

Family Friendly Policy

1. Introduction

This document sets out the support that is available to employees at Sacriston Youth Project (“Charity”, “We”) as they combine career and family or responsibilities, the following policies comply fully with current legislation:

- a. Maternity Leave
- b. Adoption Leave
- c. Paternity Leave
- d. Parental Leave
- e. Shared Parental Leave
- f. Time off for Dependants
- g. Flexible Working

2. Maternity Leave Policy

2.1 Policy Statement

The Charity's policy is to comply with both the letter and spirit of the law on maternity leave and statutory maternity pay. The aim of this policy is to inform employees of their entitlement to statutory maternity rights and to ensure that those rights are understood by employees who qualify.

2.2 Guidance

When you receive medical confirmation that you are pregnant, you should notify your manager of this, the expected week of childbirth (EWC) and the date on which you want or expect to begin maternity leave (which must not be a date earlier than the 11th week before the EWC).

As soon as practicable after the notification of your pregnancy, arrangements will be made for you to meet with your Line Manager. This will be an informal interview, the purpose of which is to ensure that:

- a. you understand your right to ordinary maternity leave and additional leave, including the requirements for you to give appropriate notices
- b. the right to return to work after maternity leave is explained, together with any potential opportunities for flexible working

- c. arrangements for time off are known, and any possible health and safety concerns are discussed
- d. you know your entitlements to pay during maternity leave.

Arrangements for cover during the period of maternity leave and additional leave are important for ensuring smooth transitions at each stage. Before starting maternity leave you will be informed of the arrangements for covering your work and also for remaining in contact whilst you are on leave. These arrangements will be finalised in consultation with you. If you have employees reporting to you, the Charity will try to involve you in all decisions relating to the temporary reporting arrangements to cover your maternity leave.

You will be included in employee announcements and invitations to work-related social events.

The Charity will try to ensure that maternity leave does not cause you any long-term disadvantage in relation to your training needs and/or self-development.

2.3 Time off for Antenatal Care

You are entitled to take time off during your normal working hours to receive antenatal care. You should try to arrange your appointments at the start or end of your working day, whenever possible. Antenatal care includes:

- a. appointments with your GP or Midwife
- b. hospital clinics

You may be required to produce an appointment card or other documentation confirming all appointments other than the first. You should advise your manager that you will be absent as far in advance of your appointment as possible.

There will be no deduction from your salary for attendance at authorised antenatal appointments, including any time spent travelling to and waiting for the appointment.

2.4 Notification Requirements

No later than the end of the 15th week before the EWC you must give notice in writing addressed to your Line Manager. That notice must state:

- a. that you are pregnant
- b. the week in which your child is due (note that for these purposes a week begins on a Sunday)
- c. whether you intend to take ordinary maternity leave and/or additional maternity leave
- d. when you want your maternity leave to start; this date cannot be earlier than the 11th week before the EWC

You should enclose a Form MAT B1 signed by your GP or midwife with your letter which confirms the EWC.

If you are absent from work wholly or partly because of pregnancy on the first day after the beginning of the fourth week before the EWC, your ordinary maternity leave will start the following day. You do not need to notify your Line Manager that you intend maternity leave to start, but you will not be entitled to Ordinary Maternity Leave (OML) unless you have notified your Line Manager as soon as is reasonably practicable that you are absent from work wholly or partly because of pregnancy and the date your absence began. Such notification must be in writing.

Similarly, if you give birth before your ordinary maternity leave has started, your OML period will begin on the day that follows childbirth. Again, in such circumstances you do not need to notify your Line Manager of the date on which you intend to start ordinary maternity leave, but you are not entitled to OML unless you have notified your Line Manager as soon as is reasonably practicable that you have given birth and the date on which birth occurred. Such notification must be in writing.

If you notify your Line Manager of your intended start date or that your ordinary maternity leave period has been triggered due to premature absence or premature childbirth. The Charity will notify you, in writing:

- a. of the date on which your ordinary maternity leave period will end
- b. of the date your additional maternity leave period will end

The above notification will be given to you where we have been notified of:

- a. the intended start date, or that it has been triggered by premature absence or premature childbirth within 28 days from the date in which the Charity received the notification
- b. a variation, within 28 days of the date on which your ordinary maternity leave period started.

2.5 **Ordinary Maternity Leave**

You are entitled to take 26 weeks' ordinary maternity leave, irrespective of your length of service or the number of hours worked each week, provided you comply with certain notification requirements (detailed above).

2.6 **Additional Maternity Leave**

If you qualify for ordinary maternity leave you will also qualify for AML. This is a further 26-week period that starts the day after your OML ends.

2.7 **Compulsory maternity leave**

Legislation prohibits you from returning to work during the two-week period immediately after the birth of your child.

2.8 **When does your Maternity Leave start?**

You can choose to start your maternity leave at any time after the start of the 11th week before the week in which your child is due (EWC), up until the birth of your child. As stated

above the only exception to this is if you are absent from work wholly or partly because of your pregnancy.

If you have properly notified the Charity (see above) of the date on which you wish to start your maternity leave, you may vary that date provided you notify your Line Manager in writing of the variation at least 28 days before the new date.

2.9 **Stillbirth**

The definition of stillbirth is the birth of a child either living or deceased, after 24 weeks of pregnancy. If in the sad circumstance that you suffer a stillbirth you have the right to maternity leave.

2.10 **Returning from Maternity Leave**

If you wish to return to work before your maternity leave has ended you must give us at least eight weeks' notice of the date on which you intend to return.

2.11 **Maternity Pay**

Statutory Maternity Pay (SMP) will be payable at the statutory rate for a maximum of 39 weeks. This would be paid as:

- a. 90% of your average weekly earnings (before tax) for the first 6 weeks
- b. The statutory rate or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

To be entitled to maternity pay, you must give 28 days' notice in writing of your absence on maternity grounds (as above). If you intend to take maternity leave you need only give the written notice as referred to above.

Your maternity pay will be paid into your bank account on the same date that you would have received your salary and will be subject to the usual deductions for tax, National Insurance and pension contributions (if applicable).

If you do not qualify for maternity pay you may be able to claim state Maternity Allowance (MA). Your Line Manager will be able to advise you on how to claim this.

2.12 **Contractual Benefits**

You will continue to receive your contractual benefits during your ordinary maternity leave period and your additional maternity leave period (apart from remuneration).

2.13 **Holidays**

While you are on ordinary and additional maternity leave both your contractual holiday entitlement and statutory holiday entitlement under the Working Time Regulations will continue to accrue. This will be calculated on a pro rata basis for employees a part time or fixed term contract.

2.14 **Grievances related to Maternity Rights**

If you are dissatisfied with any decision made in respect of your maternity rights, you should instigate the formal grievance procedure as set out in the Grievance Policy.

If you are employed in a position which has been identified as posing a risk to your health or that of your unborn child, you will be notified immediately, and arrangements will be made to eliminate that risk.

2.15 **Health and Safety**

For this reason, you are required to notify your Line Manager as soon as you are aware that you may be pregnant. Arrangements will then be made to conduct a risk assessment, alterations suggested from this assessment may be made to your working conditions or, if this is not possible, you will be offered a suitable alternative job for the duration of your pregnancy.

If there is no alternative work, we reserve the right to suspend you on full pay until you are no longer at risk.

If you have any concerns about your own health and safety at any time, you should consult your Line Manager immediately.

2.16 **Keeping in Touch Days (KIT)**

You are entitled to work for up to 10 days during your maternity leave without affecting your eligibility to SMP. These days could be for training, or just for 'keeping in touch'. You are under no obligation to work these days, and we are under no obligation to offer you these days. We will advise you if the opportunity for any such days arises.

2.17 **Returning to Work**

As you have the right to return to your own job after ordinary maternity leave or to a suitable alternative one if this is not practicable after your additional maternity leave, the Charity will seek to avoid putting you into a position of potential redundancy. In accordance with statutory requirements, where job losses are unavoidable, you will be given first consideration for any suitable alternative employment that may arise.

At least two weeks before you are due to return to work, you may be invited for an Informal meeting with your Line Manager in order to discuss any material points concerning your return to work. These include:

- a. Updating you on developments at work
- b. Considering whether any retraining needs have arisen, it is our aim to ensure that your maternity leave does not put you at a disadvantage in relation to skills or other training needs
- c. Providing you with the opportunity of indicating whether you wish to be considered for flexible working

The interview will also provide an opportunity to discuss and explain any necessary and unavoidable changes to your work.

The opportunities for flexible working will depend on the needs of the business, but the Charity recognises that many women will be interested in reducing their working hours or working at home for a while after their return from maternity leave. The Charity will make every effort to accommodate requests for part-time working, provided that your duties can still be effectively carried out on such a basis

If you return to work immediately after a period of ordinary maternity leave, you will return to work in the same job that you left. If, for health and safety reasons, you were doing a different job while you were pregnant, you may be required to return to that different job for a short time if you are still at risk when you return to work.

If you return to work from a period of additional maternity leave you will be entitled to return to the job in which you were employed before your absence. If that is not reasonably practicable for the Charity, then you will return to another job which is both suitable and appropriate in the circumstances.

Your right to return means that you return on terms and conditions no less favourable than those that would have been applied if you had not been absent and with the same level of seniority, pension rights and other similar rights.

If annual salary reviews occur during your period of absence, you will be notified of your reviewed salary at this time. You will receive your reviewed salary upon your return to work.

If you decide not to return to work, you should notify your Line Manager of your decision immediately. You must give notice in accordance with the terms of your contract.

If you cannot return to work because you are ill, you should notify your Line Manager, who will advise you how much, if any, sick leave you are entitled to.

3. Adoption Leave

3.1 Guidance

As soon as practicable after the notification that you will be adopting a child, arrangements will be made for you to meet with your Line Manager. This will be an informal interview, the purpose of which is to ensure that:

- a. you understand your right to adoption leave and any additional leave, including the requirements for you to give appropriate notices;
- b. the right to return to work after adoption leave is explained, together with any potential opportunities for flexible working;
- c. arrangements for time off are known;
- d. you know your entitlements to pay during adoption leave.

Arrangements for cover during the period of adoption leave and additional leave are important for ensuring smooth transitions at each stage. Before starting adoption leave you will be informed of the arrangements for covering your work and for remaining in contact whilst you are on leave. These arrangements will be finalised in consultation with you. If you have employees reporting to you, the Charity will try to involve you in all decisions relating to the temporary reporting arrangements to cover your adoption leave.

You will be included in employee announcements and invitations to work-related social events.

The Charity will try to ensure that your adoption leave does not cause you any long-term disadvantage in relation to your training needs and/or self-development.

3.2 Notification requirements

You are required to inform your Line Manager in writing of your intention to take adoption leave within seven days of being notified that you have been matched with a child for adoption, unless this is not reasonably practicable.

You will also have to provide the Charity with a 'matching certificate' from the adoption agency.

You can change your mind about the date you want to start your adoption leave but will have to inform your Line Manager at least 28 days in advance, unless this is not reasonably practicable.

We will write to you within 28 days of receiving your notice, setting out the date on which we expect you to return to work if the full entitlement to adoption leave is taken.

3.3 Eligibility

Adoption leave and pay will be available:

- a. if you are an employee;
- b. if you are newly matched with a child up to the age of 18 for adoption by an approved adoption agency, this right will not therefore apply to stepparents adopting a stepchild;
- c. to one member of a couple where the couple adopt jointly. In this case, the couple may choose which partner takes adoption leave.

3.4 Ordinary Adoption Leave

You are entitled to take 26 weeks' ordinary adoption leave, provided you comply with certain eligibility requirements (see above).

3.5 Additional Adoption Leave

If you qualify for ordinary adoption leave you will also qualify for additional adoption leave. This is a further 26-week period that starts the day after your ordinary adoption leave ends.

3.6 **When can Adoption Leave begin?**

Adoption leave can start:

- a. from the date of the child's placement (whether this is earlier or later than expected) or;
- b. from a fixed date which can be up to 14 days before the expected date of placement

3.7 **Adoption Pay**

You will be entitled to statutory adoption pay (SAP) if you have worked for your employer continuously for at least 26 weeks by the week you were matched with a child. This will be payable at the statutory rate for a maximum of 39 weeks. This would be paid as:

- a. 90% of your average weekly earnings (before tax) for the first 6 weeks
- b. The statutory rate or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

To be entitled to statutory adoption pay (SAP), you must give 28 days' notice in writing of your absence on adoption grounds (as above). If you intend to take adoption leave you need only give the written notice as referred to above.

Your statutory adoption pay (SAP) will be paid into your bank account on the same date that you would have received your salary and will be subject to the usual deductions for tax, National Insurance and pension contributions (if applicable).

If you do not qualify for statutory adoption pay (SAP) your Line Manager will provide you with a SAP1 form as you may be able to seek financial support from the local authority. Additional financial support may be available through:

- a. housing benefit,
- b. council tax benefit, or
- c. tax credits.

3.8 **Contractual Benefits**

You will continue to receive your contractual benefits during your ordinary and additional adoption leave period (apart from remuneration).

3.9 **Holidays**

While you are on ordinary and additional adoption leave both your contractual holiday entitlement and statutory holiday entitlement under the Working Time Regulations will continue to accrue. This will be calculated on a pro rata basis for employees a part time or fixed term contract.

3.10 **Grievances related to Adoption Rights**

If you are dissatisfied with any decision made in respect of your Adoption rights, you should instigate the formal grievance procedure as set out in the Grievance Policy.

3.11 **Keeping in Touch Days (KIT)**

You are entitled to work for up to 10 days during your adoption leave without affecting your eligibility to SAP. These days could be for training, or just for 'keeping in touch'. You are under no obligation to work these days, and we are under no obligation to offer you these days. We will advise you if the opportunity for any such days arises.

3.12 **Returning to Work**

If you wish to return to work before the end of your adoption leave period, you must give us at least eight weeks' advance notice in writing.

At least two weeks before you are due to return to work, you may be invited for an informal meeting with your Line Manager in order to discuss any material points concerning your return to work. These include:

- a. Updating you on developments at work
- b. Considering whether any retraining needs have arisen, it is our aim to ensure that your adoption leave does not put you at a disadvantage in relation to skills or other training needs
- c. Providing you with the opportunity of indicating whether you wish to be considered for flexible working

The interview will also provide an opportunity to discuss and explain any necessary and unavoidable changes to your work.

The opportunities for flexible working will depend on the needs of the business, but the Charity recognises that many employees will be interested in reducing their working hours or working at home for a while after their return from Adoption Leave. The Charity will make every effort to accommodate requests for part-time working, provided that your duties can still be effectively carried out on such a basis.

If you return to work immediately after a period of ordinary adoption leave, you will return to work in the same job that you left.

If you return to work from a period of additional adoption leave you will be entitled to return to the job in which you were employed before your absence. If that is not reasonably practicable for the Charity, then you will return to another job which is both suitable and appropriate in the circumstances.

Your right to return means that you return on terms and conditions no less favorable than those that would have been applied if you had not been absent and with the same level of seniority, pension rights and other similar rights.

If annual salary reviews occur during your period of absence, you will be notified of your reviewed salary at this time. You will receive your reviewed salary upon your return to work.

If you decide not to return to work, you should notify your Line Manager of your decision immediately. You must give notice in accordance with the terms of your contract.

If you cannot return to work because you are ill, you should notify your Line Manager, who will advise you how much, if any, sick leave you are entitled to.

4. Paternity Leave

4.1 Eligibility

You will be eligible for ordinary paternity leave and pay if you:

- a. have or expect to have the main responsibility for the child's upbringing;
- b. are either married to or the partner of the child or child's adopter (including same sex relationships);
- c. have worked for the employer for a minimum of 26 weeks by the 'notification week' (i.e. the end of the 15th week before the expected week of childbirth (EWC)) or, for adoption paternity leave, by the end of the week in which the child's adopter is notified of matching;
- d. have given the correct notice and complied with any requirements to produce evidence.

You will be eligible for additional paternity leave and pay if you have met the criteria outlined for ordinary paternity leave and pay. For additional paternity leave to be taken:

The child's mother or adopter must have started working again and any relevant payment must have stopped, with at least two weeks of the 39-week payment period remaining,

Employees must intend to care for the child during the additional statutory paternity pay period. Additional statutory paternity pay is only payable during the period of the 39-week maternity allowance, statutory maternity or statutory adoption pay period. It cannot continue beyond the end of the statutory maternity pay, maternity allowance or statutory adoption pay period.

4.2 Length of Paternity Leave

4.2.1 Ordinary Paternity Leave

Employees who meet the above eligibility criteria can choose to take either one week or two consecutive weeks of paternity leave. Paternity leave must be taken in a single block and cannot be taken as odd days or as two separate weeks.

Ordinary paternity leave (OPL) cannot be taken before the child has been born or adopted and can only start from or after the actual onset of labour/placement. Where an employee has chosen to start his OPL on the day of birth/placement but is at work on that day, then paternity leave will begin the next day.

Labour can be unpredictable and therefore a false start to labour does not trigger paternity leave. Partners can use their statutory right to take (unpaid) family emergency leave to be with the mother during labour if they wish, and then commence paternity leave immediately after the birth.

Only one period of leave is allowed even in the case of multiple births or adoption placements.

The leave must be completed within 56-days of the child's birth or placement.

However, if the baby is born prematurely, the employee may elect to take paternity leave either:

- a) immediately, or
- b) within 56 days of the first day of the expected week of childbirth (as opposed to the actual date of the delivery)

In the sad event of a child being stillborn, the employee is still entitled to OPL (and OSPP) provided he meets the eligibility criteria and the mother had reached her 24th week of pregnancy.

In the case of adoptions, if an employee is told before his OPL starts that the placement is not going ahead, he will not be entitled to OPL. If the child has been placed and a disruption occurs to the placement (e.g. the child, for some reason, is returned to the adoption agency), the employee will still be entitled to OPL (and OSPP).

4.2.2 Additional Paternity Leave (APL)

Eligible employees are entitled to 26 weeks' additional paternity leave (APL).

The eligibility requirements mirror those for ordinary paternity leave, namely 26 weeks' service by the end of the relevant week.

The earliest a father or partner will be able to take APL is:

- a. 20 weeks from the date of birth of the child, or
- b. 20 weeks from the date of placement for adoption.

The minimum period of APL that may be taken is two consecutive weeks and the maximum period is 26 weeks. APL must be taken in multiples of complete weeks and as one period.

In the unfortunate situation where a mother dies during or shortly after childbirth (or adoption), the father or partner will be able to take APL earlier and for a longer period.

4.3 Notice

4.3.1 Ordinary Paternity Leave

Before taking OPL, an eligible employee must give written notice to the Charity of his intention to take OPL by the end of the relevant week (for a new-born child) or within seven days of receiving notification of the child being matched with the adoptive parents.

To receive ordinary statutory paternity, pay (OSPP), the employee must give at least 28 days' notice of the date on which he wants his OSPP to begin. Once the birth or placement has occurred, he should also inform the Charity of the actual date of birth/placement, as soon as reasonably practicable.

An employee claiming OPL (and OSPP) on the birth of a child must provide a signed declaration that he:

- a. is the baby's biological father, or is married to, is the partner/civil partner of the baby's mother (but not an immediate relative)?
- b. has responsibility for the child's upbringing,
- c. will take the leave to support the child and/or the child's mother.

He must also set out:

- a. the date the baby is due (or the dates the baby was due/was born),
- b. the date he wants the OPL (and OSPP period) to begin,
- c. whether he is claiming one or two weeks' OPL.

An employee claiming OPL (and OSPP) on the adoption of a child must provide the Charity with a signed declaration that he:

- a. is married to, the partner of, or the civil partner of the primary adopter
- b. will have responsibility for the child's upbringing
- c. will take the leave to support the child and/or the primary adopter
- d. wants to claim OPL (and OSPP), not statutory adoption leave and pay.

He must also set out:

- a. the date his partner received notification of the match with the child
- b. the date the child is expected to be/have been placed with them
- c. the date he wants the OPL (and OSPP) to begin
- d. whether he is claiming one or two weeks' OPL

The actual date of childbirth/adoption placement can be difficult to predict. The employee can therefore choose to specify that the OPL will commence:

- a. immediately following the child's birth/placement, or a set number of days after the birth/placement (i.e. the baby's birth/placement triggers leave)
- b. on a specified date.

As notification to take OPL takes place relatively early before the birth/adoption, the employee may subsequently change his mind. In such circumstances, provided the initial notification criteria have been met, the employee may amend the date by providing the Charity with notice 28 days before the new date.

4.3.2 **Additional Paternity Leave**

Employees are required to give a minimum of eight weeks' notice of their intention to take APL. The employee's entitlement to APL will be confirmed as soon as possible, but in any event no later than 28 days after the employee's request has been received.

When giving notice of intention to take APL, employees must provide the following.

- a. A leave notice setting out the child's date of birth and the start and end date of his chosen period of APL.
- b. An employee declaration confirming that the purpose of the APL is to care for the child, that the employee is either the child's father or are married to or are the partner or the civil partner of the child's mother or adopter and that, beside the mother or adopter, he will have the main responsibility for bringing up the child. The employee declaration must be signed.
- c. A written declaration by the child's mother or adopter which sets out her name and address and National Insurance number and the date on which the mother intends to return to work. It must also confirm that the employee proposing to take APL has the status set out in the employee declaration and is the only person exercising the right to APL in respect of the child.

The Charity has the right to request a copy of the child's birth certificate and the name and address of the mother's employer. The employee has 28 days in which to respond.

4.4 **Pay**

4.4.1 **Ordinary Paternity Pay**

Ordinary Statutory Paternity Pay (OSPP) will be payable at the statutory rate or 90% of your average weekly earnings before tax (whichever is lower). This will be paid up to the maximum entitlement of two weeks.

4.4.2 **Additional Paternity Pay**

Additional Statutory Paternity Pay (ASPP) is paid at the same flat weekly rate as OSPP.

To receive ASPP, the mother or adopter must have been entitled to SMP, SAP or MA and must have returned to work. Payment of ASPP is conditional on the mother or adopter having a minimum of two weeks entitlement to SMP, SAP or MA remaining. The number of weeks for which ASPP is payable will then depend on the number of weeks the mother or partner had left of their entitlement.

4.5 **Contractual Benefits**

You are entitled to your normal terms and conditions of employment, except for terms relating to wages or salary (unless the contract of employment provides otherwise) throughout your paternity leave. You may however be entitled to SPP for this period.

You will continue to remain bound by any obligations arising under your contract of employment.

4.6 **Return to work after Paternity Leave**

You are entitled to return to the same job following no more than two weeks' paternity leave.

If, however, you take two or more consecutive periods of statutory leave (which could include additional adoption leave or parental leave of more than four weeks), you will be entitled to return to the job in which you were employed before your absence. If that is not reasonably practicable for the Charity, then you are entitled to return to another job which is both suitable and appropriate in the circumstances.

You have the right to return:

- a. with your seniority, pension rights (if applicable) and similar rights
- b. on terms and conditions not less favorable than those which would have applied if you had not been absent

You will not be subject to any detriment by the Charity because you took or sought to take paternity leave.

5. **Parental Leave**

5.1 **Guidance**

If an employee has completed one year's service with the Charity, they are entitled to 18 weeks unpaid parental leave for each child born or adopted. The leave can start once the child is born or placed for adoption, or as soon as the employee has completed a year's service, whichever is later. Employees can take it at any time up to the child's 18th birthday.

5.2 **Procedure**

5.2.1 **Informal Meeting**

As soon as practicable after you have notified the Charity that you intend to take parental leave, arrangements will be made for you to meet with your Line Manager. This will be an informal interview, the purpose of which is to confirm that:

- a. you understand your rights to parental leave and the requirements to give appropriate notices (see below);
- b. the right to return to work is explained, together with any potential opportunities for flexible working;
- c. arrangements for time off are known;
- d. you are aware that the leave from work is unpaid.

5.2.2 **Notice**

Once you have given the Charity notice of your intention to take parental leave, you must comply with any request to produce evidence of your entitlement. Leave must be taken in

blocks of one or two weeks. If the child qualifies for a disability living allowance, however, the leave may be taken as single days or multiples of a day.

The notice given to us must specify your intention to take parental leave and the dates on which the period of leave is to begin and end.

Notice must be given 21 days before the date on which the leave is to begin. You may not take more than four weeks' leave in respect of an individual child during a particular year.

If the operation of the business will be unduly disrupted by the parental leave, it may be postponed if necessary.

You are not entitled to parental leave unless you have complied with the request by us to produce evidence of your entitlement. In certain circumstances, we are entitled to postpone a period of parental leave.

The types of evidence that we may request is such evidence that shows:

- a. your responsibility or expected responsibility for the child in respect of whom you propose to take parental leave
- b. the child's date of birth, or in the case of a child who was placed with you for adoption, the date on which the placement began.

No request will be made by us unless it is reasonable.

5.3 **During parental leave**

Arrangements will be made for cover of your workload, and you will be kept in touch with any important work developments. You will be included in employee announcements and invitations to work-related social events.

We will try to ensure that parental leave does not cause any long-term disadvantage to you concerning your training needs and self-development.

You are bound during the parental leave period by your implied obligation to the Charity of good faith and specific terms relating to:

- a. notice,
- b. disclosure of confidential information,
- c. acceptance of gifts and
- d. whether you are participating in any other business.

The Disciplinary and Grievance procedures continue to apply, as does any entitlement to compensation for redundancy.

5.4 **Returning to Work**

If the period of leave is four weeks or less, you have the right to return to the same job. If the period is more than four weeks (because it followed on from other statutory leave), then the

right is to return to the same job. If that is not practicable, you have the right to return to a similar job which has the same or better status, terms and conditions as the old job.

If you are entitled to return to the same job that means a right to return with the seniority, pension rights and similar rights, and on terms and conditions not less favorable than those which would have been applied if you had not been absent.

You will not to be subjected to any detriment by the Charity for taking or requesting parental leave.

6. Shared Parental Leave

6.1 Eligibility

An employee has been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date (or by the date you're matched with your adopted child) and stay with the same employer while you take Shared Parental Leave (SPL) .

To qualify for SPL, you must share care of the child with either your husband, wife, civil partner, joint adopter, the child's other parent or your partner (if they live with you and the child).

You or your partner must be eligible for maternity pay or leave or Maternity Allowance or adoption pay or leave.

During the 66 weeks before the baby is due your partner must have been working for at least 26 weeks (they don't need to be in a row) and have earned at least £390 in total in 13 of the 66 weeks. You partner can be employed, self-employed or an agency worker.

If you're eligible and you or your partner end maternity or adoption leave and pay (or Maternity Allowance) early, then you can:

- a. take the rest of the 52 weeks of leave (up to a maximum of 50 weeks) as SPL.
- b. take the rest of the 39 weeks of pay or Maternity Allowance (up to a maximum of 37 weeks) as Statutory Shared Parental Pay (ShPP).

6.2 Pay

ShPP is paid at the statutory rate or 90% of your average weekly earnings, whichever is lower.

7. Time off for Dependants

7.1 Procedure

A dependant could be a spouse, partner, child, parent, or someone who depends on an employee for care, for example an elderly neighbor. Entitlement to unpaid leave is a statutory right for which there is no qualifying period, allowing employees to take a reasonable amount of time off to deal with incidents involving a dependant. For example:

- a. To provide assistance where a dependant falls ill, gives birth or is injured;

- b. To make arrangements for the provision of care for a dependant who is ill or injured;
- c. Because of the unexpected disruption of arrangements for the care of a dependant;
- d. To deal with an unexpected incident involving a child of the employee whilst in the care of an educational establishment.

This leave is an exceptional entitlement in emergencies and should be used to make alternative arrangements to deal with these unforeseen circumstances. In the first instance, employees should discuss any emergency situation with your Line Manager. In all cases a leave of absence form must be completed (in emergency situations this can be after the event).

To qualify, the employee must be able to give appropriate information to demonstrate that they are the most appropriate carer for the dependant.

The right only covers emergencies and so does not apply if the employee is aware of the event in advance. For example, if the employee wants to take their child into hospital in a week's time the right does not apply, although the employee may be able to take this time as parental leave instead.

8. The Right to Apply for Flexible Working

8.1 Guidance

Providing you are an employee and have a minimum of 26 weeks continuous service at the time of submitting the application you are entitled to request a flexible working arrangement.

Flexible working applications can cover:

- a. Hours of work
- b. Times of work
- c. Place of work

All requests for flexible working will be seriously considered but there is no automatic right to be granted a request.

8.2 Procedure

The application must be made in writing (a form for this purpose can be located in Appendix 1) to your Line Manager, and must:

- a. state that the request is being made under the statutory right to apply for flexible working;
- b. specify the proposed change and explain what effect you think it will have on the Charity and how it could be dealt with;

- c. specify a start date for the proposed change, allowing reasonable time for the Charity to consider the application and implement it if agreed. A reasonable time scale is considered to be up to 12 weeks;
- d. state if a previous application has been made and if so, the date of that application;
- e. be signed and dated.

Upon receipt of any application the Charity will:

- a. arrange a meeting within 28 days of receipt of the application to discuss the application. You have the right to be accompanied by a work colleague during this meeting;
- b. make a decision within 14 days of the meeting;
- c. if the request is successful, will provide confirmation of the date of the change will be given.

Any application which is approved, will lead to a permanent variation in contractual terms with no automatic right to revert to the previous pattern of work. The only exception to this is where the application seeks agreement for a specified period of time only, or where a trial period is mutually agreed.

If an application is refused, the Charity will provide a written explanation with details of the appeal process. An application can be refused for any of the following reasons:

- a. extra costs that will damage the business
- b. the work can't be reorganised among other staff
- c. people can't be recruited to do the work
- d. flexible working will affect quality and performance
- e. the business won't be able to meet customer demand
- f. there's a lack of work to do during the proposed working times
- g. the business is planning changes to the workforce.

8.3 **Appeal**

There is the right to appeal any decision, if dissatisfied, within 14 days of the notice of the decision. The appeal must be in writing and set out the grounds on which the appeal is based. Any appeal must be addressed to the Board of Trustees.

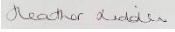
Where an appeal is raised the Charity will:

- a. arrange a further meeting to be held within 14 days of the date of receipt of the notice to appeal. You have the right to be accompanied by a work colleague during this meeting
- b. make a decision within 14 days of the meeting. This decision will be final.

- c. give grounds for any decision to dismiss an appeal, giving sufficient explanation of the decision.

No further application can be made, regardless of the decision to accept or refuse the proposed changes, for 12 months.

This policy has been approved & authorised by:

Name: Heather Liddle
Position: Trustee – Sacriston Youth Project
Date: April 2021
Signature: 

Date of Review	Reviewed By	Changes Made	Date of Next Review
April 2021	Jo Cameron - Trustee		April 2022

Appendix 1

APPLICATION FOR THE RIGHT TO APPLY FLEXIBLY

Name	
Job Title	

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided in law.

- I have worked continuously as an employee of the Charity for the last 26 weeks
- I have not made a request to work flexibly under this right during the past 12 months

If you are unable to tick all of the relevant boxes, then you do not qualify to make a request to work flexibly in law. The Charity may however still consider a request to work flexibly.

Please describe your current working pattern (days, hours, times worked)
Describe the working pattern you would like to work in future (days, hours, times worked)
Date you wish this working pattern to commence from
I think this change in my working pattern will affect the Charity and colleagues as follows
I think the effect on the Charity and colleagues can be dealt with as follows

Signature Date
(Employee making the request)