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Please click link below for the ‘Risk Assessment Form’ which sits with NTW(O)20 – Health and Safety Practice Guidance Note – HS-PGN-06 - New and Expectant Mother’s

| New and Expectant Mother’s Risk Assessment Form | 1     | Oct 17 | Oct 20 |
1 Introduction

1.1 This document details the Maternity, Paternity and Adoption Leave Policy for Northumberland, Tyne and Wear NHS Foundation Trust (the Trust/NTW). It reflects all relevant legislations, the Agenda for Change Terms and Conditions of Service and best practice.

1.2 The arrangements maternity/paternity/adoption leave entitlements are set out in detail in the Maternity/Paternity/Adoption Information Pack for Staff. In addition to maternity/paternity/adoption leave and pay, employees who satisfy the relevant qualifying conditions are entitled to:

- Return to the job in which they were employed, or one of equivalent status, with protected right to pay and conditions and benefits
- Time off to attend appointments for ante-natal care or official meetings in the adoption process. This time will be paid at the normal rate of pay, on producing proof of the appointment
- Time off to attend religious ceremonies related to the birth/adoption of the child. This time will be unpaid, or taken from annual/flexi leave
- Request a Risk Assessment during pregnancy
- Alternative work where any risks to the health of the expectant mother and baby can be avoided
- Remuneration on suspension on maternity grounds, if health and safety measures cannot be complied with
- Consideration of a flexible working request which may encompass reduced hours of work, part-time working, job shares, etc
- Not be subjected to a detriment, disadvantage, unfair treatment or dismissal because of the pregnancy, maternity leave, etc. You must not be discriminated against you while you are on any part of your maternity leave

1.3 For further information in relation to flexible working, parental leave and shared parental leave etc., please refer to the Trust’s Flexible Working Policy - NTW(HR)11.
2 Purpose

2.1 The aim of this Policy is to ensure that the general principles and procedures relating to maternity, paternity and adoption leave and pay are understood by managers and staff; that maternity, paternity, adoption and shared parental leave is managed in a way that complies with NHS and Trust Policies and Procedures and to ensure compliance with relevant employment legislation.

2.2 The Trust is committed to providing services that meet the equality and diversity needs of staff and service users within the framework of current legislation. Current equality and diversity legislation includes disability, gender, age, race, sexual orientation and religion. It is the responsibility of managers and staff to ensure that they act on this Policy/Procedure in a manner that meets the needs of people from these groups. It is always best to check with individual staff what their needs are, but needs may include providing information in an accessible format, considering mobility and communication issues, and being aware of sensitive and cultural issues.

3 Duties, Accountability and Responsibilities

3.1 Pregnant Employee

- To inform her Manager and Transactional Workforce team as soon as she knows she is pregnant, or as soon as she feels able to do so
- To seek information from her Manager/Workforce about maternity entitlements and regulations
- To comply with requests for assessment by Occupational Health
- To make an application to take maternity leave
- To provide documentary evidence of the date the baby is due (form MatB1)
- To undertake any professional updating required (including maintaining professional registration)
- To inform her Manager of her intentions regarding her return to work
3.2 Employee Wishing to Adopt a Child

- To inform their Manager as soon as they know of their intention to adopt
- To seek information from their Manager/Workforce Officer about adoption entitlements and regulations
- To make an application to take adoption leave, to provide documentary evidence from the adoption agency Matching Certificate. (In the case of overseas adoption, documentary evidence means a written notification that the relevant domestic authority is prepared to issue a certificate to the overseas authority concerned with the adoption; or the child confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent)
- To undertake any professional updating required (including maintaining professional registration)
- To notify their Manager of their intentions regarding return to work

3.3 Line Manager

- At notification of a pregnancy the Manager should raise the option of shared parental leave (SPL) and ensure that the staff member is aware of the Maternity/Paternity/Adoption Leave Policy and the Maternity/Paternity/Adoption/Information Pack for Staff, in a format that is relevant to their communication needs and to ensure relevant support in understanding their rights and responsibilities is provided if appropriate (including Keep in Touch / Shared Parental Leave In Touch Days).
- To be aware of, and comply with, all relevant Policies and Procedures, including the Trust’s NTW(HR)08 - Dignity and Respect at Work Policy (formerly Bullying and Harassment Policy) and NTW(HR)11 - Flexible Working Policy
- To be aware of and advise on associated terms and conditions of service, such as annual leave and maternity support leave
- To perform a Risk Assessment for any pregnant employee and do what is reasonably practicable to control any risk to the health of the mother, unborn child or child of a woman who is breastfeeding, seeking advice from Occupational Health as appropriate
• To facilitate the appropriate time off

• To keep the member of staff who is on maternity / adoption leave informed about developments in the Trust and department, and arrange for any professional updating if this is necessary before their return

• To give due consideration to an employee’s request to take up the option of the keeping in touch / shared parental leave in touch days

• To keep an on-going record of all keeping in touch days taken

• To consider any requests for flexible working in accordance with the Trust’s Flexible Working Policy - NTW(HR)11

• To arrange for the staff member to receive the Vacancy Bulletin and any other Trust documents during the period of maternity/adoption leave, if requested by the staff member

• To inform Payroll by completing a Staff Changes Form when the employee returns from maternity/adoption leave

3.4 Workforce and OD

• To advise Managers and staff of their rights and responsibilities under the Policy, Legislation and Terms and Conditions of Service, in a format that is relevant to individual communication needs

3.5 Transactional Workforce Team

• To process the documentation to Payroll, having checked it for accuracy, and to provide the appropriate confirmation of leave dates, date for return to work etc

3.6 Occupational Health

• To advise Managers and staff of the risks involved in undertaking certain work activities while pregnant or breastfeeding

• To provide independent advice regarding maternity issues in employment
3.7 Payroll

- To ensure that payments are made in line with both current Occupational and Statutory regulations
- To ensure that the employee’s membership to the NHS Pension Scheme is protected during the full period of maternity/adoption leave
- To issue an SMP Exclusion Form promptly to employees not entitled to statutory benefits to allow possible claims direct from the Department of Work and Pensions

3.8 Lease Car Arrangements

3.8.1 If an employee has a salary sacrifice vehicle they can either, hand the car back and terminate the contract whilst on maternity leave and they won’t have to pay the termination fee

Or,

- They can keep the car whilst on maternity leave for private use and the employer allowance will be adjusted to remove the business fuel provision for the duration of the absence
- If the employee has an extended period of maternity or sick leave the business fuel allowance will be removed, at the discretion of the Employer, and the driver will pay the full cost of the lease car. On return to work the allowance will be reinstated based on the business mileage going forward. If the employee chooses to return the vehicle to the Employer they will be liable for a financial penalty, on account of early termination of the contract, except in exceptional circumstances to be determined by the Employer
- Under certain circumstances employees can take a payment holiday and “catch up” on return to full salary with prior agreement with the Employer

4 Definition of Terms Used

- Lead Officer: The Director accountable for the Policy
- Author: The person nominated by the Governance Group and/or Lead Officer to prepare the Policy
5 Work Life Balance

5.1 The Trust operates a range of Policies that facilitate work life balance. In addition to the Trust’s Flexible Working Policy - NTW(HR)11, the Trust has a range of provisions, such as parental leave and special leave.

6 Keeping in Touch

6.1 Before going on leave, the Manager and the employee should also discuss and agree any voluntary arrangements for keeping in touch (KIT) during the employee’s maternity / adoption leave or shared parental leave in touch days (SPLIT) including:

- Any voluntary arrangements that the employee may find helpful to enable them to keep in touch with developments at work and, nearer the time of their return, to help facilitate their return to work
- Arrangements to ensure that the employee is kept up to date with any service developments that may affect their position or impact upon their intended date of return to work

6.2 Each parent will have the right to have up to 20 shared parental leave in touch (SPLIT) days during SPL (this is in addition to the 10 KIT days allowed during maternity and adoption leave).
7  **Keep in Touch / Shared Parental Leave in Touch Days**

7.1 To facilitate the process of ‘Keep in Touch’ days (KIT) or Shared Parental Leave in Touch’ (SPLIT) days it is important that the employer and employee have early discussions to plan and make arrangements for KIT/SPLIT days before the employee’s maternity/adoption leave takes place.

7.2 KIT/SPLIT days are intended to facilitate a smooth return to work for employees returning from maternity/adoption/shared parental leave.

7.3 An employee may work for up to a maximum of 10 KIT days or 20 SPLIT days without bringing their maternity/adoption leave/shared parental leave to an end. Any days of work will not extend the maternity/adoption leave and/or shared parental leave period.

7.4 An employee may not work during the 2 weeks of compulsory maternity leave immediately after the birth of her baby.

7.5 The work can be consecutive or not and can include training or other activities which enable the employee to keep in touch with the workplace.

7.6 Any such work must be by agreement and neither the employer nor the employee can insist upon it.

7.7 The employee will be paid at their basic daily rate, for the hours worked less appropriate maternity leave payment for KIT/SPLIT days worked.

7.8 Working for part of any day will count as one KIT/SPLIT day.

8  **Breastfeeding**

8.1 The Trust respects employees who choose to continue breastfeeding when returning to work and will make efforts to accommodate associated needs. The Trust will offer support to women to negotiate with her Manager temporary changes to working conditions to support her in her particular working circumstances.

8.2 Managers should be flexible, with respect to working practices when a breastfeeding mother returns to work. This may mean temporary changing working conditions or hours of work.

8.3 **Expressing Milk**

- The Trust supports appropriate breaks to allow the opportunity to express milk
• Appropriate rest room facilities should be made available to breastfeeding mothers

• Appropriate facilities for storing breast milk should also be made available

9 Paternity Leave

9.1 To qualify for occupational paternity leave with pay you must have at least 12 months service ending with the 15th week before the baby is due and you must meet the following conditions:

• Be an employee of the Trust with a contract of employment; and

• Be the baby’s biological father or married to the mother or living with the parent in an enduring family relationship (including same sex relationships) but not an immediate relative; or you are the child’s adopter or the partner of the adopter; and

• Have responsibility for the child’s upbringing; and

• Will take time off work to support the parent or care for the child

9.2 Eligible employees can choose to take either 1 week or 2 consecutive weeks’ paternity leave (not odd days) which will be paid at full pay. A week is equivalent to the employee’s contracted average weekly hours, (e.g., for full time staff on a 37.5 hour contract, this will be 75 hours). Please note this cannot be broken down into odd days or hours.

9.3 Staff who do not qualify for occupational paternity pay will be entitled to statutory paternity pay providing they meet the conditions outlined in 9.1 and have at least 26 weeks service by the end of the 15th week before the start of the week when the baby’s due; or by the end of the week in which you are notified of being matched with your child.

9.4 Paternity leave must be taken:

• Within 56 days of the actual date of birth of the child, or

• If the child is born early, within the period from the actual date of birth up to 56 days after the first day of the week in which the birth was expected
• Employees who wish to take Paternity Leave must take it within 8 weeks of the birth and prior to taking any Shared Parental Leave (as they cannot take paternity leave or pay once they have taken shared parental leave (SPL) or shared parental pay (ShPP))

10 Shared Parental Leave

10.1 The Children and Families Act 2014 provides for those employees whose child or children are due on or after 5th April, 2015 and which were conceived from July, 2014 onwards to request shared parental leave. In relation to adoption shared parental leave will apply in relation to children matched with a person or placed for adoption on or after 5th April, 2015.

10.2 Employed mothers will still be entitled to 52 weeks of maternity leave. The mother can switch part of her statutory maternity leave and pay (up to 39 weeks, however, as it is compulsory for her to take the first 2 weeks as maternity leave there is actually 37 weeks remaining that can be used for SPL) into shared parental leave (SPL) and shared parental pay (ShPP). SPL and ShPP will be available provided the parents satisfy the eligibility requirements – see 10.4.

• In the 52 week period there will be two weeks' compulsory maternity leave (four weeks if they are manual workers) which the mother must take immediately following the birth of their child

• Eligible parents will then be able to share the remaining 50 weeks maternity leave and pay between themselves

• Fathers will still be entitled to two weeks basic paternity leave which must be taken within 8 weeks of the birth (the father must be aware that they cannot take paternity leave or pay once they have taken any SPL or ShPP)

• Mothers with partners (who must also meet the qualifying conditions – see 10.4) will be able to end the mother's maternity leave and pay and share the untaken balance as shared parental leave and pay

• Employees who have taken shared parental leave are protected from less favourable treatment as they will have the right to return to the same job if the total leave taken is 26 weeks or less in aggregate, even if the leave is taken in discontinuous blocks
- Any subsequent leave will attract the right to return to the same job, or if that is not reasonably practicable, a similar job.

- It will be up to the parents how they share the parental leave – they could take it in turns or take time off together, provided they take no more than 52 weeks of this leave, combined in total.

- Additional paternity leave and pay is abolished with effect from 4th April, 2014.

- SPL can only be shared with one other person (this person must share the primary responsibility for the child with the other parent at the time of the birth or placement for adoption).

- The Husband, Civil Partner or Partner has the right to take unpaid time off to attend up to 2 antenatal appointments.

- SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the child's first birthday or the first anniversary of adoption is lost.

### 10.3 Variations to the Pattern of Leave

#### 10.3.1 Under SPL, parents may make only up to three statutory notifications for leave or changes to periods of leave. If a notice is withdrawn because the leave pattern cannot be agreed, it does not count towards the 3 notices. However, parents and employers can agree further periods of leave and changes outside the statutory scheme.

- The parents must give an indication of their expected leave pattern when they notify their respective employers of their intention to take SPL, although this is non-binding.

- If the employee requests a single continuous period of leave they are entitled to take it as requested.

- Working parents can request parental leave in a discontinuous pattern. If so the employer can:
  - Agree to the requested pattern of leave
  - Reject the request in its present form
  - Propose changes to the request
  - Insist the employee takes the leave in a continuous block.
If the employer and employee cannot agree within two weeks the employee can withdraw their request or take the leave requested as a single continuous period.

10.4 Qualifying for Shared Parental Leave

10.4.1 Shared Parental Leave (SPL) applies only to employees with a working partner as long as both of them both meet the qualifying conditions. If the mother does not qualify for maternity leave or maternity allowance (MA), her partner will not be eligible for SPL and shared parental pay. (Please refer to Appendix 1, Guidelines for Making an Application to take Shared Parental Leave – Resulting from Maternity).

10.4.2 The mother’s entitlement to SPL will depend on the following conditions listed in Sections below (10.5 – 10.11):

10.5 Eligibility Criteria

10.5.1 To trigger the right to ShPP for one or both parents, the mother must:

- Have a partner;
- Be entitled to maternity/adoption leave; or to statutory maternity/adoption pay or maternity allowance (if not eligible for maternity/adoption leave)
- Have curtailed or given notice to reduce, their maternity/adoption leave, or their pay/allowance (if not eligible for maternity/adoption leave)

10.5.2 A parent who intends to take SPL must:

- Be an employee
- Share the primary responsibility for the child with the other parent at the time of the birth or placement for adoption
- Have properly notified their employer of their entitlement and have provided the necessary declarations and evidence

10.5.3 In addition, a parent wanting to take SPL is required to satisfy the ‘Continuity of Employment Test’ (see 10.6.1) and their partner must meet the ‘Employment and Earnings Test’ (see 10.7.1 and 10.7.2).
10.6 **Continuity of Employment Test**

10.6.1 The individual has worked for the same employer for at least 26 weeks at the end of the 15th week before the child’s expected due date/matching date and is still working for the employer at the start of each leave period.

10.7 **Employment and Earnings Test**

10.7.1 In the 66 weeks leading up to the baby’s expected due date / matching date, the person has worked for at least 26 weeks and earned an average of at least £30 (as of 2017) a week in any 13 weeks.

10.7.2 Sometimes only one parent will be eligible. For example, a self-employed parent will not be entitled to SPL themselves but they may still pass the employment and earnings test so their partner, if they are an employee, may still qualify (See ‘Declaration of Consent and Entitlement’ (‘Partner is taking SPL but mother is not’ - Appendix 5).

10.8 **Shared Parental Pay**

10.8.1 A mother subject to certain criteria will be entitled to statutory maternity pay/adoption pay/maternity allowance for up to 39 weeks of which 2 weeks are compulsory leave. If the mother gives notice to reduce their entitlement before they will have received it for 39 weeks then any remaining weeks could become available as ShPP.

10.8.2 Information on the current statutory rate for ShPP can be found at [www.acas.org.uk/spl](http://www.acas.org.uk/spl)

10.8.3 If both parents qualify for ShPP they must decide who will receive it, or how it will be divided, and they must each inform their employer of their entitlement.

10.8.4 To qualify for ShPP an employee needs to have met the ‘continuity of employment test’ and their partner must meet the ‘employment and earnings test’ just like SPL (para 10.4.4). In addition, the employee must also have earned above the ‘Lower Earnings Limit’ (£113 from 5th April, 2017) in the 8 weeks leading up to and including the 15th week before the child’s due date / matching date and still be employed with the same employer at the start of the first period of ShPP.

10.8.5 If an employee’s employment comes to an end while they are still entitled to some ShPP then any remaining weeks will usually remain payable unless they start working for another employer.
10.9 Notification Requirements

10.9.1 For SPL, notification requirements are built in to enable employers to plan for the leave. An application Form should be completed and passed to the line manager at least 8 weeks prior to any leave. The required notice can be given before the child’s birth and can specify more than one period of leave.

10.9.2 The key notice periods are as follows:

- The mother will have to give her employer at least 8 weeks’ written notice of her intention to end her maternity leave and pay period (Curtailment of Maternity Leave and Pay, Application Form must be completed see ‘Curtailment Notice’ – Appendix 2).

- Both parents must give written notice at least 8 weeks before the start of any period of SPL stating when the leave will start and end (See Notice of Entitlement and Intention (Mother) – Appendix 3 and/or Notice of Entitlement and Intention (Partner) – Appendix 4).

- If the parents wish to take several blocks of leave then they must give their employers 8 weeks’ notice in respect of each period of leave and this 8 weeks builds in a 2 week discussion period.

- After the child’s birth there is a 6 week window in which the mother who has already said that she plans to share her maternity leave with the father can change her mind and decide (see Guidelines for Making an Application to take SPL – Appendix 1).

- To stay on maternity leave herself using up all the entitlement to leave and pay.

- If the mother gives notice to reduce their entitlement before they will have received it for 37 weeks then any remaining weeks could become available for shared parental leave.

- The Trust has 14 Calendar Days to respond to the employee’s request for SPL. If the Trust does not respond to the request from the employee, the default provisions will apply and the employee can:

  a. Withdraw their request for discontinuous leave and resubmit it (this will not count towards one of the parents 3 notices to book discontinuous leave – Appendix 17).
or

b. The discontinuous leave automatically defaults to a period of continuous leave – Appendix 16.

10.10 Pay

- Employed mothers will still be entitled to 39 weeks maternity pay
- Fathers will still be entitled to two weeks basic paternity pay
- Additional paternity pay will be abolished
- If the parents take shared parental leave then part of the maternity pay will swap to the partner
- The total period of paid leave will not exceed 39 weeks, whichever parent takes the leave
- Shared parental pay is paid at the flat rate of SMP (currently £140.98) per week from 5th April 2017. As the first 6 weeks of statutory maternity leave is paid at 90 per cent of the woman’s earnings it is unlikely that many couples would choose to share parental leave before the first 6 weeks of statutory maternity leave had expired because if they did, they would be paid less assuming that 90 per cent of the mother’s pay is more than the flat rate

10.11 Shared Parental Leave in Adoption and Surrogacy

10.11.1 Shared parental leave will also be available to adoptive parents and intended parents through surrogacy. (Please refer to ‘Guidelines for Making an Application to take Shared Parental Leave’ – Resulting from Adoption Appendix 6 or ‘Guidelines for Making an Application to take Shared Parental Leave – Resulting from Surrogacy’, Appendix 11).

10.11.2 The following points apply:

- Adopters will have the same rights as other parents to maternity leave and pay and if eligible, will be entitled to share parental leave
- Surrogate parents who meet the criteria to apply for a Parental Order will be eligible for statutory adoption leave and pay and shared parental leave and pay if they meet the qualifying criteria
• An adopter can end their adoption leave once they have taken it for 2 weeks and can then take Shared Parental Leave if they qualify

• The main adopter will be able to take paid time off for up to 5 adoption appointments

• Both parents are entitled to unpaid time off to attend up to 2 antenatal appointments with the woman carrying the child

11 Fertility Treatment

11.1 In some circumstances employees undergoing fertility treatment may need time off during their treatment.

11.2 Staff affected by fertility issues may need to take time off for appointments or treatment. Your Manager should be supportive and wherever possible enable the employee to reasonable time off to attend clinics.

11.3 Managers should consider availability of annual leave, discretionary unpaid leave and sick leave for those staff requiring time off for fertility treatment.

12 Procedure/Process

12.1 The process to be followed when an employee applies for maternity/adoptive/paternity leave is outlined in the Practice Guidance Notes that accompany this Policy, MPA-PGN-01 - Guidance on Maternity, Paternity and Adoption Leave Process.

13 Identification of Stakeholders

13.1 The Policy applies to all Trust employees and following the criteria set out in NTW(O)01 – Development and Management of Procedural Documents, has been circulated Trust-wide for a four week consultation to the standard distribution listed below:

• North Locality Care Group
• Central Locality Care Group
• South Locality Care Group
• Corporate Decision Team
• Business Delivery Group
• Safer Care Group
• Communications, Finance, IM&T
14 Development

14.1 The necessity for a Maternity, Paternity and Adoption Leave Policy within the Trust is explained in Sections 1 and 2. This Policy applies to all staff regardless of hours of work, nature of contract or length of service.

14.2 Policy does not apply to anyone who does not have a contract of employment with the Trust, such as agency workers, contractors and volunteers. This Policy has been fully impact assessed in line with the Trust’s NTW(O)42 - Managing Diversity Policy, Appendix 1 – Equality Analysis Impact Assessment).

15 Training

15.1 Training and resources have been identified for implementation. Training on this Policy will be offered to Managers as part of the Workforce Policy Training Programme or as requested.

15.2 Please refer to Appendix B – Training Checklist and Training Needs Information.

16 Implementation

16.1 As this Policy reflects arrangements currently in place, it is envisaged that it will be implemented with immediate effect.

17 Dissemination

17.1 The Author, assisted by Policy Administration, will ensure effective dissemination of this Policy to key recipients. Managers will ensure that new and reviewed Policies reach all locations within their area of responsibility. This Policy will be brought to the attention of staff through established methods of communication. This Policy is available to download from the Trust intranet site.

18 Monitoring Compliance
18.1 This Policy will be monitored as follows:

- Changes to employment legislation will be monitored to ensure that this Policy complies accordingly
- The Workforce Policy Training Programme for Managers will be used as a means of identifying any improvements that could be made to this Policy

19 Standards / Key Performance Indicators

19.1 In the development of this Policy, key standards considered were as follows:

- Key employment legislation
- Workforce databases regularly updated to identify those due to commence/return from maternity/adoption leave, in order to ensure that the Workforce processes are initiated within required timescales

20 Fair Blame

20.1 The Trust is committed to developing an open learning culture. It has endorsed the view that, wherever possible, disciplinary action will not be taken against members of staff who report adverse incidents, although there may be clearly defined occasions where disciplinary action will be taken.

21 Associated Documents

- NTW(O)01 – Development and Management of Procedural Documents Policy
- NTW(O)20 – Health and Safety Policy, Practice Guidance Note:
  - HS-PGN-06 - New and Expectant Mothers Risk Assessment PGN including Appendix 1
- NTW(O)42 – Managing Diversity Policy and Appendix
- NTW(HR)08 - Dignity and Respect at Work Policy (formerly Bullying and Harassment Policy)
- NTW(HR)11 - Flexible Working and Special Leave Policy
- NTW(HR)19 – Maternity, Paternity and Adoption Leave Policy, Practice Guidance Note:
  - MPA-PGN-01 – Maternity, Paternity and Adoption Leave
22 References

- www.direct.gov.uk
  - www.acas.org.uk
Appendix A

Equality Analysis Screening Toolkit

<table>
<thead>
<tr>
<th>Names of Individuals involved in Review</th>
<th>Date of Initial Screening</th>
<th>Review Date</th>
<th>Service Area / Locality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Julie White</td>
<td>July 2017</td>
<td>Nov 20</td>
<td>Trust-wide</td>
</tr>
<tr>
<td>Christopher Rowlands</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Policy to be analysed

Is this policy new or existing?

NTW(HR)19 – Maternity, Adoption and Paternity Policy

Existing

What are the intended outcomes of this work? Include outline of objectives and function aims

The aim of this Policy is to ensure that the general principles and procedures relating to maternity, paternity and adoption leave and pay are understood by managers and staff; that maternity, paternity and adoption leave is managed in a way that complies with NHS and Trust Policies and Procedures and to ensure compliance with relevant employment legislation. The Trust is committed to providing services that meet the equality and diversity needs of staff and service users within the framework of current legislation. Current equality and diversity legislation includes disability, gender, age, race, sexual orientation and religion. It is the responsibility of managers and staff to ensure that they act on this policy / procedure in a manner that meets the needs of people from these groups. It is always best to check with individual staff what their needs are, but needs may include providing information in an accessible format, considering mobility and communication issues, and being aware of sensitive and cultural issues.

Who will be affected? e.g. staff, service users, carers, wider public etc

Staff

Protected Characteristics under the Equality Act 2010. The following characteristics have protection under the Act and therefore require further analysis of the potential impact that the policy may have upon them

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>No impact</td>
</tr>
<tr>
<td>Sex</td>
<td>No impact</td>
</tr>
<tr>
<td>Race</td>
<td>No impact</td>
</tr>
<tr>
<td>Age</td>
<td>No impact</td>
</tr>
<tr>
<td>Gender reassignment (including transgender)</td>
<td>No impact</td>
</tr>
</tbody>
</table>
Sexual orientation | No impact
--- | ---
Religion or belief | No impact
Marriage and Civil Partnership | No impact
Pregnancy and Maternity | No impact
Carers | No impact
Other identified groups | No impact

How have you engaged stakeholders in gathering evidence or testing the evidence available?
Through standard consultation routes

How have you engaged stakeholders in testing the policy or programme proposals?
Through standard Policy Process Procedures

For each engagement activity, please state who was involved, how and when they were engaged, and the key outputs:
Appropriate Policy Review by Author / Team

Summary of Analysis
No impact

Now consider and detail below how the proposals impact on elimination of discrimination, harassment and victimisation, advance the equality of opportunity and promote good relations between groups. Where there is evidence, address each protected characteristic

<table>
<thead>
<tr>
<th>Eliminate discrimination, harassment and victimisation</th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advance equality of opportunity</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Promote good relations between groups</td>
<td>Not applicable</td>
</tr>
<tr>
<td>What is the overall impact?</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Addressing the impact on equalities</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

From the outcome of this Screening, have negative impacts been identified for any protected characteristics as defined by the Equality Act 2010? NO

If yes, has a Full Impact Assessment been recommended? If not, why not?

Manager’s signature: Christopher Rowlands Date: July 2017
### Communication and Training Check List for Policies

**Key Questions for the accountable committees designing, reviewing or agreeing a new Trust Policy**

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is this a new policy with new training requirements or a change to an existing policy?</td>
<td>Existing Policy</td>
</tr>
<tr>
<td>If it is a change to an existing policy are there changes to the existing model of training delivery? If yes specify below.</td>
<td>Understanding of the practical application of the Policy, ensuring common NTW approach</td>
</tr>
<tr>
<td>Are the awareness/training needs required to deliver the changes by law, national or local standards or best practice? Please give specific evidence that identifies the training need, e.g. National Guidance, CQC, NHS Solutions Please identify the risks if training does not occur</td>
<td>Law – complies with employment legislation</td>
</tr>
<tr>
<td>Please specify which staff groups need to undertake this awareness/training. Please be specific. It may well be the case that certain groups will require different levels e.g. staff group A requires awareness and staff group B requires training.</td>
<td>The Policy applies to all staff; the training is for managers</td>
</tr>
<tr>
<td>Is there a staff group that should be prioritised for this training / awareness?</td>
<td>Managers – to understand the responsibilities and manage to process effectively</td>
</tr>
<tr>
<td>Please outline how the training will be delivered. Include who will deliver it and by what method. The following may be useful to consider: Team brief/e bulletin of summary Management cascade Newsletter/leaflets/payslip attachment Focus groups for those concerned Local Induction Training Awareness sessions for those affected by the new policy Local demonstrations of techniques/equipment with reference documentation Staff Handbook Summary for easy reference Taught Session; E Learning</td>
<td>Guidance Notes</td>
</tr>
<tr>
<td></td>
<td>Intranet</td>
</tr>
<tr>
<td></td>
<td>Hard copy in each work area where not all staff have access to the intranet</td>
</tr>
<tr>
<td></td>
<td>Staff Handbook – summary for easy reference</td>
</tr>
<tr>
<td></td>
<td>IWL</td>
</tr>
<tr>
<td>Please identify a link person who will liaise with the training department to arrange details for the Trust Training Prospectus, Administration needs etc.</td>
<td>Workforce Projects Manager and Workforce Projects Officer</td>
</tr>
</tbody>
</table>
## Training Needs Analysis

<table>
<thead>
<tr>
<th>Staff / Professional Group</th>
<th>Type of Training</th>
<th>Duration of Training</th>
<th>Frequency of Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>All staff groups</td>
<td>No specific training. Advice available from Trust Policy, ESR Team, Workforce &amp; OD Managers, Workforce Projects Manager and Workforce Projects Officer</td>
<td>As requested</td>
<td></td>
</tr>
</tbody>
</table>

**Copy of completed form to be sent to:**
Training and Development Department,
St. Nicholas Hospital

**Should any training advice be required, please contact:- 0191 2456777 (Option 1)**
Statement

The Trust is working towards effective clinical governance and governance systems. To demonstrate effective care delivery and compliance, Policy Authors are required to include how monitoring of this Policy is linked to auditable standards key performance indicators will be undertaken using this framework.

<table>
<thead>
<tr>
<th>NTW(HR)19 – Maternity and Adoption Policy - Monitoring Framework</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Auditable Standard / Key Performance Indicators</strong></td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>1 Maternity/Paternity/Adoption application process documentation monitored monthly to identify any employees due to return to work in the following month. Manager alerted to request confirmation of return to work date to Recruitment and ESR Team.</td>
</tr>
<tr>
<td>2 Accurate and appropriate reporting of staff on Maternity, Paternity or Adoption Leave.</td>
</tr>
</tbody>
</table>

The Author(s) of each Policy is required to complete this monitoring template and ensure that these results are taken to the appropriate Quality and Performance Governance Group in line with the frequency set out.