, where the adoption is from within the UK, the employee must have 26 weeks' continuous service ending with the week in which the child's adopter is notified of having been matched with the child. Where the adoption is from overseas, the employee must have 26 weeks' continuous service by

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the end of the week in which the official notification of approval for adoption was received or, where the employee has changed employer since the official notification was received, since his or her employment with us began.

In both maternity and adoption situations, the employee must remain in continuous employment with us until the week before the first week of the additional statutory paternity leave.

Paternity - ASPL – leave

It is important to note that ASPL can only be taken once the mother/adopter of the child has returned to work; so both parents cannot take maternity leave and ASPL at the same time.

In a birth situation, an employee who qualifies for additional statutory paternity leave can take between two and 26 weeks' additional leave in the period that begins 20 weeks after the child is born and ends one year after the birth. The child's mother's period of maternity leave must have come to an end. The employee will still be entitled to a maximum of 26 weeks of ASPL even if more than one child is born as a result of the same pregnancy (e.g. twins).

In an adoption situation, an employee who qualifies for additional statutory paternity leave can take between two and 26 weeks' leave in the period that begins 20 weeks after the child's placement for adoption and ends one year after the placement. The employee's partner's statutory adoption leave must have come to an end. The employee will be entitled to take no more than 26 weeks of ASPL, even if more than one child is placed for adoption as part of the same arrangement.

If the child's mother, or the other adoptive parent, dies in the first year of the child's life, the additional statutory paternity leave can begin at any time after the death and last until the child's first birthday.

Additional statutory paternity leave must be taken as one continuous period, in multiples of complete weeks. The minimum period of leave is two consecutive weeks and the maximum is 26 consecutive weeks.

Paternity - ASPL - notification requirements

The employee must give us at least eight weeks' notice of his/her start and finish dates for the additional statutory paternity leave.

A leave notice, a signed declaration from the employee and a signed declaration from the mother/adopter to prove his/her eligibility are required. This is most easily provided on HMRC form SC7.

The 'leave notice' is a written notice specifying:

- the child's expected week of birth (for adoption, the date the employee was notified of having been matched with the child);
- the child's date of birth/adoption; and
- the dates the employee has chosen as the start date and end date for the period of leave.

The 'employee's declaration' must state:

- that he/she is either the biological father, husband, partner or civil partner of the child's mother (for adoption, that he/she is either married to or the partner or civil partner of the adopter, and that the child has been matched with him/her for adoption);
- that he/she is taking the leave to care for the child

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- that he/she has, or expects to have, the main responsibility (apart from any responsibility of the child's mother/adopter) for the upbringing of the child.

The 'mother's declaration' ('adopter's declaration' for those adopting) must state:

- the mother's/adopter's name and address;
- the date of his/her return to work;
- his/her national insurance number;
- that the employee is the child's father or is the mother's/adopter's spouse, partner or civil partner;
- that the employee has, or expects to have, the main responsibility (apart from any responsibility the mother/adopter has) for the upbringing of the child;
- that the employee is, to the mother's/adopter's knowledge, the only person exercising the right to take additional statutory paternity leave in respect of the child; and
- that he/she consents to the employer processing this data.

The employee must notify us if his/her circumstances change, in case this affects his/her eligibility.

We may also request a copy of:

1. the child's birth certificate (for adopters, evidence in the form of documents issued by the adoption agency showing: the name and address of the adoption agency, the date that the employee was matched with the child, and the expected date of placement); and
2. details of the name and address of the mother's (or adopter's) employer (or his/her business address if he/she is self-employed).

In most cases we will want to check with the mother's/adopter's employer that he/she has returned to work and the details of his/her maternity/adoption leave and pay taken to date. Written authorisation will normally be requested from the mother/adopter before we do this.

Paternity – ASPL - changing the dates of ASPL

If the employee withdraws his/her request to take ASPL less than six weeks before the start date and it is not reasonably practicable for us to accommodate the requested change, the employee may be required to start the leave on the date specified and this will end no later than six weeks after the date on which withdrawal notice was given to us or the end date specified in the leave notice, whichever is the earlier.

Once the period of additional statutory paternity leave has begun, if the employee wishes to return to work earlier than planned, we may delay a return until no later than six weeks after the date on which the employee gave us withdrawal notice, or the end date specified in the leave notice, whichever is the earlier.

If the employee changes their mind about either taking the leave, or about the start or end dates of their leave, they must give at least six weeks' notice of this. Failure to do this may mean that the College has to delay the change, if it cannot be accommodated.

Paternity – ASPL - pay

If the child's mother, or the other parent in an adoption situation, ends his/her period of maternity or adoption leave before taking the maximum entitlement to 39 weeks' statutory maternity pay, maternity allowance or statutory adoption pay, the employee taking additional statutory paternity leave is entitled to be paid for the remainder of the 39-week period, assuming that he or she has average earnings of at least the lower earnings limit for National Insurance purposes. In effect, the couple are paid for 39 weeks between them.

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Additional statutory paternity leave is paid at the statutory maternity pay rate, or 90% of the employee's earnings, whichever is lower.

An employee will be entitled to be paid no more than 19 weeks of Additional Statutory Paternity Pay (ASPP) in respect of a child where more than one child is born as a result of the same pregnancy. For example, a biological father of twins will only be paid ASPP for up to 19 weeks. Similarly, an employee will be entitled to be paid ASPP for no more than 19 weeks, even if more than one child is placed for adoption as part of the same arrangement.

Paternity – ASPL - KIT days

An employee on ASPL is entitled to take up to ten "Keeping In Touch" days (as for those on maternity/adoption leave) and the current provisions on redundancy during maternity leave and the right to be offered any suitable available vacancy is extended to him/her. – please refer to the relevant sections above).

Paternity – ASPL - return to work

After a period of statutory or additional statutory paternity leave, an employee has the right to return to the same job on the same terms and conditions of employment as if he/she had not been absent. An employee who takes a period of parental leave after his/her statutory paternity leave has same right of return provided that the period of parental leave does not exceed four weeks.

An employee who does not intend to return to work after a period of ASPL must give notice according to the terms of their contract of employment.

9. SHARED PARENTAL LEAVE

Shared parental leave – introduction

Mothers of babies expected on or after 5 April 2015, or an employee who is matched with a child for adoption on or after this date, may be able to convert part of his/her statutory maternity/adoption leave and pay into "Shared Parental Leave" (SPL) and "Shared Parental Pay" (ShPP) provided the eligibility requirements are satisfied. It will be up to the mother or adopter to decide whether to continue his/her maternity/adoption leave or to opt to end this early and take Shared Parental Leave instead. Employees may choose to opt into Shared Parental Leave at any time during the first year after the birth/ adoption of the child, as long as there is still some untaken maternity/adoption leave left to share.

The parents may take time off together if they wish, or may take it in turns to have periods of leave. Their leave does not have to be taken in one continuous block each. Sensible forward planning is therefore essential to ensure leave and cover arrangements are effectively managed.

The entitlement to statutory maternity leave, statutory maternity pay, statutory adoption leave, statutory adoption pay, and to take KIT days remain.

Shared parental leave – SPL – eligibility

To be eligible for SPL, both individuals must have caring responsibility for the child. Eligible individuals include employees or self-employed earners who are the biological father or the mother's husband, civil partner or partner.

In addition:

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- the mother/primary adopter seeking to convert the maternity/adoption leave must have at least 26 weeks' continuous service with his/her employer at the 15th week before the baby's due date/week in which he/she was notified of having been matched with a child for adoption and must still be working for that same employer when he/she intends to start the leave. (For a parental order parent in a surrogacy arrangement, the continuity of employment test is the same as that which applies to birth parents, even though they get adoption leave and pay.)
- the other parent/carer must also have worked (on an employed or self-employed basis) for any 26 out of the 66 weeks preceding the baby's expected date of birth/expected placement date and have earned at least £30 (gross) pay per week for any 13 of the 66 weeks.

If the mother/primary adopter does not qualify for maternity/adoption leave, his/her partner will not be eligible for SPL. (So for example a male employee whose wife does not work will not be entitled to take shared parental leave.)

Shared parental leave – SPL – commencing leave

Birth: SPL may commence at any time following the mother's period of compulsory maternity leave (see above) subject to the required notice being given and the leave being agreed. The mother chooses to end her maternity leave early and to convert the untaken balance of SML (up to 50 weeks in total) and SMP (up to 37 weeks in total) to SPL and ShPP. The mother does not need to return to work before her partner takes SPL as the balance is shared between the two of them.

Adoption: Employees who are adopting, (or the parental order parent in a surrogacy arrangement) must take at least 2 weeks of adoption leave before it can be ended and converted into SPL.

Births and adoption: SPL must be taken within 52 weeks of the child's birth/adoption. The father/partner/ spouse can take SPL immediately following the birth/ placement of the child (provided that the mother/ primary adopter has given formal notice of the date on which they intend their maternity/ adoption leave to end), but may first wish to use any entitlement to paternity leave entitlement (as statutory paternity leave or pay may not be taken after any SPL or ShPP).

SPL can be taken by both parents separately or together, and it does not need to be taken in consecutive blocks.

There is a maximum of three blocks of leave (per parent). Each block must be a minimum of one week (which may start on any day of the week), and must be taken as complete weeks, unless we agree otherwise. A maximum of three notifications of leave or variations of planned leave (per parent) is therefore permitted unless we agree otherwise.

Shared parental leave – SPL – notification requirements

Notice to end maternity/adoption leave: the mother/adopter must give his/her employer eight weeks' notice to end the entitlement to maternity/adoption leave early, which will then enable both parents to take advantage of the shared parental leave regime. This notice can be given before or after the birth/placement. If it is given after the birth, the notice is binding; if it is given before the birth, the mother may withdraw the notice up to six weeks after the birth.

Declaration of entitlement: both partners must first of all sign a declaration that they intend to take shared parental leave (this is most easily done using HMRC's form ShPL1) and must be done at least eight weeks before any shared parental leave may start). The declaration should:

- give their names and NI numbers;
- confirm that they meet the eligibility criteria;

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- confirm that the information provided is correct and that if either ceases to meet the conditions of entitlement to shared parental leave then they will immediately notify the employer
- specify how much leave has been taken as maternity/adoption leave and pay and how much is therefore available as SPL and ShPP;
- give a non-binding indication of how much leave each person is intending to take as SPL; and
- give the proposed start and end dates of the leave and, importantly, if more than one period of leave is requested. The partners should also state the date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption; and should include a non-binding indication of when the employee expects to take the leave.

A copy of the child's birth certificate (in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption) and the name and address of the partner's employer must be provided within 14 days of any request to do so.

Leave request: an employee who is entitled to, and who intends to take, shared parental leave must then give a separate written notice at least eight weeks before the start of any proposed period of SPL. The notice can be given at the same time as the declaration above, or later.

Each employee is permitted to make three separate leave requests.

We will aim to respond promptly to a leave request.

Continuous leave: if the employee asks for a single continuous period of leave, he/she may take this on his/her chosen dates.

Discontinuous leave: if the request is for discontinuous periods of leave, this is subject to a two-week discussion period during which we may agree, refuse or propose alternative dates. Such requests will be carefully considered, but if we cannot reach agreement on a requested pattern of leave, the employee must either take that period of leave in a single block starting on a date of his/her choice, or withdraw the request for leave (in which case it will not count towards his/her three permitted requests). The employee has 19 days from the date his/her request was made to us to choose when this leave period will begin, but the leave cannot start earlier than the initial notified start date. Note that requests for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

Once agreed, we will confirm the leave in writing. The leave may then only be varied in certain circumstances, e.g. if the relationship breaks down or on the death of either the mother or her partner. In the former case, both parties need to agree to the change. However, if the mother gave notice of her intention to take SPL before the birth, she can change the details within six weeks of the birth, provided that she gives us at least eight weeks' notice before her period of SPL starts. Otherwise a request to change the dates must provide eight weeks' notice and will count as one of the three requests.

Different notification requirements apply if the baby is born early (i.e. before the beginning of the expected week of childbirth) and the parent had booked shared parental leave/pay to be taken in the eight week period following the expected week of childbirth (EWC). In this case, the parent may prefer to take the booked leave and pay after the actual birth. He/she should provide us with notice to vary

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his/her shared parental leave and pay as soon as practicable following the birth. This flexibility does not apply to shared parental leave or pay booked to start eight or more weeks after the EWC, nor does it allow the parent to vary the number of weeks of leave or pay booked. (The latter would count as one of the three notices, and would require eight weeks' notice of the variation.)

Shared parental leave – SPL – work and contact during SPL

In addition to the usual 10 KIT days which employees can use during a period of maternity/ adoption leave, employees who take shared parental leave are eligible to take 20 Shared Parental Leave In Touch (SPLIT) days each, without this bringing their period of SPL to an end or affecting their ShPP.

SPLIT days may be taken at any time during the period of shared parental leave, subject to the employee and his/her manager agreeing work to be covered. There is no obligation to attend or to provide SPLIT days. Any SPLIT days worked will not extend the period of SPL. Employees on SPL are encouraged to keep in touch with us and we will continue to make reasonable contact with them during their period of leave.

Shared parental pay – ShPP

If the parents take shared parental leave, the balance of the untaken statutory maternity/ adoption pay (which would otherwise have been payable) may be converted into Shared Parental Pay (ShPP), which can be shared between the partners. The total period of paid leave (including any maternity or adoption leave that has already been taken) will not exceed 39 weeks, whichever parent takes the leave. The mother or primary adopter must take at least two weeks of paid statutory maternity or adoption pay. The maximum amount of ShPP that can be created is therefore 37 weeks.

If the mother/primary adopter does not qualify for statutory maternity pay/maternity allowance/statutory adoption pay, his/her partner will not be eligible for ShPP.

To qualify for ShPP, the partner must (in addition to passing the continuity of employment test above) have earned an average salary equivalent to the Lower Earnings Limit for eight weeks prior to the 15th week before the baby's due date/expected placement date. If the mother's partner meets the economic test but is self-employed, the employee can still apply for SPL but the partner will not be able to receive ShPP on the weeks that he/she is caring for the child.

Note: ShPP is paid at the flat statutory rate.

Shared Parental Pay - College Shared Parental Pay

Employees who qualify for ShPP, and who also have more than 52 weeks' service at the 15th week before the expected week of confinement (or placement for adoption), will be entitled to the benefits of the College ShPP scheme. This is pay that the College pays over and above the statutory minimum.

Statutory payments are incorporated into the full pay received under the College ShPP scheme, for those who are eligible. Statutory ShPP is not paid in addition to full pay.

SPL and ShPP cannot commence until the end of the compulsory two-week maternity or adoption leave period, and are reduced by the amount of maternity/adoption leave and pay the mother has taken. **For example**, if the mother takes the initial 26 weeks as her maternity leave, the couple are then only entitled to 26 weeks of SPL to share in total, with 13 of those weeks paid in statutory payments and 13 weeks taken as unpaid leave.

Subject to how much maternity/ adoption leave has already been taken, and how leave and pay are shared between the parents, an employee may be entitled to (in chronological order of SPL):

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- **up to 24 weeks' full pay (only in the first 26 weeks following the birth/ placement of the child);**
- **up to 13 weeks of statutory payments; and**
- **up to 13 weeks of unpaid leave**

If SPL is taken simultaneously by both parents, the entitlement to full pay is based on the number of weeks' leave taken by each parent (i.e. up to 12 weeks each), and will be applied from the start of any block of SPL.

For example:

If both parents go on SPL at the same time for a combined total of 24 weeks following the compulsory two-week maternity/adoption leave period (i.e. 12 weeks for the mother/primary adopter and 12 weeks for the second parent), the employee of the College (regardless of whether they are the mother or father/ primary adopter or secondary adopter, etc) will only be entitled to full pay for the initial 12 weeks of that period, as their partner's leave of 12 weeks will count towards the **initial** 24 week period upon which the entitlement to full pay is based.

Where both parents are employees of the University, they would both be paid 12 weeks at their normal full rate of pay, which would add up to their maximum entitlement of 24 weeks of full pay.

In the event that an employee decides not to return to work after their period of SPL, or if they return after SPL and work less than three months before they leave, the College retains the right to reclaim all or part of the payments made under the College ShPP scheme, minus the statutory element which the employee would be entitled to keep if they qualified for it. Eligible employees will be asked to sign to accept these terms.

In addition to the information included in the notice of entitlement to take SPL, the partners should include in their declaration:

- details of the start and end dates of any maternity/adoption pay or maternity allowance;
- the total amount of ShPP available;
- the amount of ShPP the employee and his/her partner each intend to claim;
- a non-binding indication of when the employee expects to claim ShPP; and
- a signed declaration from the employee confirming that the information given is correct and that any change in circumstances that mean that he/she will cease to be eligible for ShPP will be notified to us.

The mother/primary adopter should sign a declaration agreeing to the partner claiming ShPP; confirming that he/she has reduced his/her maternity/adoption pay or maternity allowance and that he/she will immediately inform his/her partner should he/she cease to satisfy the eligibility conditions.

Shared parental leave - SPL - contractual benefits

During SPL, the employee's normal terms and conditions of employment are maintained, except those relating to pay. Employees remain entitled to all contractual benefits (such as pension contributions and annual leave). Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid SPL. The employee's contributions

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will be based on his/her actual pay, whilst our contributions will be based on the salary that the employee would have received had he/she not been taking SPL.

For more information, please refer to the relevant clause in the 'Maternity' section above.

Shared parental leave - SPL - returning to work

The employee is entitled to return to his/her original job if he/she has been absent for no more than 26 weeks in total (either as one block or in aggregate and including any time on maternity, paternity or adoption leave), and to return to a job that is similar and suitable if the absence is longer than 26 weeks.

An employee who wishes to return to work earlier or later than his/her expected return date should make a written request to do so, giving at least eight weeks' notice of the proposed date of return. This will count as one of the three permitted requests. If the employee has already used all three notifications to book/vary leave, then we will consider the request but are not obliged to accept it.

Shared parental leave - SPL - redundancy

If an employee's role becomes redundant whilst he/she is taking shared parental leave, he or she will be considered for any suitable alternative employment in preference to other employees (in the same way as a woman on maternity leave).

Shared parental leave - SPL - additional information

Because shared parental leave may involve more than one period of leave, and more than one employer, we encourage employees who intend to take such leave to plan early and to discuss their initial intentions with us on an informal basis as soon as possible. This will enable us to plan more effectively for this, to discuss what may/may not be practical and therefore may also prevent the employee from using one of his/her three requests for an arrangement that is unlikely to be accepted. We will always give full consideration to requests, but discontinuous periods of leave will be subject to us being able to arrange suitable cover for the absences.

10. FLEXIBLE WORKING

Employees who wish to change their working pattern or hours on their return from maternity/ adoption/ paternity/ additional paternity/ shared parental leave should apply to do so in accordance with our flexible working policy.

Where possible, we will aim to grant such requests; however, this is subject to the overriding needs of the organisation at the time.

11. SURROGATE PARENTS

Any employee who has a child placed with him/her through surrogacy is not eligible for Statutory Maternity or Adoption Leave (any maternity rights fall to the birth mother).

However the employee will be eligible for unpaid parental leave once he/she has attained a parental order (for further details of parental leave, see our separate policy). Also, if the intended parent is the biological father of the surrogate child then he would be eligible for paternity leave (subject to meeting all other eligibility requirements set out above).

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Surrogate parents of children due to be born on or after 5 April 2015, and who meet the criteria to apply for a Parental Order, will however be eligible for statutory adoption leave and pay and shared parental leave and pay if they meet the other qualifying criteria that apply to these forms of leave.

12. MONITORING AND REVIEW OF THIS POLICY

This policy will be reviewed regularly and will be updated to ensure compliance with statutory requirements. Any queries or comments regarding this policy should be addressed to the HR Officer.

RELATED POLICIES

We also have the following related policies:

- Equal Opportunities and Diversity
- Flexible Working
- Health & Safety
- Parental leave
- Time off for dependants

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