



## Family Leave and Pay Policy

### Contents:

- Policy Statement
  - Management Statement
  - References
  - Version Control
  - Summary
1. [Principles](#)
  2. [Delegation](#)
  3. [Maternity Leave](#)
  4. [Adoption Leave](#)
  5. [Shared Parental Leave](#)
  6. [Surrogacy](#)
  7. [Intended Parents](#)
  8. [Maternity Support](#)
  9. [Fertility Treatment](#)
  10. [Foster Care](#)
  11. [Parental Leave](#)
  12. [Keeping in Touch days \(KIT\)](#)
  13. [Ante-Natal Care and Adoption Appointments](#)
  14. [Parental Bereavement Leave](#)
  15. [Termination of Contracts](#)
  16. [Effect on Conditions of Service](#)

### Appendices:

- A. [Maternity](#)
- B. [Web Links](#)
- C. [Timeline Before Going on Maternity Leave](#)
- D. [Timeline After Going on Maternity/Adoptive Leave](#)
- E. [Adoption](#)
- F. [Flowcharts outlining Key Stages in the Maternity and Adoptive Process](#)
- G. [Shared Parental Leave/Pay](#)
- H. [Shared Parental Leave - eligibility](#)
- I. [Maternity Support](#)
- J. [Fertility Treatment](#)
- K. [Foster Care](#)
- L. [Parental Leave](#)
- M. [Parental Bereavement Leave](#)

**Policy Statement**

UK Research and Innovation (UKRI) is committed to providing family-friendly employment conditions with a view to ensuring that employees are able to achieve an appropriate work-life balance. UKRI's arrangements for the various forms of Family Leave and Pay, which in some cases significantly exceed statutory provisions, are designed to help meet that commitment.

UKRI also wants to ensure that all employees are fully informed of their rights surrounding Family Leave and Pay during their employment.

This policy therefore outlines UKRI's approach to Family Leave and details employees' entitlements to family leave, pay and benefits; it also sets out procedural compliance requirements.

**Management Statement**

The Family Leave and Pay Policy has been agreed with the Trade Union Side and complies with statutory legislation.

For the purposes of this policy the use of the word 'employee' covers UKRI employees, including those employed on temporary or fixed term contracts. It may also apply to non UKRI employees such as visitors, agency staff, and students. For advice on the application of the policy contact HR.

**References**

UKRI Attendance and Leave Policy  
 UKRI Sickness Absence Policy  
 UKRI Ways of Working Policy  
 UKRI Managing Performance and Conduct Policy  
 UKRI Equality, Diversity and Inclusion Policy  
 UKRI HR Policy Framework  
 UKRI Guidance on Managing Bereavement in the Workplace

Version Number	Status	Revision Date	Summary of Changes
Version 3.0	Complete	March 2021	<p>Addition of Parental Bereavement Leave to policy following changes to Oracle to allow formal recording.</p> <p>Removal of flow chart for Shared Parental Leave entitlement as was inaccurate</p>
Version 2.0	Complete	March 2020	Final sentence in the policy statement removed (in relation to following the policy



Family Leave and Pay

			<p>framework before following the policy).</p> <p>A8.1 amended to say 28 days instead of eight weeks' notice.</p> <p>Wording in G1.2 on taking Paternity Leave before Shared Parental Leave refined, to make the entitlement to Paternity Leave clear.</p> <p>References to 'her' when talking about a woman's maternity leave have been replaced with 'their'.</p>
Version 1.0	Complete	January 2020	New policy created

Summary	<a href="#">Maternity</a>	<a href="#">Adoptive</a>	<a href="#">Shared Parental Leave</a>	<a href="#">Surrogacy</a>	<a href="#">Maternity Support</a>	<a href="#">Parental Leave</a>	<a href="#">Parental Bereavement Leave</a>
<b>Leave</b>	26 weeks Ordinary Maternity Leave (OML) 26 weeks Additional Maternity Leave (AML)	26 weeks Ordinary Adoption Leave (OAL) 26 weeks Additional Adoption Leave (AAL)	Dependent on eligibility*	26 weeks Ordinary Adoption Leave (OAL) 26 weeks Additional Maternity Leave (AML)	Two weeks	18 weeks	Two weeks
<b>Occupational Pay</b>	39 weeks 26 weeks 100% 13 weeks Statutory Maternity Pay (SMP)	39 weeks 26 weeks 100% 13 weeks Statutory Adoptive Pay (SAP)	Maximum 39 weeks overall (maximum 26 weeks at full pay rate, maximum 13 weeks at statutory rate)	39 weeks 26 weeks 100% 13 weeks Statutory Maternity Pay (SMP)	Two weeks 100%		Two Weeks 100%
<b>Statutory Pay</b>	39 weeks Six weeks 90% 33 weeks lower rate of Statutory Maternity Pay	52 weeks 26 weeks Ordinary Adoption Leave (OAL) 26 weeks Additional Adoption Leave (AAL) (13 weeks Statutory Adoptive Pay (SAP) rate + 13 weeks unpaid)	Maximum 39 weeks Shared Parental Pay (ShPP rate) <a href="#">Paragraph 5</a>	52 weeks 26 weeks Ordinary Adoption Leave (OAL) 26 weeks Additional Adoption Leave (AAL) (13 weeks Statutory Adoptive Pay (SAP) rate + 13 weeks unpaid)	Two weeks Statutory Paternity Pay (SPP rate) <a href="#">Paragraph 8</a>	18 weeks unpaid <a href="#">Paragraph 11</a>	Two Weeks at either £151.20 a week or 90% of average earnings (whichever is lower)
<b>Time off for appointments</b>	Two paid antenatal	Two paid adoptive Four days adoptive leave					
<b>Keep in touch days (KIT)</b>	10 days	10 days	Up to 20 days	10 days			

\*For details of Shared Parental Leave entitlements, see [Appendix G](#).

## **1. Principles**

- 1.1 In accordance with UKRI's Equality, Diversity and Inclusion Policy, applications for Maternity and Parental Leave must be dealt with equitably.
- 1.2 All applications by eligible employees for Maternity and Parental Leave will be granted by UKRI if they qualify in line with this policy.
- 1.3 It is important to note that Maternity and Parental Pay is distinct from Maternity and Parental Leave. The Maternity/Parental Pay will not cover the full period of available leave.

## **2. Delegation**

- 2.1 For information on the delegated authority, please refer to the UKRI HR Delegated Authority Framework.

## **3. Maternity Leave**

- 3.1 Full details on Maternity Leave, Pay and eligibility can be found at [Appendices A-D](#). Details on Keep in Touch (KIT) days and appointments for ante-natal care are below.

## **4. Adoption Leave**

- 4.1 Full details on Adoptive Leave and pay and eligibility can be found at [Appendix E](#). Details on KIT days and attendance at adoption appointments are below.

## **5. Shared Parental Leave (SPL)**

- 5.1 Full details on SPL, including eligibility, how to apply and pay, can be found at [Appendix G](#).

## **6. Surrogacy**

- 6.1 Every pregnant employee has the right to 52 weeks of Maternity Leave. For further details on Maternity Leave and Maternity Pay, see [Appendix A](#).

## **7. Intended parents**

- 7.1 Adoption Leave and Pay is available to eligible employees who become the legal parents following an application for adoption or parental order. For further details on Adoption Leave and Pay, please see [Appendix E](#).
- 7.2 Maternity Support Leave and pay is available for those parents eligible and who are genetically related to the child. For further details on Maternity Support Leave and Pay, please see [Appendix I](#).
- 7.3 If you are not eligible for paid leave, you may be able to take Parental Leave or annual leave. See [Appendix L](#) for details on Parental Leave and the UKRI Attendance and Leave Policy.

## **8. Maternity support**

- 8.1 Otherwise known as Paternity Leave, for full details on Maternity Support Leave and pay, and how to request maternity support, see [Appendix I](#).

## Family Leave and Pay

### 9. Fertility treatment

- 9.1 [Appendix J](#) provides information for all UKRI employees undergoing fertility treatment. This includes those employed on temporary or fixed term contracts but does not include visiting workers, students or those workers provided by a third-party agency.

### 10. Foster Care

- 10.1 [Appendix K](#) sets out the UKRI approach to support employees who are foster carers.

### 11. Parental Leave

- 11.1 Parental Leave provides eligible parents with the opportunity to take periods of unpaid leave to look after a child or make arrangements for the child's welfare. See [Appendix L](#) for full details.

### 12. Keeping in touch (KIT) days

- 12.1 KIT days are intended to facilitate a smooth return to work for an employee returning from Maternity Adoptive, or SPL.
- 12.2 If UKRI and the employee agree, the employee may work for up to a maximum of 10 KIT days without bringing their Maternity or Adoptive Leave to an end. Any days of work will not extend the total Maternity, Adoptive or Maternity Support Leave period. An employee is entitled to 20 Shared Parental Leave in Touch (SPLIT) days – full details can be found in [Appendix G](#).
- 12.3 In accordance with legislation, any work carried out on any day shall constitute a full day's work and payment will be made in full days not hours, regardless of how many hours are worked in that day.
- 12.4 Line managers should record when an employee works a KIT day on the appropriate system, so this can be reflected in the employee's pay.
- 12.5 An employee on Maternity Leave is not entitled to apply for a KIT day during the two-week period commencing on and including the day on which childbirth occurs.
- 12.6 Work means any work done under the contract of employment and may include training, attending meetings and committees or any activity undertaken for the purposes of keeping in touch with the workplace.
- 12.7 This provision does not confer any right on the unit or team concerned to require any work to be carried out during the Maternity or Adoptive Leave period, nor any right on an employee to demand work during this period. Also, there is no obligation on either UKRI or the employee to make use of these days.
- 12.8 Payment for KIT days will be made at the employee's basic daily rate (regardless of the actual hours worked) less appropriate Maternity, Adoptive/Maternity Support Pay they are receiving.
- 12.9 To facilitate the process of KIT days, it is important that the line manager and employee have an early discussion to make arrangements for KIT days before the employee's Maternity, Adoptive or Maternity Support Leave takes place.

Family Leave and Pay

**13. Ante-Natal Care and Adoption Appointments**

- 13.1 Pregnant employees and adoptive parents have the right to paid, reasonable time off for antenatal care and adoption appointments, although, wherever possible, employees should arrange appointments at the start or end of the working day. Antenatal care includes appointments with GPs, hospital clinics, relaxation and parent-craft classes as well as appointments for antenatal care.
- 13.2 Employees should advise their line managers that they will be absent as far in advance as possible. Except for the first appointment, the employee may be asked to produce a certificate of pregnancy and proof that the appointment has been made, prior to permission being granted for time.
- 13.3 UKRI will support attendance at two ante-natal appointments with paid leave for maternity support. Paid leave should be recorded as 0.5 day or one day's Special Paid Leave (or whatever the appropriate leave classification is) for each appointment as appropriate. If there is a need for employees to attend more than the two statutory appointments they have the option of using annual leave, flexi leave or by taking the appointments as unpaid leave. UKRI will support employees by providing two ante-natal appointments if they are:
  - 13.3.1 the child's father; or
  - 13.3.2 the expectant mother's spouse, civil partner, or partner in a long-term relationship; or
  - 13.3.3 the intended parents of a child in a surrogacy arrangement if they expect to be entitled to and intend to apply for a parental order in respect of that child.

**14. Parental Bereavement Leave**

- 14.1 Parental Bereavement Leave lets employees, who suffer the loss of a child under 18 years of age, take up to two weeks' leave and pay. This also includes employees who suffer a stillbirth after 24 weeks of pregnancy and this leave can be taken after the maternity leave entitlement. See appendix M for full details.

**15. Termination of contracts**

- 15.1 An employee will lose their contractual rights to UKRI pay under this policy upon the termination of their employment. However, they will continue to be entitled to the statutory payments on the basis that they satisfy the respective qualifying conditions.

**16. Effect of Maternity/Adoptive and Parental rights on conditions of service**

- 16.1 While employees are on Maternity/Adoptive or other type of Parental Leave, whether paid or unpaid, their contract of employment remains in force. Specific terms and conditions vary depending on whether the leave is paid or unpaid, as follows.
- 16.2 With paid OML/(OAL)/Ordinary Parental Leave (OPL) and paid Maternity Support Leave - the period of absence counts as normal service for all purposes.
- 16.3 Unpaid Ordinary Maternity/other type of Parental Leave - while the employee does not receive pay (contractual or statutory) during these periods of leave, their other non-pay terms and conditions of employment are unaffected. The period of absence counts in the calculation of any service-related entitlements. In particular:
  - 16.3.1 annual leave continues to accrue during the period of parental leave
  - 16.3.2 entitlement to public and privilege holidays continue to accrue.
- 16.4 The period parental leave counts as qualifying service for pension (and redundancy) purposes. However, no employer pension contributions are made, and the period does not count as reckonable service for pension (or redundancy) purposes.
- 16.5 To avoid losing any annual leave entitlement, employees should seek to manage their accrued annual leave within the leave year in which it falls.
- 16.6 This may include using annual leave prior to the period of absence or at the end or ending the absence (e.g. AML) and taking unused annual leave (which would therefore be paid) on their return.
- 16.7 If it has not been possible for the employee to use all their accrued annual leave within the relevant leave year, untaken leave will normally be allowed beyond the usual 10-day carry-forward (see the UKRI Attendance and Leave Policy), to be carried over to the next leave year.
- 16.8 The carried-forward leave should normally be taken within that leave year. Line managers should discuss such cases with HR.
- 16.9 Untaken public and privilege days may not be carried forward to the next leave year.
- 16.10 **Paid AML, AAL, OML and SPL (Pension)**
  - 16.10.1 During the first 13 weeks of AML/AAL/OML and SPL most employees will qualify for SMP/SAP/Ordinary & Additional SPP/ SSHPP.
  - 16.10.2 While they are in receipt of this statutory payment, UKRI will continue to pay the employer's pension contribution, which will be based on the individual's normal contractual pay. An employee pension contribution will be deducted from the individual's statutory pay, but this will be based only on that statutory pay, not on their contractual pay.



Family Leave and Pay

16.10.3 The period of paid AML/AAL/OML and SPL will count as reckonable service for pension and redundancy purposes.

Family Leave and Pay  
**Appendix A – Maternity**

**A1. Maternity risk assessment**

- A1.1 Maternity risk assessments will be carried out by the line manager with guidance from the local H&S Advisor, or an appropriately trained employee.
- A1.2 Pregnant employees can request a further risk assessment and may seek further guidance from HR.

**A2. Leave entitlement**

- A2.1 All pregnant employees, regardless of their length of service or hours of work, are entitled to a period of 52 weeks' Maternity Leave.
- A2.2 This is made up of 26 weeks' OML and up to an additional 26 weeks' AML, which begins the day after OML finishes.
- A2.3 During OML and AML, employees are subject to their contractual obligations and duties to UKRI. An employee is eligible for Maternity Leave, provided that:
  - A2.3.1 they notify UKRI of their intention to take Maternity Leave in writing before the end of the 15th week prior to Expected Week of Childbirth (EWC) (or if this is not possible, as soon as is reasonably practicable thereafter),
  - A2.3.2 they provide a MATB1 form signed by their midwife or GP confirming the EWC,
  - A2.3.3 the employee notifies HR of the date they intend to start their Maternity Leave (at least four weeks before beginning Maternity).
- A2.4 These rules should be brought to the attention of any employee as soon as the employee is known to be pregnant or the employee has been matched with the child.
- A2.5 The employee may take up to 14 weeks' Maternity Leave before the EWC.

**A3. Pay Entitlement**

- A3.1 There are no qualifying periods for Occupational Maternity Pay (OMP). Where an employee has chosen not to return to work, then Statutory Maternity Pay (SMP) may apply instead.
- A3.2 Employees continue to accrue their normal contractual benefits (other than remuneration). Pension contributions continue. SMP is pensionable, and contributions are based on pay received. Any periods of Maternity Leave where there is zero pay (or only maternity allowance being paid) do not count towards reckonable service for pensions.
- A3.3 The Maternity Pay Period cannot start until the beginning of the 11th week before the EWC or the child's birth. Any Maternity Leave taken before this 11th week where the child has not yet been born will be unpaid unless taken as annual leave or any other form of paid leave.

Family Leave and Pay

**A4. Occupational Maternity Pay (OMP)**

- A4.1 An employee, who qualifies for OMP, is entitled to receive payments during their Maternity Leave for the first 39 weeks (Maternity Pay Period). OMP provides that the first 26 weeks of the Maternity Pay Period will be paid at the full rate of OMP pay; the following 13 weeks will be paid at the SMP rate.
- A4.2 An employee will qualify for OMP provided that they:
  - A4.2.1 are an employee or remain an employee of UKRI; regardless of their length of service. Entitlement will cease if employment ceases.
  - A4.2.2 Notify HR of the date they intend to start their Maternity Leave (at least four weeks before commencing Maternity Leave or as soon as possible).
  - A4.2.3 Provide medical evidence of the due date to UKRI no later than the end of the 15th week prior to EWC. This is normally in the form of the MATB1 signed by the doctor or midwife.
- A4.3 All payments made to an employee during the Maternity Pay Period are inclusive of that employee's entitlement, if any, to SMP. The amount of OMP is not dependent on your eligibility for SMP.
- A4.4 OMP will be paid through normal pay processes.

**A5. Statutory Maternity Pay (SMP)**

- A5.1 One element of your Maternity Pay may be SMP.
- A5.2 An employee who qualifies for SMP under the criteria set out below and is absent from work because of pregnancy or childbirth will be paid SMP for the Maternity Pay Period up to 39 weeks, even if they have resigned and do not intend to return to work within UKRI after their childbirth.
- A5.3 To qualify for SMP an employee must:
  - A5.3.1 have average weekly earnings of more than the lower earnings limit for the payment of National Insurance contributions in the eight weeks prior to the qualifying week,
  - A5.3.2 still be pregnant at the 11th week before the EWC, or have given birth by this time,
  - A5.3.3 inform the line manager (in writing if so requested) 28 days before the leave begins, or as soon as reasonably practicable, that they will be (or are) absent from work because of pregnancy or childbirth; and notify HR of the date they intend to start their Maternity Leave (at least 28 days before beginning Maternity),
  - A5.3.4 produce a MATB1 from a registered medical practitioner or certified midwife giving the EWC; and
  - A5.3.5 have stopped work wholly or partly because of pregnancy or childbirth.
- A5.4 If the above conditions are satisfied the employee will qualify for SMP and will also be entitled to 52 weeks' Maternity Leave (26 weeks' OML and 26 weeks' AML).

## Family Leave and Pay

- A5.5 In the event that an employee starts work with UKRI whilst pregnant, the previous employer of the individual may be obliged to pay for SMP. This provision only applies if the employee qualified for SMP whilst working with the previous employer. Please contact HR for further guidance.
- A5.6 SMP is payable only for complete weeks. It cannot be paid earlier than the 11th week before the EWC unless the child is born earlier, in which case the SMP will start the day after the birth.
- A5.7 All employees who qualify for SMP are eligible to receive six weeks' payment at the higher rate (calculated as 90% of their average gross weekly earnings for the eight weeks up to and including the last pay day before the qualifying week). This is followed by 33 weeks' payment at the lower rate of SMP, which is at a national set rate reviewed annually. It will be issued on the normal pay days.
- A5.8 SMP starts automatically if the employee is off work for a pregnancy-related illness in the four weeks before the week (Sunday – Monday) that the baby is due.

## A6. Maternity Allowance

- A6.1 An employee who is not entitled to OMP or SMP may be eligible for Maternity allowance.
- A6.2 Maternity allowance is paid for up to 39 weeks and is not subject to tax and National Insurance. It is not paid while the employee is working. It is paid to qualifying new and expectant mothers with less than 26 weeks' employment at the qualifying week.
- A6.3 The allowance will have to be claimed by completing a form that is available from Jobcentre Plus or downloading the form from the Government website using <https://www.gov.uk/maternity-allowance>.

### Examples when Maternity Allowance would apply:

- You have not been working for your current employer for 26 weeks into the 15th week before the week that your baby is due.
- You did not provide UKRI with at least 28 days' notice of the date that you will stop work to have your baby and therefore do not qualify for SMP.
- You did not provide medical evidence (MATB1) within three weeks of the start of your maternity pay period.
- You cannot get SMP if you are in a legal custody at the beginning of your maternity pay period.
- You have started work after the birth, and UKRI did not employ you in the 15th week before the week your baby was due.

## A7. Process

- A7.1 UK SBS will, on behalf of UKRI, formally respond to the employee in writing to confirm the relevant start and end dates of Maternity Leave and any entitlement to pay. Such a response will be provided within four weeks of receipt of a request to take Maternity Leave. The timeline for approaching Maternity Leave is outlined in [Appendix C](#).

## Family Leave and Pay

- A7.2 UKRI must be advised of the Maternity Pay and Leave arrangements as far in advance as possible, and at least four weeks before Maternity Leave is due to begin so that the employee can be excluded from Statutory Sick Pay (SSP) if they are off work for pregnancy-related illness or injury during the four weeks before the EWC. This is because SMP and SSP are mutually exclusive.

### **A8. Change of Maternity Leave start date**

- A8.1 Employees can change their Maternity Leave start date by notifying UKRI at least 28 days before the old or new start date, whichever is earlier (or, if this is not possible, as soon as is reasonably practicable beforehand). However, employees should note that the new start date must not be before the 14th week before the EWC.
- A8.2 In the event of a premature birth, i.e. before the agreed start date for Maternity Leave, Maternity Leave will start automatically on the day following the birth.

### **A9. Sickness during Maternity Leave**

- A9.1 Employees are not entitled to UKRI sick pay during paid or unpaid Maternity Leave.
- A9.2 If an employee is eligible for SMP or Maternity Allowance they will not be entitled to SSP until after the Maternity Pay Period, being 39 weeks.
- A9.3 If an employee is not entitled to SMP or Maternity Allowance, they cannot receive SSP for 18 weeks. SSP is not payable whilst an individual is in receipt of SMP.
- A9.4 Such employees may, after such times, be entitled to SSP provided that a medical certificate of incapacity is submitted so that eligibility for SSP can be determined.

### **A10. Sickness before and after Maternity Leave**

- A10.1 Normal provision for UKRI paid sick leave applies before and after Maternity Leave subject to the Sickness Absence Policy. Entitlement to UKRI paid sick leave and to SSP for pregnancy-related illnesses ceases at the beginning of the fourth week before the EWC.
- A10.2 If an employee is absent due to pregnancy-related illnesses during or after the fourth week before the EWC, their Maternity Leave will be deemed to have commenced and either SMP, Maternity Allowance or UKRI Maternity pay will then be paid if appropriate.
- A10.3 Where an employee has provided at least four weeks' written notification of their intention to return to work from Maternity Leave on a specific date but cannot return due to illness (whether pregnancy or non-pregnancy related), UKRI sick leave will be allowed if a medical certificate of incapacity is provided.

### **A11. Stillbirth/Miscarriage**

- A11.1 Where an employee has a stillbirth after the 24th week of pregnancy, they will be entitled to the same amount of Maternity Leave and pay as if their child was born alive.
- A11.2 Where an employee has a miscarriage before the 24th week of pregnancy, they will not be eligible for Maternity Leave or pay but may be eligible for UKRI sick pay. This is in line with the UKRI Sickness and Absence Policy.

Family Leave and Pay

**A12. Statutory right to return to work following the birth of your child**

- A12.1 No woman may return to work within the two-week period immediately following the birth of their child.
- A12.2 The right to return to work within and up to the end of a period of 52 weeks from the beginning of the Maternity Leave period is a statutory right for employees.
- A12.3 An employee returning from OML has the right to return to the job in which they were employed prior to the commencement of Maternity Leave on the same terms and conditions.
- A12.4 An employee returning from AML or from a period of Parental Leave taken immediately after AML, can expect to return to the job in which they were employed prior to the commencement of Maternity Leave or, if that is not reasonably practicable (e.g. due to organisational restructure), to another job which is both suitable and appropriate for the employee in the circumstances and on comparable terms and conditions. Management will consult with the employee about any proposed changes to their job towards the end of their leave if this is likely to be the case.
- A12.5 If a redundancy situation occurs during Maternity Leave, the employee must have the same consultation as other staff. If the employee is selected for redundancy whilst on Maternity Leave a written statement outlining the reason for selection must be supplied to the employee.
- A12.6 If the employee wishes to modify their hours or working arrangements upon return they should refer to UKRI's Ways of Working Policy. Please note a request to return to flexible working must be submitted 14 weeks in advance.
- A12.7 It will be assumed that an employee will return from Maternity Leave at the end of the 52-week period unless an earlier date has previously been agreed between the parties. Should the employee wish to change this date, they must give UKRI eight weeks' notice in writing before their intended date of return, otherwise UKRI may delay their return for eight weeks or until the end of their AML period, whichever is the earlier. The timeline for an employee returning to work following Maternity Leave is outlined in [Appendix D](#).

**A13. Failure to return to work**

- A13.1 Should an employee decide not to return to work after Maternity Leave, they are required to inform HR of this decision as soon as reasonably practicable.
- A13.2 If an employee does not return to work on the due date or notify HR, UKRI will treat this matter as unauthorised absence and the employee may be subject to UKRI's Disciplinary Procedure under the UKRI Managing Performance and Conduct policy.
- A13.3 An employee who resigns because they do not intend to return to work after the child is born, but later wishes to return because of a change in circumstances, should contact HR who will arrange for the request to be considered based on the needs of the business.
- A13.4 Employees must return to work after the end of the AML period. If they are sick and unable to attend work for any reason they must provide a doctor's certificate. If employees comply with this requirement, they will be treated as being absent due to sickness.

Family Leave and Pay  
**Appendix B – Web Links**

- B1.** For further information on Maternity, Maternity Support, Adoption and Surrogacy rights, refer to the following link: <http://www.acas.org.uk/index.aspx?articleid=1753>.
- B2.** For information on benefits available, visit <https://www.gov.uk/>.



Family Leave and Pay

**Appendix C – Timeline Before Going on Maternity Leave**

28 weeks prior to EWC	Pregnancy is confirmed.  Action: Inform your line manager you wish to take time off for ante- natal appointments/care.
Week 15 prior to EWC	The end of the 15th week prior to EWC is the deadline for notifying UKRI of intention to take Maternity Leave.
Week 14 prior EWC	You can take Maternity Leave from this time onwards.
Week 11 prior to EWC	You are eligible to receive UKRI Maternity pay.
Week four prior to EWC and onwards	Pregnancy-related illness/absence will trigger start of Maternity Leave.



**Appendix D – Timeline After Going on Maternity Leave**

Child is born	Contact Job Centre Plus/UKRI to claim relevant benefits.
Week three	This is the earliest that you can return to work.
20 weeks after commencing Maternity Leave	This is the earliest date you can transfer unused OML and/or AML to your partner.
26 weeks after commencement of receipt of Maternity Pay	Full UKRI Maternity Pay ceases and employees move to remaining 13 weeks at SMP rate.
39 weeks after commencement of receipt of Maternity Pay	Maternity Pay ends.
52 weeks after commencing Maternity Leave	All possible Maternity Leave will cease, and the employee will return to work unless another date prior to the 52 weeks has been arranged.

Family Leave and Pay  
**Appendix E – Adoption**

**E1. Eligibility for Statutory Adoption Leave and Pay**

- E1.1 The employee will be entitled to Adoptive Leave if they have been newly matched with a child up to the age of 18, as long as the child is newly placed for adoption (and placed by an accredited adoption agency). If a couple jointly adopt a child, one may take Adoption Leave and the other parent may be able to take Maternity Support Leave or SPL. Parents who have a child through a surrogacy arrangement or a 'foster to adopt' arrangement are eligible for Adoption Leave.
- E1.2 The partner (the person not designated as principal parent) is entitled to paid leave equivalent to UKRI paid Maternity Support Leave. They must also notify UKRI of their intention to take Maternity Support Leave as soon as reasonably practical of the date of match.
- E1.3 Employees will not qualify for Adoption Leave or pay if they:
- E1.3.1 become a special guardian or Kinship carer,
  - E1.3.2 adopt a stepchild,
  - E1.3.3 adopt a family member; or
  - E1.3.4 adopt privately e.g. without permission from a UK authority or adoption agency.

**E2. Adoption – Leave Entitlements**

- E2.1 Adoptive Leave allows for 26 weeks of OAL followed immediately by 26 weeks of AAL, which begins the day after OAL finishes. Adoptive Leave can start up to four weeks before the date of placement.
- E2.2 Employees can change the start date of OAL by notifying UKRI at least four weeks before the old or new start date, whichever is earlier (or, if this is not possible, as soon as is reasonably practicable).
- E2.3 Employees can only take one period of leave even if more than one child is placed for adoption at one time.
- E2.4 Both Adoptive parents may apply for up to four days' paid leave for pre-adoption formalities. This leave should be applied for in writing to the employee's line manager with supporting documentation.

**E3. Adoption – Pay Entitlement**

- E3.1 Occupational Adoptive Pay.
- E3.1.1 A principal carer who qualifies under Occupational Adoptive Pay is entitled to receive payments during Adoptive Leave for a continuous period of 39 weeks (Adoption Pay Period). The first 26 weeks will be on the full rate of UKRI pay, the next 13 weeks will be on SAP rate.
  - E3.1.2 All payments made to such an employee during the Adoption Pay Period are inclusive of that employee's entitlement to SAP, if any. The principal carer will then be entitled to 13 weeks' unpaid leave. An employee will qualify for UKRI Adoptive Pay, provided that they:

## Family Leave and Pay

- E3.1.2.1 can provide a copy of the matching certificate given by the UK adoption agency and they have notified them that they agree for the child to be placed with them or they can provide official notification of adoption from overseas;
- E3.1.2.2 can provide a date when the child is due for placement or an estimate of when the child will enter Great Britain;
- E3.1.2.3 have notified UKRI of when they wish the Adoption Leave and Pay to begin within one week of the date on which they were matched (UKRI must have at least four weeks' notice of the start of the Adoptive Leave and pay); and
- E3.1.2.4 UKRI will confirm in writing the employee's Adoptive Leave details within four weeks of receiving their written notification.

## E4. Statutory Adoptive Pay (SAP)

- E4.1 A principal carer will be entitled to receive 26 weeks' OAL (paid at SAP rate) followed by 26 weeks' AAL (13 weeks paid at SAP rate, 13 weeks unpaid), provided they have average weekly earnings greater than the lower earnings limit and they comply with the relevant notification procedures set out below.
- E4.2 If adopting from within the UK, an employee will qualify for SAP if:
  - E3.1.1 they have been continuously employed by UKRI for at least 26 weeks into the week in which they were notified of having been matched with the child,
  - E3.1.2 they can provide a copy of the matching certificate given by the adoption agency,
  - E3.1.3 they have notified the agency that they agree that the child should be placed with them, and
  - E3.1.4 as soon as reasonably practical after notification of a match, they have notified UKRI of when they wish the Adoption Leave and pay to begin, which may start no earlier than the 14th day before the expected date of placement of the child and the latest it can start is generally the date of the placement (UKRI should have at least four weeks' notice of the start of the Adoption Leave and pay).
- E4.3 If adopting from overseas, an employee will qualify for SAP if:
  - E3.1.1 they have been continuously employed by UKRI for at least 26 weeks by the time they wish to begin their leave and pay,
  - E3.1.2 they have received official notification, which confirms the adopter has been assessed and approved as a suitable parent,
  - E3.1.3 they give UKRI notice in writing within four weeks of receiving official notification, or within four weeks of completing the 26 weeks' service if that is later (UKRI must have at least four weeks' notice of the start of the Adoptive Leave and pay), and
  - E3.1.4 they must give UKRI evidence that the child has entered Great Britain.
- E4.4 An employee who is eligible for SAP may also qualify for the UKRI's paid Adoptive Leave.

Family Leave and Pay

**E5. Process – Statutory right to return to work**

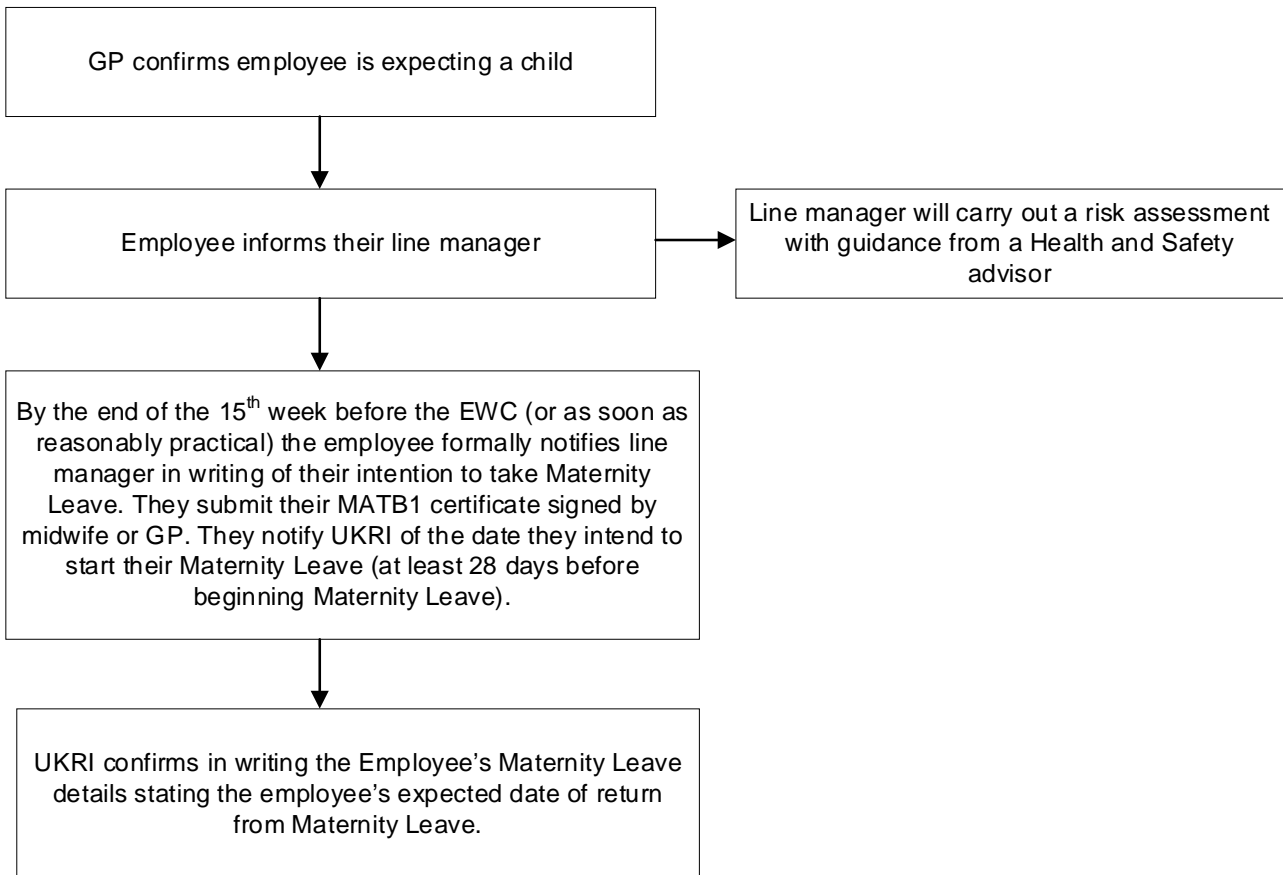
- E5.1 The right to return to work within and up to the end of a period of 52 weeks from the beginning of the Adoption Leave period is a statutory right for employees.
- E5.2 An employee (who is the principal carer) returning from OAL has the right to return to the job in which they were employed prior to the commencement of OAL on the same terms and conditions.
- E5.3 An employee (who is the principal carer) returning from AAL, or from a period of Parental Leave taken immediately after AAL, has the right to return to the job in which they were employed prior to the commencement of Adoption Leave, or if that is not reasonably practicable (e.g. due to redundancy), to another job, which is both suitable and appropriate and on comparable terms and conditions. Management will consult with the employee about any proposed changes to their job at the end of their leave if this is likely to be the case.
- E5.4 If a redundancy situation occurs during Adoption Leave, the employee must have the same consultation as other staff. If the employee is selected for redundancy whilst on Adoption Leave a written statement outlining the reason for selection must be supplied to the employee.
- E5.5 It will be assumed that the employee (principal carer) will return from Adoption Leave at the end of the 52-week period unless an earlier date has previously been agreed between the parties. If the employee (principal carer) wishes to change this date they must provide UKRI with at least eight weeks' notice in writing of their return date, otherwise UKRI may delay their return for eight weeks or until the end of their AAL period, whichever is the earlier.
- E5.6 If the employee wishes to modify their hours of working arrangements, they should refer to UKRI's Ways of Working Policy. Requests for such a change must be applied for 14 weeks in advance.

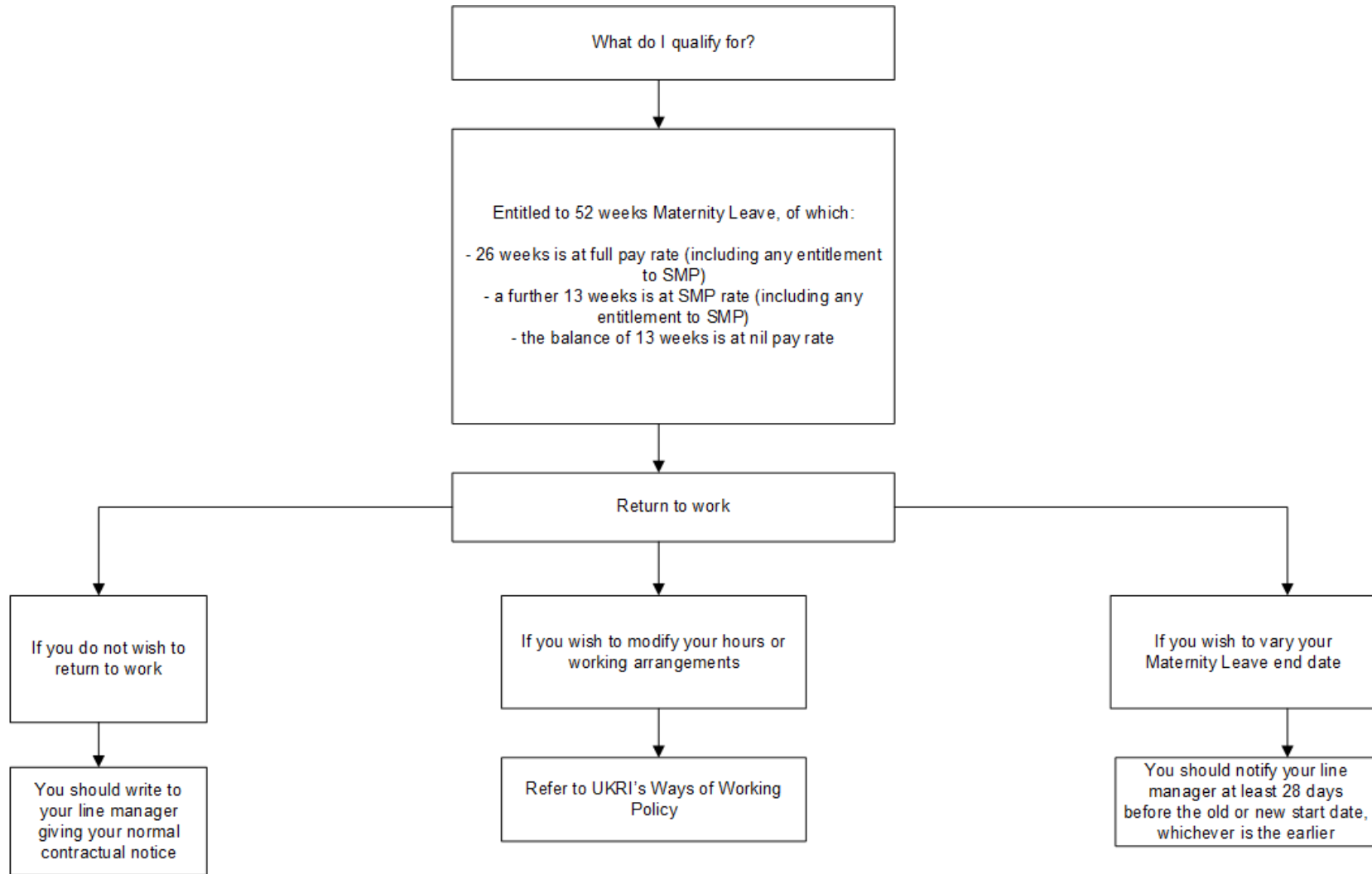
**E6. Failure to return to work**

- E6.1 Should an employee decide not to return to work after Adoptive Leave, they are required to notify HR of this decision immediately.
- E6.2 Employees must return to work after the end of the AAL period. If they are sick and unable to attend work for this reason they must provide a medical certificate of incapacity. If employees comply with this requirement, they will be treated as being absent due to sickness. Should employees fail to return to work on the agreed return date, UKRI will treat this as an unauthorised absence. Such employees may, therefore, be subject to the UKRI Managing Performance and Conduct Policy - disciplinary procedure.

Family Leave and Pay

**Appendix F - Flowcharts outlining key stages in the maternity process**





**Appendix G – Shared Parental Leave (SPL) and Shared Parental Pay (ShPP)****G1. Introduction**

- G1.1 SPL allows eligible parents to be able to volunteer to end their Maternity or Adoption Leave and/or pay early to create Shared Parental Leave and pay which they can share with the child's father or their partner. SPL means that eligible fathers and partners will be able to request more leave from work in the first year following their child's birth or placement for adoption. Because it is shareable, there will also be cases where eligible mothers will return to work early because the child's father or their partner is taking leave in their place.
- G1.2 The entitlement to Paternity Leave is lost once any SPL is taken by eligible fathers or partners, so Paternity Leave should be taken first.
- G1.3 SPL must be taken in one continuous block or in multiples of complete weeks, and an employee can choose to take it at the same time as their partner or separately.
- G1.4 Adopters and intended parents in surrogacy arrangements have the same rights as other parents to SPL and pay. A mother must take at least two weeks of Maternity Leave after the birth of their child before Maternity Leave can be curtailed. An adopter, or the parental order parent in surrogacy must take at least two weeks of Adoption Leave before it can be curtailed.

**G2. Eligibility**

- G2.1 SPL can only be used by two people: The mother and one of the following:
  - G2.1.1 the father of the child (in the case of birth), or
  - G2.1.2 the spouse, civil partner or partner of the child's principal parent.
- G2.2 UKRI employees will be eligible for SPL if:
  - G2.2.1 they remain in continuous employment with UKRI until the week before any period of SPL is taken,
  - G2.2.2 they have the main responsibility for the care of the child at the date of the birth or match (in addition to the responsibility of their partner or the child's father),
  - G2.2.3 the child's principal parent/co-adopter has curtailed their statutory Maternity or Adoptive Leave, and
  - G2.2.4 they have complied with the relevant eight weeks' notice and evidence requirements.
- G2.3 In addition, the partner (i.e. the child's father or the mother's spouse, civil partner or partner) or co-adopter must:
  - G2.3.1 have been employed or self-employed during at least 26 of the 66 weeks before the expected week of childbirth (EWC), and
  - G2.3.2 have the main responsibility for the child at the date of the birth/match (apart from the responsibility of the mother).

Family Leave and Pay

**G3. SPL – Leave Entitlement**

- G3.1 The amount of SPL that the parents can share is 52 weeks (less the amount of Maternity Leave taken by the mother or Adoption Leave taken by the principal adopter).
- G3.2 All leave must be taken before the child's first birthday, or before the first anniversary of the day on which parental responsibility was given.

**G4. Notice of intention to take SPL**

- G4.1 Employees are required to notify their line Manager of their entitlement to, and intention to take, SPL at least eight weeks before they can take any period of SPL. This is a 'one off' notification which is forwarded to HR. However, an employee can vary the amount of SPL they intend to take by notifying their line Manager of how they think they will split and take their SPL. The following information should be provided to the line Manager:
  - G4.1.1 the number of weeks that the mother took as maternity/Adoptive Leave (or will have taken, where notice has been given to curtail the leave on a specific future date),
  - G4.1.2 how many weeks of SPL and pay is available to the employee and their partner,
  - G4.1.3 how much each intends to take,
  - G4.1.4 a non-binding indication of how the employee will take the SPL that is available to them, and
  - G4.1.5 the date on which the child is expected to be born or the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption.
- G4.2 The mother is required to provide a signed declaration using the relevant form which can be found at: <https://www.gov.uk/shared-parental-leave-and-pay/applying-for-leave-and-pay>.
- G4.3 The partner of the recipient of SPL also needs to provide a declaration using the relevant form found at: <https://www.gov.uk/shared-parental-leave-and-pay/applying-for-leave-and-pay>.

**G5. Additional Information**

- G5.1 UKRI may, within 14 days of the SPL entitlement notification being given, request the following:
  - G5.1.1 the name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead),
  - G5.1.2 in the case of the biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth), or
  - G5.1.3 in the case of the adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.



Family Leave and Pay

- G5.2 If this evidence is requested, the employee must produce it within 14 days to be entitled to SPL.
- G5.3 UKRI can, where there is a suspicion that fraudulent information may have been provided, investigate the matter further in accordance with the UKRI Managing Performance and Conduct Policy.

**G6. Shared Parental Pay Entitlement**

- G6.1 Up to 26 weeks of Shared Parental Pay (ShPP) at the full rate and up to 13 weeks at the statutory rate can be claimed at any time that SPL is taken, making a maximum of 39 weeks of ShPP in total. If there have been weeks since the child's birth (or adoption) for which any of occupational maternity pay, statutory maternity pay, maternity allowance or statutory adoption pay has already been claimed by or paid to the child's mother or the principle adopter then that number of weeks is deducted from the maximum of 39 weeks.
- G6.2 The maximum of ShPP at the full pay rate that can be claimed is 26 weeks, however if there have been weeks since the child's birth (or adoption) for which any of occupational maternity pay, occupational adoption pay, statutory maternity pay, maternity allowance or statutory adoption pay has already been claimed or paid then that number of weeks is deducted from the 26 weeks at full pay rate.
- G6.3 In addition to meeting the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:
  - G6.3.1 the mother/parent must be/have been entitled to Maternity Pay or Maternity Allowance/Adoption pay and must have reduced their Maternity Pay period or Maternity Allowance period,
  - G6.3.2 the employee must intend to care for the child during the week in which ShPP is payable,
  - G6.3.3 the employee must have average weekly earnings for the period of eight weeks leading up to and including the 15th week before the EWC/matching date which are not less than the lower earnings limit in force for national insurance contributions,
  - G6.3.4 the employee must remain in continuous employment until the first week of ShPP has begun, and
  - G6.3.5 the employee must give proper notification in accordance with the rules set out below.
- G6.4 Where an employee is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give their line manager written notice advising of their entitlement to ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL.
- G6.5 In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:
  - G6.5.1 the start and end dates of any Maternity Pay or Maternity Allowance,
  - G6.5.2 the total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP,

## Family Leave and Pay

G6.5.3 a signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the organisation should they cease to be eligible.

G6.5.4 A signed declaration using the relevant form from the employee's partner confirming:

G6.5.4.1 their agreement to the employee claiming ShPP and for the organisation to process any ShPP payments to the employee,

G6.5.4.2 (in the case where the partner is the mother) that they have reduced their Maternity Pay or Maternity Allowance,

G6.5.4.3 (in the case where the partner is the mother) that they will immediately inform their partner should they cease to satisfy the eligibility conditions,

G6.5.4.4 any statutory ShPP due will be paid at a rate set by the Government for the relevant tax year.

G6.6 An example of how SPL can work is as follows:

G6.6.1 the mother could take two weeks' compulsory Maternity Leave followed by 40 weeks' SPL. This would leave 10 weeks' SPL for the father (or the mother's partner) to take at any time before the child's first birthday, either at the same time as the mother or when they have returned to work.

G6.7 An eligible parent who wants to take SPL, or who wants to enable their eligible partner to take SPL, will be able to end their Maternity/Adoptive Leave in one of two ways:

G6.7.1 either return to work before the end of the Maternity/Adoptive Leave (by giving the required eight weeks' notice of their planned return), or

G6.7.2 provide their employer with a Maternity Leave curtailment notice. The Maternity Leave curtailment notice must be in writing and state the date on which Maternity Leave is to end. That date must be:

G6.7.2.1 after the compulsory Maternity Leave period, which is the two weeks after birth,

G6.7.2.2 at least eight weeks after the date on which the mother gave the Maternity Leave curtailment notice to their employer; and

G6.7.2.3 at least one week before what would be the end of the AML period.

G6.7.3 The same applies to an adopter who wishes to end their Adoption Leave to opt into SPL.

G6.7.4 The mother/adopter may be able to change their decisions to end Maternity or Adoption Leave early if both:

G6.7.4.1 the planned end date hasn't passed, and

G6.7.4.2 they haven't already returned to work.

G6.7.5 One of the following must also apply:

## Family Leave and Pay

- G6.7.5.1 it is discovered during the eight-week notice period that neither partner is eligible for either SPL or Shared Parental Pay (ShPP), or
- G6.7.5.2 the mother or adopter's partner has died, or
- G6.7.5.3 the mother tells their employer less than six weeks after the birth (and the mother gave notice before the birth).

## **G7. Period of Leave Notice**

- G7.1 Once the employee has provided notification of their entitlement to take SPL, they will also have to submit a notice to 'book' a period of leave. A notice to book leave must be given at least eight weeks before leave can be taken and must set out the start and end dates of each period of SPL being requested.
- G7.2 SPL can only be taken in complete weeks but may begin on any day of the week. For example, if a week of SPL began on a Tuesday it would finish on a Monday.
- G7.3 Employees have the right to submit up to three separate notifications. Periods of continuous leave will automatically be approved; however, consideration will need to be given for periods of discontinuous leave. If the request is refused, or no agreement can be reached within a two-week discussion period then employees are entitled to take the total amount of leave requested in the notice as a continuous period of leave.
- G7.4 Employees have five days after the end of the two-week discussion period in which to specify the date they will start their leave. If no date is specified, the leave will begin on the first day of the first period of discontinuous leave that the employee originally applied for.
- G7.5 An example of a request for discontinuous leave is as follows:
  - G7.5.1 two weeks in June, two weeks in September, one week in October in the same notification,
- G7.6 Where the period of leave notice requests discontinuous periods of leave, the first two weeks of the eight week notice period will be a discussion period between UKRI and employee. During this two-week period UKRI may agree to the request, propose alternative dates or refuse the request altogether.
- G7.7 Employees may choose to withdraw their notice if their pattern of leave has been refused or if the request has not been responded to during the two-week discussion period. If the employee wants to vary the dates given in the notice, then they will have to submit a notice to vary the leave, giving at least eight weeks' notice of any change.
- G7.8 The employee may withdraw the notice at any time up to and including the 15th day after submission of the notice.
- G7.9 In instances where only the UKRI employee is eligible for SPL they can still use SPL to book their leave in separate blocks.

Family Leave and Pay

**G8. Returning to work after SPL**

- G8.1 Employees will have been formally advised in writing by UKRI of the end date of any period of SPL. Employees are expected to return on the next working day after this date, unless they notify the UKRI otherwise. If an employee is unable to attend work due to sickness or injury, UKRI's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.
- G8.2 Employees who wish to return to work earlier than the expected return date are required to provide a written notice to vary the leave and must give UKRI eight weeks' notice of their date of early return. This will count as one of the employee's notifications. If an employee has already used their three notifications to book and/or vary their SPL, UKRI does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.
- G8.3 Employees have the right to return to the same job who are returning from any period of leave that includes maternity, paternity, adoption and SPL totalling up to 26 weeks, and if the employee returns after a longer period, the right will be to return to a similar job if it is not possible to return to the same job.

**G9. Shared Parental Leave in Touch (SPLIT) days**

- G9.1 SPLIT days may be used to affect a gradual return to work by the employee towards the end of a long period of SPL or to trial a possible flexible working pattern.
- G9.2 SPLIT days can also be used for training, attending meetings and committees or any activity undertaken for the purposes of keeping in touch with the workplace.
- G9.3 If UKRI and the employee agree, the employee may work for up to a maximum of 20 SPLIT days without bringing their period of SPL to an end or impacting on their right to claim Statutory Shared Parental Pay (ShPP) for that week. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.
- G9.4 Payment for SPLIT days will be made at the employee's basic daily rate (regardless of the actual hours worked) less appropriate ShPP they are receiving.

Family Leave and Pay

**Appendix H - SPL / SHPP - Eligibility Criteria**

**H1.** There are specific eligibility criteria that need to be met before this process can begin:

H1.1 Employment and Earnings Test:

Has your partner been employed or self-employed during at least 26 of the 66 weeks preceding the child's due date (EWC)?

If no – you are not eligible to access the Shared Parental Leave and Pay

If yes – you are eligible for access to Shared Parental Leave and any remaining pay period

## **I1. Eligibility**

- I1.1 Maternity Support Leave (also referred to as Paternity Leave) is available to the biological father of the child, the mother's or principal carer's spouse and/or partner who has or expects to have the main responsibility for the child's upbringing. (A "Partner" is defined as a person, whether of different or same sex, who lives with the mother/principal carer and the child in an enduring family relationship but is not the mother/principal carer's parent, grandparent, sister, brother, aunt or uncle). Parents who have a child through a surrogacy arrangement or a 'foster to adopt' arrangement are eligible for Maternity Support Leave. The partner of an individual who adopts (or has a parental order) or the secondary adopter if a couple are adopting jointly may be entitled to Maternity Support Leave and Pay or SPL.
- I1.2 Employees must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or support the child's mother/principal carer.

## **I2. Maternity Support – Leave Entitlement**

- I2.1 An employee may take a total of two weeks paid Maternity Support Leave within the three months following the date of birth or adoption. This is in addition to the employee's normal annual holiday entitlement.
- I2.2 The employee may choose to begin their leave on:
- I2.2.1 the date on which the child is born or placed,
  - I2.2.2 the date falling such number of days after the birth/placement/entry as specified in the employee's notice to UKRI, or
  - I2.2.3 a predetermined date specified in the notice, which is later than the first day of EWC/placement/entry.
- I2.3 Maternity Support Leave cannot begin before the day of the child's birth/placement/entry and must be completed within a period of three months starting from the date of birth/placement/entry.
- I2.4 No additional paid time off will be granted for multiple births/adoptions at the same time.

## **I3. Maternity Support – Pay Entitlement**

- I3.1 The UKRI Paid Maternity Support Leave Scheme provides two weeks' Maternity Support Leave at the full rate of UKRI pay. This is inclusive of any entitlement to Statutory Paternity Pay (SPP) should they qualify. To qualify for SPP an employee must have 26 weeks continuous service at the 15th week before EWC, or in the case of adoption by the week in which the child's principal carer is notified as having been matched with the child (within the UK) or the official notification is received (overseas).

## **I4. Process**

### **I4.1 Notification to request Maternity Support Leave – Birth**

- I4.1.1 Employees wishing to request Maternity Support Leave should give UKRI at least four weeks' written notice of their intention to take Maternity Support Leave.

## Family Leave and Pay

- 14.1.2 To make a request to take Maternity Support Leave, employees should complete the Statutory Leave Form and Plan available on the System to indicate the date the child is due and to confirm the date that they wish for paid Maternity Support Leave to commence.
- 14.1.3 A copy of the MATB1 form signed by the midwife or GP confirming the EWC at the earliest opportunity should also be submitted with the request. (Ideally the original MATB1 form should be provided however, if the original is not available, a copy will suffice).
- 14.1.4 Upon receipt, you will receive written notification confirming the relevant start and end dates of Maternity/Adoption Support Leave and any entitlement to pay. Such a response will be provided within four weeks of receipt of a request to take Maternity/Adoption Support Leave.
- 14.1.5 Should the notified date of commencement of Maternity Support Leave change, employees must, unless the child is born sooner or later than expected, provide at least four weeks' notice of the revised Maternity/Adoption Support Leave start date.

### 14.2 **Notification to request Maternity Support Leave – Adoption**

- 14.2.1 It is recommended that employees notify UKRI of their intention to take Maternity Support Leave as soon as possible following approval for adoption. This may be before employees have received, or need to submit, their documentary evidence, but it will enable line management time to plan for the intended period of leave.
- 14.2.2 If adopting from within Great Britain, employees must give UKRI one week's notice, from the date the matching certificate is issued, of the date they expect to take the leave and provide proof of the expected date of placement of the child at the earliest opportunity.
- 14.2.3 If adopting from overseas, employees are required to notify UKRI within four weeks of receiving, or their spouse or partner receiving, the official notification.
- 14.2.4 Upon receipt, employees will receive written notification confirming the relevant start and end dates of Maternity Support Leave and any entitlement to pay. Such a response will be provided within four weeks of receipt of a request to take Maternity Support Leave.
- 14.2.5 Should the notified date of commencement of Maternity Support Leave change, employees must, unless the adoption date unexpectedly changes, provide at least four weeks' notice of the revised Maternity Support Leave start date.
- 14.2.6 The right to return to work following Maternity Support Leave is a statutory right for employees.

## Appendix J - Employees Undergoing Fertility Treatment

### J1. Best practice

- J1.1 UKRI is committed to providing a fair, consistent and effective approach to the application of leave provision in relation to fertility treatment such as in vitro fertilisation (IVF). The organisation acknowledges the emotional impact that fertility treatment may have on employees who are undergoing treatment, resulting from the underlying fertility issue, the physical and emotional stress of the treatment, the wait to see if the procedure has worked and the potential distress if it is unsuccessful.
- J1.2 Employees do not have a statutory right to take time off, paid or unpaid, for fertility treatment. However, UKRI is committed to supporting its employees where possible using flexible working, annual leave, flexi time.
- J1.3 Fertility treatment involves regular medical appointments. Time off work is likely to be needed for investigative appointments prior to the start of treatment and during treatment. Employees should refer to the UKRI Sickness Absence Policy.
- J1.4 Employees undergoing fertility treatment are deemed to be pregnant from the point of implantation of fertilised ova. From this point they will be entitled to the same employment rights as all pregnant employees.

### J2. Time off for medical appointments and treatment

- J2.1 Whilst there is no statutory right for an employee to take time off work in connection with fertility investigations or treatment before the stage at which the employee is pregnant, UKRI will support employees who are undergoing treatment.
- J2.2 All appointments for investigations and treatment will be treated in the same way as time off for any other medical appointments.
- J2.3 To apply for time off, employees are required to give as much notice as possible and, wherever possible, should arrange appointments at the start or end of the working day. Line managers have the right to ask for proof of attendance for medical appointments. It is recognised that employees undergoing fertility treatment may need to attend some longer medical appointments i.e. for an initial consultation, egg collection, embryo transfer.
- J2.4 To cover appointments of this type employees will be granted paid time off for up to three full day appointments. Any other full day appointments can be taken as annual leave, flexi leave or as unpaid leave; it is the employee's responsibility to manage their time.
- J2.5 The nature of fertility treatment and the demands of the treatment may mean that the employee may need additional time off around the appointments. This can be taken as annual leave, flexi leave or as unpaid leave.
- J2.6 Employee's involved in fertility treatment are likely to need time off. Employees who wish to take time off to support their partner's treatment would be required to take annual leave, flexi leave or unpaid leave, it is the employee's responsibility to manage their time.
- J2.7 Employees have the option to submit a request for a flexible working arrangement. This would need to be discussed between the line manager and employee to ascertain the needs of the individual and the workplace. Arrangements might include altering the hours worked on a temporary basis, part-time working or working from home for some or part of the employee's hours. Employees should refer to the UKRI Ways of Working Policy.



Family Leave and Pay

**J3. Sickness Absence**

- J3.1 If an employee is unable to work due to the effects of the treatment and is signed off by their doctor, this will be treated as sickness absence for any other reason and an employee's entitlement to statutory sick pay and occupational sick pay will be paid in accordance with normal rules. Please refer to the UKRI Sickness Absence Policy.

**J4. Confidentiality**

- J4.1 Managers will treat information relating to an employee who is undergoing fertility treatment with respect and confidentiality and will not share any such information except where absolutely necessary for business purposes.

**J5. Additional support**

- J5.1 The line manager will remind the employee about the Employee Assistance Programme, and/or other welfare or occupational health support which is available. Details of the Programme can be obtained from HR.

Family Leave and Pay  
**Appendix K – Foster Care**

**K1. Notification requirements**

K1.1 To ensure that line managers can provide necessary support, employees who are intending to foster a child/children are encouraged to notify their line manager, although this is not a statutory requirement.

**K2. Time off to care for new foster children**

K2.1 Employees who require time off to attend training or meetings, or to care for the child/children at the start of the foster-care arrangement may request special leave to do so. The request must be in writing and the employee must specify the period of time off that they are seeking for this purpose.

K2.2 Up to four days paid special leave may be granted in a rolling year (irrespective of other special leave granted).

**K3. Time off for dependants**

K3.3 Foster carers may request time off to deal with family/domestic emergencies including family/domestic emergencies relating to the foster children in their care.

**K4. Parental Leave**

K4.1 The statutory right to Parental Leave is available only to carers who have parental responsibility for the children concerned. It is normally the case that foster carers will not have parental responsibility, since this will usually be with the local authority if the child has been placed under an interim or full care order. Employees who are foster carers and wish to take Parental Leave will be asked to supply evidence of parental responsibility.

K4.2 In cases where employees do not have parental responsibility for the child, they will not be entitled to Parental Leave. Instead, employees may request annual or special leave.

**K5. Flexible working**

K5.1 Employees may submit a request for a flexible working arrangement. This would need to be discussed between the line manager and employee to ascertain the needs of the individual and the workplace. Arrangements might include altering the hours worked on a temporary basis or part-time working. Employees should refer to the UKRI Ways of Working Policy.

**K6. Foster to adopt**

K6.1 If an employee is a local authority foster parent who is also approved as a prospective adopter and a child is placed with the employee in a "foster to adopt" situation, they will be entitled to Adoption Leave and Pay. For details on Adoption Leave please refer to [Appendix E](#).

Family Leave and Pay  
**Appendix L – Parental Leave**

**L1. Introduction**

- L1.1 The right to Parental Leave provides eligible parents with the opportunity to take periods of unpaid leave to look after a child or make arrangements for the child's welfare.
- L1.2 Requests for Parental Leave must be made to the line manager and then forwarded to HR on the Parental Leave Form.

**L2. Eligibility**

- L2.1 UKRI employees will be eligible for unpaid Parental Leave if they are the parent (adoptive or birth) or carer of a child under eighteen years of age, in which case they will be entitled to take up to 18 weeks' unpaid leave per child, subject to the conditions of Parental Leave in [paragraph 11](#).
- L2.2 Employees must have formal responsibility for the child and be able to provide evidence to management of the above e.g. Birth Certificate etc.
- L2.3 Employees are eligible for 18 weeks' unpaid Parental Leave per child.
- L2.4 Employees must have one year's continuous service before the start of the leave period.
- L2.5 Where both parents are employed by UKRI, they will both be eligible for 18 weeks' unpaid leave.
- L2.6 Where the leave taken is for a period of more than four weeks (i.e., where the leave spans the December of one year and the January of the next), and where it is operationally necessary, employees may need to return, at management discretion, to another job that has the same Band and terms and conditions as the old one. Employees will be advised of this at the time the leave is approved by management.
- L2.7 Parental Leave applies to each child and not the employer. Therefore, if the employee has taken a number of weeks Parental Leave with a previous employer, UKRI will be responsible for the remaining time if eligible.

**L3. Entitlement**

- L3.1 Employees can take Parental Leave in weeks, days or half days up to a maximum of four calendar weeks' Parental Leave in one calendar year. In exceptional circumstances and at management discretion, leave can be taken in blocks of four to 13 weeks;
- L3.2 A 'week' equals the length of time an employee normally works over seven days.
- L3.3 In the event that an employee works irregular weeks, the number of days in a 'week' is the total number of days they work a year divided by 52.

**L4. Process**

- L4.1 A request for Parental Leave must be made to a line manager a minimum of three weeks in advance.

#### Family Leave and Pay

- L4.2 UKRI may postpone the Parental Leave for up to three months where UKRI business would be unduly disrupted. However, unless there are exceptional operational difficulties, employees who give three months' or more notice of this intention will be guaranteed the time off requested.
- L4.3 UKRI may not postpone the taking of leave if the employee has requested it to be taken immediately after the birth of a child/placement for adoption and the employee gave three weeks' notice of this intention.
- L4.4 In cases of adoption, UKRI already provides for the principal carer to have 39 weeks' paid leave and up to 13 weeks unpaid Adoptive Leave. Carers will also be eligible for Parental Leave.
- L4.5 Employees new to UKRI must advise their line manager of any Parental Leave taken when previously employed outside of UKRI. UKRI reserves the right to contact previous employers for a history of Parental Leave taken by the employee.

Family Leave and Pay  
**Appendix M – Parental Bereavement Leave**

**M1. Introduction**

M1.1 The right to Parental Bereavement Leave and pay provides employees with parental responsibility for a child who passes away up to two weeks' paid leave. UKRI are committed to the wellbeing of all employees and will fully support bereaved employees in taking this leave.

**M2. Eligibility**

M2.1 Parental Bereavement Leave and pay applies to a biological, adoptive (if the child was living with them), parent of a child born to a surrogate, the partner of the child's parent, or employee who lived with the child and had responsibility for them for at least 4 weeks before they passed away.

M2.2 The child must have passed away on or after 6 April 2020.

M2.3 Parental Bereavement Leave and pay is available to parents whose child was 18 years or younger when they passed away or the parents suffer a stillbirth after 24 weeks of pregnancy.

M2.4 There is no length of qualifying service for Parental Bereavement Leave to be taken

M2.2 Where both parents are employed by UKRI, they will both be entitled to take up to two weeks' parental bereavement leave and pay.

**M3. Entitlement**

M3.1 Bereaved parents are entitled to take one or two-weeks' parental bereavement leave either in:  
A single block of two weeks; or  
Two separate blocks of one week at different times.

M3.2 Parents who have lost more than one child have a separate entitlement to Parental Bereavement Leave for each child who has passed away

M3.3 A 'week' equals the length of time an employee normally works over seven days.

M3.4 In the event that an employee works irregular weeks, the number of days in a 'week' is the total number of days they work a year divided by 52.

M3.5 Employees' employment rights are protected whilst on Parental Bereavement Leave. Employees who take Parental Bereavement Leave as a standalone leave will be entitled to return to the same role.

Employees who take Parental Bereavement Leave immediately following Maternity, Adoptive or Shared Parental Leave; and where the total leave exceeds 26 weeks are entitled to return to the same role, unless this is not reasonably practical, in which case they have the right to return to a suitable and appropriate role on the same terms and conditions.

## Family Leave and Pay

### M4. Process

M4.1 If taken within 56 days of the child passing employees do not need to give any advance notice for the leave to be taken but should let their line manager know before their normal start time on the first day of the leave or as soon as reasonably practical.

If taken after 56 days, one week's notice is required. If the two weeks are to be taken separately, employees must give one week's notice for each week.

M4.2 Line managers should open an absence on the system under 'parental bereavement leave' with the start date that the leave commenced and employees should end the absence when they return to work.

M4.3 Parental bereavement leave cannot be cancelled if already begun, however, employees can cancel any planned leave and take it at a different time.

M4.4 If the employee is taking another type of statutory leave (for example, maternity leave or paternity leave) when the child passes or stillbirth happens, Parental Bereavement Leave must start after the other leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

M4.5 If Parental Bereavement Leave is interrupted by the start of another type of statutory leave, the employee can take their remaining entitlement to Parental Bereavement Leave after that other leave has ended.

### M5. Parental Bereavement Pay

M5.1 All employees will qualify for Occupational Parental Bereavement Pay which is their full standard rate of pay for 2 weeks (pro-rata for part time employees). This is inclusive of entitlement to Statutory Parental Bereavement Pay.

M5.2 To qualify for Statutory Parental Bereavement Pay an employee must:

M5.2.1 Have been continuously employed by UKRI for at least 26 weeks up to the end date of the 'relevant week'. The 'relevant week' is defined as the week (ending with a Saturday) immediately before the week of the death or still birth.

M5.2.1.2 continue to be employed up to the day the child dies or is stillborn.

M5.2.1.3 Earn on average £120 a week before tax (gross) over an 8 week period.

M5.2.1.4 give UKRI correct notice (as per M4.1)