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Maternity, Paternity & Adoption Policy

Moulton Parish Council is a family friendly employer and is committed to supporting our employees through each stage of life.

1 Purpose and Scope

This document seeks to provide guidance, security, and support to employees during pregnancy, paternity and adoption.

This policy explains:

- Explains how we will respond to pregnant employees and new parents.
- Ensures that we follow statutory guidelines.
- What we expect from employees and a gives a process for them to follow.
- How we will support employees who are pregnant and/or new parents.

2 Legal Responsibility & Policy Support

Moulton Parish Council recognises its duty of care to its employees and its legal obligation to support maternity, paternity and adoption at work under the terms of:

[The Maternity and Parental Leave etc. Regulations 1999 \(legislation.gov.uk\)](http://legislation.gov.uk)
[Employment Rights Act 1996 \(legislation.gov.uk\)](http://legislation.gov.uk)
[The Health and Safety at Work Act \(1974\) \(legislation.gov.uk\)](http://legislation.gov.uk)
[The Management of Health and Safety at Work Regulations \(1999\) \(legislation.gov.uk\)](http://legislation.gov.uk)
[Human Rights Act \(1998\) \(legislation.gov.uk\)](http://legislation.gov.uk)
[Data Protection Act \(1998\) \(legislation.gov.uk\)](http://legislation.gov.uk)
[Equality Act \(2010\) \(legislation.gov.uk\)](http://legislation.gov.uk)

3 Maternity

For statutory maternity information see: <https://www.gov.uk/maternity-pay-leave>.

To qualify for Statutory Maternity Pay (SMP) you must:

- Earn on average at least £123 a week.
- Give the [correct notice and proof you're pregnant](#).
- Have worked for your employer continuously for at least 26 weeks continuing into the 'qualifying week' - the 15th week before the expected week of childbirth.

4 Maternity Timetable

During Pregnancy	
At least 15 weeks before your due date.	Tell the Executive Officer or Chair of the Council in the case of the Executive Officer when the baby is due. Think about whether you wish to return to work following maternity leave, if you wish to change your hours on return to work, if you would like to take annual leave before commencing your maternity leave – discuss this with Executive Officer or Chair. You can take reasonable paid time off for antenatal care.
Week 20	Your doctor or midwife will give you your MATB1 form between this week and week 28. This gives your employer proof that you are pregnant.
Week 25	'Qualifying week' – your Statutory Maternity Pay is calculated by reference to this week (15 weeks before the baby is due). If your baby is stillborn after week 24, all maternity rights will still apply.
Week 28	You should have received your MATB1 form by this week. You need to give notice of your intended start date for maternity leave as soon as possible, and not later than 28 days before your intended start date. Complete the appropriate Maternity Application Form and send with Original MATB1 form to the council.
Week 29	This week is used to calculate your service with the council to date. As long as you have given the right amount of notice, you can go on maternity leave any time from now (11 weeks before the baby is due).
Week 36	If you are still working and go sick with a pregnancy related illness any time from now on (4 weeks before the baby is due) you will have to start your maternity leave.
Week 40	Expected Week of Confinement (EWC) – the week the baby is due, starts on a Sunday and ends on a Saturday.
After the Birth	
	If the baby arrives earlier than expected, the maternity leave will start on the day after the baby is born. Please provide a copy of the baby's birth certificate to the council as soon as is reasonably practicable. You can come back to work for a maximum of 10 Keeping in Touch (KIT) days during your maternity leave.
Preparing to return to work	
	You are not allowed to return to work within two weeks of giving birth. If you wish to change your return-to-work date, you must give eight weeks' notice to the council. If you haven't already done so, discuss with the council if you wish to change your hours or working pattern (with reference to the Flexible Working policy). If you do not wish to return to work, you should inform the council as soon as possible in writing.

5 Pregnant Employees

All pregnant employees are entitled to:

- 52 weeks' Statutory Maternity Leave (SML) if they give the correct notice period to the employer.

- Be protected against unfair treatment and discrimination.
- Reasonable paid time off to attend antenatal care.
- Benefit from existing terms and conditions of employment, except those relating to wages or salary, during maternity leave.
- During maternity leave 10 keeping in touch (KIT) days can be used.
- Have the right to return to the original job or suitable alternative job following maternity leave.

- 5.1 If requested, you will need to produce evidence of antenatal care appointments in order to receive payments. These appointments are treated the same as other medical appointments and reasonable paid time off will include travel time to and from the hospital or health centre.
- 5.2 Ante-natal has been defined to include relaxation and parent craft classes.
- 5.3 The council has a duty of care to you and may carry out a risk assessment to ensure your workplace and role are safe for you whilst pregnant.
- 5.4 You are requested to inform the Executive Officer or the Chair of the Council at the earliest possible date when you are likely to be absent due to pregnancy. An early indication from you as to when your maternity leave will commence will assist the council in planning for temporary cover. At this time the implications and procedures for maternity leave can be discussed.

6 Statutory Maternity Leave (SML)

- 6.1 The 52 week SML period is made up of 26 weeks Ordinary Maternity Leave (OML) followed immediately by 26 weeks Additional Maternity Leave (AML).
- 6.2 SML remains at 52 weeks regardless of the number of children resulting from a single pregnancy.
- 6.3 All employees automatically qualify for SML; it does not matter how long you have worked for the council.
- 6.4 You must continue to be employed by the council until immediately before the beginning of the 11th week before the EWC unless certified medically unfit to do so.
- 6.5 You don't have to take all of your SML but you must take a minimum of two weeks compulsory maternity leave straight after the birth of your child. You are not permitted to work during this compulsory leave.
- 6.6 If the baby was born alive but later dies, or a still birth occurs after 24 weeks of pregnancy, employees are still entitled to SML and if applicable, maternity pay. If a still birth or miscarriage occurs before 24 weeks of pregnancy, the Executive Officer will consider the circumstances of the case on a compassionate basis and where necessary grant special leave or confirming the absence as due to ill health may be appropriate.
- 6.7 You are not entitled to SML if you have a child through surrogacy. However, you may be entitled to Adoption Leave and Pay or unpaid Parental Leave if you meet the eligibility requirements.

7 When Statutory Maternity Leave (SML) can begin

- 7.1 You can choose to begin SML any time from 11 weeks before the EWC up until the birth itself (date as confirmed on MATB1).
- 7.2 If you are still working after the beginning of the fourth week before the EWC and you have a period of sickness which is related to your pregnancy, this will automatically trigger your SML and pay, which will start on the day after the first day of the pregnancy related absence.
- 7.3 If the birth occurs before the notified SML date and you have not yet notified of a SML date, SML will begin on the day after the day of childbirth.
- 7.4 Notification and confirmation of SML - You should inform the council at the earliest possible date and no later than the 15th week before the EWC that you are pregnant, the expected date

of birth and when you would like your SML to commence. The original MATB1 form and Maternity Application form should be sent to the council and payroll no later than 28 days before the maternity leave begins.

- 7.5 If you intend to resign rather than take SML you must write to the council giving the required period of notice (as stated in your employment contract). You may be entitled to maternity pay, so you must send your MATB1 form to the council so they can prepare your payments.
- 7.6 When the council receive the application form and MATB1 they will write to you during the month your maternity leave commences confirming your SML start and end dates. You will need to confirm the actual date of birth with the Executive Officer – please send a copy of the birth certificate for this purpose.

8 Annual Leave Entitlement

- 8.1 Your annual leave entitlement will continue to accrue throughout your period of SML, as normal and as previously notified to you.
- 8.2 Prior to commencement of SML, where possible you should take at least the proportion of annual leave to which you are entitled up until the commencement of SML. In addition, you may also take any remaining current year leave entitlement. However, should you not take all of your leave prior to the commencement of your SML and the period of your SML spans two leave years, any untaken leave will carry over to your next leave year.
- 8.3 This leave will be taken immediately before returning to work unless written agreement is given by the council.
- 8.4 You and the Executive Officer or the Chair of the Council should discuss and plan the scheduling of your annual leave at an early stage, in order to allow you to plan when you intend to begin and end your maternity leave.
- 8.5 If you have worked full-time prior to taking maternity leave and it has been agreed that you will return to work on a part-time basis, you will need to take any accrued annual leave immediately following your maternity leave. Your part-time working will then commence once the accrued leave has been taken. From this point any annual leave accrued will be on a pro rata basis for your part-time hours.
- 8.6 Should you not return to work following your absence on maternity leave and you have overtaken your annual leave entitlement, you will be liable to repay any excess taken leave.
- 8.7 An employee cannot take annual leave during SML.
- 8.8 Shared Parental Leave (SPL) and Pay (ShPP) enables eligible mothers, fathers, partners and adopters to share time off work after their child is born or placed for adoption. See SPL Guide.

9 Maternity Pay

9.1 Statutory Maternity Pay (SMP)

Statutory Maternity Pay is:

- An allowance payable for up to 39 weeks, known as Maternity Period (MPP). Statutory Maternity Pay can start on any day during the week and is paid for complete weeks only.
- Subject to Income Tax, National Insurance, and where appropriate pension.

There are two rates of SMP:

- First six weeks – 90% of average weekly earnings.
- Next 33 weeks – SMP rate (fixed by the Government and reviewed annually) or 90% of average weekly earnings, whichever is the lower.

SMP is normally payable to a woman who:

- Has at least 26 weeks' continuous employment with Local Government at the beginning of the 15th week before the EWC.
- Is pregnant.
- Has average weekly earnings (AWE) in the eight-week period prior to the end of the Qualifying week, of not less than the lower earnings limit for National Insurance contributions (NICs) purposes and
- Has provided the Council with –the Maternity Certificate (a form MATB1).
- Has given the Council at least 28 days' notice of her intention to stop work.

Payment can only be made for any week in which you do not work (excluding Keeping in Touch days see below) for the council or another employer.

The Council will issue a form SMP1 to any woman who does not qualify for SMP. The form should be completed and sent to the Local Jobcentre Plus office who may make alternative state benefit payments.

If you are absent with a pregnancy related illness at any time from the beginning of the fourth week before the EWC the MPP must start from the fourth week, or if later, the day following the first day of that absence.

Statutory Maternity Pay is based on actual earnings in the eight weeks before the 15th week before the EWC. During the first six weeks of your Maternity Pay Period you will receive 10% of whichever is the higher OMP or SMP.

During the 12-week half pay period you will receive the lower rate of SMP plus half pay based on your substantive salary/wages. However, in the event of the SMP and half pay exceeding your normal weekly pay then the half pay would be reduced by the excess – you cannot receive more than a normal week's pay during this half pay period.

If you return to work during your pay period, your partner/husband may be eligible for Statutory Additional Paternity Leave and Pay. Please see the Paternity Leave guide for full details.

9.2 Payment of Maternity Pay (SMP)

Maternity Pay will be paid on your normal pay day. When your completed Maternity Leave Application Form and your form MATB1 have been received, details of the amount's payable will be supplied to you during the month your maternity leave commences.

Statutory Maternity Pay and Occupational Maternity Pay will be identified separately on your pay advice slip.

Pay advice slips will normally be sent to your home address during the Maternity Pay Period.

9.3 Maternity Allowance (MA)

If you do not qualify for SMP, you will receive a completed form SMP1 plus return of your MATB1 allowing you to commence a possible claim for Maternity Allowance (MA) instead. To claim for MA visit: <https://www.gov.uk/maternity-allowance/how-to-claim>

If you are not entitled to SMP, MA will be deducted from any OMP paid in respect of the first six weeks Maternity Leave.

During half pay periods you will receive both half pay and MA except where the MA and half pay exceed your normal weekly wage when the half pay will be reduced by the excess.

Should the Department of Work and Pensions advise you that you have no entitlement to MA, give the letter to the Executive Officer and any MA which has been deducted will be refunded. It is your responsibility to claim and declare your entitlement to MA.

10 Pension

- 10.1 The employee pays pension contributions on the maternity and contractual pay you receive during paid maternity leave, even though that pay may be less than what she would normally receive. For pension purposes, the period of paid maternity absence should be treated throughout as if it were a period during which the employee was working normally.
- 10.2 During any period of unpaid Ordinary Maternity Leave, you will be deemed to have paid basic pension contributions. The service will count as normal for pension purposes.

11 Contact and Work during Statutory Maternity Leave – Keeping in Touch (KIT days)

- 11.1 During maternity leave, you and the Executive Officer or the Chair of the Council are encouraged to stay in contact. The council may make reasonable contact with you at home during this time to discuss such issues as your return to work, workplace developments, training opportunities, etc. You may also wish to keep in contact with the council whilst you are on maternity leave.
- 11.2 In addition, keeping in touch (KIT) days allow you, if you wish, to come back into work up to a maximum of 10 days during SML, at a time agreed with the council. This may be to attend a particular training course, meeting, etc.
- 11.3 Any amount of work you do under your contract of employment will count as a whole KIT Day so, if you attend a one-hour training session for example, you will have used up one of your KIT days. If you use up all of your 10 KIT days, you will thereafter lose a week's SMP for any week in which you work. (If a week during SML contains one or more KIT days but no other work, you will retain SMP for that week. If however, a week contains the last of the KIT days and another day(s) work, you will lose SMP for that whole week.
- 11.4 When you use a KIT Day, you will be paid your normal contractual pay for actual hours worked on that KIT Day. In this case, any SMP due for that day will be offset against the contractual pay earned that day. You will however still be entitled to OMP (if due) in addition to payment for the hours worked.
- 11.5 Pension contributions will be payable on any KIT days worked, based on the pay you receive for that day.
- 11.6 The council has a duty of care towards you under the Health & Safety regulations and you should ensure that the council is aware of any condition(s) which may affect your ability to undertake your role on a KIT Day, for example, a Caesarean section.
- 11.7 You will suffer no detriment because you took, considered taking, or did not take KIT days.
- 11.8 KIT days must be agreed in advance between you and the council.
- 11.9 The above provisions do not preclude you from coming into the workplace for the purpose of informal visits of a social nature. Informal contact during SML is to be welcomed and such visits will not count towards your KIT Day entitlement.
- 11.10 Any work is still prohibited during the two weeks immediately following childbirth.

12 Pregnancy during Statutory Maternity Leave

- 12.1 If you become pregnant again whilst on SML, you will still accrue and be entitled to all maternity entitlements for the second pregnancy.
- 12.2 You must notify the council of the pregnancy following the guidance contained within this guide.
- 12.3 If you are receiving OMP then you will have to return to work for six months (three months per SML) following the end of the second period of SML, in order to retain/receive OMP.

13 Returning to Work and Right to Return

- 13.1 If you intend to return to work before the end of your maternity leave, you should give 8 weeks' notice of this earlier date.

- 13.2 If you attempt to return to work early without giving the required notice, the council is entitled to postpone your return so that 21 days' notice has been given. Notice must be given to the council.
- 13.3 If you are incapable of work for health reasons following SML, the sickness should be reported to your line manager, Executive Officer or the Chair of the Council as usual.
- 13.4 If you decide not to return to work, you must inform the council as soon as possible in writing. The usual notice periods for resignation as stated in your employment contract will apply. If you do not specify a date of termination, then the date of your letter will be used. You will continue to receive any SMP to which you are entitled.
- 13.5 All pregnant employees, irrespective of the hours worked or length of service, during SML have the right to return to the job in which they were employed and on the same terms and conditions as when they took SML. If returning at the end of the AML, the right will be to a similar job. This should not be substantially less favourable.
- 13.6 If you are considering returning to work on a part-time or job-share basis, then you should make this known before commencing SML if possible. You still have the option to return to your current full-time job, but the possibility of reduced hours can be explored. See Flexible Working Policy for more details.

14 Additional Maternity Rights

14.1 Maternity Suspension

The Council will consider health and safety risks in work activities to new and expectant mothers. i.e. heavy lifting or carrying, standing or sitting for long periods without adequate breaks, exposure to toxic substances or long working hours. If the risk cannot be avoided, the Council will take steps to remove the risk or offer suitable alternative work (on no less favourable terms and conditions). If not suitable alternative work is available, the council must suspend the expectant mother on full pay for as long as necessary to protect her health and safety or that of the baby.

14.2 Maternity and Redundancy

Where a potential redundancy situation exists or there is a planned reorganisation, any employee on Maternity Leave will be fully consulted. The employee must be offered a suitable alternative job if one is available and will not need to apply for it. If there is no suitable alternative work and it is a genuine redundancy situation, they could get redundancy pay. The council will not select a woman for redundancy because of her pregnancy, maternity leave or a related reason.

14.3 Provision for rest for a pregnant woman and breastfeeding on returning to work.

The Health and Safety Executive advise is that employers are legally required to provide somewhere for pregnant and breastfeeding employees to rest and express milk – toilets are not suitable. The employee should provide written notification they are breastfeeding ideally before they return to work.

15 Parental Bereavement Leave

- 15.1 Parents or primary carers employed by the council are entitled to 2 weeks' leave if they lose a child under the age of 18, or suffer a stillbirth from 24 weeks of pregnancy.
- 15.2 Employees are entitled to leave in respect to each of their children. Up to two weeks' leave can be taken, either as one two-week block or in two one-week blocks. It may be taken at any time within 56 weeks of the child's death.

- 15.3 If you have more than 26 weeks of continuous service with the council, employees are entitled to government-set statutory parental bereavement pay (SPBP) during the leave. Otherwise, the leave is unpaid.
- 15.4 Notice of leave and claiming of SPBP is given via the Parental Bereavement Leave & Pay claim form, as soon as reasonably practical.
- 15.5 Dependent on length of service, Compassionate Leave and/or Maternity Leave may be taken alternatively to or in conjunction with Parental Bereavement Leave

16 Paternity Leave

For more information on Paternity Leave see: <https://www.gov.uk/paternity-pay-leave> For the purposes of this policy “paternity” covers any partner of a pregnant woman, regardless of the sex of that partner.

16.1 Eligibility

To qualify for ordinary paternity leave and pay, you will need to have at least 26 weeks service by the end of the 15th week before the expected week of childbirth (EWC) or ending with the week in which you were notified of having been matched with the child. You must also have, or expect to have, responsibility for the upbringing of the child.

16.2 Ante-natal appointments

An expectant partner (including same sex) of a pregnant person is entitled to take unpaid time off work to accompany them to up to 2 of her ante-natal appointments. The time off is capped at six and a half hours for each appointment. “Partner” includes the spouse or civil partner of the pregnant person and a person (of either sex) in a long-term relationship with them. The right applies whether the child is conceived naturally or through donor insemination. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions, and intend to apply, for a Parental Order for the child born through that arrangement.

You should endeavour to give the council as much notice as possible of when you need the time off for the antenatal appointment. We may ask you for a declaration stating the date and time of the appointment and that you qualify for the unpaid time off through your relationship with the mother or child, and that the time off is for the purpose of attending an ante-natal appointment with the pregnant person that has been made on the advice of a registered medical practitioner, nurse or midwife.

16.3 Ordinary Paternity Leave (OPL)

An employee whose partner gives birth to a child, or who is the biological father or either adoptive parent of the child, is entitled to two weeks' ordinary paternity leave. OPL can commence from the date of the child's birth, or child's placement with the adopter, or within 56 days of the birth or date of placement. If the child is born early, OPL may be taken between the date of birth and up to the 56th day after the EWC.

Ordinary Paternity Leave must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child. Only one period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

If you choose to start your OPL on a fixed and predetermined date and the child is not born or placed for adoption by that date, you must change the date you want to start your leave and notify us in writing as soon as you reasonably can. If you take both OPL and shared parental leave you must take ordinary paternity leave first.

16.4 Notification of Ordinary Paternity Leave

You must inform the council in writing of your intention to take OPL by the end of the qualifying week unless this is not reasonably practicable. You must tell us:

- The week the baby is due,
- Whether you wish to take one- or two-weeks' leave, and,
- When you want your leave to start.

In the case of an adopted child, you must give notice of your intention to take ordinary paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date you intend to start ordinary paternity leave, the length of the intended ordinary paternity leave period and the date on which the adopter was notified of having been matched with the child.

You can change your mind about the date on which you want the leave to start providing you tell your manager at least 28 days in advance (unless this is not reasonably practicable).

16.5 Ordinary Statutory Paternity Pay (OSPP)

You will qualify for OSPP if your weekly earnings in the 8 weeks up to and including the Qualifying Week (QW) are not less than the lower earnings limit for the payment of National Insurance contributions. The QW is 15 weeks before the baby is due or the week during which you are notified of being matched with a child for adoption.

Paternity leave will be paid at the prevailing rate of SPP or 90% of average weekly earnings if this figure is less than OSPP.

16.6 Pay increases awarded during paternity leave

We will ensure that whilst you are on PL you are not left out of a pay award which you would ordinarily have been entitled to. This means that if we make a pay award which takes effect during your PL, then when you return to work, you will return to the 'new' rate of pay that applies to the job you are returning to.

16.7 Returning to work

On resuming work after PL, you are entitled to return to the same job as you occupied before commencing paternity leave on the same terms and conditions of employment as if you had not been absent.

16.8 Requesting a change to your pattern of work

You have the right to request that the organisation considers changing your pattern of work (subject to eligibility criteria). See the Flexible Working Policy.

17 Unpaid parental leave

For more information on unpaid parental leave see: [Unpaid parental leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/unpaid-parental-leave)

Eligible employees can take unpaid parental leave to look after their child's welfare, for example to:

- spend more time with their children.
- look at new schools.
- settle children into new childcare arrangements.
- spend more time with family, such as visiting grandparents.

17.1 Parental leave is unpaid. You're entitled to 18 weeks' leave for each child and adopted child, up to their 18th birthday.

The limit on how much parental leave each parent can take in a year is 4 weeks for each child (unless the employer agrees otherwise).

17.2 You must take parental leave as whole weeks (eg 1 week or 2 weeks) rather than individual days, unless your employer agrees otherwise or if your child is disabled. You don't have to take all the leave at once.

A 'week' equals the length of time an employee normally works over 7 days.

17.3 Eligibility

Employees qualify if all of these apply:

- they've been in the company for more than a year.
- they're named on the child's birth or adoption certificate, or they have or expect to have parental responsibility.
- they're not self-employed or a 'worker', e.g. an agency worker or contractor
- they're not a foster parent (unless they've secured parental responsibility through the courts)
- the child is under 18

Employers can ask for proof (like a birth certificate) as long as it's reasonable to do so, e.g. they can't ask for proof each time an employee requests leave.

17.4 Notice period

- Employees must give 21 days' notice before their intended start date. If they or their partner are having a baby or adopting, it's 21 days before the week the baby or child is expected.
- Employees must confirm the start and end dates in their notice. Unless an employer requests it, this doesn't have to be in writing.

18 Shared Parental Leave

For Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP) information see: <https://www.gov.uk/shared-parental-leave-and-pay>.

You and your partner may be able to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP) if you're:

- Having a baby.
- Using a surrogate to have a baby.
- Adopting a child.
- Fostering a child who you're planning to adopt.

You can share up to 50 weeks of leave and up to 37 weeks of pay between you.

You need to share the pay and leave in the first year after your child is born or placed with your family.

You can use SPL to take leave in blocks separated by periods of work or take it all in one go. You can also choose to be off work together or to stagger the leave and pay.

To get SPL and ShPP, you and your partner need to:

- Meet the eligibility criteria - there's different criteria for birth parents and criteria for adoptive parents or parents using a surrogate.
- Give notice to your employers.
- Give up some of your maternity or adoption leave and pay.

18.1 Eligibility for birth parents

To be eligible for Shared Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP), both parents must:

- Share responsibility for the child at birth.
- Meet work and pay criteria - these are different depending on which parent wants to use the shared parental leave and pay.

You're not eligible if you started sharing responsibility for the child after it was born.

If both parents want to share the SPL and ShPP. Both parents must meet the same eligibility criteria to get SPL and ShPP. You must:

- Have been employed continuously by the same employer for at least 26 weeks by the end of the 15th week before the due date.
- Stay with the same employer until you start your SPL.

To be eligible for SPL, you must be 'employees' (not 'workers') - check your employment status. If either of you is a 'worker', you might be able to share ShPP but not SPL.

19 Adoption

For more information on Adoption please see: [Adoption pay and leave: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/adoption).

19.1 Adoption Leave

Statutory Adoption Leave is 52 weeks. It's made up of:

- 26 weeks of Ordinary Adoption Leave
- 26 weeks of Additional Adoption Leave

Only one person in a couple can take adoption leave. The other partner could get paternity leave instead.

If you get adoption leave, you can also get paid time off work to attend five adoption appointments after you've been matched with a child.

Eligibility for Adoption Leave

(There are different eligibility rules for leave and pay).

To get Statutory Adoption Leave, you must:

- Be an employee.
- Give the [correct notice](#).
- Give [proof of the adoption or surrogacy](#), if your employer asks you for it.

19.2 Adoption Pay

Statutory Adoption Pay is paid for up to 39 weeks. The weekly amount is:

- 90% of your average weekly earnings for the first 6 weeks.
- £172.48 or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

It's paid in the same way as your wages (for example monthly or weekly). Tax and National Insurance will be deducted.

Eligibility for Adoption Pay.

(There are different eligibility rules for leave and pay).

To get Statutory Adoption Pay, you must:

- Have been [continuously employed by your employer](#) for at least 26 weeks by the week you were matched with a child.
- Earn on average at least £123 a week (before tax).
- Give the [correct notice](#).
- Give [proof of the adoption or surrogacy](#).

If you usually earn an average of £123 or more a week, and you only earned less in some weeks because you were paid but not working ('on furlough') under the Coronavirus Job Retention Scheme, you may still be eligible.

20 Other Relevant Council Policies/Schemes

There are other family friendly policies in which you may be interest; they include:

- Flexible Working Policy
- Managing Ill Health and Absence Policy

This policy is reviewed annually by the Executive Officer and submitted to the full council for approval.

Last Reviewed: January 2024

Review Due: January 2025