# 2015

Freedom of Information Request

Reference number – 15-014

Information relating to the maternity, adoption and shared parental leave policies for employees.

Can you please provide me with copies of your maternity, adoption and shared parental leave policies for employees. Please include information on pay for these schemes – do you offer enhanced pay above the statutory minimum for your employees who take maternity, adoption and shared parental leave?

Amgueddfa Cymru

Parc Cathays, Caerdydd CF10 3NP Ffôn: (029) 2039 7951 Ffacs: (029) 2057 3321

Amgueddfa Cymru – National Museum Wales Cathays Park, Cardiff CF10 3NP Tel (029) 2039 7951 Fax (029) 2057 3321



**Reference no.: 15-014** 10 August 2015

Dear

**REQUEST FOR INFORMATION** – Information relating to the maternity, adoption and shared parental leave policies for employees

Thank you for your request for information. As Museum Secretary for Amgueddfa Cymru - National Museum Wales ('the Museum'), I am responsible for responding to your request for information.

I refer to your email of 16 July 2015 in which you asked for the following information:

Can you please provide me with copies of your maternity, adoption and shared parental leave policies for employees. Please include information on pay for these schemes – do you offer enhanced pay above the statutory minimum for your employees who take maternity, adoption and shared parental leave?

#### Response

**Maternity leave** For staff with more than one year's service at the qualifying week (15 weeks before the baby is due) we pay 26 weeks full pay followed by 13 weeks statutory maternity pay at the lower rate, currently £139.58 per week (or 90% of earnings if lower). For staff with more than 26 weeks service but less than one year's service we pay 39 weeks statutory maternity pay. This policy is currently under review due to the introduction of Shared parental leave, but there are no proposed amendments to payment arrangements. Policy attached.

**Adoption leave** For staff with more than one year's service at the qualifying week (the week in which they are notified of a match) we pay 26 weeks full pay followed by 13 weeks statutory adoption pay at the lower rate, currently £139.58 per week (or 90% of earnings if lower). For staff with more than 26 weeks service but less than one year's service we pay 39 weeks statutory adoption pay. This policy is currently under review due to the introduction of Shared parental leave, but there are no proposed amendments to payment arrangements.

Paternity leave In respect of ordinary paternity pay, for staff with more than one year's service at the qualifying week we pay 3 weeks full pay. For staff with more than 26 weeks service but less than one year's service we pay 2 weeks statutory pay, currently £139.58 per week (or 90% of earnings if lower). In respect of additional paternity leave we pay any balance of the mother's statutory pay at

statutory rates. This policy is also under review due to the introduction of shared parental leave. Policy attached.

**Shared Parental leave (draft)** This is a new policy that has not yet been approved by our internal Executive team. We propose to pay shared parental pay, at statutory rates, currently £139.58 (or 90% of earnings if lower) for staff with more than 26 week's service at the qualifying week. Draft policy attached.

Your request was considered according to the principles set out in the National Assembly's Code of Practice on Public Access to Information (third edition). The Code is published on the Internet at <a href="https://www.information.wales.gov.uk">www.information.wales.gov.uk</a>.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to the Director Finance and Corporate Resources at the following address:

Mr. Neil Wicks
Director of Finance and Corporate Resources
Amgueddfa Cymru – National Museum Wales
Cathays Park
Cardiff
CF10 3NP

When dealing with any concerns, we will follow the principles of the National Museum of Wales's Code of Practice on Complaints, which is available on our website at <a href="www.museumwales.ac.uk/en/45/">www.museumwales.ac.uk/en/45/</a>. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter. You also have the right to complain to the Information Commissioner's Office (ICO) if you are not content with the outcome of your complaint or review. Generally, the ICO will not make a decision unless you have exhausted the complaints procedure provided by the Museum.

The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

If you have any further queries or concerns then please contact me via my email address.

Yours sincerely

Elaine Cabuts Museum Secretary

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## AMGUEDDFA CYMRU – NATIONAL MUSEUM WALES

#### MATERNITY LEAVE

Every employee who informs Amgueddfa Cymru – National Museum Wales (the Museum) of her pregnancy shall have appropriate leave for ante natal care, child birth and immediate child care purposes, and maternity pay in accordance with current legislation or with any Museum Maternity Pay entitlements.

#### **Key Information for Pregnant Staff**

- You must inform your line manager that you are pregnant as soon as possible and arrange to carry out a risk assessment in accordance with the Risk Assessment for Pregnant Workers procedure. A copy of the risk assessment must be forwarded to the HR department.
- 2. In conjunction with your line manager, you must decide when you intend your maternity leave to start. Your maternity leave can start at any time after the 11<sup>th</sup> week before your baby is due i.e. after you are 29 weeks pregnant.
- 3. You must provide the HR department with a copy of your Hospital Appointment Card or Invitation to Initial Scan letter and you must let your line manager know, in advance, of the times you will be attending your Doctors appointments, Clinics and other ante natal care. Where possible these should be made outside working hours. Parent craft or similar classes are excluded from this.
- 4. You may meet with HR Department to discuss your entitlements to Maternity Leave and Pay if you wish to do so.
- 5. You must formally notify the Museum, in writing, of the date you want to start your maternity leave, by the end of the 15<sup>th</sup> week before your baby is due. This is the week that you are 25 weeks pregnant. You can do this by using the application for maternity leave form. If you subsequently wish to change the date your maternity leave is to start, you must give the Museum at least 28 days notice of the new date
- 6. You must provide proof of the date your baby is due by submitting form MATB1 which you get from your Doctor or Midwife. This is issued from the time you are 26 weeks pregnant
- 7. If you are sick with a pregnancy related illness after the beginning of the week in which you are 36 weeks pregnant your maternity leave will start immediately. If your baby is born before your planned maternity leave is due to start, maternity leave will start immediately.
- 8. Your eligibility for pay during your maternity pay period is determined by

- your length of employment
- you having correctly notified the Museum of your maternity leave dates
- Your continuing employment
- whether or not you intend to return to work

Please refer to the attached table.

- 9. You must inform the Museum of the date on which your baby is born
- 10. If you wish to return to work, you must give the Museum at least 8 weeks notice in writing of the date you wish to return unless you intend to return at the end of your full entitlement to leave.
- 11. If you return to work after six months leave, you have the right to return to the post you occupied before you left. If you return after additional leave you have the right to return to the post you occupied before you left, unless it is not reasonably practicable to do so. In which case you have the right to return to a job that is both suitable and appropriate for you to do.
- 12. If you do not return at the end of your maternity leave and do not complete a further months paid service, you may be asked to repay any museum maternity pay received, less the amount of your entitlement to statutory maternity pay
- 13. If you would like to ask to change your working arrangement on your return you must discuss this with your line manager and the HR department in accordance with the Variable Working Staff Handbook entry.
- 14. During your maternity leave you may attend for work for up to 10 days to help you keep in touch or for training purposes. You will be paid at your normal daily rate if you work under this provision for any such days although these payments will be off-set against maternity pay for the days that you actually work. Attendance is voluntary: you cannot be required to work during your maternity leave.

For those who are expecting a baby due after 4 April 2011

#### Transfer of maternity leave \*\*

If you propose to return to work early without using your full 52-week entitlement to maternity leave you may be eligible to transfer up to 26 weeks of your outstanding maternity leave (and outstanding SMP) to your spouse, civil partner or partner, or the father of your child, to be taken as additional paternity leave (and additional statutory paternity pay) on your return to work.

The earliest that additional paternity leave may commence is 20 weeks after the date on which your child is born and it must end no later than 12 months after the date of birth. The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks. You must therefore have at least two weeks of maternity leave that remains unexpired.

For further details please refer to the paternity leave procedure.

## List of terms commonly used in conjunction with pregnancy

Abbreviation	Full Term	Explanation
EWC	Expected week of Childbirth	the week in which the baby is due
OML	Ordinary Maternity Leave	26 weeks leave
AML	Additional Maternity Leave	26 weeks leave from the end of the period of Additional Maternity Leave
MML	Museum Maternity Leave	up to 52 weeks leave
SMP	Statutory Maternity Pay	39 weeks payment at a rate set annually by the Government, subject to qualifying conditions
MMP	Museum Maternity Pay	26 weeks full pay subject to qualifying conditions
Form MATB1	-	Document issued by midwife or Doctor which confirms the Expected Week of Childbirth
Notification Week	-	the 15 <sup>th</sup> week before the expected week of childbirth i.e. 25 weeks pregnant also known as the 'Qualifying Week'

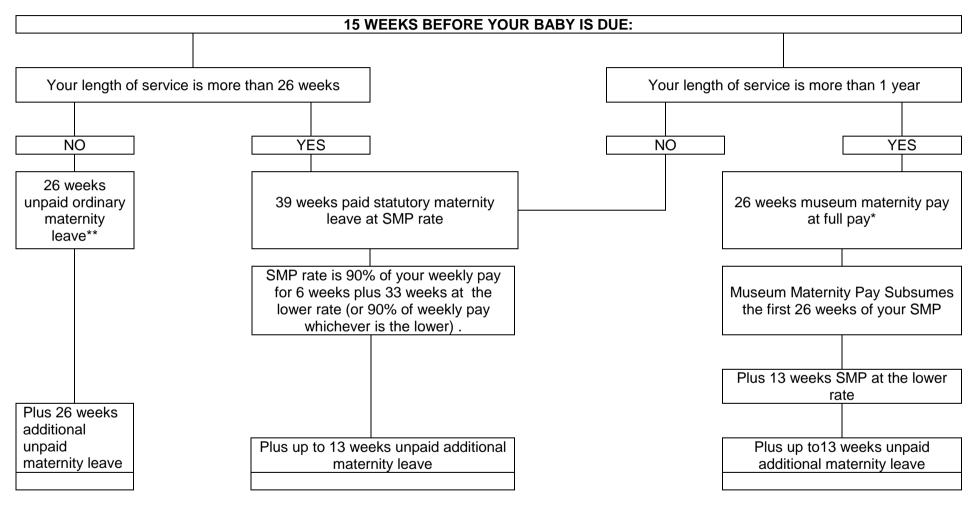
Date of review: August 2010

Approved by: Head of HR

Date of next review: August 2013

#### **Maternity Pay Entitlement**

The following is subject to correct notification of start of absence and return to work and submission of appropriate certification. Further details are available from HR



<sup>\*</sup>full pay is your basic salary, plus for the first month the average (calculated over the preceding 8 week period) of any premium allowance received
\*\* you may be eligible for a Maternity Allowance and should contact the Department of Work and Pensions via the Jobcentre plus

#### **Amgueddfa Cymru - National Museum Wales**

#### **Adoption Leave Policy**

#### **Eligibility**

The rights to adoption leave and pay entitle eligible employees to take paid leave when a child is newly placed for adoption. Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.

Adoption leave and pay are available to:

- · individuals who adopt
- one member of a couple where a couple adopt jointly (the couple must choose which partner takes adoption leave and the other may be eligible for paternity leave). For further details please refer to the Paternity procedure.

The employee must have completed at least 26 weeks service ending in the week in which they are notified of a match (the notification week). to be eligible for adoption leave and pay.

## **Adoption Leave and Pay**

Any employee who has completed at least one year's continuous service is eligible for:

- 26 weeks adoption leave on full pay,
- Up to 13 weeks at the statutory rate
- up to a further 13 weeks unpaid adoption leave.

Any employee who has completed less than one year's but more than 26 week's continuous service at the notification week will be eligible for:

- 39 weeks paid adoption leave (paid at the statutory rate);
- up to a further 13 weeks unpaid adoption leave;

The statutory rate is also known as Statutory Adoption Pay (SAP) – see "Statutory Pay Rates".

Within 7 days of receipt of the notification of match/date of placement the employee must give the museum a copy of the notification of match, notify in writing the date they wish their adoption leave to start and the date on which the child will be placed with them. They must give at least 28 days notice of the day they want their adoption pay to start and declare that they have elected to receive adoption pay and leave instead of paternity pay and leave.

An employee who wishes to change the date the pay and leave will start must give 28 days notice of the earlier of:

- the adoption start date
- the new adoption start date

They can choose to start their leave:

- from the date of the child's placement
- from a fixed date which can be up to 14 days before the expected date of placement.

Only one period of leave is available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

Employees who intend to return before the end of their full entitlement to adoption leave must give at least 8 weeks notice in writing.

Employees who do not return at the end of adoption leave or who do not complete a further month's paid service following return, will be asked to repay any museum adoption pay received, less the amount of entitlement to statutory adoption pay.

Date of review: **August 2012** Approved by: **Head of HR** 

Date of next review: August 2016

#### **Amgueddfa Cymru - National Museum Wales**

#### **Paternity Leave Policy**

- Application for Paternity Leave Form [ PDF ]
- <a href="http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/Expectingorbringingupchildren/index.htm">http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/Expectingorbringingupchildren/index.htm</a>

An employee whose wife, civil partner or partner gives birth to a child is entitled to appropriate leave and pay in accordance with current legislation or with any Museum Pay entitlements.

Paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take paternity leave where the other adoptive parent has elected to take adoption leave. A separate policy is available in respect of adoption leave.

## **Eligibility**

Employees must satisfy the following conditions in order to qualify for paternity leave. They must be:

- The baby's biological father, or
- Married to, or the Civil Partner of, the mother, or
- Living with the mother in an enduring family relationship but not an immediate relative or
- An adoptive parent who is not electing to take adoption leave

and have responsibility for the child's upbringing

and will take time off work to support the mother/adoptive parent or care for the child

and have 26 weeks' continuous service by the end of the 15th week (the qualifying week) before the week in which the child is expected (or, in the case of adoption, first matched for adoption)

#### **Ordinary Paternity Leave**

All eligible staff who have completed at least one year's continuous service at the qualifying week will be eligible for 3 weeks paternity leave at full pay.

Eligible staff, with less than one year's service but more than 26 weeks service at the qualifying week are entitled to two weeks leave, paid at the rate for statutory

paternity pay (see above for link), or where the employee's average weekly earnings are less than this, 90% of the employee's average weekly earnings).

Ordinary Paternity Leave must be taken in one block and must be taken within 8 weeks of the actual date of birth. It may start either:

- From the date of the child's birth
- From a chosen number of days after the date of the child's birth (eg. 2 days after the day the baby is born)
- From a chosen date which is later than the first day of the week in which the baby is expected to be born.

Eligible staff must notify the Museum during or before the week in which the mother is 25 weeks pregnant i.e the notification week or qualifying week, also expressed as the 15th week prior to the week in which the baby is due and confirm that they meet the eligibility criteria on the Application for Paternity Leave form.

In the case of an adopted child, the employee must give written notice of his or her intention to take paternity leave no later then seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date the employee intends to start paternity leave, the length of the intended paternity leave period and the date on which the adopter was notified of having been matched with the child.

Employees must discuss and agree the start date with their line manager, but if they subsequently wish to change the start date of their Ordinary Paternity Leave they must give 4 weeks notice in writing of the new date.

Leave can start on any day of the week on or following the child's birth but must be completed:

- within 8 weeks of the actual date of birth of the child, or
- if the child is born early, within the period from the actual date of birth up to 8 weeks after the first day of the expected week of birth.

Only one period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

## Additional paternity leave \*\*

Eligible staff may take up to 26 weeks additional paternity leave within the first year of their child's life provided that the mother has returned to work before using her full entitlement to maternity leave. Additional paternity leave is also available to adoptive parents within the first year after the child's placement for adoption provided **that** the child's adopter, who elected to take adoption leave, (the "primary adopter") has returned to work before using his/her full entitlement to adoption leave.

The earliest that additional paternity leave may commence is 20 weeks after the date on which the child is born, or 20 weeks after the date of placement of the child for adoption, and it must end no later than 12 months after that date.

Additional paternity leave must be taken as a single block in multiples of complete weeks. Leave will be equivalent to the unused portion of the mother or primary adopter's entitlement to statutory maternity or adoption leave. The minimum period, where eligible, is two consecutive weeks and the maximum period is 26 weeks.

Employees must remain in continuous employment until the week before the first week of additional paternity leave.

The mother of the child must be entitled to one or more of; maternity leave, statutory maternity pay or maternity allowance or, in the case of adoption, the primary adopter must be entitled to one or both of adoption leave or statutory adoption pay, and the mother or primary adopter must have returned to work and forfeited a portion of their maternity or adoption leave.

Where staff wish to request additional paternity leave and pay, they must give eight weeks written notice of the date on which they wish the leave and, if applicable, additional statutory paternity pay to commence. The request must be in writing and must specify, in the case of a birth child, the date the child was expected to be born and the actual date of birth or, in the case of an adopted child, the date on which they were notified of having been matched with the child and the date of placement for adoption and, in either case, your name and intended start date and end date of additional paternity leave and statutory paternity pay.

In addition, not less than eight weeks before the proposed start date of additional paternity leave and pay, staff must submit a written and signed application for paternity leave form and the mother or primary adopter must submit a written and signed declaration form.

The staff member must also produce the name and business address of the mother's or primary adopter's employer and a copy of the child's birth certificate or, in the case of an adopted child, 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.

If employees subsequently wish to change the timing of the additional paternity leave, they must give six weeks' written notice of the new dates.

Statutory paternity pay (see above) will be payable equivalent to any unused portion of the mother, or primary adopter's, entitlement to statutory maternity or adoption pay.

## Contact during additional paternity leave

Shortly before an employee's additional paternity leave starts, the museum will discuss any arrangements for keeping in touch during the leave. The museum reserves the right in any event to maintain reasonable contact with the employee

from time to time during the additional paternity leave. This may be to discuss the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease the return to work or simply to update on developments at work during the absence.

## Keeping-in-touch days during additional paternity leave

An employee can agree to work (or to attend training) for up to 10 days during additional paternity leave without that work bringing the period of the additional paternity leave to an end and without loss of a week's statutory paternity pay. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

Any keeping-in-touch days worked do not extend the period of additional paternity leave. Once the keeping-in-touch days have been used up, the employee will lose a week's statutory paternity pay for any week in which he, or she, agrees to work. It may also bring the additional paternity leave period to an end.

## Returning to work after additional paternity leave

The employee is expected to return on the next working day after the end of additional paternity leave. If unable to attend work at the end of additional paternity leave due to sickness or injury, the museum's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

If the employee wishes to return to work earlier than the expected return date, at least six weeks' notice of the new date of early return, must be given in writing. If the employee fails to do so, the museum may postpone the return to such a date as will give it six weeks' notice, provided that this is not later than the expected return date.

## Rights on and after return to work

On resuming work after both ordinary and additional paternity leave, the employee is entitled to return to the same job as he or she occupied before commencing paternity leave on the same terms and conditions of employment as if he or she had not been absent.

\*\* this has been introduced following the implementation of the Additional Paternity Leave Regulations 2010 and applies only to staff who are expecting a baby due or who are adopting a child after 4 April 2011.

Date of review: **August 2012** Approved by: **Head of HR** 

Date of next review: August 2016



## **Shared Parental Leave policy**

## 1. Policy Statement

This policy sets out the arrangements for shared parental leave and pay. The right to shared parental leave applies to employees who are expecting a child on or after 5 April 2015, or who are expecting to have a child placed for adoption with them on or after that date.

Shared parental leave enables mothers to commit to ending their maternity leave early and to share the untaken balance of maternity leave as shared parental leave with their partner, or to return to work early from maternity leave and opt-in to shared parental leave at a later date.

Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave (see Parental Leave Policy).

Shared parental pay is available for eligible parents to share between them while on shared parental leave. This is paid at a statutory rate, which will not necessarily be as generous as Amgueddfa Cymru's enhanced Maternity Pay.

This policy applies to employees only, whether they are the mother of the child or partner of the mother (who need not necessarily be an employee). It does not form part of any employee's contract of employment and it may be amended at any time.

#### 2. Definitions

#### 2.1. Shared Parental Leave (SPL)

Shared Parental Leave is a period of leave which is available to working parents, both mothers and fathers (or partners of mothers) following the birth of their child. It is available in relation to babies due on or after 5 April 2015.

#### 2.2. Parent

Parent means one of two people who will share the main responsibility for the child's upbringing.

#### 2.3. Partner

Partner means spouse, civil partner (including same sex partner) or someone living with another person in an enduring family relationship but who is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

## 2.4. Qualifying Week

Qualifying Week is the 15th week before the expected week of childbirth.

#### 3. Entitlement to SPL

An employee will be entitled to SPL if she is the mother of the child and will be responsible (or partly responsible) for the upbringing of the child.

An employee who is the father of the child will also be entitled to SPL. The father (or mother's partner) should consider using up the entitlement to two weeks' paternity leave before taking SPL as any untaken paternity leave will be lost once SPL begins. Eligible staff who have at least one year's service at the qualifying week are entitled to three weeks paternity leave at full pay.

An employee who is the mother's partner will be entitled to SPL if he or she is to share the responsibility for the care of the child with the child's mother.

The conditions which must be satisfied in order to be entitled to SPL are that:

- the employee has at least 26 weeks' continuous employment by the end of the Qualifying Week and is still in employment by the week before the leave is to be taken
- the other parent must have worked (which includes self-employment) in at least 26 of the 66 weeks before the EWC and had average earnings of at least the maternity allowance threshold (currently £30 per week) during 13 of those weeks.

The total amount of SPL available is 50 weeks:that is, all of the maternity leave period of 52 weeks less the two weeks compulsory leave following the birth, which can only be taken by the mother.

#### 4. Notification requirements

Not less than eight weeks before the intended start date of SPL, the employee must give a written opt-in notice setting out the following points.

- The names of the two parents.
- Start and end dates of the mother's maternity leave.
- How much SPL each of the two parents will be taking (this can be changed at a later date and the full allocation does not need to be used).

- How much Statutory Shared Parental Pay (ShPP) is being claimed (which will be 39 weeks less the amount of statutory maternity pay claimed).
- How much ShPP will be claimed by each parent (this can be changed at a later date and the full allocation does not need to be used).
- What will be the start and end dates for each period of the SPL (this will be an indication only and will not be binding on the employee).
- A declaration by both parents that they meet the statutory conditions for entitlement to SPL and pay.

Please see attached form: "notice of entitlement and intention"

#### 5. Ending maternity leave

At least eight weeks' notice must be given to end maternity leave – known as a curtailment notice before an employee can move from statutory maternity leave to SPL. This curtailment notice is usually binding and cannot be revoked except in certain circumstances. However, if the curtailment notice was given before the birth it can be revoked up to eight weeks after it was given, or up to six weeks after the birth, whichever is later.

Please see attached form "maternity leave curtailment notice"

At the same time, an employee must state their intention to opt into the SPL scheme. The other parent may be eligible to take SPL before the mother returns to work, provided she has given the curtailment notice.

The child's father or the mother's partner will only be able to take SPL once the mother has either returned to work or given her employer a curtailment notice to end her maternity leave.

The employee must provide a copy of the birth certificate and the name and address of the other parent's employer.

#### 6. Taking SPL in separate blocks

In general, SPL should be taken in one continuous block. However, Amgueddfa Cymru will consider separate periods of leave (of at least one week) with periods of work in between. It is possible to take up to three separate blocks of SPL. The employee should discuss this with his or her manager before submitting any formal leave notices.

The leave notice (or notices) must be submitted at least eight weeks before the requested start date (or dates). If it is not possible to agree to the request immediately, there may be a discussion period of two weeks. After that time, any agreed arrangements will be confirmed in writing.

Please see attached form "period of leave notice"

If no agreement is reached, the employee will be entitled to take the full amount of requested SPL in one block, starting on the start date given in the notice (for

example, if the employee requested two separate periods of six weeks each, he or she will be entitled to one 12-week period of leave). Alternatively the employee may choose a new start date (which must be at least eight weeks after the original leave notice was given) or withdraw his or her leave notice and submit a new one.

#### 7. Changing or cancelling SPL

An employee can cancel a period of leave by notifying Amgueddfa Cymru in writing at least eight weeks before the intended start date.

Dates for a period of leave can be changed by giving at least eight weeks' notice before both the original start date and the new start date.

Eight weeks' notice will not be necessary if the dates of the SPL are being changed because the child has been born earlier than the EWC and the start of the SPL was dependent on the date of the birth. In this case written notice must be given as soon as possible.

#### 8. Shared Parental Pay (ShPP)

Up to 37 weeks' ShPP may be available, less any weeks of statutory maternity pay taken by the mother, provided the employee has at least 26 weeks' continuous employment by the end of the Qualifying Week. ShPP is paid at a statutory rate which is set by Government each year.

#### 9. Keeping in touch (KIT) days

Employers will be entitled to make reasonable contact with their employees who are on SPL, including discussing arrangements for return to work.

Employees will be entitled to carry out up to 20 KIT days without losing their entitlement to ShPP although it is not compulsory for employees to work any KIT days if they do not wish to. KIT days may include working or attending training sessions.

#### 10. Terms and conditions of employment

Terms and conditions of employment remain in force during SPL, except for the terms relating to pay. In particular annual leave entitlement will continue to accrue at the contractual rate and any holiday entitlement which cannot be taken before SPL begins can be carried over into the next holiday year.

Employer pension contributions will continue based on actual salary; employee pension contributions will be based on the amount of any shared parental pay the individual is receiving (unless agreed otherwise).

#### 11. Returning to work

Employees are normally entitled to return to work in the same position as before SPL. However if this is not reasonably practicable, employees will be entitled to

return to another suitable role on terms and conditions which are no less favourable. Employers will only be able to elect the second option if the SPL and any maternity or paternity leave taken adds up to more than 26 weeks in total (whether or not taken consecutively) or if SPL was taken consecutively with more than four weeks of ordinary parental leave.

If an employee wishes to end a period of SPL early, he or she must give eight weeks' prior notice of the return date.

If the employee wishes to extend the SPL he or she must submit a new notice at least eight weeks before the date they were due to return to work.

If an employee wishes to change his or her hours or other working arrangements on return from SPL he or she should make a request under the flexible working rules.

If the employee decides that he or she does not wish to return to work they should give notice of resignation in accordance with their contract.

#### Forms:

- Shared Parental Leave notice of entitlement and invitation (mother)
- Shared Parental Leave notice of entitlement and invitation (parent)
- Shared parental leave curtailment of maternity leave notice
- Shared parental leave: period of leave notice
- Maternity and shared parental leave options chart
- Maternity and shared parental leave options chart

Date of review: March 2015

Approved by: **Head of HR** 

Date of next review: March 2019