



Central England Area Quaker Meeting

(CEAQM)

Family Leave Policy 2024

Purpose

All employees have the right not to suffer any detriment on the grounds of pregnancy or childbirth, or for taking maternity, adoption, paternity, shared parental or ordinary parental leave. This right applies in relation to both an act and a failure to act.

This policy aims to set out our procedures for taking family leave and to ensure that employees are aware of their entitlements. CEAQM complies with all statutory requirements and offers benefits which are in line with the statutory benefits scheme.

An employee who has any questions about this policy or their entitlements should contact their line manager in the first instance.

This policy is not contractual but sets out the way in which we plan to manage maternity, adoption, paternity, shared and ordinary parental leave. We reserve the right to vary, replace or withdraw it at any stage.

Scope

This policy covers all employees (including those on fixed-term contracts) who meet the eligibility requirements for leave and pay.

MATERNITY

Maternity leave

All pregnant employees are entitled to 52 weeks' statutory maternity leave, irrespective of their length of service. The first 26 weeks is known as ordinary maternity leave (OML); the second 26 weeks is known as additional maternity leave (AML). A minimum of two weeks' compulsory maternity leave (CML) must be taken immediately after the child's birth.

If an employee becomes pregnant again during maternity leave, they have the right to further OML and AML.

If an employee loses their baby, but meets all other eligibility conditions, they 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.

Notification requirements

To exercise the right to take statutory maternity leave, the employee must notify us of their pregnancy; details on the notification process are detailed in <https://www.gov.uk/maternity-pay-leave/how-to-claim>

Health and Safety

We have a general duty to take care of the health and safety of all employees.

As soon as an employee notifies us of their pregnancy, a 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 employee or their unborn child. However, it remains the employee's responsibility not to put either their own health and safety, or that of the baby, at risk.

Any employee who has concerns about their health and safety should raise these with their line manager or the Principal Officer.

Time off for ante-natal care

Irrespective of length of service, pregnant employees are entitled to take reasonable amounts of paid time off during normal working hours to receive ante-natal care. Wherever possible we request that such appointments should be arranged at the start or end of the working day. If an employee works part time, where reasonably possible we ask that appointments are arranged for non-working hours or days.

The employee should advise their manager of any absence as far in advance of the appointment as possible and, following the first appointment, may be asked to produce an appointment card.

Illness during pregnancy

Absence due to illness will be treated the same as any other sickness absence, in line with our Absence Notification and Sick Pay Policy, unless the absence is pregnancy-related and occurs during the period starting four weeks before the expected week of childbirth (EWC), in which case the maternity leave will automatically begin from the first date of the absence (or four weeks before the EWC if the absence is pregnancy-related and commenced prior to this date).

Commencing maternity leave

Maternity leave may begin at any time after the start of the 11th week before the EWC. The only exception to this is if the employee is absent because of a pregnancy-related illness (see Illness during pregnancy, above).

Work and contact during the maternity leave period

An employee on maternity leave can work for up to 10 days without losing the right to maternity leave or a week's statutory pay, via "keeping in touch" or KIT days. KIT days do not extend the employee's period of maternity leave, but simply allow them to do some work during the period of maternity leave should they wish to do so. 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: the minimum that will be paid for any week during the maternity pay period will be the SMP rate to which the employee is entitled.

Lower rate SMP may be offset against this. Once the employee has used the KIT days, a whole week of SMP will then be forfeited for each week in which they work, even if only for a day. Any SMP lost in this way will be lost at the lower rate first.

Maternity pay

Pregnant employees have the right to 52 weeks Maternity Leave, of which 39 weeks could be paid.

Statutory Maternity Pay (SMP)

Eligibility to, duration of payments and current rates of SMP can be found at <https://www.gov.uk/maternity-pay-leave/pay>

Maternity Allowance (MA)

Employees who do not qualify for SMP may be entitled to claim Maternity Allowance. More information is available at <https://www.gov.uk/maternity-allowance>.

Enhanced Maternity Pay

Employees who are eligible for SMP are entitled to receive enhanced maternity pay of 12 weeks full pay, 12 weeks at 50% of their average weekly pay, inclusive of SMP and 15 weeks of SMP

Terms and conditions

Full holiday entitlement will continue to accrue throughout the period of maternity leave. The entire period of maternity leave will be included when calculating the employee's length of service for the purposes of any contractual benefits.

Pension contributions, where relevant, will be processed in accordance with the terms of the applicable pension scheme.

Returning from maternity leave

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

Employees who return to work at the end of their maternity leave period do not need to notify us in advance of the date of return. However, we would be grateful if they contact their manager shortly before the expected return date to enable us to make effective plans for their return.

If an employee wishes to return to work before the end of her maternity leave period they must give us 56 days' (eight weeks) advance written notice specifying the date of return. Failure to do so may mean that we postpone the 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 the 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 the maternity leave is required to give full contractual notice. If the employee has received contractual maternity pay they will be required to repay the enhanced amount of pay, i.e. that which is over and above SMP, if they do not return to work for a minimum of 12 weeks.

Subject to eligibility, an employee may elect to end their maternity leave at any time after the compulsory leave period, and share the remainder of the maternity leave and pay with the father/partner. See "Shared Parental Leave" below.

Redundancy

If the role of an employee who is on maternity leave would have been made redundant were they present, our normal redundancy consultation procedure will be followed where possible and we will ensure that the employee is promptly informed and consulted with. In some cases we may decide to extend the consultation period until the maternity leave has come to an end.

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 pregnancy or maternity leave, they are entitled to be considered for any suitable alternative employment in preference to other employees. This entitlement extends to 18 months from the first day of the EWC.

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

ADOPTION

Introduction

One adoptive parent (regardless of gender) may be entitled to take up to 52 weeks' adoption leave. The partner could be entitled to paternity leave instead.

Eligibility requirements

There are different eligibility rules for leave and pay, information is available at <https://www.gov.uk/adoption-pay-leave/eligibility>

Pre-adoption appointments

Irrespective of length of service, employees are entitled to paid time off work to attend 5 adoption appointments after they have been matched with a child. Paid time off will be given to the primary/sole adopter for up to six and a half hours for each of the 5 appointments to make contact and bond with the child.

Wherever possible we request that such appointments should be arranged at the start or end of the working day. If an employee works part time, where reasonably possible, we ask that appointments are arranged for non-working hours or days.

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

Adoption leave

Statutory Adoption Leave is 52 weeks. It's made up of 26 weeks of Ordinary Adoption Leave (OAL) and 26 weeks of Additional Adoption Leave (AAL). Adoption leave can start:

- up to 14 days before the date the child starts living with the employee (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (if the employee has used a surrogate to have a child)

If the child's placement ends during the adoption leave, employees can choose to remain on adoption leave for up to eight weeks after the end of the week in which the placement ended in the following circumstances:

- if they have already begun their adoption leave and the adoption agency notifies the employee that the placement will not occur, or
- the child dies during adoption leave, or
- the child is returned to the adoption agency.

The rights to adoption leave are also extended to individuals fostering a child under the 'Fostering for Adoption' scheme run by local authorities.

Notification requirements

The rules are different if an employee is adopting from overseas or having a child through a surrogacy arrangement. Details of the various notification requirements are set out here: <https://www.gov.uk/adoption-pay-leave/how-to-claim>

Work and contact during the adoption leave period

Those on adoption leave are 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

Statutory Adoption Pay (SAP)

Details on eligibility criteria, duration of payments and current rate can be found at <https://www.gov.uk/adoption-pay-leave/pay>

Enhanced Adoption Pay

Employees who are eligible for SAP are entitled to receive enhanced maternity pay of 12 weeks full pay, 12 weeks at 50% of their average weekly pay, inclusive of SAP and 15 weeks of SAP

Terms and conditions

Full holiday entitlement will continue to accrue throughout the period of adoption leave. 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, where relevant, will be processed in accordance with the terms of the applicable pension scheme.

Returning from adoption leave

To understand returning to work following adoption leave, please refer to maternity section above.

Redundancy

If the role of an employee who is on adoption leave would have been made redundant were they present, our normal redundancy consultation procedure will be followed where possible and we will ensure that the employee is promptly informed and consulted with. In some cases we may decide to extend the consultation period until the adoption leave has come to an end.

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.

This entitlement extends to 18 months from the date of placement.

An employee who meets the eligibility criteria for SAP will still receive their full entitlement to SAP if they are made redundant after they have been matched with a child- in such circumstances, SAP will normally be paid as one lump sum. (SAP will not be paid if the employee leaves our employment before being officially matched with a child.) Any benefits such as holiday entitlement will only accrue to the end of the notice period once the employee is made redundant.

PATERNITY

Introduction

Subject to meeting the eligibility criteria set out in <https://www.gov.uk/paternity-pay-leave/eligibility> employees are entitled to two weeks' statutory paternity leave.

Time off for appointments

Entitlement to attend ante-natal appointments is detailed here: <https://www.gov.uk/paternity-pay-leave/leave>

Paternity leave

Leave may be taken at any time during the 52 weeks 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 in blocks of one week, either consecutively or separately.

Notification requirements

Birth: the employee must notify us in writing of the date on which they intend to take paternity leave at least 28 days before the first day of the requested leave.

The notification should specify:

- the expected week of the birth
- the length of the leave the employee has chosen to take (one or two weeks)
- the date on which they wish the leave to begin (this may be the date on which the child is born, a specified number of days after the child is born, or on a predetermined date)
- confirmation that the employee meets the [eligibility criteria](#).

Adoption: the notifications are different if the employee adopts, more information can be found at <https://www.gov.uk/paternity-pay-leave/adoption>

Paternity pay and terms and conditions

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

Employees who are eligible for SPP, are entitled to receive full pay for up to 2 weeks inclusive of SPP.

Full holiday entitlement will continue to accrue throughout the period of paternity leave.

Pension contributions, where relevant, will be processed in accordance with the terms of the applicable pension scheme.

SHARED PARENTAL LEAVE

Introduction

Employees and their partner may be able to convert part of the Statutory Maternity or Adoption Leave and Pay to Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP), provided eligibility requirements are met. A maximum of 50 weeks of leave and up to 37 weeks of pay can be shared. The 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.

Because SPL 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 their line manager 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 their 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.

Eligibility

Each parent qualifies separately for SPL and ShPP; employees can check their eligibility via the gov.uk [website](#). To qualify, employees must share the caring responsibility for the child with their spouse, civil partner, joint adopter, the child's other parent or their partner (if they live with the employee and child). The employee or their partner must be eligible for maternity leave or pay, adoption leave or pay or maternity allowance.

Sometimes only one parent in a couple is eligible for SPL and ShPP, and so cannot share the leave and/or pay with their partner.

Notification requirements

In order to access SPL the employee with the statutory right to maternity/adoption leave must confirm in writing to us that they wish to curtail (end early) their maternity/adoption leave and convert any remaining leave to SPL.

If an employee is eligible for, and intends to take SPL they must provide us with a notice of entitlement to take SPL. The notice of entitlement must be submitted at least eight weeks before the employee intends to take a period of SPL. More information on notification requirements and forms to apply for SPL can be found at <https://www.gov.uk/shared-parental-leave-and-pay/applying-for-leave-and-pay>

We aim to respond promptly to a leave request.

Types of leave

Continuous leave: if an employee asks for a single continuous period of leave, they may take this on their chosen dates.

Discontinuous leave: if the request is for up to 3 separate blocks of SPL (instead of taking it all in one go) 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 their choice, or withdraw the request for leave (in which case it will not count towards their three permitted requests). An employee has 19 days from the date their 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 details in writing. The leave may then only be varied in certain circumstances. Details of the notification process and when shared parental leave may commence can be found at <https://www.gov.uk/shared-parental-leave-and-pay/when-you-can-start>

Work and contact during SPL

In addition to the 10 KIT days for employees on maternity/adoption leave, employees who take SPL are eligible to take 20 SPLIT (Shared Parental Leave keeping In Touch) 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 manager agreeing work to be covered. There is no obligation to work 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

Shared Parental Pay (ShPP) is paid for up to 37 weeks at the flat statutory rate (or 90% of the employee's average earnings, whichever is lower). Full details on eligibility and rates can be found at <https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>

If either the employee with statutory right to maternity/adoption leave or their partner wishes to claim ShPP then the employee must also give notice to reduce or end their maternity/adoption pay or allowance.

Terms and conditions

Full holiday entitlement will continue to accrue throughout the period of SPL.

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

Pension contributions, where relevant, will be processed in accordance with the terms of the applicable pension scheme.

Returning from SPL

The employee is entitled to return to their original job if they have 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 SPL period is longer than 26 weeks.

Employees who return to work at the end of their SPL period do not need to notify us in advance of the date of return. However, we would be grateful if they contact their manager shortly before the expected return date to enable us to make effective plans for their return.

An employee who wishes to return to work earlier or later than their 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.

Redundancy

If an employee's role becomes redundant whilst they are taking SPL, they will be considered for any suitable alternative employment in preference to other employees (in the same way as an employee on maternity or adoption leave).

This entitlement extends to 18 months from the birth or placement of the child, provided that the parent has taken a period of at least 6 consecutive weeks of shared parental leave. This protection will not apply if the employee is otherwise protected under maternity or adoption leave.

ORDINARY PARENTAL LEAVE

Introduction

Ordinary Parental Leave is unpaid time off work to look after a child or to make arrangements for the good of the child. A maximum of 18 weeks' Ordinary Parental Leave is available per parent, per child, for each eligible child. Part-time employees are entitled to Parental Leave on a pro-rata basis. Ordinary Parental Leave must be taken before the child's 18th birthday.

Eligibility to take Ordinary Parental Leave

Employees have the right to Ordinary Parental Leave if they have at least one year's continuous employment and have, or expect to have, responsibility for the child. Employees take their remaining Ordinary Parental Leave entitlement with them when they change employers, and can take leave once they have completed a year's service.

We reserve the right to ask an employee to produce evidence that they have, or expect to have, responsibility for the child.

Requests for Ordinary Parental Leave

Employees must give at least 21 days' notice before a period of Ordinary Parental Leave begins, of both the start and end dates of the leave period the employee wishes to take. Leave must be taken in blocks of whole weeks, and in the case of requests for less they count as one week for monitoring periods of Ordinary Parental Leave (pay will be deducted on the basis of actual hours/days taken).

Employees should provide their line manager with a copy of the child's birth certificate or adoption certificate (only required for the first period of Ordinary Parental Leave for each child).

CEAQM reserves the right to postpone any leave for up to 6 months due to operational needs, however, this is only to be considered in exceptional circumstances.

A maximum of four weeks' Ordinary Parental Leave can be taken per child each year. Note: a year is calculated as a twelve-month period commencing at the anniversary of starting employment with us (if the employee already has a child under the age of eighteen) or commencing with the child's date of birth if the employee already has 12 months' service.

Terms and conditions

Employees remain employed during Ordinary Parental Leave and accrue unbroken continuity of service and statutory holiday entitlement.

Employees may be able to continue to make pension contributions during a period of unpaid parental leave, employees should check with the Principal Officer in the first instance.

Employees remain bound to their implied obligation to CEAQM of good faith and specific terms relating to:

- Notice
- Disclosure of confidential information
- Acceptance of gifts
- Whether they are undertaking secondary employment

Returning from ordinary parental leave

Upon returning from Ordinary Parental Leave of four weeks or less employees are entitled to return to their same job, on the same terms and conditions.

GENERAL

Managing annual leave

Employees on maternity/adoption/paternity/shared parental leave continue to accrue their full contractual holiday. If this is untaken at the end of the holiday year, it will be carried forward.

Therefore it may be sensible to take any remaining entitlement for the current holiday year before starting the leave, and also to take some of the following year's leave prior to returning to work.

Flexible working

Employees who wish to change their working pattern or hours on their return from family leave should apply to do so in accordance with our Flexible Working procedures.

Surrogate parents

Surrogate parents who meet the criteria to apply for a Parental Order, are 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.

Data protection

When managing an employee's family leave and pay, CEAQM processes personal data (including special categories of personal data, where appropriate) that has been collected in accordance with our Data Protection Policy.

Data collected from the point at which an employee informs us that they are pregnant, or from when an employee informs us that they plan to take adoption, paternity, shared parental or ordinary parental leave, is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the employee's family leave and pay.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our Data Protection Policy immediately. It may

also constitute a disciplinary offence, which will be dealt with under our Disciplinary Procedure.

Implementation, monitoring and review of this policy

This policy will take effect from 01/09/2024. The Principal Officer has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

Any queries or comments about this policy should be addressed to your line manager.

Approved by Trustees: 6th August 2024