



Family Friendly Policy

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1 Aims and Objectives

- 1.1 The Trust is committed to supporting colleagues with their work / personal life balance and providing clear and transparent guidance for all colleagues to have access to supportive and flexible family friendly leave provisions.
- 1.2 The Policy is broken down into eight key areas of family friendly provisions. These are:
- Maternity
 - Adoption
 - Shared Parental
 - Co-Parent, Parental Leave,
 - Carers Leave (emergency and long term),
 - Bereavement and Compassionate Leave
 - Time off for Fertility Treatment.
- 1.3 The Trust is also committed to supporting colleagues who are seeking to continue breastfeeding on their return to the workplace.
- 1.4 Our Trust values are central to this document and apply throughout.

Scope

- 2.1. This policy applies to all colleagues that are directly employed by the Trust.

Responsibilities

- 3.1 Our managers are responsible for ensuring the sensitive and supportive application of this policy.
- 3.2 Our colleagues are responsible for applying/ notifying their line manager in line with the procedures set out within the policy.
- 3.3 The HR Advisory Team is responsible for providing professional advice and support on applying this policy and associated procedures.

Maternity

- 4.1. This maternity section sets out the entitlements to leave and pay for pregnant parents at the Trust, including surrogate birth parents.
- 4.2 Please note if you are having a new child by adopting (including Fostering to Adopt/Concurrent Planning) or through a Surrogacy arrangement, your entitlements are set out in our [Adoption and Surrogacy](#) sections.

- 4.3 You can take up to 52 weeks Maternity Leave. In the case of a multiple birth or pre-term babies, the unpaid element of leave may be extended, equal to the premature birth period. It doesn't matter how long you've worked here or how many hours you work.
- 4.4. If your baby is born before the 11th week before the expected week of childbirth and the baby is in hospital, you may split your maternity leave entitlement, taking a minimum period of two weeks' leave immediately after childbirth and the rest of her leave following your baby's discharge from hospital. Where you have worked during the week of childbirth, your maternity leave will start on the first day of your absence. Where you have been absent from work on certified sickness absence during the actual week of childbirth, this will result in your maternity leave starting the day after the day of birth.
- 4.5. New parents looking for flexibility in the care of their child during the first year of birth may also wish to refer to the [Shared Parental Leave](#) scheme.
- 4.6. You have to take at least two weeks compulsory maternity leave after your baby's born, but after that it's up to you how much of your Maternity Leave you take.
- 4.7. The earliest you can begin your maternity leave is 11 weeks before your expected week of childbirth, unless your baby is born early.
- 4.8. If you are absent from work with a pregnancy-related illness, during the last four weeks before your expected week of childbirth your maternity leave will start automatically.

4.9. Maternity Pay

Service at Qualifying Week	Pay Entitlement
If you have 12 months continuous service with one or more NHS employers at the beginning of the 11th week before the expected week of childbirth, and you have notified your intention to return to work with the NHS, you are entitled to Occupational Maternity Pay.	Occupational Maternity Pay (OMP) 8 weeks at full pay * (full pay calculated on average weekly earnings) 18 weeks at half pay plus SMP (providing the total receivable does not exceed full pay) 13 weeks SMP 13 weeks unpaid
Anyone who does not meet the qualifying conditions for the NHS Scheme or who does not wish to return to work following maternity leave** may be entitled to statutory leave and pay. To qualify for SMP you need to be an employee with 26 weeks	Statutory Maternity Pay (SMP) 39 weeks Statutory Maternity Pay. First 6 weeks (weeks' 1-6) 90% of *average weekly earnings Followed by 33 weeks

continuous service with your employer running into the 15th week before the expected week of childbirth.	(weeks' 7-39) SMP rate (or 9/10ths of a week's pay if this is less). Remaining 13 weeks (weeks' 40-52) unpaid
If you do not qualify for statutory maternity pay you may qualify for maternity allowance which can be claimed from JobcentrePlus.	If less than 26 week's service, you are still entitled to take up to 52 weeks' maternity leave, but you would not receive pay through the Trust. Go to www.gov.uk/maternity-allowance for information about eligibility and how to claim.
Gov.uk provides more details on eligibility for statutory maternity pay and maternity allowance, and how to claim maternity allowance.	

*Average earnings are based on what you've been paid during the eight weeks ending on the 15th week before your baby's due up to and including the last normal pay day.

** Normal notice period and formal resignation in writing will apply. The Notification of Maternity Leave Form is not regarded as resignation.

- 4.9.1. In normal circumstances, colleagues who are in receipt of OMP and who do not return to work, either for SECamb or another NHS employing authority, within 15 months of the commencement of their maternity leave, or who do not return to work for a period of 3 calendar months following maternity leave, are liable to repay all OMP overpaid. This would be done in line with the [Over and Underpayments Procedure](#).

4.10 Application and Notice Requirements

- 4.10.1. To access Maternity leave and pay please let us know by the 15th week before your baby is due by speaking with your line manager, completing the [Maternity Notification Form](#) and providing your original MATB1 certificate (you may want to take a copy of this for your records and a co-parent may also need a copy).
- 4.10.2. Should you wish to change your maternity leave start date please give as much notice as possible, ideally 28 days before your new maternity start date.
- 4.10.3. Should you wish to change the date of your return to work please notify your manager and hrsicknessandmaternity@secamb.nhs.uk at least eight weeks before you're due to return. If you want to come back earlier and don't give us this notice, we might need to delay your return for up to eight weeks, but it won't be past your original agreed return date.

4.11 Risk Assessments

- 4.11.1. It is recommended that you let your manager know as early as you can that you are pregnant or a new mother, (the definition of a new or expectant mother is - currently pregnant, has given birth within the previous six months or currently breastfeeding). They'll conduct an individual risk assessment of your role, your workplace and your personal circumstances/ health conditions to identify any risks that may adversely affect yours or your baby's health. It is important that any advice you receive from your doctor, midwife or occupational health, that could impact on the assessment, is passed on to your manager/ temporary manager. Further information on new and expectant mothers risk assessments can be found at [Protecting pregnant workers and new mothers - Overview - HSE](#)
- 4.11.2. Your manager will:
- Take into consideration any medical advice, referring you to Occupational Health for guidance on reasonable adjustments, as and when required.
 - Remove, if possible, any substance deemed to be a hazard
 - Where possible, temporarily adjust your working conditions and/or hours of work.
 - Arrange suitable and appropriate alternative work, where available. This will be at your normal rate of pay, even though the work done might normally attract a lower rate of pay.
- 4.11.3. Where unsocial hours working is affected, unsocial hours enhancements will be applied in line with:
- For Annex 5 the protection will be based on their underlying rota, if they are not on a permanent rota, it will be based on the higher of a 52 week or 13-week average lookback calculation.
 - For Section 2 the protection will be based on the on the higher of a 52 week or 13-week average lookback calculation.
- 4.11.5. For pregnant employees in a frontline operational role an overarching risk assessment will apply that supports your redeployment to suitable alternative work.
- 4.11.6. Where suitable alternative duties are required, local arrangements or/ and a referral to AlternativeDuties@secamb.nhs.uk will be made by your line manager identifying if there is a need for clinical light duties or other specific light duties (e.g. if a colleague is on an educational programme, has outstanding portfolio requirements or competency assessments). The Alternative Duties team will regularly review available suitable alternative roles.

- 4.11.7. If you have more than one job at SECamb, each of your managers (including temporary manager if on alternative duties) will complete separate risk assessments for each role.
- 4.11.8. Your manager/ temporary manager will review your risk assessment with you throughout your pregnancy, (e.g. any time your situation changes, or you request a review) and also when you come back to work, if you have given birth within the previous six months or are breastfeeding/ chestfeeding.

5 Breastfeeding/ Chestfeeding

- 5.1. To support nursing mothers in making the transition back into the workplace colleagues may request temporary flexible working arrangements as a reasonable adjustment to support them during the breastfeeding/ chestfeeding period.
- 5.2. For the purposes of this policy, the term 'breastfeeding' is used to cover both feeding a baby directly and/or using a breastfeeding pump to collect milk (expressing) and supports exclusive breastfeeding as well as breastfeeding alongside food (for up to two years and beyond).
- 5.3. Breastfeeding colleagues should inform their manager of any flexible working requirements (see Flexible Working Policy), ideally no later than 28 days before they return to work to enable any adjustments, such as a change in working pattern, location or hours to be considered and arrangements put in place, this may include temporary reasonable adjustments in which case section 4.11.to 4.11.6 will apply). This will not affect the employee's right to return to their job under their original contract, at the end of the agreed period. Every effort will be made to accommodate the request, to both meet business and breastfeeding needs.
- 5.4. **Facilities:** Colleagues are encouraged to discuss arrangements with their line managers where access to appropriate facilities are required to support breastfeeding and their wellbeing.
- 5.5. A colleague who is breastfeeding should have access to a clean, private, lockable room, with a comfortable chair where they will not be disturbed. Consideration may be given to whether there is access to an alternative suitable facility nearby or at an alternative location. For hygiene reasons, it is not appropriate for colleagues to use the toilet facilities or an ambulance to breastfeed.
- 5.6. Colleagues expressing milk will also need access to a suitable portable fridge. Expressed milk containers must be sealed and clearly labelled. Where access to a suitable fridge is not already available line managers should arrange for the relocation or the purchase of a

portable fridge. Station fridges are not suitable for the storage of breastmilk.

6 Adoption and Surrogacy

- 6.1. This section sets out colleague entitlements to Adoption leave and pay if you have a child placed with you for adoption, you are adopting through fostering for adoption/concurrent planning, or you are having a baby through a surrogacy arrangement through a UK or overseas adoption agency.
- 6.2. If you're adopting jointly with your partner, it's up to you both to decide who will be the Primary Adopter and who the Co-Adopter/ Co-Parent.
- 6.3. If you are the Primary Adopter, you can take up to 52 weeks of Adoption Leave – it doesn't matter how long you've worked here or how many hours you work. If you are the Co-Parent, please see our [Co-Parent](#) provisions for more details.
- 6.4. You can start your Adoption Leave on any day of the week either during the week that your child is placed with you, or up to 14 days before the UK adoption placement, or within 28 days of your child's arrival in the UK for overseas adoption.
- 6.5. If you are having a baby through a surrogacy arrangement, Adoption Leave can begin the day the baby is born, or the following day if you were at work.
- 6.6. If you're adopting through fostering to adopt/concurrent planning, you can start adoption leave at the start of placement, or you can wait and take it at the point an adoption placement order is granted. If you want to wait until an adoption placement order is granted, talk to your manager to see how else they can support you in the meantime. However please be aware, that any changes that result in a change of pay may affect your entitlement to Adoption Pay as this is calculated based on earnings during the eight weeks ending on the week that your placement is confirmed rather than when the placement order is granted.
- 6.7. You may only take one period of Adoption Leave for each adoption placement/surrogacy arrangement, even if it is in respect of more than one child.
- 6.8. New parents looking for flexibility in the care of their child during the first year of adoption may also wish to refer to the [Shared Parental Leave](#) scheme.

6.9. Adoption Pay

Service at Qualifying Week	Pay Entitlement
If you have 12 months continuous service with one or more NHS employers at the beginning of the 11th week before the childbirth/ placement.	Occupational Adoption Pay (OAP) 8 weeks at full pay * (full pay calculated on average weekly earnings) 18 weeks at half pay plus SAP (providing the total receivable does not exceed full pay) 13 weeks SAP Adoption pay and leave: Pay - GOV.UK (www.gov.uk) 13 weeks unpaid
Anyone who does not meet the qualifying conditions for the NHS Scheme or who does not wish to return to work following adoption leave** may be entitled to statutory leave and pay. To qualify for SAP you need to be an employee with 26 weeks continuous service with your employer running into the 15th week before the childbirth/ placement	Statutory Adoption Pay 39 weeks Statutory Adoption Pay (SAP) Adoption pay and leave: Pay - GOV.UK (www.gov.uk) First 6 weeks (weeks' 1-6) 90% of *average weekly earnings Followed by 33 weeks (weeks' 7-39) SAP rate (or 9/10ths of a week's pay if this is less). Remaining 13 weeks (weeks' 40-52) unpaid
If you do not qualify for statutory adoption pay you may qualify able to get alternative support LC Forms (hmrc.gov.uk)	If less than 26 week's service, you are still entitled to take up to 52 weeks' adoption leave, but you would not receive pay through the Trust.
Gov.uk provides more details on eligibility for statutory adoption pay.	

*Average earnings are based on what you've been paid during the eight weeks ending on the week that your adoption placement is confirmed, or in the case of a surrogacy arrangement, what you've been paid during the eight weeks ending on the 15th week before your baby's due up to and including the last normal pay day.

** Normal notice period and formal resignation in writing will apply. The Notification of Adoption Leave Form is not regarded as resignation.

6.10. Application and Notice Requirements

- 6.10.1. To access Adoption leave and pay please let us know by the 15th week before your baby or adoption placement is due by speaking with your line manager and completing the [Adoption Notification Form](#) and providing a copy of your official notification (Matching Certificate, placement order, Surrogacy Agreement, Certificate of Eligibility).
- 6.10.2. If you're adopting/entering into a surrogacy arrangement jointly with your partner we'll ask you to confirm on the notification form that your partner isn't taking Adoption Leave, even if they work for a different employer.

- 6.10.3. Should you wish to change your adoption leave start date please give as much notice as possible, ideally 28 days before your new adoption start date.
- 6.10.4. Should you wish to change the date of your return to work please notify your manager and hrsicknessandmaternity@secamb.nhs.uk at least eight weeks before you're due to return. If you want to come back earlier and don't give us this notice, we might need to delay your return for up to eight weeks, but it won't be past your original agreed return date.
- 6.10.5. If your Adoption Leave's disrupted, for example if the child isn't placed with you or the placement ends early, then you must let your manager and hrsicknessandmaternity@secamb.nhs.uk soon as possible. You'll still get Adoption Leave and pay for up to eight weeks after the disruption happens, although not if this is beyond the original end date of your Adoption Leave. If a further child is placed with you for adoption during or shortly after a period of Adoption Leave, you will be entitled to Adoption Leave again.

7 Shared Parental Leave

- 7.1. Shared Parental Leave gives eligible parents flexibility to share the care of their child in the first year after:
- The birth of their child
 - Adopting a child
 - Getting a parental order if they had a child through surrogacy
- 7.2. Shared Parental Leave will be created when you or your partner brings maternity or adoption leave to an end early.
- 7.3. This can be done by returning to work before the end of the maternity/adoption leave period; or by advising on a future end date. The untaken weeks of maternity or adoption leave can be taken as shared parental leave.
- 7.4. At least two weeks maternity/ adoption leave has to be taken immediately after your baby is born/ following the child's placement (or if adopting through fostering to adopt/concurrent planning, immediately following the adoption placement order being granted, if you/your partner delayed starting Adoption Leave until then).
- 7.5. You can then share any of the remaining 50 weeks' leave (which must be taken in blocks of one week). Some examples of how Shared Parental Leave can be used:

- The pregnant parent or primary adopter returns to work early from maternity or adoption leave and takes Shared Parental Leave at a later date
- The pregnant parent or primary adopter returns to work and their partner takes Shared Parental Leave
- Both parents are off at the same time
- Both parents share Shared Parental Leave evenly and are off at different times
- Both parents return to work at the same time and take Shared Parental Leave at a later date

7.6. You need to take all Shared Parental Leave by your child's first birthday or within 52 weeks of your child being placed with you for adoption (or if adopting through fostering to adopt/concurrent planning, within 52 weeks of the adoption placement order being granted, if you/your partner delayed starting Adoption Leave until then).

7.7. You can take Shared Parental Leave if you've already taken [Co-Parent Leave](#) (Paternity), but once you've started taking Shared Parental Leave you then won't then be able to take Co-Parent Leave.

7.8. **Qualifying for Shared Parental Leave**

7.8.1. To qualify for Shared Parental Leave you must:

- **Continuity of Employment Test** - employed by the NHS for at least 26 weeks by the end of the 15th week before your baby's due, or the week you're told that you've been matched with a child for adoption/notified of a fostering to adopt/concurrent planning placement, and;
- be employed by the NHS in the week before you take your Shared Parental Leave.

Also, your baby's birth parent/partner must:

- **Employment and Earnings Test**- have been employed for 26 weeks out of the 66 weeks (not necessarily continuously) before the week your baby's due to be born, or the week you're told that you've been matched with a child for adoption/notified of a fostering to adopt/concurrent planning placement, and;
- have earned above the maternity allowance threshold in 13 of the 66 weeks (not necessarily continuously).

7.8.2. Where both parents meet both of the above you can share the leave determine how to divide it. If only one of you meets both tests you may still qualify to take Shared Parental Leave if your partner meets the Employment and Earnings Test.

7.9. **Shared Parental Pay**

7.9.1. Shared Parental Pay will be created where you or your partner choose to bring maternity or adoption pay or maternity allowance to an end early. The period of untaken maternity pay/ allowance or adoption pay will become available to both parents as shared parental pay, up to a maximum of 37 weeks.

7.9.2. Any Shared Parental Pay due will be as per Maternity/Adoption pay as set out in sections 4 and 5.

7.10. Application and Notice Requirements

7.10.1. If you're the birth parent or the Primary Adopter, you will need to give us notice to end your Maternity Leave or Adoption Leave on a specified future date.

7.10.2. Once you've ended your Maternity Leave or Adoption Leave you can't change your mind and restart it, other than in exceptional circumstances, (Please contact the HR Team for further guidance).

7.10.3. If you are the co-parent and your partner has taken Maternity Leave or Adoption Leave and you want to opt-in to Shared Parental Leave, they'll need to give their employer notice to end their leave. They'll then need to make a declaration to us that they've done that before you can tell us that you're entitled and intend to take Shared Parental Leave.

7.10.4. To notify us of your intention to take shared parental leave you can complete the Shared Parental Leave Request Form giving at least 8 weeks' notice.

7.10.5. You are entitled to submit up to three separate notifications (this includes variation or cancellation notifications). A change as a result of a child being born early, will not count as a further notification.

Arrangements Relevant to Maternity, Adoption and Shared Parental Leave

8.1. Antenatal /Postnatal and Pre-Adoption Appointments

8.1.1. You'll have:

- Antenatal appointments to go to on the advice of a registered medical practitioner, registered midwife or registered health visitor or
- Adoption / Surrogacy arrangement appointments
- Postnatal appointments for colleagues who have recently given birth on the advice of a registered medical practitioner

- 8.1.2. It would be helpful if you could try to arrange these outside your normal working hours if you can. If not, then you'll get paid time off to attend, including reasonable travel time to and from the appointment location. Let your manager know as early as you can when your appointments are. They might ask to see your appointment card or email/text confirmation. There will be no requirement to make up hours.

8.2. Keeping in Touch

- 8.2.1. It's good to stay in touch with your colleagues and your manager during your leave (or any period of alternative duties). We'll try to keep you updated about any important changes or other things you need to know while you're away from work. Agree with your manager the best way of keeping in touch.
- 8.2.2. You can have up to 10 Keeping in Touch (KIT) days during your Maternity or Adoption Leave or up to 20 days (SPLIT days) each if taking Shared Parental Leave, which let you work without losing your entitlement to occupational or statutory pay. If you don't work a full day (a full day is your normal pattern of hours at work), this will still count as one of your KIT/ SPLIT days.
- 8.2.3. KIT/SPLIT days need to be agreed with yourself and your manager and can be used for anything that would normally be part of your job, including training courses. You can take them at any point during your leave (apart from during the first two weeks), including consecutive days. You don't have to arrange any KIT/ SPLIT days, and we'll never insist that you work a KIT/ SPLIT day.
- 8.2.4. On a KIT/ SPLIT day you'll get paid your normal basic rate of pay for the hours you work. If you're in the Statutory pay period of your leave, your pay will be 'topped up' to your normal basic rate of pay. This means that payment for a KIT/ SPLIT day won't ever be more than a normal day's pay. Any payment for KIT/SPLIT days will be actioned the month following receipt of the approved KIT/SPLIT days form and can be submitted following each KIT/ SPLIT day.
- 8.2.5. If you work more than 10 KIT/ 20 SPLIT days, your leave and pay automatically end.

8.3. Deductions from Pay

- 8.3.1. Trade Union/ Professional Organisation etc subscriptions will continue whilst you are receiving occupational or statutory pay, but will cease if you start unpaid leave. This may affect entitlement to benefits under the Schemes. Please ensure that you are aware of the consequences of these deductions ceasing during your unpaid leave period. Please

contact the external organisation directly should you wish to discuss arranging direct payment for this period.

8.4. Salary Sacrifice

- 8.4.1. Colleagues are entitled to continue in salary sacrifice schemes (Car, Childcare Vouchers, Home electronics etc.), during the leave period. However, the financial impact of continuing to receive these must be considered as the calculation of your maternity/adoption or shared parental pay will be on gross pay (after all salary sacrifice reductions).
- 8.4.2. Colleagues are encouraged to seek further information directly from the provider before your 25th week of pregnancy, or as soon as you have been informed that you have been matched to a child.
- 8.4.3. Where the salary sacrifice is for Childcare vouchers, you may request to cease or reduce the value prior to the leave period (you should note that due to Government changes anyone leaving the scheme will not be eligible to re-join the childcare voucher scheme following their maternity leave as the scheme is now closed to new applicants).

8.5. Pensions

- 8.5.1. If you're a member of the NHS Pension Scheme, then you'll continue to be a member during your Leave. While you're getting Occupational or Statutory pay your pension contributions will be based on the actual pay you receive each period, but the Trust's contributions will be based on your normal full pay.
- 8.5.2. During any unpaid period of leave your pension contributions will be deducted from your salary on your return to work. The repayments are calculated based on your pay immediately prior to the unpaid period. They will be collected over the same time scale as they are built up e.g., if you are on no pay for three months, arrears will be deducted over the three months following your return to work.

8.6. Annual Leave

- 8.6.1. Your annual leave and public holiday entitlement will continue to accrue while you're on maternity, adoption, co-parent or shared parental Leave.
- 8.6.2. Talk to your manager before you start your leave about taking your holidays either before or at the end of your leave and agree dates with them. If you return to work too close to the end of the holiday year to take all your holidays, speak to your manager about carrying forward any remaining days.

8.7. Returning to Work After Maternity, Adoption or Shared Parental Leave

- 8.7.1 Unless there's a business reorganisation – in which case we'd consult with you about what this means for you – you'll be able to come back to the same role and with the same terms and conditions of employment that you had before your Leave. However, where that is not reasonably practicable, due to organisational change, you are entitled to special rights. As a statutory requirement you will be offered redeployment to any suitable job within the Trust, even if there are other employees that may be suitable for the job. You will also be entitled to a four-week trial period.
- 8.7.2. Pay Step dates will not be affected by any periods of paid or unpaid leave.
- 8.7.3. Colleagues may request to return to work on different hours/ working pattern and the Trust has a duty to consider this request and facilitate wherever possible under the Flexible Working Policy. Your manager will get in touch with you before you're due to come back to work to talk about the arrangements for your return. You might want to try and arrange a KIT/ SPLIT day with your manager so you can come into work and discuss things with them.
- 8.7.4. If you want to breastfeed when you're back in work we'll do what we can to support you, so talk to your manager about what you need. (See section 5)
- 8.7.5. Not returning - If a colleague has notified the Trust of their intention to return to work at SECAMB or a different NHS employer and fails to do so within:
- 15 months of the beginning of their maternity / adoption leave,
- or
- three months of the end of their shared parental leave
- They will be liable to refund the whole of their maternity, adoption, or shared parental pay, less any Statutory Maternity, Adoption or Shared Parental Pay, received. In cases where the Trust considers that to enforce this provision would cause undue hardship or distress, the Trust will have the discretion to waive their rights to recovery.
- 8.7.6 If an employee requests to commence an employment break scheme following their maternity, adoption or shared parental leave and this request is granted, they will be asked to repay any occupational pay received. This money will be repaid upon return from the employment break.
- 8.7.7 If you are part of an agreed programme of training and your contract is due to end during your maternity leave, you shall have the right to return to work in the same post, or to the next planned post if

competency has been achieved, irrespective of whether your contract would have ended if the pregnancy and childbirth had not occurred. In such circumstances, your contract will be extended to enable you to complete the agreed programme of training.

9. Co-Parent Leave (Paternity Leave)

9.1. This section sets out entitlements to leave and pay for new fathers or partners of a birth mother or primary adopter.

9.2. New parents looking for flexibility in the care of their child during the first year of birth or adoption may also wish to refer to the [Shared Parental Leave](#) scheme.

9.3. To support you at this exciting time please refer to the Trusts Antenatal/ Pre-Adoption Appointments provisions in section 7.1.

9.4. Leave and Pay Entitlements

9.4.1. You can take two weeks Co-Parent Leave either as two single weeks or as two consecutive weeks. Leave cannot start before the birth/ adoption placement. It must end within 12 months of the birth (or due date if the baby is early), or adoption placement. One period of Co-Parent Leave is available for each pregnancy or adoption placement. If you work part-time, Co-Parent Leave is on a pro-rata basis.

Service	Pay & Leave Entitlement
Have 52 weeks continuous NHS employment at the 11th week before your baby is due to be born or adoption placement is due.	Two single weeks or a consecutive two-week block at full pay
Have 26 weeks continuous SECamb employment: At the 15th week before your baby is due to be born or adoption placement is due.	Two single weeks or a consecutive two-week block with Statutory Paternity Pay (SPP) Paternity pay and leave: Pay - GOV.UK (www.gov.uk)
Under 12 months continuous NHS employment	Two single weeks or a consecutive two-week block unpaid.

9.5. Application and Notice Requirements

9.5.1. To access Co-Parent leave and pay please advise of the dates 28 days in advance by speaking with your line manager and completing the [Co-Parent Notification Form](#). Providing a copy of the MATB1 certificate, Matching Certificate, Placement Order, Surrogacy Agreement or Certificate of Eligibility.

- 9.5.2. Any dates specified for leave to be taken can be changed by providing at least 28 days' notice.

Parental Leave

- 10.1. Parental leave is, aimed at encouraging a culture of flexible working practices to balance family and work commitments. Parental Leave is a period of unpaid, planned time off work to care for your child.
- 10.2. If you have parental responsibility (including kinship carers with child arrangements order or special guardianship order), for a child under 18 and have 12 months continuous NHS service by the time you wish to take the leave, you can take up to 18 weeks' unpaid Parental Leave.
- 10.3. You can take up to four weeks of this leave in any one year (pro rata for part-time colleagues). You can request this in weekly blocks or as single days. If your child gets Disability Living Allowance or Personal Independence Payment, we'll always agree to requests for single days of Parental Leave.
- 10.4. If you need to take short periods of leave without notice to look after your child in an emergency, this is covered in section 10.

10.5. Parental Leave Application

- 10.5.1. To ask for Parental Leave please speak with your line manager and complete the Parental Leave Application Form. Wherever possible you should give notice equivalent to the period of time you are requesting off.
- 10.5.2. We'll always do our best to accept any request for Parental Leave and will only turn a request down if it would cause problems for the business. We will always agree a request if you are taking the leave immediately after the birth of your child (or placement of your child in your family for adoption), or where a postponement would take this beyond your child's 18th birthday.
- 10.5.3. If your manager can't agree to your request, they'll write to you within 7 days, giving the reasons why we can't accommodate your leave request and suggest another date for you to start your leave within the next six months. Sometimes we might be able to agree to part of the leave you're requesting.

11. Emergency Dependant Leave

- 11.1. We know that sometimes emergencies happen and that every emergency situation is different. Emergency Leave is to support you with a reasonable amount of time off work to deal with the immediate emergency.

- 11.2. Talk to your manager about what's happened, and they will consider what is reasonable in the circumstances and confirm whether this leave is paid or unpaid. Up to three days paid leave, in a rolling 12-month period will be considered.
- 11.3. Your manager will talk to you about other alternative leave options if you need more time or for things you know about beforehand such as school holidays or pre-planned appointments, such as annual leave, [parental leave](#), [long term carers leave](#), flexible working options.
- 11.4. Your manager may also want to discuss how things are with you once you return to work so they can make sure you are getting the right support.

12. Long Term Carers Leave

- 12.1. Long term Carers Leave for a dependant, (a person who reasonably relies on the employee to provide and arrange care) with a long-term care need – defined as an illness or injury (either physical or mental) that requires or is likely to require care for more than three months, a disability under the Equality Act 2010, or issues related to old age.
- 12.2. Long term Carers Leave is unpaid. The days can be taken to suit your needs, for example in one block, separate full days or ½ days, up to a block of one week in a rolling 12-month period (pro-rata for part-time colleagues). Colleagues may also wish to refer to the [Flexible Working Policy](#) or [Agile Working Policy](#).
- 12.3. Our [Wellbeing Hub](#) can also help signpost colleagues to organisations that are specially trained in carers support.

13. Bereavement & Compassionate Leave

- 13.1. We know that the loss of someone close to us can be a devastating experience and that getting the right support at work is crucial. If you are reading this because you have been affected, we are sorry for your loss. We want you to ask for the support you need and will always handle things as sensitively as possible. Our [Wellbeing Hub](#) can also help signpost colleagues to organisations that are specially trained in bereavement support.
- 13.2. There are many different cultures, religions and beliefs celebrated across the organisation and as such, it is essential that line managers understand how to support colleagues in a compassionate and

inclusive manner. When colleagues are experiencing a bereavement. Line Managers are encouraged to read [Bereavement-Practices-Jan-2021.pdf \(england.nhs.uk\)](#).

13.3. Compassionate Leave

- 13.4. We want to support our colleagues that experience a bereavement or when someone close to them suffers a serious illness or acute need and will always give colleagues a reasonable amount of unpaid leave with at least one days paid leave if you need to attend a funeral of someone close to you.

13.5. Pregnancy Loss

- 13.6. We are committed to supporting all colleagues who suffer the loss of a pregnancy, whether it happens directly to them, their partner or their baby's surrogate, regardless of the nature of their loss, or their length of service.
- 13.7. If you have experienced pregnancy loss before 24 weeks (including when an embryo transfer during fertility treatment doesn't result in pregnancy or because of a termination of pregnancy), we won't assume to know how much leave you might need as everyone's situation is different. We'll give up to 2 weeks compassionate paid leave – but you may need more, or less time off.
- 13.8. The law and your rights are different if you are affected by pregnancy loss from 24 weeks. See Maternity, Co-Parent and Parental Bereavement Leave provisions, as you will be entitled to these provisions.

13.9. Parental Bereavement Leave

- 13.9.1. We are committed to supporting all parents including adoptive parents, foster parents and intended parents who suffer the loss of a child, including pregnancy loss from 24 weeks.
- 13.9.2. You are entitled to 2 weeks paid leave to be taken within 56 weeks of your child's death. You can take all the leave immediately, or use some later on for significant events, like anniversaries or birthdays (If you want to take leave later, we'll ask you to give reasonable notice, so discuss your plans with your manager). If you're on maternity, adoption, shared parental or co-parent leave– you can take parental bereavement leave after this.
- 13.9.3. Leave can usually be taken in blocks of at least a week, but we'll always try to be flexible if you want to take a shorter period off at a time.

13.10. Returning to Work following bereavement/compassionate leave

- 13.10.1 There might be workplace adjustments we can make at work to help if you find things difficult. These are likely to be temporary changes while you adjust to coming back to work. You can use a [Wellbeing Action Plan](#) to identify how your experience has impacted you at work and use this to discuss any changes you might need with your manager. Our [Flexible Working Policy](#) may also be useful.
- 13.10.2 You may need time away from work to attend medical appointments and that it may be challenging to arrange appointments around working hours. Please refer to the [Managing Health and Attendance Policy](#).

14. Time off for Fertility Treatment

- 14.1 We know that sometimes colleagues may need time off work to go to appointments for fertility treatment. It doesn't matter how long you've worked here or how many hours you work; all colleagues are entitled to use this policy if they or their partner/surrogate are undergoing fertility treatment.
- 14.2 We wish to support colleagues during these times with paid leave for up to five appointments per cycle, for up to three cycles of fertility treatment. We understand that some situations may need more or less time off, in this case you might also want to consider flexible working to facilitate further treatment. Speak to your manager about your circumstances, letting them know as early as you can when any appointments are. Your manager might ask to see a copy of an appointment card or email/text confirmation to confirm things.
- 14.3 You may also wish to discuss workplace adjustments that will support you while you're undergoing treatment. If you need more time off because of the side effects or impact of fertility treatment, which may include recommended periods of rest, this will be supported through the [Managing Health and Attendance Policy](#).

15. References

- [Employment Rights Act 1996](#)
- [Employment Relations Act 1999](#)
- [Employment Act 2002](#)
- [Maternity and Parental Leave Regulations 1999 \(as amended\)](#)
- [Shared Parental Leave Regulations 2014](#)
- [Additional Paternity Leave Regulations 2010](#)
- [Paternity and Adoption Leave Regulations 2002](#)
- [Work and Families Act 2006](#)
- [Children & Families Act 2014](#)
- [Equality Act 2010](#)

- [NHS Terms and Conditions of Service Handbook](#)

16. Monitoring Compliance

- 16.1 The HR SLT is responsible for monitoring compliance with this policy. Human Resources (HR) will monitor the application of the policy and procedure through feedback from staff and managers. Feedback, legislature and changes to terms and conditions will be used to inform and improve policies, as well as provide recommendations for improving working practices. HR will provide relevant reports, based on this data, as required.

17. Audit and Review (evaluating effectiveness)

- 17.1 All policies have their effectiveness audited by the HR SLT at regular intervals, and initially six months after a new policy is approved and disseminated.
- 17.2 Effectiveness will be reviewed using the tools set out in the Trust's Policy and Procedure for the Development and Management of Trust Policies and Procedures (also known as the Policy on Policies).
- 17.3 This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.
- 17.4 All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

18. Associated Trust Documentation

- [Flexible Working Policy](#)
- [KIT/ SPLIT Days Form](#)
- [Managing Health & Attendance Policy](#)
- [Employment Break Policy](#)
- Section 2 USH Policy
- [NHS Terms and Conditions of Service Handbook](#)
- [Annual Leave Policy](#)

19. Financial Checkpoint

- 19.1 This document has been confirmed by Finance to have no unbudgeted financial implications.

20. Equality Analysis

- 20.1 The Trust believes in fairness and equality, and values diversity in its role as both a provider of services and as an employer. The Trust aims to provide

accessible services that respect the needs of each individual and exclude no-one. It is committed to comply with the Human Rights Act and to meeting the Equality Act 2010, which identifies the following nine protected characteristics: Age, Disability, Race, Religion and Belief, Gender Reassignment, Sexual Orientation, Sex, Marriage and Civil Partnership and Pregnancy and Maternity.

- 20.2 Compliance with the Public Sector Equality Duty: If a contractor carries out functions of a public nature, then for the duration of the contract, the contractor or supplier would itself be considered a public authority and have the duty to comply with the equalities duties when carrying out those functions.

Equality Impact Assessment (EIA)

What piece of work does this relate to: Family Leave Policy

Role: HR Policy & ER Manager

1. Is this a:

- Change to an existing strategy (long term plan of action), policy or procedure ☒
 - Change to a service or function (actions or activities) ☐
- A new strategy or policy/procedure/business case/ ops bulletin etc. ☐
 - A new service or function ☐
- Project which requires approval at Board or Working group ☐

2. Who will be impacted by this work? Tick all that apply.

Patients <input type="checkbox"/>	Student/learners <input type="checkbox"/>	Volunteers <input type="checkbox"/>	External Partners (please specify below) <input type="checkbox"/> Click or tap here to enter text.
Carers <input type="checkbox"/>	Trade unions <input type="checkbox"/>		Other (including a particular geographical area, describe below) <input type="checkbox"/>
Staff x <input type="checkbox"/>	Suppliers <input type="checkbox"/>		Click or tap here to enter text.

3. Summarise the work being assessed. Describe current status followed by any changes that stakeholders would experience.

consolidation of existing maternity, paternity, adoption, shared parental leave policies and family friendly aspects of the current special leave policy

4. Checklist

Questions	Yes	No
Is there potential for/ indication of or evidence that the proposed change will affect different population groups differently (including possibly discriminating against certain groups)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>If yes, please add information:</i>		
Have there been or are there likely to be any public concerns (including media, academic, voluntary or sector specific interest) about the change?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>If yes, please add information:</i>		
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>If yes, please add information:</i>		
Could the proposal affect our workforce or employment practices?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>If yes, please add information: consolidation of existing maternity, paternity, adoption, shared parental leave policies and family friendly aspects of the current special leave policy</i>		
Is there potential for or evidence that the proposed change will not promote equality of opportunity or promote good relations between different groups?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>If yes, please add information:</i>		

5. Equality Impact Assessment

5.1. Key stakeholders

Name / Group	Organisation	Role on assessment team e.g., service user, manager of service, specialist (which area)
	SECAMB	Policy Manager
	SECAMB	Policy Advisor
	SECAMB	Specialist (maternity administrator)
	SECAMB	Specialist (Inclusion Manager)
	SECAMB	Specialist (Gender Equality Network)
	SECAMB	Unionjpf

5.2. Who may be positively or negatively affected by this activity?

Protected characteristics (Equality Act 2010)	In addition, consider the following vulnerable groups:	
Age <input checked="" type="checkbox"/>	Armed forces <input type="checkbox"/>	Socioeconomic disadvantage <input type="checkbox"/>
Disability <input checked="" type="checkbox"/>	Carers <input checked="" type="checkbox"/>	People with addiction or substance misuse problems <input type="checkbox"/>
Race <input checked="" type="checkbox"/>	Digital exclusion <input type="checkbox"/>	People on probation <input type="checkbox"/>
Gender reassignment <input checked="" type="checkbox"/>	Domestic abuse <input type="checkbox"/>	Prison population <input type="checkbox"/>
Marriage & civil partnership <input checked="" type="checkbox"/>	Education (literacy) areas <input type="checkbox"/>	Undocumented migrant, refugees, asylum seekers <input type="checkbox"/>
Pregnancy & maternity <input checked="" type="checkbox"/>	Homeless <input type="checkbox"/>	Sex workers <input type="checkbox"/>
Religion & beliefs (including no belief) <input checked="" type="checkbox"/>	Looked after children <input type="checkbox"/>	Other (please specify below) <input type="checkbox"/>
Sex (male or female) <input checked="" type="checkbox"/>	Rural areas <input type="checkbox"/>	
Sexual orientation <input checked="" type="checkbox"/>	Urban areas <input type="checkbox"/>	

5.3. Assessment outcomes

Protected equality characteristic	Describe here the considerations and concerns in relation to the programme/policy for the selected groups. These may be positive, negative or neutral if there is no impact.	If you have identified any negative impacts, describe here suggested mitigations to inform the actions needed to reduce inequalities.
Age	neutral	
Disability	neutral	
Race¹	neutral	
Gender reassignment	neutral	
Marriage & civil partnership	neutral	
Pregnancy & maternity	positive	More benefits and rights added to the policy
Religion & beliefs	neutral	
Sex	neutral	
Sexual orientation	positive	

Vulnerable groups/existing inequity	Describe here the considerations and concerns in relation to the programme/policy for the selected groups. These may be positive, negative or neutral if there is no impact.	If you have identified any negative impacts, describe here suggested mitigations to inform the actions needed to reduce inequalities.
Armed forces	neutral	
Carers	positive	Long term carers leave added to policy

Vulnerable groups/existing inequity	Describe here the considerations and concerns in relation to the programme/policy for the selected groups. These may be positive, negative or neutral if there is no impact.	If you have identified any negative impacts, describe here suggested mitigations to inform the actions needed to reduce inequalities.
Digital exclusion²	neutral	
Domestic abuse	neutral	
Education (literacy)	neutral	
Homeless	neutral	
Looked after children	neutral	
Rural/urban geographies	neutral	
Socioeconomic disadvantage	neutral	
People with addiction or substance misuse problems	neutral	
People on probation	neutral	
Prison population	neutral	
Undocumented migrants, refugees, asylum seekers	neutral	
Sex workers	neutral	
Other	neutral	

5.4 Impact on Human Rights

Human Rights	Describe here the considerations and concerns in relation to the programme/policy for the selected groups. These may be positive, negative or neutral if there is no impact.	If you have identified any negative impacts, describe here suggested mitigations to inform the actions needed to reduce inequalities.
A2. Right to life (e.g. Pain relief, DNAR, competency, suicide prevention)	neutral	
A3. Prohibition of torture, inhuman or degrading treatment (e.g., Service Users unable to consent)	neutral	
A4. Prohibition of slavery and forced labour (e.g., Safeguarding vulnerable patients' policies)	neutral	
A5. Right to liberty and security (e.g., Deprivation of liberty protocols, security policy)	neutral	
A6&7. Rights to a fair trial; and no punishment without law (e.g., MHA Tribunals)	neutral	
A8. Right to respect for private and family life, home and correspondence (e.g., Confidentiality, access to family etc)	neutral	
A9. Freedom of thought, conscience and religion (e.g., Animal-derived medicines/sacred space)	neutral	
A10. Freedom of expression (e.g., Patient information or whistle-blowing policies)	neutral	
A11. Freedom of assembly and association (e.g., Trade union recognition)	neutral	
A12. Right to marry and found a family (e.g., fertility, pregnancy)	neutral	

Human Rights	Describe here the considerations and concerns in relation to the programme/policy for the selected groups. These may be positive, negative or neutral if there is no impact.	If you have identified any negative impacts, describe here suggested mitigations to inform the actions needed to reduce inequalities.
P1.A1. Protection of property (e.g., Service User property and belongings)	neutral	
P1.A2. Right to education (e.g., accessible information)	neutral	
P1.A3. Right to free elections (e.g., Foundation Trust governors)	neutral	

6. Action plan and monitoring arrangements

ACTIONS & DECISIONS TRACKER					
What is being assessed:					
What management group will have oversight of these actions (this should be the group which has oversight of the change):					
Item	Initiation Date	Action/Item	Person Actioning	Target Completion Date	Update/Notes
1					
2					
3					
4					

7. Version Control

Version Number	Purpose/Change	Author	Date
V1	<i>consolidation of existing maternity, paternity, adoption, shared parental leave policies and family friendly aspects of the current special leave policy</i>		17.11.23