

Family Friendly Policy: Leave and Pay for Maternity, Paternity, Adoption, and Shared Parental Leave

Document Control

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1.0 Purpose and Legal Basis

The purpose of this policy is to establish a clear and consistent framework for managing family-related leave and pay for any future employees of the charity. As a foundational governance document, its strategic importance lies in ensuring legal compliance from the outset of employment, fostering a supportive work environment, and upholding the charity's reputation as a responsible employer. This proactive commitment directly

supports the charity's core mission to enhance wellbeing, as stated in its constitution, by extending the same principles of care to its own people.

1.1 Purpose

The formal adoption of this policy is a key component of the Board's ongoing commitment to strengthening the charity's governance infrastructure and ensuring it is fully prepared for future operational growth.

1.2 Legal Basis

This policy is designed to comply with all relevant UK employment legislation. The core legal framework upon which this policy is based includes:

- The Equality Act 2010
- The Employment Rights Act 1996
- All relevant subsequent regulations pertaining to Maternity, Paternity, Adoption, and Shared Parental Leave and Pay.

2.0 Scope

This policy's scope is clearly defined by UK law, which links family-related statutory rights specifically to an individual's employment status. This distinction is critical for the effective governance and operation of the charity.

This policy applies to all individuals employed by the charity under a contract of employment.

For the avoidance of doubt, this policy does not apply to the following individuals, who are not employees of the charity:

- Trustees of the charity
- Volunteers
- Contractors and external service providers

3.0 Policy Statement

The charity is fully committed to supporting its employees during significant life events, including childbirth and adoption. We recognise that providing this support is not only a legal obligation but also a moral one that reflects our core values.

This commitment is a direct extension of the charity's primary objects as defined in its constitution: to ease suffering, increase health, wellbeing and enhance social inclusion. We believe that to effectively deliver our mission to the beneficiary community, we must first apply these principles to our own employees, who are essential to the charity's success.

This policy ensures that employees are treated with fairness, dignity, and respect, and are given the support they need to balance their work and family responsibilities.

4.0 Definitions

Term	Definition
Employee	An individual who has entered into or works under a contract of employment with the charity.
Statutory Maternity Pay (SMP)	The standard statutory payment for eligible employees on maternity leave.
Statutory Paternity Pay (SPP)	The standard statutory payment for eligible employees on paternity leave.
Statutory Adoption Pay (SAP)	The standard statutory payment for eligible employees on adoption leave.
Shared Parental Leave (SPL)	Leave that can be shared between parents following the birth or adoption of a child.
Shared Parental Pay (ShPP)	The standard statutory payment for eligible employees on Shared Parental Leave.

5.0 Procedures

This section provides the step-by-step procedures that employees must follow to apply for family-related leave and pay. Adherence to these procedures is necessary to ensure the timely administration of leave and pay and to maintain legal compliance.

5.1 Maternity Leave and Pay

1. **Eligibility:** All pregnant employees are entitled to 52 weeks of statutory maternity leave, regardless of their length of service. Eligibility for Statutory Maternity Pay

(SMP) is dependent on length of service and average earnings, as defined by current government regulations.

2. **Notification:** The employee must inform the charity of their pregnancy and their intention to take maternity leave no later than the end of the 15th week before the expected week of childbirth. This notification must include:
 - Confirmation that they are pregnant.
 - The expected week of childbirth.
 - The date they intend to start their maternity leave.
 - A MAT B1 certificate, provided by a doctor or midwife, which must be submitted as soon as it is available.
3. **Entitlements:**
 - **Leave:** Eligible employees can take up to 52 weeks of maternity leave. The first 26 weeks are 'Ordinary Maternity Leave,' and the last 26 weeks are 'Additional Maternity Leave.' It is a legal requirement to take at least two weeks of leave after the baby is born.
 - **Pay:** For employees eligible for SMP, payment is structured as follows:
 - First 6 weeks: 90% of their average weekly earnings.
 - Remaining 33 weeks: The standard statutory weekly rate, or 90% of their average weekly earnings if that is lower.

5.2 Paternity Leave and Pay

1. **Eligibility:** An employee may be eligible for paternity leave and Statutory Paternity Pay (SPP) if they are the baby's father, the mother's husband or partner, or the child's adopter or intended parent. Eligibility for pay is dependent on length of service and average earnings, as defined by current government regulations.
2. **Notification:** The employee must inform the charity of their intention to take paternity leave no later than the end of the 15th week before the expected week of childbirth. This notification must include:
 - The expected week of childbirth.
 - Whether they intend to take one or two weeks of leave.
 - When they want their leave to start.
3. **Entitlements:**
 - **Leave:** Eligible employees can take either one or two consecutive weeks of paternity leave. The leave must be taken within 56 days of the actual date of birth.
 - **Pay:** Employees eligible for SPP will receive the standard statutory weekly rate, or 90% of their average weekly earnings if that is lower, for the duration of their leave.

5.3 Adoption Leave and Pay

1. **Eligibility:** An employee who adopts a child may be entitled to 52 weeks of statutory adoption leave. In a couple, only one person can take adoption leave. The

other may be eligible for paternity leave. Eligibility for Statutory Adoption Pay (SAP) is dependent on length of service and average earnings.

2. **Notification:** The employee must inform the charity of their intention to take adoption leave within 7 days of being matched with a child. This notification must include:
 - The date the child is expected to be placed with them.
 - The date they intend to start their adoption leave.
 - Proof of the adoption, such as a matching certificate.
3. **Entitlements:**
 - **Leave:** Eligible employees can take up to 52 weeks of adoption leave. The first 26 weeks are 'Ordinary Adoption Leave,' and the last 26 weeks are 'Additional Adoption Leave.'
 - **Pay:** For employees eligible for SAP, payment is structured as follows:
 - First 6 weeks: 90% of their average weekly earnings.
 - Remaining 33 weeks: The standard statutory weekly rate, or 90% of their average weekly earnings if that is lower.

5.4 Shared Parental Leave and Pay

1. **Eligibility:** Eligible parents can share up to 50 weeks of leave and up to 37 weeks of pay following the birth or adoption of their child. The rules regarding eligibility, notice, and entitlement for Shared Parental Leave (SPL) and Shared Parental Pay (ShPP) are complex.
2. **Notification:** Employees wishing to take SPL must give at least 8 weeks' notice of any leave they intend to take. They must provide a declaration and notice that includes details of their and their partner's eligibility, the amount of leave and pay available, and how they intend to share it.
3. **Entitlements:**
 - **Leave and Pay:** The amount of leave and pay available to share is the remainder of the mother's or adopter's maternity/adoption leave and pay entitlement. The pay is at the standard statutory weekly rate.
 - **Guidance:** Due to the complexity of the scheme, employees interested in SPL are strongly encouraged to discuss their intentions with their line manager or the management contractor at the earliest opportunity to ensure a full understanding of the process.

6.0 Roles and Responsibilities

The effective and fair implementation of this policy requires a clear understanding of the roles and responsibilities of all parties involved.

- **Employees:** It is the responsibility of each employee to familiarise themselves with this policy and to provide timely and accurate notifications as outlined in the procedures. Employees are expected to maintain reasonable communication with the charity during their leave, particularly regarding their return-to-work plans.

- **Line Managers / Management Contractor:** Individuals with line management responsibility must handle all requests promptly, confidentially, and with sensitivity. They are responsible for ensuring procedures are followed correctly, maintaining supportive and appropriate contact with the employee during their leave, and making the necessary arrangements to provide cover for the period of absence. In the absence of a direct line manager, the charity's management contractor will be the primary operational point of contact for administering this policy, under the oversight of a designated Trustee.
- **Board of Trustees:** The Board holds the ultimate responsibility for ensuring this policy is legally compliant, fit for purpose, and formally approved. The Board must ensure the policy is reviewed regularly to reflect any changes in legislation. The Board is also responsible for the overall financial oversight required to meet the charity's statutory pay obligations to its employees.

7.0 Implementation

This section outlines the practical arrangements for the policy's rollout and ongoing management to ensure it is embedded effectively within the charity's operations.

Effective Date: This policy is effective immediately upon its formal adoption by the Board of Trustees. **Communication and Training:** This policy will be made available to all future employees as part of their induction process. All Trustees and any individuals with line management duties (including any management contractors) will be briefed on its contents to ensure they fully understand their responsibilities in its implementation.

Resource Allocation: All statutory payments arising from this policy will be processed and managed through the charity's designated payroll and finance systems. This will be conducted in full accordance with the charity's Internal Financial Controls Policy to ensure accuracy, compliance, and proper financial stewardship.

8.0 Monitoring, Review, and Reporting

Regular monitoring and review are of strategic importance to ensure this policy remains effective, compliant with legislation, and fit for the charity's purposes. This process guarantees that the charity continues to meet its legal and ethical obligations as an employer.

Reporting: The designated Trustee or management contractor with responsibility for HR matters will report to the Board on the application of this policy as and when it is used. This will ensure the Board maintains oversight of its implementation.

Review Schedule: The Board of Trustees will conduct a formal review of this policy at least annually. A review will also be triggered by any significant changes to UK employment legislation to ensure ongoing compliance.

9.0 Related Policies and Documents

This Family Friendly Policy should be read in conjunction with other key policies that govern the relationship between the charity and its employees. These include:

- Grievance Policy
- Disciplinary Policy
- Conflict of Interest Policy
- Internal Financial Controls Policy
- Data Protection Policy