

# Maternity, Adoption, Maternity Support (Paternity) Leave and Parental Leave Policy

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Signed .....

Chief Executive

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## 1. Introduction

- 1.1 This policy outlines the process for applying maternity, adoption, maternity support, shared parental and parental leave. The policy also outlines the process for applying for leave for fertility treatment, ante-natal care and the provisions for surrogacy. The policy covers a range of situations that may arise such as pay, sickness absence and returning to work. It sets out the statutory rights and obligations of both staff and managers before, during and after leave.
- 1.2 This policy applies to substantive Trust employees including those on fixed term contracts.
- 1.3 Absence on maternity/adoption/parental leave (paid and unpaid) up to 52 weeks before a further NHS appointment shall not constitute a break in service.

## 2. Scope

- 2.1 This policy provides all employees with guidance on their entitlements regarding family commitments and responsibilities in relation to maternity, paternity, parental leave and adoption.
- 2.2 This policy recognises the requirements to comply with the following legislation:
- Employment Rights Act 1996, the Employment Relations Act 2006
  - Employment Act 2002 and the Work and Families Act 2006
- This legislation will be changed when the provisions of the Children and Families Bill comes into force. These changes in legislation will lead to a change to the provisions of this policy.

## 3. Definitions

- 3.1 **MATB1** - Maternity Certificate which is obtained from the GP or Midwife at the 21<sup>st</sup> week of pregnancy, verifying the expected date of the baby's birth.
- 3.2 **Expected week of childbirth (EWC)** - the date of the Sunday of the week in which the baby is due to be born, stated on the MATB1 form.
- 3.3 **Continuous Service** - Service with the Trust, other NHS employers, including health authorities NHS Boards, Local Education and Training Boards (LETB's), Clinical Commissioning Groups (CCG's) and the Northern Ireland Health Service.

## Section 1 Maternity Leave Provisions

### 4. Entitlement to Maternity Leave

- 4.1 All Employees who have completed 12 months continuous NHS service working full or part-time by the beginning of the 11th week before the EWC who intend to return to work and have notified the Trust are entitled to 52 weeks Maternity Leave. Maternity Leave may commence at any time from the 11th week before the EWC.
- 4.2 A job offer does not constitute 'employed' in these circumstances, but from day one of employment the right to Maternity Leave applies.
- 4.3 Employees that are on fixed term contracts or training contracts which expire after the eleventh week before the EWC who have completed 12 months continuous NHS service

will have their contracts extended so as to enable them to receive the 39 weeks' paid Maternity Leave. Absence on Maternity Leave (paid or unpaid) up to 52 weeks before a further NHS appointment shall not constitute a break in service.

- 4.4 Where the operation of a fixed term or training contract means that employees do not have a right of return as the contract would have ended if pregnancy/childbirth had not occurred, the repayment provision shall not apply.
- 4.5 Employees on fixed term contracts who do not meet the 12 month continuous service condition may still be entitled to statutory maternity pay.
- 4.6 Where an employee is participating in a planned rotation of appointments as part of an agreed programme of training they shall have the right to return to work in the same post or in the next planned post with the same or another employing authority, irrespective of whether the contract would have ended if pregnancy and confinement had not occurred. In such circumstances, the contract will be extended to enable the employee to complete the agreed programme of training.
- 4.7 In the event of a still birth after the 24<sup>th</sup> week of pregnancy, the employee is entitled to maternity pay/leave under the appropriate category, as if the birth had been live.
- 4.8 Where the employee has a miscarriage before the 25<sup>th</sup> week of pregnancy normal sick leave provisions apply.
- 4.9 Bank workers may be entitled to Statutory Maternity Pay and leave if they have worked one shift per week, continuously for 26 weeks up to the 15<sup>th</sup> week before the expected week of childbirth.

## **5. Time Off for Ante Natal Care**

- 5.1 The pregnant employee is entitled to take paid time off during her normal working hours to receive ante-natal care; whenever possible appointments should be arranged for the start or end of the working day.
- 5.2 Ante-natal care may include appointments with a GP, hospital clinics, parent craft and relaxation classes. Employees may be requested to provide proof of their appointments, such as an appointment card, to their line manager.

## **6. Health and Safety**

- 6.1 The line manager must ensure that a risk assessment of an employee's work activities is carried out and that all reasonable steps are taken to control any risk to the health of the mother and child during or after the pregnancy or when breastfeeding.
- 6.2 If, prior to the eleventh week before their EWC an employee is deemed unfit to carry out all or part of their duties by a registered medical practitioner or the Trust (in line with guidance from Occupational Health) as it would be a risk to the employee or the unborn child the Trust shall, except where it is not reasonably practicable, provide alternative work; the employee will receive their normal rate of pay during this period. This provision shall only continue after the eleventh week before the EWC by mutual agreement between the employee and the Trust.

## 7. Commencement of Maternity Leave

7.1 Maternity Leave may commence:

- At any point from the commencement of the eleventh week prior to the EWC, provided the employee gives the required notice  
or
- On the day on which childbirth occurs if the Maternity Leave has not already commenced

7.2 If an employee is off on sickness absence, or goes off on sickness absence with a pregnancy related illness during the last four weeks before the EWC, Maternity Leave will commence at the beginning of the fourth week before the EWC or the beginning of the next week after the employee last worked, whichever is the latter. **NB** *Sickness absence prior to the last four weeks before the EWC, supported by a fit note or self-certificate shall be treated as sick leave in accordance with the Trust Sickness Absence Policy and Procedure.*

7.3 If childbirth occurs prior to the eleventh week prior to the EWC, and the baby is in hospital the employee, subject to agreement from the Trust, may split their Maternity Leave entitlement. They may take a short period of leave immediately after the birth of the child, return to work and then take the remainder at an agreed interval or after the child's discharge from hospital.

## 8. Maternity Pay

8.1 Entitlement to Maternity Leave pay varies in relation to an employee's continuous NHS service. See table 1 below for detail

**Table 1**

Category	Maternity Pay entitlement
<b>Employees with at least 12 months full or part-time continuous NHS service by the beginning of the 11th week before the EWC, who intend to return to work</b>	<p>Week 1 – 8 = Full pay, less any statutory pay, or maternity allowance (including dependant's allowance).</p> <p>Weeks 9 – 26 = Half pay, plus statutory maternity pay or maternity allowance (including dependants' allowance), providing this does not exceed the equivalent of full pay.</p> <p>Weeks 27 – 39 = Statutory Maternity Pay Weeks 40 – 52 = unpaid</p>
<b>Employees with at least 12 months continuous service who do not intend to return to work</b>	<p>Weeks 1 – 6 = 90% of the employee's average weekly earnings attracting National Insurance Contributions (this payment includes SMP).</p> <p>Weeks 7 – 39 = Statutory Maternity Pay or 90% of the employee's average weekly earnings of this is less than the statutory maternity pay.</p>

<b>Employees with less than twelve months continuous service (regardless of intention to return)</b>	May be entitled to statutory maternity pay for 39 weeks or, alternatively, maternity allowance and will be advised accordingly by the Reward and Administration Department.
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- 8.2 Full pay shall be calculated on the basis of the employee's average weekly earnings calculated over the period of 8 weeks immediately preceding the 15<sup>th</sup> week before the EWC.
- 8.3 If an employee has a pay award and/or annual increment which is due to be implemented any date prior to or during the paid Maternity Leave period, full pay shall be calculated as though the pay award had effect throughout the entire Statutory Maternity Pay calculation period (and, if such a pay award were agreed retrospectively, the maternity pay should be re-calculated on the same basis).
- 8.4 If an employee is on nil pay or half pay due to sickness absence, the average weekly earnings calculation will be calculated on the basis of notional full sick pay.
- 8.5 An employee must give a minimum of 28 days (4 weeks) notice, in writing, of intention to go on Maternity Leave. Failure to give this statutory notice will result in non-payment of Statutory Maternity Pay.
- 8.6 By prior agreement, paid entitlements may be paid in a different way e.g. spread equally over the whole maternity period.
- 8.7 An employee on Maternity Leave with a lease car will be obliged by the terms and conditions of the agreement to continue payment for the lease car.

**9. Pensions**

- 9.1 Whilst on Maternity Leave Superannuation/Pension contributions are payable on full and half pay. When Maternity Leave continues beyond 26 weeks, pensions contributions will be recovered on return to work. Contribution recovered will be calculated on full/half pay and Statutory Maternity Pay. In line with these contributions service will be continuous for pension purposes during the Maternity Leave period.
- 9.2 If the employee is not returning to work they will be entitled to either pay contributions for the 26 week ordinary Maternity Leave period, or to terminate contributions and therefore pensionable service on the day before the start of the Maternity Leave.

**10. Increments**

- 10.1 Employees absent on paid or unpaid Maternity Leave will retain their original incremental date and the period of leave shall count towards service qualification for additional annual leave. Employees absent on paid or unpaid Maternity Leave will automatically receive their increment unless it has been stopped prior to Maternity Leave commencing.

**11. Annual Leave**

- 11.1 Annual Leave will continue to accrue during Maternity Leave, whether paid or unpaid.
- 11.2 Employees may take annual leave before and/or after the formal (paid and unpaid) Maternity Leave period. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed between the employee and manager prior to commencement of Maternity Leave.
- 11.3 An Employee can sell some of the annual leave accrued whilst on Maternity Leave, during the unpaid period of Maternity Leave. For details on selling annual leave please refer to the Flexible Working Policy. Any request to sell annual leave must be made at the same time as notification of Maternity Leave.
- 11.4 If it is agreed that an employee can return from Maternity Leave on reduced hours then the majority of annual leave accrued prior to and during the Maternity Leave must be taken immediately after the Maternity Leave period and before the reduction in hours is implemented. This means that the leave will be taken as full time hours (or previous part-time hours), and the new part-time hours agreed will not commence until this annual leave has been taken
- 11.5 Bank holidays will be accrued during Maternity Leave.
- 11.6 Unpaid leave shall count as service for the purpose of satisfying the service qualification for additional annual leave.

## **12 Keeping in Touch (KIT) During Maternity Leave**

- 12.1 Prior to the commencement of Maternity Leave the employee's line manager will discuss with them the arrangements for covering their work and the means for the employee to remain in contact during their leave, for example sending department newsletters, etc. and arranging KIT days. Agreement on methods of communication and frequency can be reached at this stage or at a subsequent date.
- 12.2 If any organisational change is proposed, employees on Maternity Leave will be kept fully informed of the proposals and consulted on any potential change which may affect them.
- 12.3 Except during the first 2 weeks after childbirth, an employee may work (or to attend training) for the Trust up to a maximum of 10 KIT days during Maternity Leave; without bringing their Maternity Leave to an end, nor extending it. Working any part of any day will count as one KIT Day.
- 12.4 KIT days will reflect the normal working shift of the employee and be paid at the appropriate rate for the hours worked; less any Maternity Leave payment which the employee would receive for this time. Employees will be required to complete a time sheet which can be obtained from their line manager.

## **13 Return to Work**

- 13.1 An employee has an automatic right to return to work following Maternity Leave. The employee is required to have taken at least 2 weeks Maternity Leave, after the birth of the child.



- 13.2 Notice of return is not necessary unless the employee is returning earlier or later than the statutory entitlement of 52 weeks. 8 weeks' notice in writing of an early return is required from the employee. If this is not submitted then the Trust may postpone the return to create 8 weeks' notice.
- 13.3 An employee who has notified her intention to return to work has the right to return to their job under their original contract and on no less favourable terms and conditions provided they comply with the conditions of this policy and procedure.
- 13.4 If an employee falls ill on or following the date the employee is due to return to work after Maternity Leave, this will be classed as sickness absence and the normal provisions for sickness absence as set out in the Trust Sickness Absence Policy and Procedure shall apply. The employee will be deemed to have returned to work on the due date.
- 13.5 An employee who takes annual leave at the end of Maternity Leave will be deemed to have returned to work on the first day of annual leave.
- 13.6 The Trust recognises that employees may wish to request flexible working arrangements such as part-time working or job sharing following on from Maternity Leave. The trust will make every effort to accommodate requests for flexible working subject to the needs of the service and in line with the Trust's Flexible Working Policy. Any requests must be made under the Flexible Working Policy.
- 13.7 Where an employee returns to work at another NHS organisation it is their responsibility to ensure proof of employment is sent to the Reward and Administration Department.

#### **14 Failure to Return to Work Following Maternity Leave**

- 14.1 If an employee who has notified the Trust of their intention to return to a substantive post within the Trust or another NHS organisation does not do so or fails to submit to the Trust a copy of their letter of appointment to another NHS organisation within 15 months of the beginning of their Maternity Leave, they will be liable to refund the whole of the Maternity Pay received, less any Statutory Maternity Pay to which they are entitled. In cases where the Trust considers that to enforce this provision would cause undue hardship or distress the Trust shall have discretion to waive their right to recovery.

#### **15 Post-natal Care and Breastfeeding Mothers**

- 15.1 Employees who have recently given birth should have paid time off for post-natal care e.g. attendance at health clinics.
- 15.2 Managers are required to provide breastfeeding women with suitable access to a private room to express and store milk. Managers can access additional guidance from Occupational Health on the suitability of facilities within departments.

#### **16 Death of a Child**

- 16.1 Where the death of a child occurs after a live birth, or still birth after the 24<sup>th</sup> week of pregnancy the employee is entitled to the full Maternity Leave and pay. If the death of a child should occur at the end of a Maternity Leave period, managers may consider other

leave options as detailed in the Special Leave Policy, or normal sickness arrangements will apply if absence is due to certificated sickness.

## **17 Pregnancy Occurring During Maternity Leave**

- 17.1 Paid and unpaid Maternity Leave counts as continuous and qualifying service for subsequent periods of Maternity Leave. This means that an employee who becomes pregnant while already on Maternity Leave will be entitled to a further period of Maternity Leave.
- 17.2 As Occupational Maternity Pay and Statutory Maternity Pay are calculated on the level of average weekly earnings during the 8 week period, 15 weeks prior to the expected week of childbirth, the employee will not qualify for any pay during the subsequent period of Maternity Leave.

## **Section 2 Adoption Leave Provisions**

### **18 Entitlement to Adoption Leave**

- 18.1 An employee working full-time or part-time with twelve month's continuous NHS service with one or more NHS employers (excluding NHSP or bank work) ending with the week in which they are notified of being matched with a child for adoption, will be entitled to 52 weeks adoption leave paid and unpaid under the NHS contractual adoption pay scheme if they:
- have the primary carer responsibilities for the child.
  - adopt a child who is newly placed for adoption. *Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.*
  - intend to return to work with the same or another NHS employer for a minimum period of three months after the adoption leave ends.
- 18.2 If an employee does not satisfy the conditions for contractual adoption pay set out in 18.1, they may be entitled to Statutory Adoption Pay and be entitled to 52 weeks adoption leave. The employee must have 26 weeks continuous service before the beginning of the week when they are matched with a child. Effective from 5 April 2015 the statutory adoption leave will no longer have the 26- week qualifying period, and adoption pay will be brought in line with maternity pay, which will be 90% of normal earning for the first six weeks.
- 18.3 If an employee's earnings are too low to qualify for Statutory Adoption Pay, or the employee does not qualify for another reason they will be advised to contact their local Job Centre Plus or social security office to see whether they are eligible for Income Support.
- 18.4 Bank workers may be entitled to Statutory Adoption Pay and Leave if they have worked one shift per week, continuously for 26 weeks by the week they are matched with a child. In exceptional circumstances bank workers may be entitled to contractual Adoption Leave or pay from the Trust. This must be authorised by the Head of HR Services.
- 18.5 An employee who satisfies the conditions in 18.1, except that they do not intend to work with the same or another NHS employer for a minimum period of three months after their Adoption Leave is ended, will be entitled to pay equivalent to Statutory Adoption Pay.

- 18.6 Both parents may be eligible for Adoption Pay and Leave. Parents may either opt for one partner to receive Maternity Support Leave or, if both partners are employed by the Trust, share their entitlement to Adoption Leave in line with the shared parental leave provisions.
- 18.7 An employee who is on a fixed term or training contract which expires ending with the week in which they are notified of being matched with a child for adoption and who satisfies the conditions above will have their contract extended to allow them to receive the 39 weeks which includes paid contractual and statutory adoption pay and the remaining 13 weeks of unpaid adoption leave.
- 18.8 If there is no right of return to be exercised because the contract would have ended if adoption had not occurred, the repayment provisions will not apply.
- 18.9 Employees on fixed term contracts who do not meet the twelve months' continuous service condition may still be entitled to Statutory Adoption Pay.
- 18.10 Where an employee is on a planned rotation of appointments with one or more NHS employers as part of an agreed programme of training, they shall have the right to return to work in the same post or in the next planned post irrespective of whether the contract would otherwise have ended if adoption had not occurred. In such circumstances the employee's contract will be extended to enable the practitioner to complete the agreed programme of training. When the contract is extended and the employee has no contract to return to this Trust, there is no entitlement to sick leave when Adoption Leave period ends
- 18.11 Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.
- 18.12 If the child's placement ends during the Adoption Leave period, the adopter will be able to continue adoption leave for a further 8 weeks.
- 18.13 Employees will not qualify for Adoption Pay and Leave if they:
- Arrange a private adoption
  - Become a special guardian or kinship carer
  - Adopt a stepchild or family member
  - Have a child through surrogacy

## **19 Time off for Pre-Adoption Meetings**

- 19.1 An employee undertaking an adoption may have reasonable paid time off for official meetings related to and leading up to the adoption process, up to a maximum of six meetings. This time must be agreed with the manager in advance of any meeting and subject to shift and cover arrangements of the area that the employee works in (see section 20 for overseas adoption).
- 19.2 If there is an established relationship with the child, such as fostering prior to the adoption, or when a step-parent is adopting a partner's child, the employee may take parental leave in addition to paid time off to attend official meetings with Social Services or other agencies, up to a maximum of six meetings.

## **20 Overseas Adoption**

- 20.1 Employees who are adopting overseas will be entitled to adoption leave if they have received official notification confirming the central authority has, or is prepared to, issue a certificate confirming they are eligible to adopt and have been assessed and approved as being a suitable adoptive parent.
- 20.2 The employee should inform their line manager that they intend to take adoption leave and pay within seven days of receiving official notification of the adoption. This is when they receive notification that the central authority is prepared to issue a certificate or has issued the certificate.
- 20.3 The employee may choose to start their leave either from the date the child enters the UK or from a fixed date (as notified to their manager) up to 28 days after the date the child enters the UK.
- 20.4 Adoption leave will not be granted to cover the period the employee spends traveling overseas to arrange the adoption or visit the child. If leave is needed for this purpose, annual leave or unpaid leave may be agreed, within service needs.

**21 Commencement of Adoption Leave**

- 21.1 An employee must submit an Adoption Leave application form (Appendix 3) along with relevant correspondence/documentation from the Department of Health or Social Services in order to apply for Adoption Leave. The application and outcome will be recorded on the employee’s personal file and the individual formally informed. An application to take adoption leave must be agreed before any arrangements to take the adoption leave are made.
- 21.2 An employee must inform their manager in writing of their intention to take adoption leave within 7 days of being notified by their adoption agency that they have been matched with a child for adoption, and at least 28 days in advance of the date on which they want their leave to start unless this is not reasonably practicable.
- 21.3 The employee must inform their manager when the child is expected to be placed with them and when they want their adoption leave to start. The employee must provide documentary evidence – a ‘matching certificate’ – from the adoption agency as evidence of their entitlement to SAP and confirmation of the matching and placement dates.
- 21.4 Adoption leave can start on the date the child is placed (when they actually start living with their new family) or up to 14 days in advance of the expected date of placement. The leave can start on any day of the week and is taken in whole weeks.
- 21.5 Where the employee subsequently wishes to change the start date of adoption leave, the employee, as far as is reasonably possible, shall notify the Trust at least 28 days beforehand.

**22 Adoption Pay**

- 22.1 Entitlement to Adoption Leave Pay varies in relation to an employee’s continuous NHS service. See table 2 below for detail:

Category	Adoption Pay entitlement
<b>Employees with at least 12 months full or</b>	<b>Week 1 – 8 = Full pay, less any statutory</b>

<p><b>part-time continuous NHS service ending with the week in which they are notified of being matched with a child who intend to return to work</b></p>	<p>adoption pay, or income support receivable (including dependant's allowance).</p> <p>Weeks 9 – 26 = Half pay, plus statutory adoption pay or income support receivable (including dependants' allowance), providing this does not exceed the equivalent of full pay.</p> <p>Weeks 27 – 39 – Statutory Adoption Pay          Weeks 40 – 52 - unpaid</p>
<p><b>Employees with at least 12 months continuous service who do not intend to return to work</b></p>	<p>Weeks 1 – 6 = 90% of the employees average weekly earnings attracting National Insurance Contributions (this payment includes SAP).</p> <p>Weeks 7 – 39 = Statutory Adoption Pay or 90% of the employee's average weekly earnings of this is less than the statutory adoption pay.</p>
<p><b>Employees with less than twelve months continuous service (regardless of intention to return)</b></p>	<p>May be entitled to statutory adoption pay for 39 weeks or, alternatively, adoption allowance and will be advised accordingly by the Reward and Administration Department.</p>

- 22.2 Full pay shall be calculated on the basis of the employees average weekly earnings calculated over the period of 8 weeks immediately preceding the 15<sup>th</sup> week before the start of the Adoption Leave period.
- 22.3 If an employee has a pay award and/or annual increment which is due to be implemented any date prior to or during the paid Adoption Leave period, full pay shall be calculated as though the pay award had effect throughout the entire Statutory Adoption Pay calculation period (and, if such a pay award were agreed retrospectively, the Adoption Leave Pay should be re-calculated on the same basis).
- 22.4 If an employee is on nil pay or half pay due to sickness absence, the average weekly earnings calculation will be calculated on the basis of notional full sick pay.
- 22.5 An employee must give a minimum of 28 days (4 weeks) notice, in writing, of intention to go on Adoption Leave. Failure to give this statutory notice will result in non-payment of Statutory Adoption Pay.
- 22.6 By prior agreement, paid entitlements may be paid in a different way e.g. spread equally over the whole Adoption period.
- 22.7 An employee on Adoption Leave with a lease car will be obliged by the terms and conditions of the agreement to continue payment for the lease car.

## **23 Pension**

- 23.1 Whilst on Adoption Leave Superannuation/Pension contributions are payable on full and half pay. When Adoption Leave continues beyond 26 weeks, pensions contributions will be recovered on return to work. Contribution recovered will be calculated on full/half pay and Statutory Adoption Pay. In line with these contributions service will be continuous for pension purposes during the Adoption Leave period.
- 23.2 If the employee is not returning to work they will be entitled to either pay contributions for the 26 week ordinary Adoption Leave period, or to terminate contributions and therefore pensionable service on the day before the start of the Adoption Leave.

## **24 Increments**

- 24.1 Employees absent on paid or unpaid Adoption Leave will retain their original incremental date and the period of leave shall count towards service qualification for additional annual leave and incremental pay progression.

## **25 Annual Leave**

- 25.1 The same annual leave provisions as set out in section 1 point 11 shall apply to employees on adoption leave.

## **26 Keep in Touch (KIT days)**

- 26.1 The same KIT day provisions as set out in section 1 point 12 shall apply to employees on adoption leave.

## **27. Return to Work**

- 27.1 The same return to work provisions as set out in section 1 point 13 shall apply to employees on adoption leave.

## **28. Failure to Return to Work Following Adoption Leave**

- 28.1 The same failure return to work provisions as set out in section 1 point 14 shall apply to employees on Adoption Leave.

## **Section 3 Maternity Support (paternity) Leave**

### **29. Entitlement to Maternity Support (paternity) Leave**

- 29.1 Employees will be entitled to 2 weeks ordinary Maternity Support (paternity) Leave if:
- they are the biological parent of the child or are the partner of the biological parent; or are the child's adopter or partner of the child's adopter
  - are a nominated carer or will be fully involved in the child's upbringing and are taking time off to support in caring for the baby or adopted child
- 29.2 All employees that meet the conditions set out in 29.1 are eligible, regardless of service, for two weeks ordinary Maternity Support (paternity) Leave which can be taken around the time of the birth or the placement of the child for adoption.

- 29.3 Employees may be entitled to take up to 26 weeks additional Maternity Support (paternity) Leave if their partner has returned to work. The leave can be taken between the age of 20 weeks and the child's first birthday or the 52nd week after the child starts living with the adopter.
- 29.4 Employees will be entitled to 26 weeks additional Maternity Support (paternity) Leave prior to the implementation of the shared leave provisions if:
- they have been employed with the Trust for at least 26 weeks by the end of the 15<sup>th</sup> week before the baby is due , the end of the week they are notified of matching or the date the child enters Great Britain for the purposes of adoption
  - their partner returns to work before the end of their Maternity / Adoption Leave or Pay period
- 29.5 Those who are eligible can choose to take either one week or two consecutive weeks' paid paternity leave (not odd days).
- 29.6 Only one period of Occupational Maternity Support (paternity) Pay is ordinarily available when there is a multiple birth/ multiple placements.
- 29.7 Employees who are not eligible for the two weeks of Occupational Maternity Support (paternity) Pay may still be entitled to Statutory Paternity Pay

### **30. Time off for Ante-natal Classes/ Official Meetings**

- 30.1 Employees will be granted unpaid time off to attend two ante-natal classes/official meetings with partners. Employees will be allowed up to a maximum six and half hours for each appointment. Employees may be asked to produce evidence of appointments.
- 30.2 Ante-natal care may include appointments with a GP, hospital clinics, parent craft and relaxation classes, subject to the needs of the service and the agreement of the line manager in advance. Employees may be requested to provide proof of their appointments such as an appointment card, to their line manager.

### **31. Commencement of Maternity Support (paternity) Leave**

- 31.1 An employee must submit a SC3, SC8, SC9 or SC10 form (<https://www.gov.uk/employers-additional-paternity-pay-leave> ) at least 8 weeks before the start of the leave to qualify for Maternity Support (paternity) Leave and Pay. This must include:
- the expected date of the baby's birth or date of notified of being matched for adoption
  - the actual date of baby's birth, or placement of adoption
  - the start date of the Additional Paternity leave and pay
  - relationship to the mother and leave is taken to care for the child.
- 31.2 The line manager will notify the Payroll Department as to whether the leave is unpaid or paid and the days on which it is taken.
- 31.3 Employees may be asked to provide the contact details for their partner's employer in order for confirmation to be sought of the end date of the partner's maternity pay.

31.4 Employees will be required to provide a copy of the MATB1, birth certificate or matching certificate birth or adoption 28 days in advance of the start of the employee's Maternity Support (paternity) Leave.

## **32. Maternity Support (paternity) Leave Pay and Statutory Paternity Pay**

32.1 Employees with 12 months continuous service with one or more NHS employer at the beginning of the week in which the baby is due/ the child is placed will be eligible for two weeks full Occupational Ordinary Maternity Support (paternity) Pay.

32.2 Full pay will be calculated on the basis of the average weekly earnings rules used for calculating Occupational Maternity Pay entitlements. Employees will receive full pay less any Statutory Paternity Pay receivable.

32.3 Employees who are not eligible for the two weeks of Occupational Maternity Support (paternity) Pay may still be entitled to Statutory Paternity Pay subject to meeting the qualifying conditions.

32.4 Employees will be eligible for Additional Statutory Maternity Support (paternity) Pay for the period of their partner's 39 week Maternity Allowance, Statutory Maternity or Statutory Adoption pay period if:

- they earn at least the lower earnings limit for national insurance contributions and have 26 weeks continuous employment.
- the biological parent or adopter has returned to work (periods of annual leave, sick leave or parental leave which directly follows maternity or adoption leave will not count as a return to work for the purposes of Additional Statutory Maternity Support (paternity) pay).
- the biological parent or adopter has stopped claiming any relevant pay, with at least two weeks of unexpired statutory pay period remaining.

32.5 Additional Maternity Support (paternity) Leave pay will stop when the partner's Maternity or Adoption Pay would have ended. All additional Maternity Support (paternity) Leave taken after the end of the Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay period will be unpaid.

## **33. Pensions**

33.1 Whilst on Maternity Support (paternity) Leave Superannuation/Pension contributions are payable on full and half pay. When Maternity Support (paternity) Leave continues beyond Ordinary Maternity Support (paternity) Leave beyond 26 weeks), pensions contributions will be recovered on return to work. Contribution recovered will be calculated on full/half pay and Statutory Adoption Pay. In line with these contributions service will be continuous for pension purposes during the Maternity Support (paternity) Leave period.

33.2 If the employee is not returning to work they will be entitled to either pay contributions for the 26 week Maternity Support (paternity) period, or to terminate contributions and therefore pensionable service on the day before the start of the Maternity Support (paternity) Leave period.

## **34. Increments**



34.1 Employees absent on paid or unpaid Maternity Support (paternity) Leave will retain their original incremental date and the period of leave shall count towards service qualification for additional annual leave.

### **35. Annual Leave**

35.1 Annual leave entitlement is still accrued whether Maternity Support (paternity) Leave is paid or unpaid.

### **36. Keep in Touch (KIT) Days**

36.1 Employees who are entitled to additional Maternity Support (paternity) Leave / Pay will be entitled to take up to 10 keeping in touch days during the course of the additional Maternity Support (paternity) Leave period.

### **37. Return to Work**

37.1 Employees who have taken up Maternity Support (paternity) Leave or additional Maternity Support (paternity) Leave will have the right to return to the same job under their original contract and on no less favourable terms and conditions.

### **38. Still Birth / Death of a Child**

38.1 An employee will be entitled to paid Maternity Support (paternity) Leave if their baby is stillborn after 24 weeks of pregnancy. If the baby is born alive at any point in the pregnancy but dies during the Maternity Leave period the employee will be entitled to paid Maternity Support (paternity) Leave.

## **Section 4 Parental Leave**

### **39. Entitlement to Parental Leave**

39.1 Parental Leave is applicable to any employee in the NHS who has nominated caring responsibility for a child under age 14 (age 18 in cases of adopted or disabled children). Effective from 5 April 2015 the right to unpaid parental leave will be extended to parents of any child under the age of 18 years.

39.2 Parental Leave is unpaid leave taken to look after a child or to make arrangements for the care of the child.

39.3 Parental Leave can be added to periods of Adoption, Maternity Support (paternity) or Maternity Leave.

39.4 Parents have the right to a total of 13 weeks' unpaid leave for each child (18 weeks in the case of adoption or if the child is disabled and there is evidence that the disability living allowance is applied). This leave will be converted into hours, based on the employee's

normal weekly working hours multiplied by 13 (or 18 if applicable as above). Parental Leave for the same child taken prior to joining the Trust will count towards the total entitlement.

- 39.5 Parental Leave is non-transferable. The employee is responsible for declaring any previous periods of parental leave with any previous employer.
- 39.6 Leave can be taken in hours, blocks of a week, or more than one week at any one time, up to 13 weeks (or 18 weeks for adopted or disabled children), over the total of the first 14 years (or 18 years if the child is adopted or disabled) of the child's life.
- 39.7 Leave is proportionate for part time employees. For example, an employee who works 2 days a week will have a right to 26 days leave or 36 days for adopted or disabled children.
- 39.8 The line manager is responsible for ensuring that the employee has not claimed or is not granted more than 13 weeks (18 weeks if the child is disabled or adopted) Parental Leave in total, both at the Trust and any previous employer. The line manager is responsible for ensuring the employee's leaving reference contains the dates and total amount of time an employee took on Parental Leave whilst at the Trust.

#### **40. Commencement of Parental Leave**

- 40.1 The employee is required to give a minimum of 4 weeks' notice for periods of Parental Leave, or twice the length of the leave requested, whichever is greater.
- 40.2 The member of staff must complete the Parental Leave Request Form (Appendix 9) and give it to their manager. The employee may be required to provide evidence that they have a child under the age of 14 years (or 18 years if the child is adopted or disabled) when requesting Parental Leave.
- 40.3 The manager will make a decision on whether or not to grant Parental Leave. In exceptional circumstances the Trust may decide to postpone the taking of Parental Leave and should give written reasons for this.
- 40.4 The manager has the right to postpone leave for a maximum of 6 months from the date the employee wished to take the leave, where such postponement of leave is necessary by virtue of the needs of the Trust or quality of service. The manager and employee should try to agree a suitable time for the Parental Leave to commence but if they are unable to agree, the manager becomes responsible for guaranteeing that the employee can take the leave at a time, no more than 6 months ahead, which best fits the needs of the Trust and needs of the employee.
- 40.5 Expectant/adoptive partners may 'book' up to 2 weeks Parental Leave to follow the birth of their baby by providing 21 days' notice of the dates required. This unpaid parental leave of 2 weeks would be in addition to the 2 weeks Maternity Support (paternity) Leave.
- 40.6 The line manager is responsible for ensuring that a record of all Parental Leave is kept as part of the employee's annual attendance record and placed on the employee's personal file at the end of the financial year.

#### **41. Increments**

41.1 Employees on Parental Leave retain the right to incremental credit.

#### **42. Annual Leave**

42.1 Periods of Parental Leave will be regarded as continuous service. The employee accrues annual leave during periods of unpaid Parental Leave.

#### **43. Return to Work**

43.1 During Parental Leave the employee will retain all their contractual rights, except remuneration, and will return to the same job after it (unless in circumstances of organisational change where the employee will be fully involved in any consultation process).

### **Section 5 Shared Parental Leave**

#### **44. Entitlement to Shared Parental Leave**

44.1 A new system of shared parental leave (SPL) will apply to parents whose babies are due on or after 5 April 2015 and adopters who are matched or placed with a child for adoption on or after 5 April 2015 in line with the Children and Families Act 2014.

44.2 An employee will be entitled to 52 weeks of Maternity Leave. The employee can switch part of their Statutory Maternity or Adoption Leave and Pay into Shared Parental Leave and Shared Parental Pay. Shared Parental Leave and Shared Parental Pay will be available provided the parents satisfy the eligibility requirements.

44.3 Employees will be required to have two weeks compulsory Maternity Leave out of the 52 week entitlement which cannot be converted into Shared Parental Leave. Partners will still be entitled to two weeks basic Paternity Leave

44.4 Employees can decide how they wish to take their Shared Parental Leave. Employees and partners can take it in turns or take time off together, provided they take no more than 52 weeks of this leave, combined in total.

#### **45 Commencement of Shared Parental Leave**

45.1 Employees with partners (who must also meet the qualifying conditions) will be able to end the mother's Maternity Leave and pay and share the untaken balance as shared parental leave and pay.

### **Section 6 Fertility Treatment Leave**

#### **46 Eligibility for Fertility Treatment Leave**

46.1 Employees who are undergoing fertility treatment and have 12 months continuous service with the Trust at the time of applying may be granted Fertility Treatment Leave.

- 46.2 Employees are asked wherever possible, to arrange appointments outside of work. Where this is not possible an employee may be granted up to 5 days paid fertility leave within a 12 month period.
- 46.3 Fertility Treatment Leave can be used to undertake fertility treatment and attend appointments specifically associated with the end part of the process e.g. collection and delivery of eggs.
- 46.4 Fertility Treatment Leave can be taken as a block or single separate days.
- 46.5 Employees who require any additional time off may make alternative leave arrangements in agreement with their line manager e.g. annual leave or unpaid leave.
- 46.7 An employee with 12 months service whose partner is undergoing a fertility treatment course which as an essential requirement requires the employee as a partner to attend specific appointments may apply for up to 2 days paid Fertility Treatment Leave.
- 46.8 An employee who is not eligible for paid Fertility Treatment Leave or has exhausted their entitlement will be expected to apply for either annual leave or unpaid leave to attend appointments

#### **47 Commencement of Fertility Treatment Leave**

- 47.1 Employees should advise their manager as soon as possible that they are undergoing fertility treatment and wish to apply for Fertility Treatment Leave.
- 47.2 Employees will be required to provide copies of documentary evidence of fertility treatment appointments when submitting Fertility Treatment Leave applications.

#### **48 Sickness as a Result of Treatment**

- 48.1 If an employee requires time off due to the side effects of fertility treatment, which may include recommended periods of rest, this will be recorded in line with the Trust's Sickness Absence Policy and Procedure.

### **Section 7 Surrogacy Provisions**

- 49 Employees who use a surrogate will not be entitled to Maternity Leave, Paternity Leave or Statutory Adoption Leave. Employees may be entitled to Parental Leave. Effective from April 2015, provided they meet the eligibility criteria, parents who have a child through surrogacy will be permitted to take ordinary paternity leave and pay, adoption leave and pay and shared parental leave and pay. Both parents will also be entitled to take unpaid time off to attend two antenatal appointments with the woman carrying the child.
- 50 Every pregnant employee has the right to Maternity Leave and the provisions set out in section 1.

## Appendix 1 Maternity Leave Checklist

### Employees

- ❖ To inform your manager as soon as possible that you are pregnant.
- ❖ To read the Maternity, Adoption, Maternity Support (Paternity) Parental Leave Policy and seek additional advice if necessary.
- ❖ To comply with requests to attend Occupational Health.
- ❖ To complete the Maternity Leave Application Form
- ❖ To obtain a MATB1 Certificate around the 26th week of pregnancy.
- ❖ To forward the completed Maternity Leave Application form and MATB1 Certificate to your manager to countersign.
- ❖ To inform your manager of your intentions to return or not.

### Managers

- ❖ To ensure that the pregnant employee has a copy of the Maternity, Adoption, Maternity Support (Paternity) Parental Leave Policy and seeks advice from Human Resources if necessary.
- ❖ On notification of an employee's pregnancy to perform a risk assessment of her work and do what is reasonably practicable to control any risk to the health of the employee, unborn child or child of an employee who is breast feeding.
- ❖ To consider all physical, chemical and biological hazards in the workplace and take any appropriate action.
- ❖ To countersign the employees Maternity Leave application after discussing it with them and forward a copy of the form along with the employees MATB1 Certificate to the Reward and Administration Department.
- ❖ To keep the member of staff who is on Maternity Leave informed about developments in the Trust and the ward/department.
- ❖ To notify the Reward and Administration Department when the employee returns from Maternity Leave.

**Appendix 2 Application for Maternity Leave: MAT2 Form**

**Applicants:** Once you have completed this form, inserting the appropriate dates, sign overleaf and pass to your manager for authorisation of leave. This form must be submitted with your MATB1 Maternity Certificate (obtained from your midwife/doctor around your 26<sup>th</sup> week of pregnancy) to the Reward and Administration Department no later than the 15<sup>th</sup> week before the EWC.

<b>Forename(s):</b>	<b>Surname:</b>
<b>Job Title:</b>	<b>Ward/Dept &amp; Base:</b>
<b>Home Address:</b>	<b>Manager's Name and Title:</b>
<b>NHS Continuous Service Date if known (dd/mm/yyyy):</b>	<b>Date Commenced at RSCH (dd/mm/yyyy):</b>
<b>Expected date of confinement (dd/mm/yyyy):</b>	<b>Date Maternity Leave will commence</b> - should you wish to adjust the start date of your Maternity Leave you must give 4 weeks notice <b>(dd/mm/yyyy):</b>
<b>I intend to return to work</b> <i>If not returning you must enclose a resignation letter :</i> <b>YES</b> [ <input type="checkbox"/> ] <b>NO</b> [ <input type="checkbox"/> ]	<b>Date of return from Maternity Leave</b> - should you wish to adjust the end date of your Maternity Leave you must give 4 weeks notice. <b>(dd/mm/yyyy):</b>
<b>I have had over 12 months continuous service and wish to have my Occupational Maternity Pay</b> (This option is <b>not</b> applicable to Statutory Maternity Pay): In the usual way [ <input type="checkbox"/> ]  As a fixed amount spread equally over the Maternity Leave period [ <input type="checkbox"/> ]	
<b>I would like my manager to keep in contact with me by:</b>	
<b>I have discussed my annual leave entitlement and agreed to take outstanding annual leave as follows:</b>  Before Maternity Leave from ..... to ..... After Maternity Leave from ..... to ..... During Maternity Leave from ..... to .....	
<b>I have discussed KIT days with my manager and have agreed the following:</b>	

<p><b>Applicants Declaration</b></p> <p>By signing this form I confirm the following:</p> <ul style="list-style-type: none"> <li>• I have read the Maternity, Adoption, Maternity Support and Parental Leave policy</li> <li>• I have completed this form honestly and accurately</li> <li>• I fully understand that if I have stated an intention to return and fail to return to work at the Trust or another NHS organisation for a period of three months I shall be liable to refund any maternity pay to which I am not entitled.</li> <li>• I undertake to advise both my manager and the Human Resources Department in writing of any developments which may affect my intended date of return.</li> </ul>	
<b>Employees signature</b>	<b>Date (dd/mm/yyyy)</b>
<b>Managers Signature</b>	<b>Date (dd/mm/yyyy)</b>

**Appendix 3 Template letter for Acknowledging Receipt of Application for Maternity Leave/MAT2 Form**

Dear (name of employee)

Thank you for informing me of your pregnancy and the date your baby is due. I write to outline your eligibility for Maternity Leave and pay.

As we have discussed, you are eligible for **(insert as appropriate)**

You have told me that you would like to begin your Maternity Leave on **(insert date)**.

If you want to change this date you must notify me 28 days before the new intended start date or, if that is not reasonably practicable, as soon as reasonably practicable.

As we discussed, you are eligible for (1) **39** weeks' Statutory Maternity Pay plus Occupational Maternity Pay, (2) 39 weeks' Statutory Maternity Pay, (3) not eligible for Statutory Maternity Pay (*delete as appropriate*).

- 1. Your payment will be made up as follows: weeks x – x £....  
weeks x – x £ ...  
weeks x – x £...

Or

- 2. I have given you a SMP1 Form which explains why you do not qualify for Statutory Maternity Pay. You may, however, be entitled to Maternity Allowance. If you take this form to a Benefits Agency they will discuss your entitlements with you.

You are entitled to annual leave during your Maternity Leave as follows:

Paid leave entitlement: ..... days/hours  
Unpaid leave entitlement: ..... days/hours  
We have agreed you will take annual leave entitlement as follows: Dates:.....  
Total Days/hrs.....

You have told me that you intend to return to work and I will expect you to return at the end of your full leave entitlement and agreed annual leave entitlement. Your date of return will therefore be **(insert date)**

If you want to come back to work before this date you must notify me 4 weeks before your new intended return date or as soon as is reasonably practicable. If you do not give this notice, I may postpone your return until 4 weeks from the date you informed me that you would like to return early.

During your period of Maternity Leave you must keep in touch to discuss and plan for your return and I would be pleased to hear from you. . Should there be any organisation changes during your Maternity Leave which affect this department then I shall, of course, contact you. Should you wish to further discuss keeping in touch arrangements during your Maternity Leave, I will be pleased to meet with you.

If you have any queries, please do not hesitate to contact me.



## **Appendix 4 Pregnant worker and Nursing Mother Guidelines**

### **Pregnancy and Work**

Legislation required to implement the European Directive on Pregnant Workers, was introduced under the Management of Health and Safety at Work Regulations 1992 and came into force in December 1994. In February 2013 The Royal College of Physicians Health and Work Development Unit (HWDU) published new evidence based guidance for occupational risks to pregnant workers. Ref: Occupational Health at Work 2013; 9(6):5

The Regulations require employers to take particular account of risks to new and expectant mothers when assessing risks in work activity.

The phrase “new or expectant mother” means a worker who is pregnant, who has given birth in the previous six months or who is breast feeding.

Hazards to the health of both the mother and the unborn/newly born child must be considered and may relate to physical, biological and chemical agents. Also the processes and conditions in the workplace must also be considered.

The above process must be on-going as there could be different risks associated with the varying stages of pregnancy and following childbirth.

### **ACTION FOLLOWING RISK ASSESSMENT**

If the assessment indicates a residual risk, which goes beyond the level of risk to be expected outside the workplace, then employers must take the following steps:

- temporarily adjust working conditions or hours of work
- if that is not reasonable or would not avoid risk, then offer alternative work if any is available
- where the above is not possible, give paid leave from work for as long as is necessary to protect the health and safety of the mother and child
- if a new or expectant mother works at night and has a medical certificate stating that night work could adversely affect her health and safety, then she should be offered day time work, if available. If that is not reasonable, paid leave should be given for as long as is necessary to protect her health and safety.

### **MANAGER'S RESPONSIBILITIES**

- On notification of an employee's pregnancy the manager should carry out a risk assessment of her work place. Ideally, arrangements for new or expectant mothers should already be in place as part of the general risk assessment – these should be kept under review.
- Where risks have been identified, to refer the employee to the Occupational Health Department for an independent assessment, using the standard referral letter.
- Where appropriate, to discuss with Human Resources, Occupational Health and the employee, the options regarding redeployment, or restrictions on working practice.

### **EMPLOYEE'S RESPONSIBILITIES**

- To inform their manager as soon as possible of their pregnancy. In some cases it may be appropriate to discuss their current working practices with their manager when planning a pregnancy, (e.g. cytotoxic drug handlers).
- Where appropriate, to attend the Occupational Health Department to discuss their working environment with a Specialist Occupational Health Advisor.

### **ROLE OF THE OCCUPATIONAL HEALTH DEPARTMENT**

- To advise management and staff on the risks involved in undertaking certain work activities while pregnant or breast feeding.
- To provide independent advice regarding redeployment, work restrictions etc.

### **PREGNANT WORKER AND NURSING MOTHER ASSESSMENT CHECKLIST**

The following is a list of practical questions which should be discussed with the pregnant worker and nursing mother.

If any problems are identified further specific risk assessment of work activities may need to be undertaken.

<b>Date of Assessment</b>	
<b>Name of Employee</b>	
<b>Ward / Department</b>	
<b>Job Title</b>	
<b>Trimester 1 2 or 3 (please circle)</b>	
<b>Review Date</b>	

1.	Physical Agent	Yes	No
	Is there exposure to shocks, vibration or movement?		
	Is there any manual handling involved which might increase a risk of injury?		
	Will there be exposure to high noise levels?		
	Is there any exposure to ionising radiation?		
	Is there any exposure to non-ionising electromagnetic radiation?		
	Is there a risk of mental and physical fatigue which could pose a risk?		

**Action Required**

2.	Biological Agent	Yes	No
	Is there exposure to any biological agents included in the Advisory Committee on Dangerous Pathogens hazard groups 2, 3 & 4? (e.g. Hepatitis B, HIV, Herpes, TB, Chickenpox, Typhoid)		
	Is there exposure to any biological agents that are known to cause abortion, or physical/neurological damage? (e.g. Rubella) (Risk to staff is small as all staff should be protected, where possible, following routine pre-employment immunisation and provided safe working practices are observed.)		

**Action Required**

3.	Chemical Agent	Yes	No
	Is there exposure to agents and processes covered by COSHH Regulations?		
	Mercury		
	Cytotoxic drugs		
	Agents known to be absorbed through skin		
	Carbon monoxide		
	Lead and derivatives		
	Anaesthetic gases		

**Action Required**

4.	<b>Working Conditions - Are the following undertaken?</b>	<b>Yes</b>	<b>No</b>
	Night duty		
	Shift work		
	Use of Personal Protective Equipment (PPE) e.g. lead aprons		
	Overtime		
	Working in confined space		
	Is there any exposure to extremes of temperature, hot or cold?		
	Working at heights?		
	Work related violence? E.g. security work, lone working		
<p><i>Where staff work a rotation of shifts between early, late and night shifts and/or long days this may need to be reviewed on a regular basis, however any changes being made to the rota should be regarded as operational issues of the department and a management decision, referral to Occupational Health is unnecessary to obtain endorsement for any changes.</i></p>			
<p><b>Action Required</b></p>			
5.	<b>Physiological/Psychological Aspects - Certain physiological changes occur throughout a pregnancy and must be considered, including the following:</b>	<b>Yes</b>	<b>No</b>
	Morning sickness - may be relevant for early morning workers, nausea normally improves after 16 weeks however in some cases can continue throughout pregnancy		
	Backache - associated with manual handling activities, all staff must ensure they follow safe working practices in line with the Trust policy on manual handling.		
	Frequent visits to the toilet - may be difficult if unable to always leave the job, work site		
	Increasing size - may cause problems in use of protective clothing and/or working in confined spaces		
	Fatigue – may increase as the pregnancy progresses especially in the later stages of pregnancy.		
	<p>Are there any conditions at work affecting this person's health e.g. stress.</p> <p>If Yes</p> <ul style="list-style-type: none"> <li>• For work related stress; refer to Trust Management and Stress at work Policy.</li> <li>• For non-work related stress ensure member of staff is given contact details for the employee assist programme.</li> <li>• Ensure member of staff is referred to Occupational Health</li> </ul>		
<p>New and expectant mothers can be vulnerable to stress because of hormonal, psychological and physiological changes around pregnancy. Additional stress may occur if the woman has reason to be anxious about her pregnancy.</p>			
<p><b>Action Required</b></p>			

If following this assessment the employee is being referred to Occupational Health please ensure you send a copy of this completed assessment checklist along with the manager referral form to the Occupational Health Department.

Manager/Supervisor Signature.....Date.../...../.....  
Employee Signature..... Date.../...../.....

For further information see the following documents;  
New & Expectant Mothers at Work which can be downloaded from the Health & Safety Executive Website at <http://www.hse.gov.uk/pubns/indg373.pdf>

Advice on risks from ionising radiation during pregnancy **Health Protection Agency**

***Manager and employee to retain a copy of this risk assessment.  
Assessment to be reviewed each trimester***

***Please forward a copy of this assessment to Reward and Administration and Occupational Health Department***

## Appendix 5 Adoption Leave Checklist

### Employee

- ❖ To inform the line manager as soon as notification has been received that the employee is matched with a child.
- ❖ To access this Policy (available on the intranet, from the line manager or from Human Resources and seek additional advice if necessary).
- ❖ To complete the Adoption Leave Application form.
- ❖ To obtain the Matching Certificate from the adoption agency.
- ❖ To forward the completed Adoption Leave Application form and Matching Certificate to their manager to countersign.
- ❖ To inform their manager of their intentions to return.

### Manager

- ❖ To ensure that the employee has a copy of this policy and seeks advice from Human Resources if necessary.
- ❖ To countersign the employee's Adoption Leave Application Form after discussing it with the employee and send with the Matching Certificate to the Reward and Administration Department.
- ❖ To send a completed form to Reward and Administration confirming when the employee starts adoption leave.
- ❖ To keep the member of staff who is on Adoption Leave informed about developments in the Trust and the ward/department.

### Appendix 6 Application for Adoption Leave

Applicants: By completing this form you confirm that you have read and understood Trust policy and procedure on adoption as set out in this policy. This form must be forwarded together with the Matching Certificate to Reward and Administration within 7 days of the date on which the adopter was notified of having been matched with a child.

<b>Forename(s)</b>	<b>Surname</b>
<b>Job Title:</b>	<b>Ward/Dept &amp; Base</b>
<b>Home Address</b>	<b>Manager's Name and Title</b>
<b>NHS Continuous Service Start Date (if known) (dd/mm/yyyy)</b>	<b>Date Commenced at RSCH (dd/mm/yyyy)</b>
<b>Expected Date of Matching/Date of Entry of Child to UK (dd/mm/yyyy)</b>	<b>Date you wish to commence Adoption Leave (dd/mm/yyyy)</b>
<b>I intend to return to work</b> <i>If not returning you must enclose a resignation letter :</i> <b>YES</b> [ <input type="checkbox"/> ] <b>NO</b> [ <input type="checkbox"/> ]	<b>Anticipated date of return (dd/mm/yyyy)</b> <i>If I wish to return to work before the expected return date (based on entitlement of 52 weeks leave) I undertake to give at least 28 days' notice to my manager.</i>
<b>I have had over 12 months continuous service and wish to have my occupational adoption pay</b> (This option is <b>not</b> applicable to Statutory Adoption pay): In the usual way [ <input type="checkbox"/> ] As a fixed amount spread equally over the adoption leave period [ <input type="checkbox"/> ]	
<b>I would like my manager to keep in contact with me by</b>	
<b>I have discussed my annual leave entitlement and agreed to take outstanding annual leave as follows:</b> Before Adoption Leave from ..... to ..... After Adoption Leave from ..... to ..... During Adoption Leave from ..... to .....	
<b>I have discussed KIT days with my manager and have agreed the following:</b>	
<b>Applicants Declaration</b> <b>By signing this form I confirm the following:</b> <ul style="list-style-type: none"> <li>• I have read the Maternity, Adoption, Maternity Support and Parental Leave policy</li> <li>• I have completed this form honestly and accurately</li> <li>• I fully understand that if I have stated an intention to return and fail to return to work at the Trust or another NHS organisation for a period of three months I shall be liable to refund any adoption pay to which I am not entitled.</li> <li>• I undertake to advise both my manager and the Human Resources Department in writing of any developments which may affect my intended date of return.</li> </ul>	
<b>Employee's signature</b>	<b>Date (dd/mm/yyyy)</b>
<b>Manager's Signature</b>	<b>Date (dd/mm/yyyy)</b>

**Appendix 7 Application for Fertility Treatment Leave**

Applicants: Once you have completed this form inserting the appropriate dates, sign overleaf and pass to your manager for authorisation of leave. Once the form has been completed by your manager the form must be submitted to the Reward and Administration Department.

<b>Forename(s)</b>	<b>Surname</b>
<b>Job Title:</b>	<b>Ward/Dept &amp; Base</b>
<b>Home Address</b>	<b>Manager's name and Title</b>
<b>NHS Continuous Service Date (if known) (dd/mm/yyyy)</b>	<b>Date Commenced at RSCH (dd/mm/yyyy)</b>
<p><b>I wish to apply for paid Fertility Treatment Leave</b></p> <p><b>First Day of Absence .....</b></p> <p><b>Last Day of Absence .....</b></p> <p><b>Totals Days Absent .....</b></p> <p><b>Amount of Total Allowance remaining .....</b></p>	
<p><b>Applicants Declaration</b>  <b>By signing this form I confirm the following:</b></p> <ul style="list-style-type: none"> <li>• I have read the Maternity, Adoption, Maternity Support and Parental Leave policy</li> <li>• I have completed this form honestly and accurately</li> <li>• I undertake to advise both my manager and the Human Resources Department in writing of any developments which may affect my intended date of return.</li> <li>• I understand that I must provide evidence of my treatment/appointments in order to qualify for Fertility Treatment Leave under this policy.</li> </ul>	
<b>Employees signature</b>	<b>Date (dd/mm/yyyy)</b>
<p><b>Application</b></p> <p><b>Approved / Not Approved</b>  <b>(manager to delete as appropriate)</b></p>	
<b>Manager's Signature</b>	<b>Date (dd/mm/yyyy)</b>





**Appendix 9 Application for Parental Leave**

**Applicants:** Once you have completed this form inserting the appropriate dates, sign overleaf and pass to your manager for authorisation of leave. Managers must forward a completed copy to the Reward and Administration Department.

<b>Forename(s)</b>	<b>Surname</b>
<b>Job Title:</b>	<b>Ward/Dept &amp; Base</b>
<b>Home Address</b>	<b>Manager's Name and Title</b>
<b>NHS Continuous Service Date (if known) (dd/mm/yyyy)</b>	<b>Date Commenced at RSCH (dd/mm/yyyy)</b>
<b>Number of weeks requested</b>	<b>Dates of Parental Leave requested from (dd/mm/yyyy) until (dd/mm/yyyy)</b>
<b>Date of birth and age of child (you may be required to provide proof of age)</b>	<b>Dates of Previous Parental Leave taken from (dd/mm/yyyy) until (dd/mm/yyyy)</b>
<b>I would like my manager to keep in contact with me by</b>	
<b>Detail of Request (outline reason for request and any supporting information)</b>	
<b>Employee's signature</b>	<b>Date (dd/mm/yyyy)</b>
<b>Application Approved / Not Approved (manager to delete as appropriate)</b>	
<b>Reason for Non Approval</b>	
<b>Manager's Signature</b>	<b>Date (dd/mm/yyyy)</b>