

Ealing Council

Maternity/Parenting Policy Guidance for Managers and Employees

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V3.0

For HR advice on this policy, raise a request on the Service Ealing Portal accessed via the intranet <http://serviceealing.com> Alternatively, telephone the HR Shared Service Centre (HRSSC) on extn: 9000 option 1, option 1 (0208 825 9000).

MATERNITY/ PARENTING POLICY

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INTRODUCTION

The aim of this policy is to provide the employee and manager with information regarding entitlements to maternity leave and maternity pay. It also gives details of the process the employee will need to follow when arranging their maternity leave.

This policy also provides information relating to parental and maternity support leave, statutory paternity leave and adoption leave.

This policy aims to ensure that all eligible staff receive fair and consistent treatment and that the rights of pregnant workers under the Employment Act 2002 and the Work and Families Act 2006 are enforced.

SCOPE

This policy applies to all employees who have a contract of employment with the Council except teaching employees in schools. It does not apply to agency workers or contractors.

MATERNITY LEAVE SCHEME

This scheme applies to all pregnant employees regardless of hours worked or length of service.

1. DEFINITIONS

The following key terms will be used throughout this document;

- EWC – Expected Week of Childbirth
- MATB1 – Maternity Certificate from doctor or midwife confirming pregnancy and EWC
- SMP – Statutory Maternity Pay
- OMP – Occupational Maternity Pay
- MA – Maternity Allowance
- Qualifying Week for SMP – To qualify for SMP, employees must have been continuously employed for at least 26 weeks into the qualifying week (which is the 15th week before the week in which the baby is due). This period must include at least one day's employment in the qualifying week.
- Childbirth – means the live birth of a child, or still birth after a pregnancy lasting at least 24 weeks
- Job – means the nature of the work which she employed to do the capacity and place in which she is so employed
- A week's pay:
 - a) For employees whose pay for 'normal working hours' does not vary is the amount payable by the authority to the employee under the current contract of employment for working her normal hours in a week.
 - b) For employees whose pay for 'normal working hours' does vary (e.g. where an employee works on a rota which occasionally includes a Sunday as part of the normal working week) or where there are no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the Qualifying Week (15th week before the

expected week of childbirth (EWC)) on which the last complete week ended, excluding any week in which no remuneration was earned.

- c) In both cases, the amount of a week's pay will be increased to take account of any pay rises, incremental progression or any promotion the employee receives, or would be entitled to receive, had she not been on maternity leave, from the date the increase takes effect, except that, where the pay is variable and falls to be calculated as under (b) above, any such increase that occurs between the beginning of the reference pay period and the end of the maternity leave shall be applied to the pay during the whole of the reference period for the purpose of calculating the occupational maternity pay (OMP).

2. NOTIFICATION OF PREGNANCY

The employee must advise, their line manager and Human Resources (HR) at least 28 days before her absence will begin or earlier if possible, in writing;

- They are pregnant
- The EWC
- Dates they intend to be absent due to maternity leave
- How they would like their accrued annual leave to be taken (if applicable).

All notifications for maternity leave should be made using the Notification of Maternity Leave Form (MAT2). HR will then write to the employee to confirm the maternity leave start and end dates and entitlements to pay within 28 days.

If the employee subsequently wants to change the date that they will commence their maternity leave they can do so as long as they give 28 days notice of the new date, using the Change to Maternity start date form (MAT5). HR will then confirm in writing the amended return to work date.

3. FORM MATB1

A Midwife or GP will provide an employee with a MATB1 certificate approximately 6 months into the employee's pregnancy. This certificate confirms the pregnancy, and the EWC. This form is required by Payroll in order for SMP to be paid. It is therefore essential that it is forwarded to the HR Operations Team in the HR Shared Service Centre (HRSSC), along with the Notification of Maternity Leave Form (MAT2).

4. HEALTH & SAFETY DURING PREGNACY

The health and safety implications of pregnancy and breastfeeding can usually be adequately addressed by normal health and safety management procedures. However, depending on where the employee works and what their duties and responsibilities are, there may be some specific hazards in their workplace, which might affect them and their unborn child's health and safety. Specific obligations apply from the time the employee notifies the Council that they are pregnant. The obligations continue until 6 months after the date of childbirth (or miscarriage, where it occurs), or, where the employee is breast-feeding beyond this period, until they stop breast-feeding.

Risk Assessment

Once the employee has notified their line manager that they are pregnant, the manager has a responsibility to ensure a risk assessment is completed on the employee's workplace (MAT9). Where a risk is identified, working conditions will need to be re-arranged to remove the risk. Further advice can be sought from the Occupational Health Unit or HR Shared Service Centre.

5. ANTE-NATAL CARE

All pregnant women are entitled to reasonable paid time off to attend antenatal care appointments, relaxation and parent-craft classes, regardless of length of service or the number of hours worked. Employees must produce evidence of appointments if requested to do so, except in the case of the very first appointment. Employees should give as much notice as possible of antenatal appointments so that the line manager has time to make any necessary arrangements to cover their absence.

6. SICKNESS

If an employee is medically unfit to work during the last four weeks before the EWC, and the reason for the absence is partially or wholly related to pregnancy, an employees' maternity leave will commence the day after the first completed day they are off sick. HR will then write to the employee to confirm the new maternity leave start and end dates. In this event normal pay or sick pay will stop and maternity pay will commence automatically (if applicable). If the cause is non-pregnancy related the employee would receive or continue to receive sick pay (where appropriate) and can return to work once fit providing their GP is happy to certify this.

7. MATERNITY LEAVE

The earliest maternity leave can start is 11 weeks before the EWC or the day after childbirth if that is earlier. An employee may work up until their baby is born if they are fit and healthy and the work environment does not present any significant risks to their health and safety.

All pregnant employees are then entitled to take up to 52 weeks maternity leave from the beginning of the week (Sunday) in which the child is born.

Employees must take two weeks 'compulsory' maternity leave after your baby is born.

This leave entitlement should not be interpreted as giving any rights to maternity pay, for which there are specific qualifications outlined in this guidance.

8. MATERNITY PAY

Entitlement to maternity pay depends on an employee's length of service and level of earnings. Maternity pay may be made up of a combination of occupational maternity pay (OMP) and statutory maternity pay (SMP).

Group A

Employees with **30 weeks continuous** local government service at the EWC, and do not fall in group B or C are entitled to occupational maternity pay :

- **For the first six weeks of absence** — 9/10ths of a weeks salary, offset against payments made by way of MA.
- **For the next twelve weeks of absence** – half pay. Any combined half pay and MA (and any dependant's allowances) must not exceed full pay.

Group B

Employees who have **41 weeks continuous service with Ealing** at the EWC and do not fall in group C are entitled to a **combination** of statutory and occupational maternity pay:

- **For the first six weeks of absence** – 9/10ths of a weeks salary, offset against payments made by way of SMP (or MA and any dependant's allowances).
- **For the next twelve weeks of absence** – half pay plus SMP. The combined half pay and SMP (or MA and any dependant's allowances) must not exceed full pay.
- **For the next twenty one weeks** – twenty one weeks SMP.

Group C

Employees with 12 months continuous **service with Ealing** at the expected week of childbirth are entitled to the same provisions as Group B except that they receive an additional six weeks half pay making a total of 18 weeks half pay. The combined half pay and SMP (or MA and any dependant's allowances) must not exceed full pay.

Entitlement to half pay is dependant upon the employee returning to work for a Local Authority following their maternity leave for a period of at least three months full time or equivalent returning on a part time basis.

If an employee is unsure whether or not she intends to return to work at the end of her maternity leave, she may opt to defer the additional 12 weeks or 18 weeks at half pay (depending on length of service) until she has returned to work.

In the event of the employee not returning to work following maternity leave she shall be required to refund the half pay to the Council. The employee will not have to refund any SMP payments.

Maternity Allowance

Employees who do not qualify for Statutory Maternity Pay may be entitled to Maternity Allowance (MA), paid by the Benefits Agency, for up to 26 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth and must also earn above the lower earnings limit.

9. KEEPING IN CONTACT DAYS DURING MATERNITY LEAVE

Managers must maintain reasonable contact with employees during maternity leave to update them on work developments and discuss return to work plans. Managers must keep the employee informed of promotion opportunities and other information relating to the job that they would normally be made aware of if they were working. This will assist all parties once the maternity leave is over and the employee returns to work. Managers should discuss with employees how they wish this contact to be maintained before maternity leave is commenced. This contact can be made in a way that is suitable to both parties and could be, for example, by telephone, e-mail, letter or in other mutually agreeable ways.

Keeping in Touch Days (KIT)

Employees by agreement with their managers may work for up to 10 days without bringing their maternity leave to an end or losing SMP. Work cannot be undertaken during the two weeks of compulsory maternity leave immediately after the birth. KIT days are different from the reasonable contact that employers and employees may make with one another, as during KIT days, employees can actually carry out work for the employer, for which they will be paid.

The keeping-in-touch days do not have to be consecutive and may be used for an activity, which would normally be classed as work under the employee's contract of employment, for which they would be paid. KIT days may be useful, for example, in allowing the employee to undertake work-related activities such as attending a conference, undertaking a training activity or attending meetings. Any work and the type of work undertaken during the maternity leave period must be by agreement with the Manager and the employee. There is no obligation on either party for this work to be offered or accepted. Any work done on any day during the maternity pay or maternity leave period will count as a whole KIT day. Any days of work undertaken will not extend the maternity leave period.

The manager needs to ensure that the employee does not work more than 10 KIT days during their maternity leave period.

Payment of KIT Days

Managers will be required to complete and authorise a KIT Form (Form MAT 8). This form needs to be sent to payroll as soon as the employee has worked the KIT day so they receive the payment; if possible, within the pay period they have worked. An employee who works up to half a KIT day during the unpaid maternity leave period will receive the equivalent of half a days pay. An employee who works more than half a KIT day will receive the equivalent of a full days pay. Where a KIT day occurs during the paid maternity leave period, contractual pay receivable under the preceding paragraph will be paid without deduction, except to the extent to which the combined pay, OMP and SMP exceed full pay.

10. NOTIFICATION OF BIRTH

Following the birth of the baby the employee is required to send a copy of the birth certificate to HR, who will then confirm in writing the maternity leave entitlement, adjust, if necessary, the anticipated date of return and inform payroll.

11. RETURN TO WORK

An employee has a right to return to the job in which they were employed under their existing contract of employment and on terms and conditions at least as favourable as those that would have applied had they not been on Maternity Leave.

Return to Work Notice Requirements

An employee is only required to provide notice of their return to work date if they are planning to return early i.e. before the end of their full maternity leave. The employee must provide 21 days notice in writing of the new return to work date. Failure to provide notice could result in the return date being postponed.

For an employee where, because of an interruption of work (whether due to industrial action or some other reason), it is unreasonable to expect them to return on the due date, they may instead return when work resumes, or as soon as reasonably practicable thereafter.

If the employee does not return to work on the agreed return date the manager must inform the HRSSC immediately, to ensure the employee is paid correctly.

Earliest return to work date

For health and safety reasons an employee cannot return to work within two weeks of the actual date they give birth. This is a compulsory leave period and cannot be varied under any circumstances.

Sickness at the end of maternity leave

An employee who is unable to return to work from maternity leave on the notified date due to sickness is required to notify their manager immediately and follow normal sickness absence notification requirements.

Returning to work part time

Employees may opt to return to work on a part-time basis for the first six months. If the employee wishes to pursue this option, they will be required to give their manager as much notice as possible of their preferable working pattern. This will allow time for the line manager to consider the working pattern, implement the necessary support or consult with the employee on another suitable working pattern. All necessary terms and conditions of employment will be pro-rata i.e. pay, annual leave.

At the end of the six-month period the employee may request to continue their part time working or amend their working pattern. The manager will further consider the full-range of temporary or longer-term flexible working arrangements and attempt to facilitate the employee's request (including arrangements necessary to facilitate breast-feeding).

Employees who have received and wish to retain their occupational half pay need to be mindful of their obligation to return to work for a period of three months full time equivalent if they are returning part time.

Flexible Working

Parents of children aged under 6 or of disabled children under 18 have the statutory right to request to work flexibly. The Council has extended the right to request to all employees with 26 weeks continuous service with the Council. The Council has a locally agreed procedure to consider request and a duty to consider such requests seriously.

Job share

Employees may request to return to work on a job share basis.

Employees who do not return to work

If an employee resigns whilst on maternity leave the employee is required to give contractual notice. However, they are not required to work their notice period. If the employee has received occupational half pay and they are not returning to work they will be required to re-pay this.

12. TERMS & CONDITIONS AND OTHER BENEFITS

Contractual Rights

During maternity leave (both paid and unpaid), the employee's contract of employment will continue and they will retain all their contractual rights, with the exception of remuneration. Maternity leave will count as continuous local government service and will not affect their annual increments or entitlements to additional annual leave.

Annual Leave and Bank Holidays

Annual leave will continue to accrue during the full period of maternity leave. This includes entitlement to bank, statutory and extra statutory holidays. For part-time staff, the amounts accrued will be pro-rata.

Where the amount of accrued annual leave will exceed normal carry over provisions, the employee, in agreement with their line manager, may take annual leave before the commencement of their maternity leave and at the end of their maternity leave.

Restructuring/Redundancy

Whilst on maternity leave employees have the same rights to be consulted on any changes regarding their job as if they were at work.

In cases of restructuring or redundancy, which affect the employees right to return to their original post wherever practical, suitable alternative employment will be offered. Any alternative employment offered must be available at the time, suitable to the employee, appropriate for her to do in the circumstances and the capacity

and place in which the employee is employed and their other terms and conditions of employment must not be substantially less favourable than the job in which they were originally employed. However, should no suitable alternative employment be available, the employee may be entitled to redundancy pay under the Council's procedure. At all stages during the restructuring process, the employee will be kept informed and will be invited to attend team meetings, briefings etc.

Pensions

During the paid period of maternity leave, pension contributions will be based on the actual amount of maternity pay received by the employee. The employers pension contributions are, however, calculated as if the employee were working normally and receiving the normal remuneration for doing so. During any period of unpaid absence, neither the employer nor the employee pays any contributions. It is however possible for the employee to cover any gap in their contribution record.

For more details of the pension scheme and the effect of maternity leave, contact the pension administrators, Liberata UK Ltd, at PO Box 72, Lewes, BN7 2WS. Telephone No: 0845 1301030 or Email: ealingpensions@liberata.com

Tax and National Insurance (NI)

Occupational maternity pay is liable to tax and deductions of NI contributions, in the same way as normal pay. During any period of unpaid maternity leave no NI contributions will be made on the employee's behalf.

If the employees earning falls below the lower earnings limit for NI contributions they will not be liable to pay them.

If the total NI contributions fall below the minimum threshold at the end of the tax year the employee should receive a notice from the HM Revenue & Customs (HMRC), National Insurance Contributions office, inviting them to make up the contributions. It is up to them to decide whether or not they wish to pay them but they should note that non-payment might affect their ability to claim contributions related benefits in the future.

Council Loans

If the employee is in receipt of a Council loan such as a car loan or season ticket loan, they will be expected to continue with the repayments whilst on maternity leave, otherwise outstanding sums will be reclaimed in one lump on their return to work. If the employee has a season ticket, which they do not require for the duration of their maternity leave, they should contact the Refund Department of London Transport or British Rail to claim a refund for the period when the ticket is not in use.

Trade Union Membership

Trade union membership will continue throughout the maternity leave period and the employee should inform their shop steward or union office of their maternity leave to ensure union news, publications and other union information is sent to their home address at regular intervals.

13. GENERAL

Premature Birth

If the baby is born alive prematurely, the maternity pay and leave entitlements will not be affected.

Should the baby be born before the 11th week before the EWC and the employee is still working during the actual week of childbirth, the maternity leave will start on the day after the first day of absence.

Twins or Multiple Births

If the employee is expecting more than one child their entitlement to maternity leave and pay is the same as if they were expecting one baby.

Miscarriage or Still Birth

In the unfortunate event that the employee has a miscarriage or loses their baby after 24 weeks of pregnancy, the employee will be entitled to maternity leave and pay.

If the miscarriage or stillbirth occurs before the 24th week of pregnancy, sympathetic consideration will be given to the circumstances and special or sick leave given where necessary.

PARENTAL AND MATERNITY SUPPORT LEAVE SCHEME

1. ELIGIBILITY CRITERIA

Employees who are the child's father or the partner or the nominated carer of the expectant mother who have less than 30 weeks Ealing service at the date of childbirth, will be eligible for 5 days paid (or pro-rata based on hours worked) parental/maternity support leave. This leave should be taken at or around the time of the birth.

Employees who are the child's father or the partner or the nominated carer of the expectant mother who have more than 30 weeks continuous Local Government service at the date of childbirth, will be eligible for 10 days paid parental/maternity support leave (or pro-rata based on hours worked) to be taken at or around the time of the birth.

Paid parental/maternity support leave will be off set against any statutory ordinary paternity leave/pay. Please see statutory paternity leave and pay section below.

Employees with more than 30 weeks continuous service with Ealing are entitled to up to thirteen weeks unpaid statutory parental leave (or pro-rata based on hours worked) to be taken within five years following the birth of the child for whom they have parental responsibility. In the case of a child born with a disability (who is eligible to receive for Disability Living Allowance) this is extended to the first

eighteen years and the number of weeks unpaid leave increased to 18 weeks. Where paid parental/maternity support leave is taken this will form a part of the overall thirteen or eighteen week entitlement. (i.e. the combined maximum period of paid and unpaid leave is thirteen or eighteen weeks).

The paid provision should normally be taken at or around the time of the birth with the remaining period of unpaid leave taken within the first five years after the birth. The full entitlement may be taken at the time of the birth subject to the eligible employee giving three months written notice of this intention. If preferred, the employee can request that leave is taken on a flexible/staggered basis. If staggered this must be taken in whole weeks subject to a maximum of four weeks, and be agreed in advance with the designated manager.

The entitlement is per parent per child, so that if there are twins, each parent has an entitlement to 26 weeks in total.

Employees should give their line manager in writing as much notice as possible of their request for parental/maternity support leave (at least 21 days notice). The employee maybe required to provide proof of the birth or expected birth before parental/maternity leave is granted.

Employees transferring to Ealing from another employer who have parental responsibility for a child will be entitled to a maximum of four weeks unpaid leave in any twelve month period up to the fifth birthday of the child or 18th birthday of a child with a disability.

2. TERMS & CONDITIONS AND OTHER BENEFITS

During the period of parental/maternity support leave the employee's contract of employment continues in force and he/she is entitled to receive all his/her contractual benefits, except for salary.

Holiday entitlement will also continue to accrue during parental/maternity support leave.

3. RECORDING TIME TAKEN FOR PARENTAL LEAVE

Managers should ensure that a record is kept on the employee's personal file of any parental/maternity support leave taken.

4. SICKNESS DURING PARENTAL LEAVE

When taken, parental/maternity support leave will not count against either holiday or sick leave entitlement.

5. RETURN TO WORK

Except in the case of redundancy, an employee returning from parental/maternity support leave has a right to return to the same or similar job that they did before the start of parental/maternity support leave, and on terms no less favourable than their substantive post.

If the employee does not return to work on the agreed return date the manager must inform the HRSSC immediately, to ensure the employee is paid correctly.

6. STATUTORY PATERNITY LEAVE AND PAY

There are two types of statutory paternity leave and pay:

- Ordinary paternity leave and pay
- Additional paternity leave and pay

Ordinary paternity leave and pay

An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to two weeks' ordinary paid paternity leave provided that he/she has 26 weeks' continuous service by the end of the 15th week before the week in which the child is expected.

To qualify for ordinary paternity leave, the employee 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 to support the child's mother.

Ordinary paternity leave must be taken in a single block of either one or two consecutive weeks within eight weeks of the birth. Ordinary paternity leave can start either from the date the child is born or from a chosen number of days or weeks after that date.

Notification of ordinary paternity leave

Where an employee wishes to request ordinary paternity leave in respect of a birth child, he/she must give 15 weeks' written notice of the date on which his/her partner's baby is due, state the length of ordinary paternity leave he/she wishes to take and the date on which he/she wishes the leave to commence. Employees are required to complete the Notification and Self-Certification for Ordinary Paternity Leave and Pay Form 1 to request ordinary paternity leave and pay (available on the Intranet or from the HRSSC ext 9000).

If the birth of the child is late, leave must be postponed to start no earlier than the date of birth.

If an employee subsequently wishes to change the timing of the ordinary paternity leave, he/she must give 28 days' written notice of the new dates.

Where it is not reasonably practicable to give such notice, notice must be given as soon as is reasonably practicable.

Ordinary statutory paternity pay

Pay during ordinary paternity leave will be at a standard rate per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than the standard rate.

Additional paternity leave (EWC begins on or after 3rd April 2011)

Eligible employees may take up to 26 weeks' additional paternity leave within the first year of their child's life provided that the mother has returned to work before using her full entitlement to maternity leave.

The earliest that additional paternity leave can commence is 20 weeks after the date on which the child is born and it must end no later than the date of the child's first birthday. Additional paternity leave must be taken as a single block in multiples of complete weeks. The minimum period is two consecutive weeks and the maximum period is 26 weeks.

The leave taken cannot be more than that foregone by the mother but it can be less.

Salary may be replaced by statutory paternity pay for some of the additional paternity leave period if the employee is eligible to receive it (see eligibility criteria below). The remaining period of additional paternity leave is unpaid.

Employees are encouraged to take any outstanding annual leave due to them before the commencement of additional paternity leave. Employees are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during additional paternity leave, the employee should take his/her outstanding entitlement before starting his/her additional paternity leave.

Eligibility for additional paternity leave

In order to be eligible for additional paternity leave, an employee must satisfy each of the following criteria:

- He/she must be the father of the child or married to, the civil partner of, or the partner of, the child's mother, expect to have the main responsibility for the upbringing of the child (apart from the mother's responsibility). He/she must be taking the leave to care for the child.
- He/she must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born
- He/she must remain in continuous employment until the week before the first week of additional paternity leave.
- The mother of the child must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance. The mother must have returned to work and forfeited a portion of her maternity leave.

Notification of additional paternity leave

Where an employee wishes to request additional paternity leave and pay, he/she must give eight weeks' written notice of the date on which he/she wishes to take the leave and, if applicable, additional statutory paternity pay to commence. Employees are required to complete the Notification and Self-Certification for Additional Paternity Leave and Pay Form 2 to request additional paternity leave and pay (available on the Intranet or from the HRSSC ext 9000).

At the same time, the mother must submit a signed declaration form (Mother's Self-Declaration for Additional Paternity Leave Form 3, available on the Intranet or from the HRSSC ext 9000).

The employee is permitted to bring forward his/her additional paternity leave start date, provided that he/she advises the Council in writing at least six weeks before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone his/her additional paternity leave start date, or cancel his/her additional paternity leave altogether, provided that he/she advises the Council in writing at least six weeks before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The Council will formally respond in writing to the employee's notification of his/her additional paternity leave plans within 28 days, confirming the relevant start and end dates of additional paternity leave and pay.

Additional statutory paternity pay

Additional statutory paternity pay may be payable during some of additional paternity leave. An employee is entitled to additional statutory paternity pay if they fulfil the eligibility requirements for paternity leave and the following criteria below:

- His/her average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
- The mother is entitled to statutory maternity pay or maternity allowance and the mother has returned to work before her full entitlement to statutory maternity pay/maternity allowance has been exhausted;
- The mother has at least two weeks of her maternity pay period that remains unexpired; and
- He/she gives proper notification in accordance with the rules set out above.

Any statutory paternity pay due during additional paternity leave will be paid at a standard rate per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than the standard rate.

Statutory paternity pay is payable whether or not the employee intends to return to work after his/her additional paternity leave.

Pension contributions will continue to be made during any period when the employee is receiving statutory paternity pay but not during any period of unpaid additional paternity leave. Employee contributions will be based on actual pay, while employer contributions will be based on the salary that the employee would have received had he/she not gone on additional paternity leave.

Contract of employment

During the period of additional paternity leave, the employee's contract of employment continues in force and he/she is entitled to receive all his/her contractual benefits, except for salary. Contractual annual leave entitlement will continue to accrue.

Contact during additional paternity leave

The contact provisions of the maternity leave scheme apply during additional paternity leave.

Keeping-in-touch days during additional paternity leave

The keeping in touch provisions of the maternity leave scheme apply during additional paternity leave.

Returning to work after additional paternity leave

The employee will have been formally advised in writing by the Council of the end date of his/her additional paternity leave.

If the employee wishes to return to work earlier than the expected return date, he/she must give the Council at least six weeks' notice in writing of his/her date of early return. If he/she fails to do so, the Council may postpone his/her return to such a date as will give the Council six weeks' notice, provided that this is not later than the expected return date.

If the employee decides not to return to work after additional paternity leave, he/she must give notice of resignation as soon as possible and in accordance with the terms of his/her contract of employment.

On resuming work after both ordinary and additional paternity leave the employee is entitled to return to the same job as he/she occupied before commencing paternity leave on the same terms and conditions of employment as if he/she had not been absent.

ADOPTION LEAVE SCHEME

Employees are entitled to take up to 52 weeks adoption leave commencing from either the official date of placement or a pre-determined date no earlier than 14 days before the expected date of placement (and no later than the expected date of placement).

1. ELIGIBILITY CRITERIA

An employee must meet the following criteria:

- Is the child's adopter for the purpose of taking adoption leave. Where a couple adopt jointly only one member of that couple is eligible for adoption leave (however, the other member of that couple or the partner of an individual who adopts may be entitled to paternity leave and pay) **and**;
- are being matched with a child for adoption by an approved adoption agency and produce a matching certificate from the agency **and**;
- has notified the adoption agency that he or she agrees that the child should be placed with him or her and agrees as to the date of the placement **and**;

- has at least 30 weeks continuous service in local government at the date of the application for adoption leave, and be the principle carer of the adopted child, **or**;
- has worked continuously for LBE for at least 26 weeks ending with the week in which they are notified of being matched with a child for adoption.

An employee is only entitled to one period of adoption leave in respect of each placement irrespective of whether more than one child is placed for adoption.

Employees who are not eligible for adoption leave as specified above (or paternity leave) may apply for time off without pay or use annual leave.

2. NOTIFICATION REQUIREMENTS TO TAKE ADOPTION LEAVE

An employee will be required to inform their Manager and HR Consultant 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, unless this is not reasonably practicable. Employees will need to clarify;

- when the child is expected to be placed with them
- when they want their adoption leave to start

The HR Consultant will respond to the notification within 28 days. Within that response they will clarify the return to work date assuming the full adoption leave entitlement of 52 weeks is taken.

If the employee subsequently wants to change the date that they will commence their adoption leave they can do so as long as they give 28 days notice of the new date. The Human Resources Consultant will then confirm in writing the amended return to work date.

3. MATCHING CERTIFICATE

Employees must produce a letter and a matching certificate from an approved adoption agency confirming the adoption/proposed adoption. The letter must contain:

- The name and address of the agency.
- The date on which the employee was notified that they had been matched with the child.
- The date on which the agency expects the child to be placed with the employee.

Similarly, if the child being adopted is from overseas, the employee must produce a letter from the approved British agency that conducted the home study report. This letter must state that the applicant has been approved to adopt the child and also state what country the child is from. In all cases, the Children Services department must verify that the adoption agency has approved status for adoption purposes.

For overseas adoption the employee is also required to provide evidence that the child has entered Great Britain. The earliest the adoption leave and pay may begin is the date the child enters Great Britain. Adoption leave and pay must begin within 28 days of the child's entry to Great Britain and must be completed within 56 days of the child's entry.

4. PRE-PLACEMENT SUPPORT

Employees are entitled to a maximum three days paid leave to attend pre-placement discussions, meetings and pre-adoption training courses (subject to the courses being run by the adoption or other approved agency). The request for pre-placement leave must be supported by a letter from the recognised agency confirming the dates/times of meetings etc., and should be made at least seven working days before the date of the event.

In the adoption process, it is usual for there to be a period of introduction before the child goes to live with the prospective adopter/s. Employees are entitled to a maximum of five days paid leave for the trial placement period. All employees wishing to take advantage of this leave provision must produce written confirmation from the adoption agency, at least five working days prior to the start of the introductory period.

If an eligible employee is not going to be the principal carer, they will still be entitled to the benefits of the pre-placement provision of this scheme.

If both prospective employees are eligible LBE employees, both can apply for the benefits under the pre-placement provisions of this scheme.

5. PARENTAL AND MATERNITY SUPPORT LEAVE

The provisions of the parental & maternity support leave scheme also apply to the adoption leave scheme. With reference to adoption, the "date of childbirth" in the scheme would be replaced with the "date of official placement" or in the case of overseas adoption the "date the child enters Great Britain".

Leave taken under this scheme must be taken within 5 years of the official date of placement or before the child's 18th birthday (whichever occurs first).

Statutory paternity leave and pay

The principles of the statutory paternity leave and pay provisions also apply to adoptive parents (including keeping in touch days).

Ordinary paternity leave

Ordinary paternity leave is available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take ordinary paternity leave where the other adoptive parent has elected to take adoption leave. The employee must have 26 weeks' continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.

In the case of an adopted child, the employee must give written notice of his/her intention to take ordinary paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date the employee intends to start ordinary paternity leave, the length of the intended ordinary paternity leave period and the date on which the adopter was notified of having been matched with the child. Employees are required to complete the Notification and Self-Certification for Ordinary Paternity Leave and Pay Form A1 or A1 (overseas) to request ordinary paternity leave and pay (available on the Intranet or from the HRSSC ext 9000).

Additional paternity leave

Additional paternity leave is available to adoptive parents within the first year after the child's placement for adoption, provided that the child's adopter who elected to take adoption leave (the "primary adopter") has returned to work before using his/her full entitlement to adoption leave.

The earliest that additional paternity leave may commence is 20 weeks after the adopted child's placement and it must end no later than 12 months after the date of placement.

Eligibility for statutory additional paternity leave and pay:

- He/she must be married to, the civil partner of, or the partner of, the primary adopter, have been matched with the child for adoption and be taking the leave to care for the child.
- He/she must have a minimum of 26 weeks' service as at the end of the 15th week before the week in which he/she was notified of having been matched with the child.
- He/she must remain in continuous employment until the week before the first week of additional paternity leave.
- The primary adopter must be entitled to one or both of adoption leave or statutory adoption pay. The primary adopter must have returned to work and forfeited a portion of his/her adoption leave.
- His/her average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
- The primary adopter has at least two weeks of his/her adoption pay period that remains unexpired; and
- He/she gives proper notification and self-certification and obtains a self-declaration from the primary adopter in accordance with the statutory paternity leave and pay provisions.

Employees are required to complete the Notification and Self-Certification for Additional Paternity Leave and Pay Form A2 or A2 (overseas) to request additional paternity leave and pay (available on the Intranet or from the HRSSC ext 9000).

At the same time, the primary adopter must submit a signed declaration form (Primary Adopter's Self-Declaration for Additional Paternity Leave Form A3 (UK and overseas), available on the Intranet or from the HRSSC ext 9000).

Adoptions from overseas

If an employee has adopted a child from overseas, he/she may still be entitled to additional adoption leave provided the above eligibility criteria are met. The earliest that additional paternity leave may commence is 20 weeks after the date on which the adopted child enters Great Britain and it must end 12 months after the date of entry. Please ensure that the correct notification and self-certification/declaration forms are used for overseas adoption.

6. ADOPTION PAY

Statutory Adoption Pay (SAP)

Employees are entitled to 39 weeks SAP if the Council has continuously employed them for a period of not less than 26 weeks ending with the week they are notified of having been matched with the child. SAP is also subject to various other statutory conditions.

Occupational Adoption Pay (OAP)

Employees must have at least 30 weeks continuous service in local government at the date of application for adoption leave, and be the principal carer of the adopted child, in order to be eligible for OAP.

The payment of the OAP is conditional on the employee returning to work for the Council for 3 calendar months (or equivalent if returning part time) following their Adoption Leave. Should the employee not return to work for the full 3 calendar months (or equivalent) they will be required to repay that element of their OAP. The employee will not have to refund any payments made by way of SAP.

An employee can opt to return on reduced hours but the minimum length of return is then extended proportionally; for example an employee on a 35 hour per week contract must return to work for six months if s/he has opted to return to work for 17.5 hours per week.

An employee who meets the required criteria, will receive adoption pay, which is a combination of SAP and OAP, as outlined below;

Age of Child	Paid leave entitlement	Unpaid leave entitlement
Under 1 year	- 6 weeks at 90% average pay (offset against SAP) - 12 weeks at 50% pay plus SAP* - 21 weeks SAP	13 weeks additional adoption leave
Over 1 and under 5 years	- 6 weeks at 90% average pay (offset against SAP) - 10 weeks at 50% pay plus SAP*	13 weeks additional adoption leave

	- 23 weeks SAP	
Over 5 and under 11 years (pre-secondary school)	- 6 weeks at 90% average pay (offset against SAP) - 6 weeks at 50% pay plus SAP* - 27 weeks SAP	13 weeks additional adoption leave
Over 11	- 3 weeks at 90% average pay (offset against SAP) - 3 weeks at 50% pay plus SAP* - 33 weeks SAP	13 weeks additional adoption leave

*Combined half pay and SAP must not exceed full pay.

Adoption leave and pay is not available in circumstances where a child is not matched for adoption, for example when a stepparent is adopting a partner's children.

Where both adoptive parents are employees of Ealing Council only one may opt for the paid part of the adoption leave.

Evidence of the child's date of birth will be required for the purpose of calculating occupational adoption pay.

7. KEEPING IN TOUCH DURING ADOPTION LEAVE

Managers must maintain reasonable contact with employees during adoption leave to update them on work developments and discuss return to work plans. Managers must keep the employee informed of promotion opportunities and other information relating to the job that they would normally be made aware of if they were working. This will assist all parties once the adoption leave is over and the employee returns to work. Managers should discuss with employees how they wish this contact to be maintained before adoption leave is commenced. This contact can be made in a way that is suitable to both parties and could be, for example, by telephone, e-mail, letter or in other mutually agreeable ways.

Keeping in Touch Days (KIT)

Employees by agreement with their managers may work for up to 10 days without bringing their adoption leave to an end or losing SAP. KIT days are different from the reasonable contact that employers and employees may make with one another, as during KIT days, employees can actually carry out work for the employer, for which they will be paid.

The keeping-in-touch days do not have to be consecutive and may be used for an activity, which would normally be classed as work under the employee's contract of employment, for which they would be paid. KIT days may be useful, for example, in allowing the employee to undertake work-related activities such as attending a conference, undertaking a training activity or attending meetings. Any work and the type of work undertaken during the adoption leave period must be by

agreement with the Manager and the employee. There is no obligation on either party for this work to be offered or accepted. Any work done on any day during the adoption pay or adoption leave period will count as a whole KIT day. Any days of work undertaken will not extend the adoption leave period.

Payment of KIT Days

Managers will be required to complete and authorise a KIT Form (see Form MAT 8). This form needs to be sent to payroll as soon as the employee has worked the KIT day so they receive the payment; if possible, within the pay period they have worked. An employee who works up to half a KIT day during the unpaid adoption leave period will receive the equivalent of half a days pay. An employee who works more than half a KIT day will receive the equivalent of a full days pay.

Where a KIT day occurs during the paid adoption leave period, contractual pay receivable under the preceding paragraph will be paid without deduction, except to the extent to which the combined pay, OAP and SAP exceed full pay.

8. ANNUAL LEAVE AND BANK HOLIDAYS

Annual leave will continue to accrue during the full period of adoption leave. This includes entitlement to bank, statutory and extra statutory holidays. For part-time staff, the amounts accrued will be pro-rata.

9. RETURN TO WORK

Employees must return to work no later than 52 weeks from the date the adoption leave commenced. An employee is only required to provide notice of their return to work date if they are planning to return early i.e. before the end of their full 52 weeks adoption leave. The employee must provide 21 days notice in writing of the new return to work date. Failure to provide notice could result in the return date being postponed.

Except in the case of redundancy, an employee returning from adoption leave has a right to return to the same or similar job that they did before the start of adoption leave, and on terms no less favourable than their substantive post.

If the employee does not return to work on the agreed return date the manager must inform HR and payroll immediately, to ensure the employee is paid correctly.

If the employee decides during adoption leave that he/she does not wish to return to work, he/she should give written notice of resignation as soon as possible and in accordance with terms of his/her contract of employment.



**NOTIFICATION OF MATERNITY LEAVE FORM
(FORM MAT2)**

Name_____

Address_____

Home / Mobile Tel No_____

Job Title_____

Location/Department/School_____

Employee Number_____

I have received and read the London Borough of Ealing Maternity Guidance.

Maternity Leave

Expected Date of Childbirth*_____

(*Must be substantiated by a MATB1 certificate of the expected date of childbirth from a registered medical practitioner or registered midwife).

I wish to commence my maternity leave on _____. I also attach the original copy of my MATB1 Certificate.

If you wish to change the above date please ensure you provide 28 days written notice to your manager/Headteacher and HR before the commencement date.

Annual Leave Arrangements (if applicable)

I have agreed with my line manager to take_____ days annual leave immediately prior to the commencement of my maternity leave.

Immediately following my maternity leave I have also agreed to take_____ days annual leave.

Maternity Pay

Please indicate which entitlement refers to you:-

Group A

Employees who have a minimum of 30 weeks continuous local government service at the expected week of childbirth and who do not fall into either Group B or C are entitled to occupational maternity pay *:

- **For the first six weeks of absence** — 9/10ths of a weeks salary, offset against payments made by way of MA.
- **For the next twelve weeks of absence** – half pay. Any combined half pay and MA (and any dependant's allowances) must not exceed full pay.

Please tick one of the three boxes below;

☐

I understand I will receive the above entitlements and will be returning to work

☐

I wish to defer the additional 12 weeks at half pay until I have returned to work, in case I decide not to return to work.

☐

I do not wish to return to work following my maternity leave and understand I will not receive half pay.

* Employees in this group may be entitled to maternity allowance. This would, however, be offset against any occupational pay received.

Group B

Employees who have 41 weeks continuous **service with Ealing** at the expected week of childbirth and who do not fall in Group C are entitled to a **combination** of statutory and occupational maternity pay:

- **For the first six weeks of absence** – 9/10ths of a weeks salary, offset against payments made by way of SMP (or MA and any dependant's allowances).
- **For the next twelve weeks of absence** – half pay plus SMP. The combined half pay and SMP (or MA and any dependant's allowances) must not exceed full pay.
- **For the next twenty one weeks** – twenty one weeks SMP.

Please tick one of the three boxes below;

☐

I understand I will receive the above entitlements and will be returning to work

☐

I wish to defer the additional 12 weeks at half pay until I have returned to work, in case I decide not to return to work.

☐

I do not wish to return to work following my maternity leave and understand I will not receive half pay.

Group C

Employees with 12 months continuous **service with Ealing** at the expected week of childbirth are entitled to a **combination** of statutory and occupational maternity pay:

- **For the first six weeks of absence** – 9/10ths of a weeks salary, offset against payments made by way of SMP (or MA and any dependant's allowances).
- **For the next eighteen weeks of absence** – half pay plus SMP. The combined half pay and SMP (or MA and any dependant's allowances) must not exceed full pay.
- **For the next fifteen weeks** – fifteen weeks SMP.

Please tick one of the three boxes below;

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ I wish to defer the additional 18 weeks at half pay until I have returned to work, in case I decide not to return to work.
- ☐ I do not wish to return to work following my maternity leave and understand I will not receive half pay.

Group D

Employees with less than 30 weeks continuous local government service at the expected week of childbirth are not entitled to occupational or statutory maternity pay.

- ☐ I **do** wish to return to work following my maternity leave.
- ☐ I **do not** wish to return to work following my maternity leave.

I understand the following;

- Only if I select that I intend to return to work following maternity leave will my post be kept open for me until the end of my maternity leave.
- If I do not return to work following maternity leave for at least 3 months (or equivalent if returning part time) I will be required to refund the half pay to the Council I will not be required to refund any SMP payments.
- I understand that once the baby is born that I must provide a copy of the birth certificate to confirm my maternity leave entitlements.
- That my maternity payments are subject to tax, national insurance and any other voluntary deductions (i.e pension, trade union membership fees etc).

Employee's Signature _____ Date _____

I confirm the above details are correct.

Managers/Head teacher Signature _____ Date _____

I confirm the above details are correct.



**CHANGE TO MATERNITY START DATE FORM
(FORM MAT5)**

Name_____

Address_____

Home / Mobile Tel No_____

Job Title_____

Location/Department/School_____

Change to Maternity Start Date

Expected Date of Childbirth_____

I wish to change the date I commence my maternity leave from;

To: _____

Change to Annual Leave Arrangements (if applicable)

I have agreed with my line manager to take_____ days annual leave
immediately prior to the commencement of my maternity leave.

Immediately following my maternity leave I have also agreed to take_____
_____ days annual leave.

Employee's Signature _____ Date_____

I confirm the above details are correct.

Managers/Head teacher Signature_____ Date_____

I confirm the above details are correct.

TO BE SUBMITTED TO PAYROLL ON A MONTHLY BASIS



**WORK/KEEPING IN TOUCH (KIT) PAYMENTS FORM
(FORM MAT 8)**

Employee Name:	Job title:
Employee No:	Place of work:
Contact No:	Manager/Head:

The above employee has worked the following KIT days;

Date	Activity i.e. training, team meeting, project work.	Half Day/ Full Day*

*Half a day worked or less = half a days pay. More than half a day worked = full days pay

The total number of days to be paid are: _____

Managers/Head teacher Signature_____ Date_____

I confirm the above details are correct.

For Payroll use only:

<i>Mth/Yr paid</i>	<i>Code</i>	<i>Amount</i>	<i>Processed by:</i>	<i>Authorised by:</i>

**PREGNANCY RISK ASSESSMENT GUIDELINES
(MAT 9)**

Aspects of pregnancy	Factors in work
Morning sickness.	Early shift work
Headaches	Exposure to nauseating smells
Backache	Standing/manual handling/posture
Varicose veins	Standing/sitting
Haemorrhoids	Working in hot conditions
Frequent visits to the toilet	Difficulty in leaving job/site of work
Increasing size	Use of protective clothing work in confined areas Manual handling
Tiredness	Overtime, evening work
Comfort	Problems of working in tightly fitting work uniforms
Balance	Problems of working on slippery, wet surfaces



RISK ASSESSMENT FOR PREGNANT WOMAN / NURSING MOTHERS.

CHECK LIST QUESTIONS	YES	NO	FURTHER ACTION.
Morning Sickness Does the job involve shift work? Exposure to bad smells? Is there adequate access to drinking water/ toilet facilities?			
Backache Does the job involve long periods of standing? Does the job involve driving a vehicle? Does it involve getting in and out of the vehicle many times? Is Manual Handling involved if so has a risk assessment been completed.			
Tiredness Is there a requirement to work overtime? Is evening/night work involved? Are hours arranged so that there is sufficient time to take rest breaks? Are there suitable facilities within the rest area to lie down? Are there facilities to express and store milk?			
Balance Are there problems of working on wet/slippery floors/unstable surfaces? Is there a requirement for climbing on ladders or kick stools?			
Stress/Confrontations Does the job involve contact with members of the public i.e. home visits, counter interviews etc. Has a VDU/DSE assessment been			

completed? Does the job involve exposure to: Vibration Noise Chemicals Biological Agents eg: Legionnaire's Disease, tetanus, hepatitis, German Measles, Chicken Pox.			
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N.B. Hazard data sheets + COSHH Assessments must be referred to, in order to determine if the chemicals/substances used could cross the placenta and affect the unborn child/foetus.

Risk Assessment for:

Date completed:

Completed by:

Copied to:

RISK ASSESSMENT FOR DISPLAY SCREEN EQUIPMENT.

CHECKS	YES	NO	ACCEPTABLE, NOT ACCEPTABLE CONTROL MEASURES
<p>EQUIPMENT</p> <p>Screen-stable/flicker free/correct angle, glare free, and clear image.</p> <p>Keyboard / mouse / use of mouse-mat, any defects</p> <p>Desk / Table - glare free big enough / clear and obstructed</p> <p>Seating - height adjustable / stable / adjustable back rest / use of foot rest</p> <p>Cabling / Electrical - Are there any running under your chair or catching your feet under the desk</p> <p>ENVIRONMENT</p> <p>Temperature - is there a fresh supply of air - is it too hot / cool / stuffy Too noisy</p> <p>Static - do you get any static shocks from the carpet or cabinets / cupboards</p> <p>Lighting - appropriate for the tasks Enough space, traffic routes, clear from slips and trips.</p> <p>INFORMATION and TRAINING</p> <p>Software -suitable / adequate to do your job, taking breaks, to give your eyes a rest, do some thing else for 10 mins.</p> <p>HEALTH and SAFETY Requirements. EYE SIGHT TESTS (2 YEARS) FREE.</p>			

Risk Assessment for:

Date completed:

Completed by:

Copied to:

**NOTIFICATION OF ADOPTION LEAVE FORM
(FORM ADOPT1)**

Name _____

Address _____

Home / Mobile Tel No _____

Job Title _____

Location/Department/School _____

Employee Number _____

I have received and read the London Borough of Ealing Adoption Guidance.

Adoption Leave

Expected Date of placement* _____
(*Must be substantiated by an adoption matching certificate from the adoption agency).

I wish to commence my adoption leave on _____. I also attach a copy of the matching certificate.

If you wish to change the above date please ensure you provide 28 days written notice to your manager/Headteacher and HR before the commencement date.

Annual Leave Arrangements (if applicable)

I have agreed with my line manager to take _____ days annual leave immediately prior to the commencement of my adoption leave.

Immediately following my adoption leave I have also agreed to take _____ days annual leave.

Adoption Pay

You must have either:

at least 30 weeks continuous service in local government at the date of application for adoption leave and be the principal; carer of the adopted child

or

been continuously employed by Ealing Council for a period of not less than 26 weeks ending with the week they are notified of having been matched with the child

Please indicate which entitlement refers to you:

Group A

Child under the age of one year

- **For the first six weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next twelve weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next twenty-one weeks** – twenty-one weeks SAP.

Please tick one of the three boxes below;

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.
- ☐ I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

Group B

Child over the age of one and under 5 years

- **For the first six weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next ten weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next twenty-three weeks** – twenty-three weeks SAP.

Please tick one of the three boxes below;

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.
- ☐ I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

Group C

Child over the age of 5 and under 11 years

Please tick one of the three boxes below;

- **For the first six weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next six weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next twenty-seven weeks** – twenty-seven weeks SAP.

Please tick one of the three boxes below;

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.
- ☐ I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

Group D

Child over 11 years

- **For the first three weeks of absence** – 90% average pay, offset against payments made by way of SAP (statutory adoption pay)
- **For the next three weeks of absence** – 50% pay plus SAP. The combined 50% pay and SAP must not exceed full pay.
- **For the next thirty-three weeks** – Thirty-three weeks SAP.

Please tick one of the three boxes below;

- ☐ I understand I will receive the above entitlements and will be returning to work
- ☐ I wish to defer the occupational adoption pay until I have returned to work, in case I decide not to return to work.
- ☐ I do not wish to return to work following adoption leave and understand I will not receive occupational adoption pay.

I understand the following;

- Only if I select that I intend to return to work following adoption leave will my post be kept open for me until the end of the adoption leave.
- If I do not return to work following adoption leave for at least 3 months (or equivalent if returning part time) I will be required to refund the occupational adoption pay to Ealing. I will not be required to refund any SAP payments.
- That my adoption payments are subject to tax, national insurance and any other voluntary deductions (i.e pension, trade union membership fees etc).

Employee's Signature _____ Date _____

I confirm the above details are correct.

Managers/Head teacher Signature _____ Date _____

I confirm the above details are correct.