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**GENERAL**

These family friendly policies apply to all UK employees of Frontier Smart Technologies.

Unless otherwise stated, “days” refers to calendar days.

**MATERNITY LEAVE & PAY****1. Notification**

You must notify the Company that you are pregnant and of your intention to take maternity leave by the 15<sup>th</sup> week (if practical) before the week you expect the baby to be born (EWC); and when you want your maternity leave to start. You will be able to change your mind about when you start maternity leave providing you give at least 28 days written notice, where reasonably practicable. If this is not reasonably practicable, ie your doctor / midwife advises against you continuing to work, then shorter notice can be given.

In response the Company will, within 28 days, respond in writing notifying you of the date on which your ordinary maternity leave and your additional maternity leave period will end.

**2. Antenatal Care**

You are entitled to reasonable time off for ante-natal care without loss of pay irrespective of length of service or hours worked. The Company is entitled to ask you to produce documentation showing that the appointment has been made and – except for the first appointment – produce a certificate to show that you are pregnant (MATB1 form). Failure to do this may result in your not being granted paid leave for antenatal clinics.

**3. Maternity Leave**

Maternity leave refers to the time off, either paid or unpaid, which you are entitled to around the time of the birth of your child. You must notify the Company of the date of the birth of the child as soon as is reasonably practical. There are three types of maternity leave: Compulsory, Ordinary and Additional.

Maternity leave will normally commence on the date notified by you, however:

- If childbirth occurs before the notified date then the Maternity Leave will commence on the date of childbirth if this is after 24 weeks of pregnancy.

**OR**

- If you are absent after the beginning of the fourth week before your EWC for reasons connected with the pregnancy, the Company may decide that you have commenced your maternity leave from that date.

If you are absent due to sickness after the beginning of the sixth week before the EWC for reasons not connected with the pregnancy, maternity leave will not automatically commence and you will continue to receive statutory sick pay until the agreed start date of your maternity leave or you give birth.

**3.1 Compulsory Leave**

You cannot return to work for at least two weeks after the birth.

**3.2. Ordinary Maternity Leave (OML)**

You are entitled to 26 weeks ordinary maternity leave, whatever your length of service. Ordinary maternity leave may begin at any time on or after the beginning of the 11<sup>th</sup> week before your EWC.

### 3.3 Additional Maternity Leave (AML)

You are also entitled to take additional maternity leave. This starts after the end of OML and continues for a further 26 weeks, making one year in total.

### 3.4 Shared Parental Leave (SPL)

The Shared Parental Leave regulations allow a mother/ primary adopter to transfer some of their maternity leave (both OML and AML) to their partner so that they can return to work. For further information, please see the company's policy on Shared Parental Leave.

### 3.5 Early Return to Work

Should you wish to return to work prior to the end of your 52 weeks' maternity leave, you must provide eight weeks' written notice of the date you intend to return to work.

### 3.6 Return to Work / Resignation

If you do not intend to return to work following Maternity Leave, you must provide written notice of your resignation, giving your contractual notice.

If you are unable to return to work after maternity leave due to sickness you must notify the Company. If you do this you will be deemed to have exercised your right to return from maternity leave and be placed on sick leave. You will then be entitled to company or statutory sick pay. Otherwise you will be absent without leave, and may be subject to the Company's disciplinary procedure.

## 4. Contractual Rights

All contractual terms, except those concerning pay, are continued throughout maternity leave. This means that for example you will continue to be entitled to accrue annual leave. You will also still be bound by duties of trust and confidentiality.

**Ordinary Leave** - You have the right to continue in your current job when you return to work after ordinary leave.

**Additional Leave** - You have the right to return to the same job after additional leave. However this has wider definitions and refers to job title, rather than specific duties. If it is not practicable to keep the specific position open for the whole period of extended leave a suitable alternative must be offered. This must be comparable as regards duties, terms and conditions, pay and location.

## 5. Statutory Maternity Pay

In order to be eligible for Statutory Maternity Pay (SMP) you must:-

- Have earned at least the lower National Insurance (NI) earning limit for the eight weeks up to the calculation date.

**AND**

- Have been continuously employed for six months at the calculation date.

The calculation for your normal pay is based on your average weekly earnings during the eight weeks prior to the 15<sup>th</sup> week before your EWC.

Statutory Maternity Pay is payable for a maximum of 39 weeks:

- 6 weeks at the higher rate – 90% of your normal pay

- 33 weeks at the lower rate which is a government rate review annually – Since 2<sup>nd</sup> April 2017 this is £140.98 per week (or 90% of basic pay whichever is the lower). From 1<sup>st</sup> April 2018 this will be £145.18 per week (or 90% of basic pay whichever is the lower).

SMP cannot be paid prior to the 11<sup>th</sup> week before your EWC. SMP is treated as earnings and so is subject to deductions for tax and National Insurance contributions.

### **5.1 Maternity Allowance**

If you are not eligible for Statutory Maternity Pay, you may be entitled to claim Maternity Allowance (MA) from the DWP, providing you earn the minimum weekly amount required. This is a contribution based State Benefit payable for a maximum period of 39 weeks, starting (at your choice) between the 11th and 4th week before the baby is due. The Company will complete and give you a form SMP1 (an explanation of why SMP is not payable). This will help you to claim any Maternity Allowance that is due to you.

To qualify for Maternity Allowance you must have paid National Insurance contributions for at least 26 weeks of the 66 weeks ending at the end of the 15th week before the EWC. Your National Insurance (NI) contributions could have been either Class 1 (as an employee) or Class 2 (as self-employed).

If you are not eligible for either Statutory Maternity Pay or Maternity Allowance you may still be eligible for Employment and Support Allowance (ESA).

### **6. Keeping in Touch (KIT) Days**

You are entitled to attend work during the OML or AML period for up to 10 days for the purposes of working, attending training, etc., without losing the right to receive SMP. You will be paid at your normal rate for any KIT days worked.

You should liaise with your Line Manager or the HR Department regarding the timing of KIT days.

**PATERNITY LEAVE & PAY**

Certain employees can take Paternity Leave in relation to the birth or adoption of a child. However, in adoption cases Paternity Leave is not available to an employee who decides to take Adoption Leave.

**1. Entitlement to Paternity Leave**

You will be entitled to Ordinary Paternity Leave (OPL) if:

- You have been employed by the Company for at least 26 weeks by the 15th week before the expected week of childbirth (EWC), or, in the case of adoption leave, by the week in which an approved match with the child is made.

**AND**

- You are the biological father of the child; or have been matched with a child by an adoption agency; or are the spouse, civil partner or partner of the child's mother; or are the spouse, civil partner or partner of someone who has been matched with a child by an adoption agency.

**AND**

- You expect to have main responsibility (with the child's mother, co-adopter or primary adopter) for the child's upbringing or you are the child's biological father and expect to have some responsibility for the child's upbringing.

**AND**

- It is taken for the specific purpose of caring for a newborn child or supporting the mother, or for the purpose of caring for a child newly-placed for adoption or supporting the adoptive parent.

OPL may be taken in addition to Statutory Parental Leave.

**2. Timing and Length of Paternity Leave**

OPL can be taken in two ways: either as a single week, or as two weeks consecutively. It must be taken within a 56 day period, commencing either on the date of birth, or at the beginning of the EWC, whichever is the later. If you are seeking OPL following an adoption, the leave may be taken within 56 days beginning on the date in which the child is placed with the adopter, or at a later date if agreed as long as it is taken within 56 days of the placement date.

**3. Notification Requirements (Birth)**

If you wish to take OPL in relation to a child's birth or the adoption of a child, you must give us notice in writing of your intention to do so and confirm the EWC whether you intend to take one week's leave or two consecutive weeks' leave; and when you would like to start your leave.

You can state that your OPL will start on; the day of the child's birth; a day which is a specified number of days after the child's birth; or a specific date later than the first date of the EWC.

You must give this notice before the 14th week prior to the EWC (or, if this is not possible, as soon as you can).

**4. Notification Requirements (Adoption)**

If you wish to take OPL in relation to the adoption of a child, you must give us notice in writing of your intention to do so and confirm; the date on which you and/or your spouse, civil partner or partner were notified of having been matched with the child, together with the expected placement date; whether you intend to take one week's leave or two consecutive weeks' leave; and when you would like to start your leave.

You can state that your OPL will start on; the day on which the child is placed with you or the adopter; a day which is a specified number of days after the child's placement; or a specific date later than the expected placement date.

You must give this notice no more than seven days after you and/or your spouse, civil partner or partner were notified of having been matched with the child (or, if this is not possible, as soon as you can).

## **5. Changing the Dates of OPL**

You may change the dates of OPL provided that you give the Company written notice of the required change, whether to the date on which you require the leave to commence, or to its length (for example if you had given notice to take two weeks consecutively and then decide to take one single week). The notice must be given at least 28 days' notice before the new leave date.

If you are unable to give the requisite notice, you should give us written notice of your wishes as soon as possible.

## **6. Paternity Pay**

If you take OPL in accordance with this policy, you will be eligible for ordinary statutory paternity pay (OSPP) during your absence from work provided you have average weekly earnings equal to or greater than the current Lower Earnings Limit (LEL) for National Insurance contributions purposes.

The 10 days ordinary paternity leave will be paid at full pay by the Company (inclusive of any entitlement to OSPP).

You must have completed 26 weeks continuous service as at the qualification week (15 weeks before the expected week of childbirth or, in the case of adoptive paternity pay, the week in which an approved match is made) to be eligible for OSPP. Statutory Paternity Pay is the same as the lower rate for Statutory Maternity Pay which is set by the government each year.

## **7. Contractual Rights**

Any employee qualifying for paternity leave will be entitled to retain the benefit of their terms and conditions of employment (with the exception of terms relating to pay) and will be entitled to return to work.

## **8. Ante-Natal Appointments**

An expectant father or the partner of a pregnant woman is entitled to take unpaid time off to accompany the pregnant woman to up to 2 of her ante-natal appointments. “Partner” includes the spouse or civil partner of the pregnant woman and a person (of either sex) in a long term relationship with her. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for, and intend to apply for, a Parental Order for the child born through that arrangement.

The Company may ask for a declaration stating the date and time of the appointment, that the employee qualifies for unpaid time off through the nature of their relationship with the mother or child, and that the time off is for the purpose of attending an ante-natal appointment with the expectant mother which has been made of the advice of a registered medical practitioner, nurse or midwife.

There is no qualifying period for this right. The entitlement is to unpaid leave for up to 2 appointments with the maximum time capped at 6 hours and 30 minutes.

## ADOPTION LEAVE & PAY

To qualify for Adoption Leave you must:

- Be newly-matched with a child for adoption by an approved adoption agency

Only one partner can take adoption leave: it is not be available to both parents. However, if an adoptive mother/one parent elects to take adoptive leave, the adoptive father/other parent can take paternity leave if they satisfy the qualifying criteria.

Adoptive parents may also be eligible for Shared Parental Leave if they satisfy the qualifying criteria (Please see section "Shared Parental Leave").

You may not take adoption leave if you adopt your partner's children. The only form of leave available in these circumstances (and subject to certain qualifications) would be unpaid Parental Leave.

### 1. Notification Procedure

You must inform the Company of your intention to take adoption leave within seven days of having been notified by the adoption agency that you have been matched with a child for adoption, unless this is not reasonably practicable. You must provide documentary evidence in the form of a signed and dated "matching certificate" provided by the adoption agency.

You need to tell the Company when the child is expected to be placed with you and when you want to start your adoption leave. It can start from the date of the child's placement or up to 14 days before the date of the placement. You can change the date on which you want the leave to start, provided you give the Company notice in writing, at least 28 days in advance unless this is not practicable.

You must tell the Company at least 28 days in advance of the date you expect any payment of statutory adoption pay to start unless this is not reasonably practicable.

The Company will, within 28 days of receiving your notice, write to you stating the date you are expected to return from adoption leave.

### 2. Adoption Leave

Adoption leave is split into two kinds of leave: 26 weeks ordinary adoption leave, immediately followed by 26 weeks additional adoption leave, giving a total of up to 52 weeks.

The Shared Parental Leave regulations may allow you to transfer some of your Adoption Leave to your spouse/partner so that you can return to work. For further information, please see the company's policy on Shared Parental Leave.

### 3. Adoption Appointments

As a prospective parent adopting a child you will be entitled to time off work to attend Adoption meetings:

- If you are to be the primary adopter, you will be entitled to **paid** time off work to attend up to five adoption appointments.
- If you are to be the secondary adopter, you will be entitled to **unpaid** time off work to attend up to two adoption appointments.

### 4. Adoption Pay

If you qualify for Adoption Leave you will be entitled, during ordinary adoption leave, to statutory adoption pay (SAP) from the Company provided you have been working continuously for the Company for at least 26 weeks into the matching week.

Statutory Adoption Pay is payable for a maximum of 39 weeks at the rate set by the government annually:

- 6 weeks at the higher rate – 90% of your normal pay
- 33 weeks at the lower rate – Since 2nd April 2017 this is £140.98 per week (or 90% of basic pay whichever is the lower). From 1st April 2018 this will be £145.18 per week (or 90% of basic pay whichever is the lower).

Adopters whose average weekly earnings are below the lower earnings limit for National Insurance contributions will not qualify for SAP, but may qualify for other financial support and benefits.

## **5. Return to Work**

If the placement is not a success or the child passes away during a period of adoption leave, the adoption leave will continue for a further eight weeks from the event in question.

Like maternity leave, you are required to give at least 28 days' notice of the date on which you intend to return to work, if it is earlier than the end of the additional adoption leave period. No notice is required if you intend to return at the end of the full adoption leave period.

If you do not intend to return to work following Adoption Leave, you must provide written notice of your resignation, giving your contractual notice.

If you are unable to return to work after adoption leave due to sickness you must notify the Company. If you do this you will be deemed to have exercised your right to return from adoption leave and be placed on sick leave. You will then be entitled to Company or statutory sick pay. Otherwise you will be absent without leave, and may be subject to the Company's disciplinary procedure.

## **6. Keeping in Touch (KIT) Days**

You are entitled to attend work during the ordinary adoption leave and additional adoption leave periods for up to 10 days for the purposes of working, attending training, etc., without losing the right to receive SAP. You will be paid at your normal rate for any KIT days worked.

You should liaise with your Line Manager or the HR Department regarding the timing of KIT days.

## **7. Contractual Rights**

During the ordinary and additional adoption leave period all contractual rights and benefits, with the exception of terms relating to pay, continue to accrue.

## **8. Overseas Adoption Leave and Pay**

If you adopt a child from outside of the United Kingdom, you may have the statutory right to take up to 52 weeks' adoption leave and receive Statutory Adoption Pay for part of that time. Your partner may also be able to take paternity leave and pay. Please contact the HR Department for further information as there are differences in the qualifying criteria and dates when you can begin adoption leave for overseas adoptions.

## SHARED PARENTAL LEAVE

Shared Parental Leave (SPL) is a new legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 5 April 2015. It provides both parents with the opportunity to consider the best arrangement to care for their child during the child's first year

The amount of leave available is calculated using the mother's entitlement to maternity/adoption leave, which allows them to share a pot of up to 52 weeks' leave.

If the mother/primary adopter reduces their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL. This means their partner could begin to take SPL while the mother is still on maternity/adoption leave.

SPL enables parents to share the caring responsibilities evenly or have one parent taking the main caring role, depending on their preferences and circumstances.

Unlike maternity/adoption leave, eligible employees can stop and start their SPL and return to work between periods of leave, with each eligible parent able to submit three notices to book periods of leave

Shared Parental Leave must be taken before the child's first birthday and is in addition to the right to unpaid Parental Leave (see policy section: Parental Leave)

The requirement for a 2-week period of Compulsory Maternity Leave remains, as does the requirement for a primary adopter to take a minimum of two weeks adoption leave.

SPL is in addition to the right to Ordinary Paternity leave; the existing right to additional paternity leave (APL) was replaced by the new right to Shared Parental Leave from 5<sup>th</sup> April 2015.

### 1. Entitlement to Shared Paternity Leave (SPL)

To qualify for Shared Parental leave:

- The mother or primary adopter of the child must be entitled to, and have given notice to curtail their, maternity or adoption entitlements (Statutory maternity leave, statutory maternity pay or maternity allowance) and must share the main responsibility for caring for the child with the child's father or their partner.
- A parent wishing to take Shared Parental leave must pass the continuity of employment test. In turn, the other parent in the family must meet the employment and earnings test.
  - **Continuity of employment test**
    - the person must have worked for the same employer for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and is still employed in the first week that Shared Parental Leave is to be taken.
  - **Employment and earnings test**
    - the person must have worked for at least 26 weeks in the 66 weeks leading up to the due date (or at the week in which an adopter was notified of having been matched with a child or adoption) and have earned above the maternity allowance threshold per week in 13 of the 66 weeks (This is set in 2015 at £30 per week but may vary annually).

- Where both parents satisfy the continuity of employment test requirement they will both be able to make use of the pot of Shared Parental Leave and will have to determine how to divide the leave entitlement once the mother has decided to curtail their maternity/adoption leave.
- The mother can only share her leave with one other person.
  - the father of the child (in the case of birth), or
  - the spouse, civil partner or partner of the child's mother/primary adopter.

## 2. Notification Requirements for SPL

Please note: The requirements set out below are in addition to the notification requirements regarding any related Maternity, Paternity, and Adoption leave.

An employee entitled and intending to take SPL must give their line manager notification of their entitlement and intention to take to SPL, at least eight weeks before they can take any period of SPL.

Part of the eligibility criteria requires the employee to provide the organisation with correct notification. Notification must be in writing and requires each of the following:

- The name of the employee;
- The name of the other parent;
- The start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available;
- 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;
- The amount of SPL the employee and their partner each intend to take
- A non-binding indication of when the employee expects to take the leave.

The employee must provide the organisation with a signed declaration stating:

- That they meet, or will meet, the eligibility conditions and are entitled to take SPL;
- That the information they have given is accurate;
- If they are not the mother/primary adopter they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/primary adopter;
- That should they cease to be eligible they will immediately inform the organisation.

The employee must provide the organisation with a signed declaration from their partner confirming:

- Their name, address and national insurance number (or a declaration that they do not have a national insurance number);
- That they are the mother/ primary adopter of the child, or they are the father of the child, or are the spouse, civil partner or partner of the mother/adopter;
- That they satisfy the 'employment and earnings test', and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee;
- That they consent to the amount of SPL that the employee intends to take;
- That they consent to the organisation processing the information contained in the declaration form
- (In the case where the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

The company may, within 14 days of the SPL entitlement notification being given, request:

- the name and business address of your partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead)
- in the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).
- in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which you were notified of having been matched with the child, and the date on which the agency expects to place the child for adoption

In order to be entitled to SPL, the you must produce this information within 14 days of the employer's request.

The company may contact your partner's employer to confirm the details provided and their eligibility for SPL.

### **3. Fraudulent Claims**

The company can, where there is a suspicion that fraudulent information may have been provided or where the company has been informed by the HMRC that a fraudulent claim was made, investigate the matter further in accordance with the usual company investigation and disciplinary procedures, and also without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

### **4. Statutory Shared Parental Pay (ShPP)**

You may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adoption reduces their maternity/adoption pay period or maternity allowance period.

ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.

In addition to meeting the eligibility requirements for SPL, in seeking to claim ShPP you must further satisfy each of the following criteria:

- The mother/primary adopter must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;
- You must intend to care for the child during the week in which ShPP is payable;
- You must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date not less than the lower earnings limit in force for national insurance contributions;
- You must remain in continuous employment until the first week of ShPP has begun;
- You must give proper notification in accordance with the rules set out in section 4.1.

#### **4.1 Notification Requirements for Statutory Shared Parental Pay (ShPP)**

You must give written notice advising of your entitlement to ShPP at least eight weeks before receiving any ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL.

In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:

- The start and end dates of any maternity/adoption pay or maternity allowance;
- The total amount of ShPP available, the amount of ShPP that you and your partner each intend to claim, and a non-binding indication of when you expect to claim ShPP;
- A signed declaration from you confirming that the information you have given is correct, that you meet, or will meet, the criteria for ShPP and that you will immediately inform the company should you cease to be eligible.

It must be accompanied by a signed declaration from your partner confirming:

- Their agreement to you claiming ShPP and for the organisation to process any ShPP payments to you;
- (in the case where the partner is the mother/ adopter) that they have reduced their maternity/adoption pay or maternity allowance;
- (in the case where the partner is the mother/ adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

Any ShPP due will be paid at a rate set by the Government for the relevant tax year – currently set at £140.98 per week (or 90% of basic pay, whichever is lower) from 2<sup>nd</sup> April 2017. From 1<sup>st</sup> April 2018 this will be £145.18 per week (or 90% of basic pay whichever is the lower).

The company may contact your partner's employer to confirm the details provided and their eligibility for SPL and ShPP

## **5. Booking Shared Parental Leave**

In addition to notifying the company of entitlement to SPL/ShPP, you must also give notice to take the leave. In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL.

You can submit up to three notifications specifying leave periods you are intending to take. Each notification may contain either (a) a single period of one or more weeks of leave; or (b) two or more periods of one or more weeks of discontinuous leave, where you intend to return to work between periods of leave.

SPL can only be taken in complete weeks but may begin on any day of the week. For example if a week of SPL began on a Tuesday it would finish on a Monday. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week.

You must book SPL by giving the correct notification at least eight weeks before the date on which you wish to start the leave and (if applicable) receive ShPP.

### **5.1 Continuous leave notifications**

A single notification can be for a period of continuous leave, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row).

An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in their notice of entitlement) and the company has been given at least eight weeks' notice.

An employee may submit up to three separate notifications for continuous periods of leave.

## 5.2 Discontinuous leave notification

A single notification may also contain a request for two or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where an employee will take six weeks of SPL and work every other week for a period of three months).

Where there is concern over accommodating the notification, the company or the employee may seek to arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both the needs of the employee and the organisation

There is no statutory right to **discontinuous** periods of Shared Parental Leave; the organisation will consider a discontinuous leave notification but has the right to refuse it. If the leave pattern is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

Whilst the company is under no obligation to provide a reason for a refusal of a period of discontinuous Shared Parental Leave, all requests will be given full consideration.

Reasons for refusal may include:

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- a detrimental effect on the ability to meet customer demand
- insufficient work for the periods the employee proposes to work
- a planned structural change to the business.

## 6. Booking Request Responses

Once the company receives your leave booking notice, a response will be provided no later than the 14th day after the leave request was made.

All notices for **continuous leave** will be confirmed in writing.

All requests for **discontinuous leave** will be carefully considered, weighing up the potential benefits to the employee and to the company against any adverse impact to the business.

Each request 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.

The request may be granted in full or in part: for example, the company may propose a modified version of the request.

If a **discontinuous leave** pattern is refused then you may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in the notice in a single continuous block.

If you choose to take the leave in a single continuous block, you will have until the 19th day from the date the original notification was given to choose when you want the leave period to begin.

The leave cannot start sooner than eight weeks from the date the original notification was submitted. If you do not choose a start date then the leave will begin on the first leave date requested in the original notification.

## 7. Variations to Agreed Periods of Shared Parental Leave

You are permitted to vary or cancel an agreed and booked period of SPL, provided that you advise the company in writing at least eight weeks before the date of any variation.

Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made, including notice to return to work early, will usually count as a new notification reducing your right to book/vary leave by one.

However, a change as a result of a child being born early, or as a result of the company requesting it be changed, and the employee being agreeable to the change, will not count as a further notification. Any variation will be confirmed in writing by the company.

## 8. Contractual Rights

All contractual terms, except those concerning pay, are continued throughout Shared Parental Leave. This means that for example you will continue to be entitled to accrue annual leave. You will also still be bound by duties of trust and confidentiality.

On returning to work after SPL:

### **If aggregate total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or less**

You are entitled to return to the same job occupied immediately before commencing maternity/paternity/adoption leave and the most recent period of SPL, on the same terms and conditions of employment as if you had not been absent.

### **If aggregate total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or more**

You are entitled to return to the same job held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is both suitable and appropriate and on terms and conditions no less favourable.

### **If you also take a period of unpaid parental leave of 4 weeks or less**

This will have no effect on your right to return and you will still be entitled to return to the same job occupied before taking the last period of leave if the aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks.

**If you take a period of 5 weeks of unpaid parental leave**

Even if the total aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks, you will be entitled to return to the same job held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is suitable and appropriate and on terms and conditions no less favourable.

**9. Shared Parental Leave In Touch (SPLIT) Days**

You are entitled to attend work during the SPL period for up to 20 days for the purposes of working, attending training, etc., without losing the right to receive ShPP.

SPLIT days are in addition to any entitlement to KIT days (see the company's Maternity leave policy), and are available to both parents (not shared between them)

You will be paid at your normal rate for any SPLIT days worked.

Both the company and employee must agree to any proposed SPLIT days. You should liaise with your Line Manager or the HR Department regarding the timing of these.

**PARENTAL LEAVE**

Note that Parental Leave should not be confused with Shared Parental Leave (SPL), which is available to the parents of babies due (or children placed for adoption) on or after 5 April 2015.

If you are the parent of a child under the age of 18 and have been continuously employed by the Company for one year or more, you have the legal right to take up to 18 weeks' unpaid parental leave.

If you qualify for parental leave, you will be entitled to 18 weeks' leave in respect of each individual child.

### **1. Notification**

If you wish to request parental leave you must give the Company at least 21 days' notice, specifying the dates on which you intend to commence leave and when you will return to work.

In general such requests for leave will be granted but should the operation of the Company be unduly disrupted, leave may be postponed. In the case of a postponement the Company will, within seven days, give you written notice stating the reasons for it and specifying the dates between which leave may be taken, which will be within six months of the dates requested. You will be entitled to take leave of the same length as the period requested.

However, such leave cannot be postponed if you are the father awaiting the birth of your child, and have given 21 days' notice that you intend to start parental leave as soon as the baby is born. Similarly, leave cannot be postponed where an employee has given 21 days' notice to start leave on the date a child is placed with them for adoption.

### **2. Minimum Periods of Parental Leave**

You may only take Parental Leave in blocks of one week (this rule does not apply to the parents of a disabled child).

### **3. Maximum Annual Parental Leave Allowance**

You may not take more than four weeks leave in respect of each individual child during a year. (A year is the period of 12 months starting with the date on which you first became entitled to take parental leave in respect of that child.) Note that parental leave cannot be added to annual vacation if it results in leave totalling more than four weeks at any time.

### EMERGENCY DEPENDENCY LEAVE

Emergency Dependency leave may be taken in respect of a dependant who may be:

- A parent or grandparent
- Spouse/partner
- Brother/sister
- Child/adoptive child
- Step Parents

Circumstances where an employee may take time off as emergency leave may be as follows:

- If a dependent falls ill or has been in an accident.
- To deal with an unexpected disruption or breakdown in care arrangements for a dependent

The company acknowledges that it is not always feasible to give notice of emergency leave, therefore absences due to child sickness or other dependent issues must be notified and recorded in the same way as sickness absence. However, notice should be given on to your manager in advance of the leave, if possible.

Managers must ensure the HR Team are notified of all periods of Emergency Dependency leave.

Periods of Emergency Dependency leave will be unpaid.

If a longer period of unpaid dependent leave is required, or changes to the employees working hours or working pattern are required to meet the needs of a dependent, please refer to the Parental Leave and Flexible Working Policies.

### FLEXIBLE WORKING

For Flexible working requests related to family or dependant requirements please refer to the Company's Statutory Flexible working policy.

### Document Control

Title:	Family Friendly Policies
Procedure Owner:	Human Resources Department
Version No:	5.0 (Updated Statutory payment rates for 2017)
Policy Effective Date:	02/04/17
Next Review Date	01/04/18
Version 5.0 Updated by:	James Stock
Version 5.0 Reviewer:	
Version No:	4.0
Policy Effective Date:	17/10/16
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