

# **Maternity, Paternity, Adoption and Shared Parental Leave Policy and Procedure**

## **Ratification Process**

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**Cambridgeshire & Peterborough CCG  
Maternity, Paternity, Adoption and Shared Parental Leave Policy and Procedure**

**Document Control Sheet**

<b>Development and Consultation:</b>	This policy was developed by the CCG HR team and consulted upon with senior managers and staff representatives. This policy has been approved through the Joint Consultation and Negotiating Partnership (JCNP).
<b>Dissemination</b>	All new and updated policies and procedures are notified to senior managers via email for dissemination to their staff. Notification is also sent to all staff via the bi-weekly staff newsletters.
<b>Implementation</b>	All staff and managers. Line managers have an additional duty to authorise in accordance with the policy.
<b>Training</b>	The CCG HR team will organise to inform managers of this policy.
<b>Audit</b>	The CCG HR Team will hold a database of all policies and a reminder will be sent when a policy is due for renewal.
<b>Review</b>	This policy will be reviewed by the CCG HR Team and JCNP every two years, unless an earlier review is required e.g. due to changes in legislation or in NHS direction.
<b>Links with other documents</b>	This policy should be read in conjunction with:  CCG Equal Opportunities Policy CCG Flexible Working Policy and Procedure CCG Carers and Special Leave Policy and Procedure

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**Revisions**

<b>Version</b>	<b>Page/ section no.</b>	<b>Description of change</b>	<b>Date approved</b>
1	N/A	Integration of maternity, paternity and adoption leave into one single policy	08/01/2014
1	Page 8, section 7	Updated 'Maternity Entitlement Guide'. New version makes eligibility to maternity pay and maternity leave more explicit	08/01/2014
1	Page 17, section 22	Inclusion of Paternity Leave guidance	08/01/2014
1	Page 19, section 23	Inclusion of Adoption guidance	08/01/2014
1	Page 11, section 8.6.3	Change of childcare voucher provider from Kidsunlimited to Computershare Voucher Services, with change of contact details	11/08/2014
2	Page 16-17, section 17	Clarification that annual leave accrues and carries forward to the date of return following maternity leave.	02/03/2016
2	Page 18-20, section 22	Removal of additional paternity leave to be replaced by Shared Parental Leave entitlement	02/03/2016
2	Page 21-28, section 25 - 35	Inclusion of information regarding Shared Parental Leave, previously held as separate guidance	02/03/2016
2	Page 42-44, appendix 7	Inclusion of Shared Parental Leave Notification form	02/03/2016
2	Page 45 appendix 8	Inclusion of template letter acknowledging Notification of Shared Parental Leave	02/03/2016
2	Page 46, appendix 9	Inclusion of template letter Confirmation of Shared Parental Leave Entitlement	02/03/2016
2	Page 47, appendix 10	Inclusion of template letter Confirmation of Shared Parental Leave Booking	02/03/2016
2	Page 48, appendix 11	Inclusion of template letter Refusal of Discontinuous Shared Parental Leave	02/03/2016

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**Contents**

<b>Section</b>	<b>Page</b>
1. Introduction	7
2. Purpose and Scope	7
3. Duties and Responsibilities	7
4. Guidance	7 – 8
5. Definitions and Abbreviations	8
6. Contractual Rights	8
7. Maternity Entitlement Guide	9
Statutory Maternity Pay (SMP)	9
Occupational Maternity Pay (OMP)	10
Unpaid Contractual Leave	10 - 11
Maternity Leave Entitlement Only	11
Employees not returning to NHS Employment	11
8. Calculation of Maternity Pay	11 – 12
Income Tax	11
NHS Pensions	11
Childcare Vouchers and Maternity Pay	11 – 13
9. Applying for Maternity Leave	13
10. Commencing Maternity Leave	13
11. Keeping in Touch Days	13
12. Return to Work	14
13. Pre-Term Birth, Still Birth and miscarriage	14 - 15
14. Time Off for Antenatal Care	15
15. Risk Assessments and the Occupational Health Service	15 - 16
16. Sickness prior to Childbirth	16

17.	Annual Leave and Public Holidays	16 - 17
18.	Employees on Fixed Term or Training Contracts	17
19.	Continuous Service	17 - 18
20.	Leaving	18
21.	Eventual Return Possible	18
22.	Paternity Leave	18 - 20
23.	Adoption Leave	20
24.	Keeping in Touch	20 - 21
25.	Shared Parental Leave	21
26.	Eligibility for Shared Parental Leave	21 - 22
27.	Requesting further evidence of eligibility	22
28.	Fraudulent Claims	22 - 23
29.	Shared Parental Leave Entitlements	23
30.	Shared Parental Leave Notification Procedure	23 - 25
31.	Booking Shared Parental Leave	25 - 26
32.	Responding to a Shared Parental Leave Notification	26
33.	Variations to arranged Shared Parental Leave	26
34.	Statutory Shared Parental Pay	26 - 28
35.	Returning to work after Shared Parental Leave	28
36.	Appendices	
	Appendix 1: Maternity Leave Application Form	29 - 32
	Appendix 2: Risk Assessment for New and Expectant Mother at Work	33 - 34
	Appendix 3: Employee Maternity Checklist	35
	Appendix 4: Childcare Vouchers Calculation Sheet	36
	Appendix 5: Paternity Leave Application Form	37 - 38

Appendix 6: Adoption Leave Application Form	39 – 41
Appendix 7: Shared Parental Leave Notification form	42 – 44
Appendix 8: Template letter acknowledging Notification of Shared Parental Leave	45
Appendix 9: Template letter Confirmation of Shared Parental Leave Entitlement	46
Appendix 10: Template letter Confirmation of Shared Parental Leave Booking	47
Appendix 11: Template letter Refusal of Discontinuous Shared Parental Leave	48

# **Cambridgeshire & Peterborough CCG**

## **Maternity, Paternity, Adoption and Shared Parental Leave Policy and Procedure**

### **1. Introduction**

1.1. This policy is designed to simplify the regulations as far as possible, helping you to make informed choices. Please read this policy carefully, as the provisions are derived from legal statutes and conditions of employment and are sometimes very complex.

### **2. Purpose and Scope**

2.1. The purpose of this policy is to provide comprehensive information to employees on their entitlements with regards to leave and pay relating to maternity, paternity and adoption leave. The policy covers a range of situations that may arise such as pay, sickness absence and returning to work. It sets out the obligations of both staff and managers before, during and after leave.

2.2. The policy and procedure applies to all Cambridgeshire & Peterborough Clinical Commissioning Group (CCG) employees, regardless of grade, length of service or hours worked.

2.3. The policy does not apply to individuals working as contractors or employed by agencies.

### **3. Duties and Responsibilities**

3.1. Cambridgeshire & Peterborough CCG  
The CCG has a responsibility to ensure that all employees receive their appropriate Maternity leave and pay.

3.2. Managerial staff  
Managers must ensure that all staff are treated fairly and within the provisions and spirit of the Equal Opportunities Policy. All managers must respect the confidentiality of the employee at all times and not disclose any personal information to a third party, with the exception of where advice is being sought from the HR team, Employment Services or the Occupational Health Service.

3.3. Human Resources Team  
The HR team has a responsibility to ensure that all employees are aware of the policy and procedure in respect of Maternity, Paternity and Adoption Leave. The HR team are responsible for providing guidance and support to staff and managers on appropriate use of the policy and procedure.

### **4. Guidance**

4.1. This policy sets out the arrangements for Maternity, Paternity, & Adoption. The contents also act as a checklist, giving advice on what steps to take and when to take them.

- 4.2. After reading the guidance you should contact your Line Manager to discuss your options, your preferences and to complete the relevant documentation.
- 4.3. If you wish to discuss your leave and entitlements, please put your questions to Employment Services on 0800 0181 990 who will be able to give you well informed, up-to-date advice. If you would like to meet with an HR Advisor to go through your maternity entitlements, please contact the HR team.

## **5. Definition and Abbreviations**

- a. CCG  
Cambridgeshire and Peterborough Clinical Commissioning Group.
- b. EWC  
Expected Week of Childbirth calculated from Sunday to Saturday, i.e. the week in which the baby is due.
- c. ADC  
Actual Date of Childbirth, i.e. the date of your baby's birth.
- d. Qualifying Week  
The qualifying week is the 15th week prior to your expected week of childbirth.
- e. SMP  
Statutory Maternity Pay
- f. MA  
Maternity Allowance
- g. OMP  
Occupational Maternity Pay

## **6. Contractual Rights**

- 6.1. During maternity, paternity & adoption leave (both paid and unpaid) you retain all of your contractual rights except remuneration.

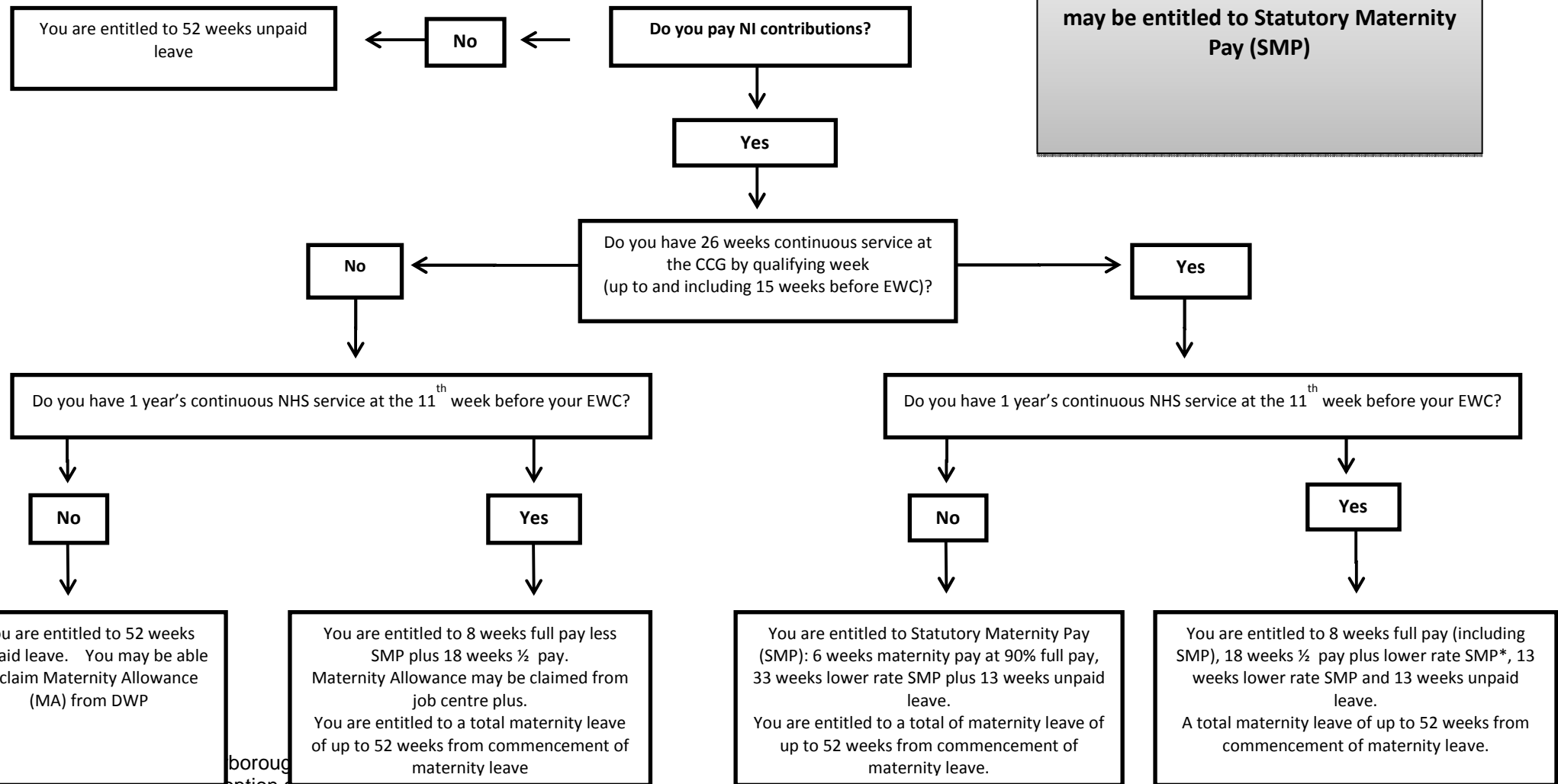


## 7. Maternity Entitlement Guide

Your entitlement depends, in part, on the length of your continuous service and is regardless of whether you work full time or part-time.

The following chart outlines the broad entitlements to your maternity leave.

**Employees not returning to work will not get Occupational Maternity Pay but may be entitled to Statutory Maternity Pay (SMP)**



### 7.1. Statutory Maternity Pay (SMP)

You will be entitled to SMP if:

- a. You have 26 weeks or more of continuous service into the 15th week before the EWC;
- b. You earn, on average, an amount which at least equals the lower earnings limit which applies on the Saturday at the end of your qualifying week, (see [www.direct.gov](http://www.direct.gov) for more information on the lower earnings limit);
- c. You notify, in writing, before the end of the 15th week before the EWC, (or if this is not possible, as soon as is reasonably practicable), informing us of your intention to take leave and the date your maternity leave will start. Please see section nine for full details on applying for maternity leave;
- d. A maternity certificate (MAT B1) from your GP or Midwife must be submitted once you have received it.

### 7.2. The amount of Statutory Maternity Pay receivable is as follows:

- e. The first six weeks at 90 per cent of your average gross weekly earnings with no upper limit;
- f. 33 weeks at the lower of either the standard rate (see [www.direct.gov.uk](http://www.direct.gov.uk) for current rate) or 90 per cent of your average gross weekly earnings.

### 7.3. Occupational Maternity Pay (OMP)

You will be entitled to OMP if:

- a. You have 12 months continuous service with one or more NHS Employer at the beginning of the 11th week before the EWC;
- b. You intend to return to work with the same or another NHS Employer for a minimum period of three months after your maternity leave has ended;
- c. You notify, in writing, before the end of the 15th week before the EWC, (or if this is not possible, as soon as is reasonably practicable), informing us of your intention to take leave and the date your maternity leave will start. Please see section nine for full details on applying for maternity leave;
- d. A maternity certificate (MAT B1) from your GP or Midwife must be submitted once you have received it.

### 7.4. The amount of occupational maternity pay receivable is as follows:

- e. Weeks 1-8 you will receive full pay, less any SMP or MA (including any dependents' allowances receivable);

- f. Weeks 9-26 you will receive half of full pay, plus any SMP or MA (including any dependents' allowances receivable) providing the total does not exceed full pay;
- g. Weeks 27-39 you will receive any SMP or MA that you are entitled to under the statutory scheme.

#### 7.4. Unpaid contractual leave

You are entitled to take a further 13 weeks as unpaid leave to bring the total of your maternity leave to 52 weeks.

#### 7.5. Maternity leave entitlement only

If you do not meet the criteria for SMP or OMP you will be entitled to *unpaid maternity leave* for 52 weeks. Dependant on your individual circumstances and National Insurance contributions in the past, you may be eligible for Maternity Allowance from Jobcentre Plus.

#### 7.6. Employees not returning to NHS employment

An employee who is entitled to maternity leave but does not intend to work with the same or another NHS employer for a minimum period of three months after her maternity leave is ended, will be entitled to pay equivalent to SMP.

### 8. Calculation of Maternity Pay

8.1. Full pay will be calculated using the average weekly earnings rules used for calculating SMP entitlements.

8.2. To calculate your average weekly earnings we will average your gross earnings over a period of at least eight weeks up to and including the last payday before the end of your qualifying week.

8.3. This will be subject to the following qualifications:

- a. In the event of a pay award or annual increment being implemented **before** the paid maternity leave period begins, the maternity pay should be calculated as though the pay award or annual increment had effect throughout the entire SMP calculation period. If such a pay award is agreed retrospectively, the maternity pay will be re-calculated on the same basis;
- b. In the event of a pay award or annual increment being implemented **during** the paid maternity leave period, the maternity pay due from the date of the pay award or annual increment should be increased accordingly. If such a pay award is agreed retrospectively, the maternity pay will be re-calculated on the same basis;
- c. In the case of an employee on unpaid sickness absence or on sickness absence attracting half pay during the whole or part of the period used for calculating average weekly earnings in accordance with the earnings rules for SMP purposes, average weekly earnings for the period of sickness absence

will be calculated on the basis of notional full sick pay.

#### 8.4. Income Tax

Maternity pay is taxable under the normal PAYE arrangements.

#### 8.5. NHS Pensions

##### 8.5.1. **If you DO NOT intend to return to work**

If you go on maternity leave without intending to return to work, you are entitled to pay pension contributions during the period of statutory maternity leave only. Your pension contributions are deducted on the amount of pay actually received.

##### 8.5.2. **If you intend to return to work**

If you intend to return to work following maternity leave you will continue to pay pension contributions. Contributions are deducted on the amount of pay actually received. If you take unpaid maternity leave then the contributions will be based on the amount you were receiving immediately before nil pay commenced.

8.5.3. The amounts owed during a period of unpaid maternity leave will be deducted from your salary upon return to work during the first few months of duty. Please contact the Pensions Department at Employment Services (0800 0181 990) for more information.

#### 8.6. **Childcare Vouchers and Maternity Pay**

8.6.1. If you are already in receipt of childcare vouchers for an eligible child, you need to be aware that taking vouchers during the early weeks of your current pregnancy will affect your Maternity/ Paternity pay.

8.6.2. A 'salary sacrifice' arrangement (such as childcare vouchers) will reduce your amount of net pay. Therefore, any salary sacrifice entered into during the 8-week period used to calculate your Maternity Pay (see Section 8 above) will reduce the amount of your Maternity/ Paternity Pay. You will need to consider whether or not you wish to continue taking vouchers during this period.

8.6.3. If you do decide to cancel your vouchers before this period you will receive maternity pay calculated on your 'full / normal' salary amount. However, you are not allowed to re-join the childcare voucher scheme until you return to work at the end of your Maternity Leave. If you do wish to cancel your voucher order, you should contact Computershare Voucher services on 0845 002 1111 before the 1st of the month prior to the start of your 8 week calculation period.

8.6.4. If you do continue to receive vouchers during your 8 week qualifying period, you will receive a reduced amount of Maternity Pay, but you can continue to receive vouchers under the salary sacrifice scheme for the whole period of your maternity leave without any further reductions in your maternity pay. Should you decide to continue taking vouchers after your return to work, your salary sacrifice would be operated as it was prior to your maternity leave and the

reductions from your salary will be restarted.

8.6.5. Please use the Childcare Vouchers Calculation Sheet in Appendix 4 to calculate which will be the best option for you.

## **9. Applying for Maternity Leave**

- 9.1. To ensure that you receive all relevant entitlement to maternity leave and pay you must notify the CCG by submitting the Maternity Leave Application form in Appendix 1 to Employment Services (copy to go onto personnel file) by the 15th week before the EWC unless this is not reasonably practicable. A maternity certificate (MAT B1) from your GP or Midwife must also be submitted once you have received it.
- 9.2. Please ensure that you have discussed your dates for the start of your maternity leave with your line manager. If you wish to change the date from which your leave will start, you must provide 28 days' notice to your line manager prior to the new date, or if this is not possible, as soon as is reasonably practicable.
- 9.3. If you are eligible for OMP you will be required to confirm that you intend to return to work for a minimum period of three months after completing your maternity leave.
- 9.4. You will receive confirmation of your entitlements, your expected return date and details on accrued annual leave from Employment Services.

## **10. Commencing Maternity Leave**

- 10.1. You may begin your maternity leave at any time between the 11th week before the EWC and the expected date of childbirth, provided the required notice is given. If you wish to commence maternity leave after the expected date of childbirth, notification may be required from your GP or Midwife confirming your fitness to continue working.
- 10.2. Maternity leave cannot commence before the 11th week prior to the EWC.

## **11. Keeping in Touch Days**

- 11.1. Keeping in touch days are available to enable you to work up to 10 days during your maternity leave without affecting your maternity entitlement. These can be used to attend work, training or other work-related events. The 10 days cannot be split, even if you attend for only part of a day, this will be counted as a whole keeping in touch day.
- 11.2. You will be paid at your basic daily rate for the days worked, up to the maximum of 10 days, less the appropriate maternity leave payment.
- 11.3. Prior to the start of your maternity leave you should discuss voluntary arrangements for keeping in touch with your line manager during maternity leave and in particular to indicate whether you plan to use keeping in touch days and how this will be organised and agreed.

## 12. Return to work

- 12.1. There is a two-week compulsory maternity leave period immediately after birth. The date on which you return to work after this period is for you to decide, providing that it is within the 52 week period of entitlement. If you intend to return to work at the end of your full maternity leave, you are not required to give any further notification. If you wish to return to work early, you must give a minimum of 28 days' notice.
- 12.2. Where possible, a provisional return to work date should be agreed with your line manager, to enable arrangements to be put in place to cover your job. The date should be recorded on the Maternity Leave Application form in Appendix 1.
- 12.3. The right to return from ordinary maternity leave (the first 26 weeks leave) is to your job under the original contract. The right to return from additional maternity leave (after 52 weeks leave) is to the same job under your original contract, or if this is not reasonably practicable, to another job on no less favourable conditions. Please note that this may involve a change of base or department.
- 12.4. No employee has the automatic right to come back from maternity leave on different hours, however the Employment Act 2002 does provide the right to have an application for flexible working seriously considered by (please refer to the CCG's Flexible Working Policy). If your request to return on different hours is not possible, your manager must provide written, objectively justifiable reasons for this.
- 12.5. Failure to return to work  
If you notified the CCG that you intended to return to work for the CCG or another NHS employer but then fail to do so within 15 months of the beginning of your maternity leave, you will be liable to refund the whole of your maternity pay, less any SMP received.

## 13. Pre-Term Birth, Still Birth and Miscarriage

- 13.1. If your childbirth occurs prior to the 11th week before the expected week of childbirth (i.e. your baby is born early), maternity leave shall begin from the start of the actual week of childbirth. If you have worked in the actual week of childbirth then maternity leave shall begin from the first day of absence in the week of childbirth.
- 13.2. If your baby is born before the 11th week before the expected week of childbirth and you have been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start the day after the birth.
- 13.3. With the agreement of the CCG, if your baby is born before the 11th week before the expected week of childbirth and your baby is in hospital, you may choose to split your maternity leave entitlement, taking a minimum period of two weeks' leave immediately after childbirth and the rest of your leave following your baby's discharge from hospital.

13.4. In the event of a still-birth after the 24th week of pregnancy, you will be entitled to the same amount of maternity pay and leave as if the birth had been live.

13.5. If the baby is born and subsequently dies, then you are entitled to full maternity leave although you may return to work earlier if you wish.

If you have a miscarriage before the 25th week of pregnancy, normal sick leave provisions will apply as necessary.

#### **14. Time Off for Antenatal Care**

14.1. You are entitled to reasonable paid time off to attend antenatal care appointments. This includes relaxation classes, parent craft classes and visits to your GP and dentist as well as to the maternity clinic. If your appointments fall within your normal working hours you are entitled to this provision *even if you work part-time or flexi-hours*. With the exception of the first appointment, you should show your appointment card to your manager on each occasion that you wish to attend an appointment.

#### **15. Risk Assessments and the Occupational Health Service**

15.1. Both you and your line manager should conduct a risk assessment on the duties of your post as soon as you have made your manager aware that you are pregnant. The maternity risk assessment form can be found in Appendix 2. A copy of the risk assessment form should be sent to Occupational Health and a copy should be retained on your personal file. Occupational Health will contact you directly if the risk assessment has identified any health issues.

15.2. Both you and your manager should review the risk assessment as the pregnancy progresses and complete a new risk assessment as appropriate.

15.3. You may contact the Occupational Health Service team on 01733 316519 at any time to discuss any problems/queries you have about your condition. Your line manager may also refer you to the Occupational Health Service team in certain circumstances.

15.4. Risks to baby

You are strongly advised to consult your General Practitioner regarding whether you are capable of continuing your duties at work without harming the baby, particularly if the duties involve areas of potential risk. These would include:

- Work with hazardous chemicals/biological agents
- Extremes of noise/temperature/pressure
- Radiation
- Excessive travelling
- Air travel
- Heavy lifting
- Night working

15.5. If your GP is concerned about the continuance of some or all duties, the CCG must be informed in writing. The Congenital Disabilities (Civil Liability) Act 1976 bestows a right of action to sue for damages upon an infant who has suffered damage before birth. In this respect, if is not aware of the situation and circumstances, then liability for damage to the unborn child may be limited. If a registered medical practitioner (e.g. GP, Midwife, Occupational Health Physician or Advisor) considers that you are unable to carry out all or part of your duties, or where it is considered that you or your unborn child would be at risk were you to continue in your normal duties, the following steps will be taken:

- a. If possible, we will temporarily adjust your working conditions and/or hours of work;
- b. If this is not reasonable or would not avoid the risk, you will be offered suitable alternative work if any is available;
- c. If that is not feasible or reasonably practicable you may be suspended from work for as long as necessary to protect your health and safety or that of your unborn child.

15.6. Where an adjustment is made, or suitable alternative work provided, you will receive your normal rate of pay and any period of maternity/medical suspension will be on full pay. If you unreasonably refuse an offer of suitable alternative work you could lose your entitlement to remuneration for that period.

## **16. Sickness prior to Childbirth**

16.1. If you are absent from work or become ill with a pregnancy related illness during the last four weeks before the expected week of childbirth, maternity leave will normally commence at the beginning of the 4th week before the EWC, or the beginning of the next week after you last worked, whichever is the later.

16.2. Any certified absence prior to the last four weeks before the EWC shall be treated as sick leave in accordance with normal leave provisions.

16.3. Odd days of pregnancy related illness during the 4 week period prior to the EWC may be disregarded, at the line manager's discretion, if the employee wishes to continue working until the maternity leave start date previously notified to.

## **17. Annual Leave and Public Holidays**

17.1. Annual leave (including Public Holidays) will continue to accrue during maternity leave, whether paid or unpaid.

17.2. You should discuss any outstanding leave with your line manager prior to the commencement of maternity leave.

17.3. Where possible, you should take any accrued annual leave prior to the commencement of your maternity leave.



17.4. Where the amount of accrued annual leave would exceed normal carry over provisions you can carry forward up to the date when you are due to return to work. You may take annual leave before and/or after the formal (paid and unpaid) maternity leave. The amount of annual leave to be taken in this way, or carried over, should be discussed and agreed between you and your line manager. The OD & HR team should be consulted to discuss and resolve any queries in this regard.

## **18. Employees on Fixed-Term or Training Contracts**

18.1. If you are employed on a fixed-term contract which expires after the 11th week before the EWC and you have at least 1 years continuous service with an NHS Employer by the 11th week prior to the EWC you shall have your contract extended to enable you to receive the 52 weeks leave, which includes paid and unpaid maternity leave.

18.2. If there is no right of return to be exercised because the contract would have ended if pregnancy and childbirth had not occurred, the repayment provisions set out in section 12.1 will not apply.

18.3. If you are on a fixed-term contract and you do not meet the twelve month continuous service condition, you may still be entitled to Statutory Maternity Pay.

18.4. Absence on maternity leave (paid and unpaid) up to 52 weeks before a further NHS appointment shall not constitute a break in service.

18.5. If you are on a planned rotation of appointments with one or more NHS employer, as part of an agreed programme of training, you will 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 pregnancy and childbirth had not occurred. In such circumstances, your contract will be extended to enable you to complete the agreed programme of training.

## **19. Continuous Service**

19.1. For the purposes of calculating whether you have 12 months continuous service with one or more NHS employers, the following provisions apply:

a. NHS employers include health authorities, NHS boards, NHS trusts, Cambridgeshire and Peterborough CCG and the Northern Ireland Health Service;

b. A break in service of three months or less will be disregarded (though not count as service).

19.2. Breaks in service

The following breaks in service will also be disregarded (though not count as service):

19.2.1. Employment under the terms of an honorary contract;

- 19.2.2. Employment as a locum with a general practitioner for a period not exceeding 12 months;
- 19.2.3. A period of up to 12 months spent abroad as part of a definite programme of postgraduate training on the advice of the postgraduate dean or college or faculty advisor in the speciality concerned;
- 19.2.4. A period of voluntary service overseas with a recognised international relief organisation for a period of 12 months, which may exceptionally be extended for 12 months at the discretion of the employer which recruits you on your return;
- 19.2.5. Absence on a employment break scheme in accordance with the provisions of Section 36 of the Agenda for Change Handbook;
- 19.2.6. Absence on maternity leave (paid or unpaid) as provided for under this agreement.
- 19.2.7. Employment as a trainee with a general medical practitioner in accordance with the provisions of the Trainee Practitioner Scheme, shall similarly be disregarded and count as service.
- 19.2.8. Employers have the discretion to count other previous NHS service or service with other employers.

## **20. Leaving**

- 20.1. If you do not wish to apply for Maternity leave, you are still required to complete a Maternity Leave Application form and provide a Maternity Certificate (MAT.B1) in order to claim any pay to which you may be entitled. Providing that you continue to work up to or beyond the 11th week before the EWC you may be eligible to receive occupational maternity pay and/or statutory maternity pay.
- 20.2. If you are not eligible for occupational maternity pay and you wish to leave, your contract will cease at the end of your period of notice. If, however, you are eligible for SMP, the Payroll Department will pay this allowance to you through the normal method of payment and your contract will end on completion of the SMP period.

## **21. Eventual Return Possible**

- 21.1. If you feel that you may wish to return to at some time in the future, we would be delighted to hear from you. Vacancies will be advertised on [www.jobs.nhs.uk](http://www.jobs.nhs.uk) or you can contact your previous line manager. Please keep in touch!

## **22. Paternity Leave**

- 22.1. Paternity Leave is designed to allow staff to be present at the birth and where necessary to care for other dependants. Biological and adopted fathers, nominated

carers and same sex partners are entitled to such leave. To be eligible the staff member must have or expect to have responsibility for the child's upbringing

22.2. There are currently 3 levels of Paternity Leave entitlement:

- a. All staff are entitled to 2 weeks unpaid leave regardless of service.
- b. Employees who have had 26 weeks service the 15<sup>th</sup> week before the Expected Week of Childbirth are entitled to 2 weeks Statutory Paternity Paid (SPP). The pay rate is the same as Statutory Maternity Pay.
- c. Staff with 12 months continuous service with the NHS prior to the Expected Week of Childbirth are entitled to 2 weeks paid leave (paid leave will include SPP). This is called Occupational Paternity Pay.

22.3. Occupational paternity leave may be taken in a continuous block or split over a specified period, in agreement with the manager.

22.4. Statutory paternity leave is only available if full weeks are taken and it can only be taken in one block, so if only one week is taken a further week cannot be taken later.

22.5. Reasonable paid time off to attend ante-natal classes is also available.

22.6. Evidence of eligibility must be provided through confirmation of the date of childbirth on the form MATB1 or the birth certificate.

22.7. Statutory Paternity Pay (SPP) is a weekly allowance paid via the Payroll Department on behalf of the government.

22.8. The leave must be completed within 56 days of the date of birth. However, in the case of a child born before the first day of the Expected Week of Childbirth, the employee has up to 56 days from the expected week of childbirth to take the leave. Such leave cannot be carried over or be taken at a later date, nor will pay in lieu be given.

22.9. Paternity Leave Procedure

Staff should apply for Paternity Leave on the application form in Appendix 5. Employees must inform their employers of their intention to take paternity leave by the end of the fifteenth week before the baby is expected, unless this is not reasonably practicable. They must tell their employers:

- a. the week the baby is due;
- b. whether they wish to take one or two weeks' leave;
- c. when they want their leave to start.

Employees can change their mind about the date on which they want their leave to start providing they tell their employer at least 28 days in advance (unless this is not reasonably practicable). Employees must tell their employers the date they expect any payments of SPP to start at least 28 days in advance, unless this is

not reasonably practicable.

#### 22.10. Additional Statutory Paternity Pay (ASPP)

This has been replaced by Shared Parental Leave and Pay, please refer to section 24 below.

### 23. Adoption Leave

- 23.1. Adoption leave is available to all employees of the Trusts, who are adopting a child up to 18 years of age and who meet the qualifying criteria. The leave is only available for a child when it is newly placed for adoption. The leave is available “per event” and if multiple adoption is taking place at the same time, only one period of leave will be allowed.
- 23.2. For employees to qualify for occupational adoption leave they must have 12 months continuous service with one or more NHS employers by the week they are notified of being matched with a child for adoption (the matching week).
- 23.3. Staff should apply for this leave on the application form in Appendix 6. You will be required to show the adoption papers when applying for leave as proof of eligibility. For further details please contact the Employment Services Department.
- 23.4. If an employee does not meet the qualifying criteria for occupational adoption leave with pay, statutory adoption Occupational adoption leave with pay is available in line with the occupational maternity leave with pay provisions. leave with pay may be available. In summary this leave is in line with statutory maternity leave and is available to all employees who have worked continuously with Cambridgeshire & Peterborough CCG for 26 weeks ending with the week in which they are notified of being matched with a child for adoption.
- 23.5. Adoption leave only is available if your contract has started with the CCG but you do not meet the criteria for occupational adoption pay or statutory adoption pay. Adopters will be entitled to up to 52 weeks unpaid adoption leave. This is made up of 26 weeks ordinary adoption leave followed immediately by up to 26 weeks additional adoption leave.
- 23.6. Leave should also be granted to cover official meetings in the adoption process in addition to the adoption itself.

### 24. Keeping In Touch

- 24.1. Before going on leave, the employer and the employee should also discuss and agree any voluntary arrangements for keeping in touch during the employee's adoption leave including: any voluntary arrangements that the employee may find helpful to help them keep in touch with developments at work and, nearer the time of their return, to help facilitate their return to work; and to keep their employer in touch with any developments that may affect the intended date of return.

## 24.2. Keeping In Touch Days

24.2.1. It can also be agreed with the employee to attend work, training or events during their adoption leave. This can be for a maximum of 10 days and will not affect adoption rights. The 10 days cannot be split therefore if an employee only attends for part of a day this must be counted as a whole day. Any days of work will not extend the adoption leave period. The employee will be paid at their basic daily rate, for the hours worked less appropriate adoption leave payment.

24.2.2. Where a couple propose to adopt a child jointly and both partners work for the CCG, one partner may take adoption leave and one paternity leave, regardless of gender.

### 24.2.3. SPLIT days

Where shared parental leave is taken both partners will be able to take Shared Parental Leave in touch days (SPLIT); please see section 25 below for further information.

## 25. Shared Parental Leave

25.1. Under powers established in the Children and Families Act 2014 a statutory system of shared parental leave and pay comes into force for women whose baby is due on or after 5th April 2016. This document sets out the CPCCG policy and procedure for complying with this entitlement. This policy should be read in conjunction with the CPCCG policy and procedure on Maternity, Paternity and Adoption Leave.

25.2. Shared Parental Leave (SPL) enables eligible parents to choose how to share the care of their child during the first year after birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take SPL. There may also be an entitlement to some Shared Parental Pay (SPP). This policy sets out the rights and responsibilities of employees who wish to take SPL and SPP.

25.3. Fundamental to the operation of this policy is the need to have early discussion on this scheme to ensure that any questions and problems can be resolved as quickly as possible. If considering using this policy employees should contact the OD&HR team as soon as possible.

## 26. Eligibility for Shared Parent Leave

26.1. SPL can only be used by two people:

- a. mother or adopter; and
- b. father of the child or the spouse, civil partner or partner of the child's mother or adopter

26.2. Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption.

26.3. An employee seeking to take SPL must satisfy each of the following criteria:

- a. Mother or adopter of the child must be entitled to statutory maternity or adoption leave or, if not entitled to SML/SAL, they must have been entitled to SMP or SAP or maternity allowance and must have ended or given notice to reduce their maternity or adoption entitlements;
- b. The employee must still be working for the CCG at the start of each period of SPL;
- c. The employee must pass the continuity test requiring them to have a minimum of 26 weeks service at the end of the 15th week before the child's expected due date or matching date;
- d. The employee's partner must meet the "employment and earnings" test requiring them, in the 66 weeks leading up to the child's EDD/matching date, to have worked for at least 26 weeks and earned an average of at least £30 per week ( 2015 figure) in any of those 13 weeks;
- e. The employee must correctly notify the organisation of their entitlement and provide evidence as required.

## **27. Requesting further evidence of eligibility**

27.1. The CCG may, within 14 days of the SPL entitlement notification being given, request the following information:

- a. The name and business address of the partner's employer ( or where no longer employed or is self employed their contact details must be given);
- b. In the case of biological parents, a copy of the child's birth certificate (or, where this has not been issued a declaration as to the time and place of birth);
- c. In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

27.2. In order to be entitled to SOL the employee must produce this information within 14 days of the employer's request.

## **28. Fraudulent Claims**

28.1. If there is a suspicion that fraudulent information has been provided, or where the HMRC has informed that a fraudulent claim has been made, the CCG will

investigate under the CCG Disciplinary Policy and Procedure.

## **29. Shared Parental Leave Entitlements**

29.1. Eligible employees may be able to take up to 50 weeks SPL during the child's first year in the family. The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave which allows them to take up to 52 weeks. The law remains that a mother must take 2 weeks maternity leave following the birth of the child.

29.2. If the mother reduces their maternity/adoption leave entitlement then they and/or their partner may opt in to the SPL system and take any of the remaining weeks as SPL. A mother/adopter may reduce their entitlement to maternity/adoption leave by returning to work before the full entitlement has been taken or they may curtail their leave at a specified future date. SPL can commence as follows:

- a. The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child;
- b. The adopter can take SPL after taking at least two weeks of adoption leave;
- c. The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements ( as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP)

29.3. Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements

29.4. SPL will generally commence on the employee's chosen start date specified in their leave booking notice, or in any subsequent variation notice ( see below for further clarification) If the employee is entitled to receive it Shared Parental Pay (ShPP) may be paid for some, or all, of the SPL period. SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement is lost.

## **30. Notification Procedure**

30.1. An employee entitled and intending to take SPL must give their line manager notification of their entitlement and intention to take SPL at least eight weeks before they can take any period of SPL. The eligibility criteria laid down requires the employee to provide correct notification.

30.2. Notification must be in writing and requires the following details:

- a. The name of the employee

- b. The name of the other parent;
  - c. The start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available;
  - d. The date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption;
  - e. The amount of SPL the employee and their partner each intend to take;
  - f. A non-binding indication of when the employee expects to take leave.
- 30.3. A notification form is attached as appendix 1.
- 30.4. The notification form includes a signed declaration by the employee stating that they meet or will meet the eligibility conditions and are entitled to take SPL; that the information they give is accurate; if they are not the mother/adopter they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adopter; that should they cease to be eligible they will inform the CCG immediately.
- 30.5. The employee must also provide a signed declaration from their partner confirming:
- a. Their name, address and national insurance number;
  - b. That they are the mother/adopter of the child or they are the father of the child or are the spouse, civil partner or partner of the mother/adopter;
  - c. That they satisfy the “employment and earnings test” and had at the date of the child’s birth or placement for adoption the main responsibility for the child, along with the employee;
  - d. That they consent to the amount of SPL that the employee intends to take;
  - e. That they consent to the CCG processing the information contained in the declaration form; and
  - f. In the case where the partner is the mother/adopter that they will immediately inform their partner should they cease to satisfy the eligibility conditions.
- 30.6. An employee considering taking SPL should contact their line manager to arrange an informal discussion as early as possible regarding their potential entitlement, to talk about their plans and to enable them to receive the correct support.
- 30.7. Upon receiving a notification of entitlement to SPL the line manager will arrange a meeting as soon as practical to discuss their intentions and how they



currently expect to use their SPL entitlement. They may choose to involve a member of the HR team at this stage.

30.8. Upon receiving a leave booking notice the request will be considered by the line manager taking advice from the HR team. Where the notice is for one single period of continuous leave, or where a request for discontinuous leave can be approved without further discussion, then a meeting may not be necessary.

30.9. When a meeting is necessary then a date should be agreed and arranged in advance giving adequate notice. The employee may choose to be accompanied at the meeting by a trade union representative or work colleague not acting in a professional capacity. The purpose of the meeting will be to discuss in detail the leave being proposed. Where it is for discontinuous leave the discussion may focus on how the proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the CCG.

### **31. Booking Shared Parental Leave**

31.1. In addition to notifying of entitlement to SPL/ShPP an employee must give notice to take the leave, using the notification form in appendix 7.

31.2. An employee has the right to submit three notifications specifying leave periods they are intending to take. Each notification may contain either a) a single period of a number of weeks leave; or b) two or more weeks of discontinuous leave where the employee intends to return to work between periods of leave.

31.3. SPL can only be taken in complete weeks but may begin on any day of the week. So for example a week of SPL beginning on a Tuesday would finish on the Monday.

31.4. The employee must book SPL by giving the correct notification at least 8 weeks before the date on which they wish to commence their leave and (if applicable) receive ShPP.

#### **31.5. Continuous leave notifications**

31.5.1. A notification can be for a period of continuous leave which means a number of weeks taken in a single unbroken period of leave. The employee has the right to take a continuous block of leave in a single notification, so long as it does not exceed the total number of weeks of SPL available to them AND the employer has been given at least 8 weeks' notice.

31.5.2. An employee can submit up to 3 separate notifications for continuous periods of leave.

#### **31.6. Discontinuous leave notifications**

31.6.1. A single notification may also contain a request for two or more periods of discontinuous leave which means asking for a set number of weeks of leave over a period of time, with breaks in between where the employee returns to

work.

- 31.6.2. Where there is concern about a request for discontinuous leave a meeting will be arranged to discuss with a view to reaching agreement that meets both needs. The CCG will consider discontinuous notifications but has the right to refuse it. If the leave pattern is refused the employee can withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

## **32. Responding to a Shared Parental Leave Notification**

- 32.1. Once received the line manager will respond to the leave booking notice as soon as possible, but no later than 14 days after the request was made.
- 32.2. All notices for continuous leave will be confirmed in writing.
- 32.3. Each request for discontinuous leave will be carefully considered on a case by case basis. The benefits to both the organisation and the individual will be considered in terms of any potential adverse impact on the team/department. The employee will be informed in writing of the decision as soon as is practicable but no longer than 14 days after the leave request was made. The request may be granted in full, or in part, or the line manager may propose a modified version of the request.
- 32.4. If a discontinuous leave pattern is refused the employee may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in the notice in a single continuous block. Where an employee chooses to take the leave in one continuous block the employee has until the 19th day after the original notification to choose when they want the leave to begin. The leave cannot start sooner than 8 weeks from the date of the original notification. If the employee does not choose a start date then the leave will begin on the first leave date requested in the original notification.

## **33. Variations to arranged Shared Parental Leave**

- 33.1. An employee is entitled to vary or cancel an agreed and booked period of SPL, provided that they advise the organisation in writing at least 8 weeks before the date of any variation. Any new start date cannot be sooner than 8 weeks from the date of the variation request.
- 33.2. Any variation or cancellation notification made by the employee, including notice to return to work early will usually count as a new notification reducing the employee's right to book/vary leave by one. A change as a result of a child being born early or as a result of the CCG request to change, and the employee being agreeable to such a change will not count as further notification. Any variation must be confirmed in writing by the line manager.

## **34. Statutory Shared Parental Pay**

- 34.1. Employees may be entitled to up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance. ShPP may be

payable during some or all of the SPL depending on the length and timing of leave.

34.2. Eligibility criteria

34.2.1. In addition to meeting the eligibility requirements of SPL an employee seeking to claim ShPP must further satisfy each of the following:

- a. The mother/adopter must be/have been entitled to statutory maternity or adoption pay or a maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;
- b. The employee must intend to care for the child during the week in which the ShPP is payable;
- c. The employee must have an average weekly earnings for the period of eight weeks leading up to and including the 15<sup>th</sup> week before the child's expected due date/matching date are not less than the lower earnings limit in force for NI contributions;
- d. The employee must remain in continuous employment until the first week of ShPP has begun;
- e. The employee must give proper notification in accordance with the rules set out below.

34.3. Where an employee is entitled to receive ShPP they must, at least 8 weeks before receiving any ShPP, give their line manager written notice advising of their entitlement to ShPP by completing the section on the SPL notification form. This must include the following information:

- a. The start and end dates of any maternity/adoption pay or maternity allowance;
- b. The total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP;
- c. A signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet the criteria for ShPP and that they will immediately inform the CCG should they cease to be eligible.

34.4. It must be accompanied by a signed declaration from the employee's partner stating:

- a. Their agreement to the employee claiming ShPP and for the organisation to process any ShPP payments to the employee;
- b. In the case where the partner is the mother/adopter, that they have reduced their maternity/adoption pay or maternity allowance;

- c. In the case where the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

34.5. All ShPP to be paid at the rate set down by Government.

### **35. Returning to Work after Shared Parental Leave**

35.1. The employee is expected to return on the next working day after the end date previously agreed as part of the notification process. If unable to attend work through sickness the CCG Managing Sickness Absence Policy will apply for notifying of absence. In other cases late return will be treated as unauthorised absence.

35.2. If an employee wishes to return earlier than the expected return date they must provide written notice to vary the leave and give at least 8 weeks' notice. This will count as one of the employee's notifications. If they have already used their 3 notifications then the CCG does not have to accept the variation but may choose to do so on a case by case basis.

35.3. On returning to work the employee is entitled to return to the same job if the total aggregate statutory maternity/adoption/paternity leave and SPL amounts to 26 weeks or less. If their maternity/adoption/paternity leave and SPL amounts to 26 weeks or more in aggregate the employee is entitled to return to the same job or if this is not reasonably practicable to another job which is both suitable and appropriate and on no less favourable terms and conditions of service.

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 1 – Maternity Leave Application Form**

**Section A to be completed by the employee, Section B to completed by the manager**

Section A	
I hereby apply for Maternity Leave and enclose my MAT.B1 (maternity certificate)	
Name	
Address	
Home telephone number	
Work telephone number	
Contract type (please tick the appropriate box)	<input type="checkbox"/> Permanent <input type="checkbox"/> Fixed Term <input type="checkbox"/> Temporary
If fixed term please indicate contract end date	
Base location of work	
Job title	
Manager's name	
Manager's work address	
Manager's work telephone number:	
My expected week of childbirth is:	
My maternity leave commences on:	
I will/ will not be taking annual leave:	From:                      To:
I am currently receiving Childcare Vouchers	<input type="checkbox"/> Yes <input type="checkbox"/> No
I am currently receiving Childcare Vouchers and I wish to receive Childcare Vouchers during my maternity leave	<input type="checkbox"/> Yes <input type="checkbox"/> No

I understand that I am required to discuss with my manager, adjustments to my working arrangements that may be necessary to enable me to remain in the work place between the 11th and 6th week before the Expected Week of Childbirth (EWC). If I am unable to undertake those or my normal duties at the 4th week before EWC as a result of a pregnancy related illness, the period of maternity leave will commence at the fourth week before my EWC. NB: Occupational Health are available to provide advice on fitness and adjustments.

I understand that my entitlement to occupational maternity paid maternity leave depends on my undertaking to return to work for at least three months after my maternity leave is over. In the event that I decide not to return to work, I understand that the CCG reserves the right to recover any over payment in excess of the statutory entitlement.

I intend to return to work after my maternity leave and therefore I wish to take the higher rate of pay (please tick appropriate box)

Yes   
No

If you are a member of the NHS Pension Scheme and you intend to return to work, pension contributions are payable during your period of unpaid maternity leave. These arrears will be recovered from your pay on return to work.

If you are a member of the NHS Pension Scheme and you do not intend to return to work, you can still extend your scheme membership. If you wish to do so, pension contributions will be deducted from your maternity pay. Membership will not be extended unless contributions are paid.

I wish to extend my scheme membership (please tick appropriate box)

Yes   
No

**My maternity leave will terminate on**

**I anticipate I will return to work on**

If I decide to change my return to work date I will provide 28 days notification of this change.

**I confirm that I understand the conditions of maternity provisions and/or that they have been explained to my satisfaction.**

<b>Employee name</b>	
<b>Employee signature</b>	
<b>date</b>	

Please remember to enclose your MAT.B1 maternity certificate and doctor's note (if applicable).

**Please pass this form to your manager for completion of Section B**

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 1 – Maternity Leave Application Form**

**Section A to be completed by the employee, Section B to completed by the manager**

Section B	
Employee's previous NHS service dates	
Employee's date of commencement with the CCG	
Terms and Conditions of employment (tick as appropriate)	<input type="checkbox"/> Agenda for Change <input type="checkbox"/> Non Agenda for Change
Employee's Contracted Hours	
<p><b>I have discussed the working environment with _____ (insert employee name as appropriate) and have agreed that:</b>            (please tick the appropriate box and attach details as necessary)</p>	
<input type="checkbox"/>	The following adjustments are necessary:
<input type="checkbox"/>	_____ is currently able to undertake her full range of duties.
<input type="checkbox"/>	I undertake to reassess this situation in the event of any change to _____'s state of health and to consult with Occupational Health/Employment Services as appropriate.
<p><b>I have discussed the basis upon which _____ (insert employee name as appropriate) will return to work (if applicable) with her and have agreed to consider varying the contract of employment subject to:</b>            (please tick the appropriate box and attach details as necessary)</p>	
<input type="checkbox"/>	Service requirement

<input type="checkbox"/>	Application under the CCG Flexible Working Policy
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<b>Manager name</b>	
<b>Manager signature</b>	
<b>Date</b>	

**Once completed, please return this form, alongside the employee's MAT B1 (maternity certificate) to:**

Employment Services  
Serco  
Kingfisher House  
Kingfisher Way  
Hinchingsbrooke Business Park  
Huntingdon  
PE29 6FH

**Please also provide a copy to the HR team, so a copy can be placed on the employee's personnel file.**



**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 2 – New & Expectant Mother at Work Risk Assessment Form**

<b>Name</b>	
<b>Date of birth</b>	
<b>Base location of work</b>	
<b>Job title</b>	
<b>Contracted hours of work</b>	
<b>Manager's name</b>	
<b>Manager's work address</b>	
<b>Manager's work telephone number:</b>	
<b>I am a new/ expectant mother at work</b> (please tick as appropriate)	<input type="checkbox"/> I am pregnant Expected date of delivery is _____ Number of weeks pregnant _____
	<input type="checkbox"/> I am breastfeeding <input type="checkbox"/> I have given birth in the last six months The delivery date was _____
<b>Work Activities</b> (please also attach a copy of the employee's job description)	
<b>Hazards Identified</b>	<b>Control Measures Implemented and Recommendations</b>
<b>Physical</b>	
<b>Biological</b>	

<b>Chemical</b>	
<b>Working Conditions</b>	
<b>Additional Information</b>	
Are there adequate and suitable facilities for rest breaks?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the employee able to take sufficient rest breaks during her shift?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the employee been issued with any medical advice by a medical practitioner/midwife?  (If yes, refer immediately to the Occupational Health Department.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the employee any concerns about their health?  (If yes, refer immediately to the Occupational Health Department.)	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Date of assessment</b>	
<b>Review date</b>	
<b>Employee's signature</b>	
<b>Assessor's name</b>	
<b>Assessor's signature</b>	

**Once completed, please send this form to the Occupational Health Service, and also provide copies to the employee's manager, and the HR team.**

**Occupational Health Service Contact Details:**

Serco Occupational Health Service, Swan House, Gloucester Centre, Morpeth Close, Orton Longueville, Peterborough, PE2 7JU

Tel: 01733 316519 Fax: 01733 362809

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 3 – Employee Maternity Checklist**

The following is your personal checklist, detailing all the things you need to do and when you need to do them. By ticking off the actions in order, you will help to ensure that your maternity leave (and pay whilst on maternity leave) goes smoothly.

<b>Maternity Checklist</b>	
<b>Action</b>	<b>Done</b>
<p>Once you have received your maternity certificate (MAT.B1) from your GP or midwife, (which indicates the expected date of childbirth), please submit with a completed Maternity Leave Application Form to SERCO Employment Services, Kingfisher House, Kingfisher Way, Hinchingsbrooke Business Park, Huntingdon PE29 6FH by 15<sup>th</sup> week before EWC. This form must also be signed by your manager.</p> <p>Remember without this form maternity pay cannot be processed. Please also provide a copy of your completed Maternity Leave Application Form to the HR team for your personnel file.</p> <p>SERCO will then send you information regarding your entitlement to leave and to both Statutory Maternity Pay (SMP) and Occupational Maternity Pay (OMP)</p> <p>Your manager will also undertake a Risk Assessment at this time.</p>	
Your pay and leave entitlements will be confirmed to you in writing following receipt of your Maternity Leave Application Form and MAT.B1	
Annual leave continues to accrue during maternity leave. If it is likely that your accrued annual leave will exceed normal carry over provisions on your return, it may be advisable for you to take some annual leave prior to your maternity leave. You should plan for this and discuss it with your manager.	
Start your maternity leave. If you have your baby earlier than expected, please tell your manager so that your leave and pay can commence.	
When planning your return to work, if you would prefer to return to reduced/different hours, you must discuss this with your manager, at whose discretion such a variation may be agreed. You should discuss this arrangement well in advance of your return to work.	
If you wish to change your return to work date you must give your manager 28 days notice of this change.	
If you decide not to return to work as planned, you must provide written notice to your manager as per your contract of employment.	

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 4 – Childcare Vouchers Calculation Sheet**

This Calculation Sheet is designed to help you decide whether or not to take childcare vouchers during your qualifying period (which is the eight week/ two calendar monthly pay days up to and including the 15<sup>th</sup> week before the expected date of confinement).

Please note that the amount of Maternity Pay you receive will depend on various factors (length of service etc). This sheet assumes you are entitled to full Occupational Maternity Pay (ie 8 weeks at full pay and 18 weeks at half pay). This sheet is not designed to show the final amount of Maternity Pay you will receive.

If you are eligible for OMP the amount of Statutory Maternity Pay you will receive will be the same regardless of whether you take childcare vouchers or not. Therefore SMP is not included in this Calculation Sheet.

Gross monthly salary	(A)	£
Monthly amount of Childcare Vouchers	(B)	£
Monthly salary minus Childcare Vouchers (A) minus (B)	(C)	£

To convert monthly amounts to weekly amounts, please multiply by 12, then divide by 52

Gross Weekly Salary (A) x 12 divided by 52	(D)	£
Weekly Amount of Childcare Vouchers (B) x 12 divided by 52	(E)	£
Weekly salary minus Childcare Vouchers (C) x 12 divided by 52	(F)	£

<b>Option One</b>			
<b>Vouchers not taken during 8 week qualifying period</b>			
Weekly salary (D)	£	X 17=	£
<b>Total maternity pay</b>	<b>£</b>		

<b>Option One</b>			
<b>Vouchers taken during 8 week qualifying period</b>			
Weekly salary (F)	£	X 17=	£ (G)
Weekly vouchers entitlement (E)	£	X 52* (*please multiply by the number of weeks you will be on maternity leave, up to a maximum of 52)	£ (H)
<b>Total maternity pay</b>	<b>(G) + (H) £</b>		

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 5 – Paternity Leave Application Form**

This form should be completed by the employee and signed by their manager and forwarded to Serco Employment Services by the end of the 15<sup>th</sup> week before the baby is expected.

<b>I hereby apply for Paternity Leave and enclose a copy of my MAT.B1 (maternity certificate)</b>	
<b>Name</b>	
<b>Address</b>	
<b>Home telephone number</b>	
<b>Work telephone number</b>	
<b>Base location of work</b>	
<b>Job title</b>	
<b>Date employment commenced with CCG</b>	
<b>Previous NHS employment</b> (please include dates)	
<b>Manager's name</b>	
<b>Manager's work address</b>	
<b>Manager's work telephone number</b>	
<b>The expected week of childbirth is</b>	
<b>If the baby has been born, please enter the actual date of birth</b>	
<b>I would like my Paternity Leave to start on</b>	
<b>I wish to apply for</b>	<input type="checkbox"/> 2 weeks unpaid leave <input type="checkbox"/> 2 weeks Statutory Paid Paternity Leave <input type="checkbox"/> 2 weeks paid leave, including Statutory Paternity Pay

<p><b>Declaration</b></p> <p>I confirm that I have received a copy of the Maternity, Paternity &amp; Adoption Leave Policy and Procedure and I understand my entitlements.</p> <p>You must be able to tick all three boxes below to receive Paternity Pay and Leave.</p> <p>I declare that:</p>	<p><input type="checkbox"/> I am</p> <ul style="list-style-type: none"> <li>- the baby's biological father; or</li> <li>- married to the mother, or adoptive parent; or</li> <li>- living with the mother or adoptive parent, but am not an immediate relative</li> </ul> <p><input type="checkbox"/> I have responsibility for the child's upbringing</p> <p><input type="checkbox"/> I will take time off work to support the mother or care for the child</p>
---	--

<b>Date</b>	
<b>Employee name</b>	
<b>Employee signature</b>	
<b>Manager name</b>	
<b>Manager Job Title</b>	
<b>Manager signature</b>	

**Once completed, please return this form, alongside a copy of the MAT B1 (maternity certificate) to:**

SERCO Employment Services  
 Kingfisher House  
 Kingfisher Way  
 Hinchingsbrooke Business Park  
 Huntingdon  
 PE29 6FH

**Please also provide a copy to the HR team, so a copy can be placed on the employee's personnel file.**



I understand that my entitlement to occupational adoption paid adoption leave depends on my undertaking to return to work for at least three months after my adoption leave is over. In the event that I decide not to return to work, I understand that the Trusts reserve the right to recover any over payment in excess of the statutory entitlement. I intend to return to work after my adoption leave and therefore I wish to take the higher rate of pay (please tick appropriate box):

Yes   
 No

If you are a member of the NHS Pension Scheme and you intend to return to work, pension contributions are payable during your period of unpaid adoption leave. These arrears will be recovered from your pay on return to work.

If you are a member of the NHS Pension Scheme and you do not intend to return to work, you can still extend your scheme membership. If you wish to do so, pension contributions will be deducted from your adoption pay.

I wish to extend my scheme membership (please tick appropriate box)

Yes   
 No

My Adoption Leave will terminate on

I anticipate I will return to work on

If I decide to change my return to work date I will provide 28 days notification of this change.

**I confirm that I understand the conditions of adoption provisions and/or that they have been explained to my satisfaction.**

<b>Employee name</b>	
<b>Employee signature</b>	
<b>Date</b>	

**Please pass the form to your manager for completion of Section B.**

<b>Section B</b>	
<b>Employee's previous NHS service dates</b>	
<b>Employee's date of commencement with the CCG</b>	
<b>Terms and Conditions of employment (tick as appropriate)</b>	<input type="checkbox"/> Agenda for Change <input type="checkbox"/> Non Agenda for Change
<b>Employee's Contracted Hours</b>	



I have discussed with \_\_\_\_\_ (insert employee name as appropriate) the basis upon which he/ she will return to work (if applicable) and have agreed to consider varying the contract of employment subject to:

**Service requirement**

<input type="checkbox"/>	Service requirement
<input type="checkbox"/>	Application under the CCG Flexible Working Policy

<b>Manager name</b>	
<b>Manager signature</b>	
<b>Date</b>	

**Once completed, please return this form, alongside the employee's Matching Certificate to:**

Employment Services  
Serco  
Kingfisher House  
Kingfisher Way  
Hinchingsbrooke Business Park  
Huntingdon  
PE29 6FH

**Please also provide a copy to the HR team, so a copy can be placed on the employee's personnel file.**

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 7 – Shared Parental Leave Notification Form**

Please complete the form below and hand to your line manager **at least 8 weeks before you wish to take** either shared parental leave or shared parental pay.

**Part A to be completed by CCG employee, Section B to be completed by partner**

Section A	
Employee Name	
Employee assignment number	
Name of the other parent	
Start Date of maternity/ adoption leave or maternity allowance	
End Date of maternity/adoption leave or maternity allowance	
Total amount of SPL available	
Date on which child is expected to be born	
Actual Date of birth, or date of placement for adoption	
Date on which you expect to commence SPL	
Amount of SPL to be taken	
By you	
By your partner	

<b>Declaration</b>	
<p>I confirm that I meet the eligibility conditions and I am entitled to take Shared Parental Leave.</p> <p>I confirm that the information I have given is accurate.</p> <p>(If not the mother/adopter) I confirm that I am the father of the child/spouse/civil partner or partner of the mother/adopter.</p> <p>I will inform the CCG immediately should I cease to be eligible for SPL or SHPP.</p>	
<b>Employee signature</b>	
<b>Date</b>	

**Section B: Declaration by Partner**

<b>Section B</b>	
<b>Name</b>	
<b>Address</b>	
<b>National Insurance Number</b>	
<b>Relationship to child (please tick as appropriate)</b>	
<b>Mother/adopter</b>	
<b>Father of the child</b>	
<b>Spouse /civil partner or partner of the mother/adopter</b>	
<b>Declaration</b>	
<p>I confirm that I satisfy the employment and earnings test (see government website <a href="http://www.gov.uk/shared-parental-leave-and-pay/eligibility">www.gov.uk/shared-parental-leave-and-pay/eligibility</a>) and I have at the date of the child's birth or placement for adoption the main responsibility for the child along with the employee.</p>	

**I consent to the amount of SPL the employee intends to take.**

**I consent to the CCG processing the information contained in this form.**

**I will inform you immediately if I cease to satisfy the eligibility conditions.**

<b>Signature</b>	
<b>Date</b>	

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 8 – Template Letter acknowledging Notification of Shared Parental Leave**

Lockton House  
Clarendon Road  
Cambridge  
CB2 8FH

Our ref:

<date>

address

Tel: 01223 725400  
Direct: 01223 XXXXXX  
Fax: 01223 725401  
Email: xxxxxx@xxxxxx

Web: [www.cambridgeshireandpeterboroughccg.nhs.uk](http://www.cambridgeshireandpeterboroughccg.nhs.uk)

Dear

**Shared Parental Leave Request**

Thank you for your submitting your Shared Parental Leave Notification Form, which I received on [date]. I would like to arrange a convenient time to discuss your notification with you.

I therefore suggest a meeting at **[location]** on **[date]** at **[time]**. You may, if you wish, be accompanied by a workplace colleague, trade union representative or a personal friend or family member.

Please could you contact **[name of individual/HR department]** to confirm whether you are able to attend the meeting suggested above or, if not, to suggest an alternative time and date.

Yours sincerely

name  
**job title**

cc

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 9 – Template Letter Confirmation of Shared Parental Leave Entitlement**

Our ref:

Lockton House  
Clarendon Road  
Cambridge  
CB2 8FH

<date>

address

Tel: 01223 725400  
Direct: 01223 XXXXXX  
Fax: 01223 725401  
Email: xxxxxx@xxxxxx  
Web: www.cambridgeshireandpeterboroughccg.nhs.uk

Dear

**Confirmation of Shared Parental Leave Entitlement**

Thank you for meeting with me to discuss your Shared Parental Leave Notification Form.

We confirm that, based on the information you have provided us, you are entitled to take Shared Parental Leave.

We can confirm that you currently have [ ] weeks of Shared Parental Leave to take. You have [ ] weeks of Statutory Shared Parental Pay.

If you and your partner wish to vary the amount of leave and/or pay that you are each entitled to then you must notify us of the change in writing and inform us:

- a. of any Shared Parental Leave or Pay that you or your partner have already booked
- b. the number of weeks you are adding to your entitlement from your partner's entitlement or the number of weeks you are deducting to give to your partner
- c. when you expect to take any additional weeks of leave.

You will also need to give us a declaration signed by you and your partner both consenting to the change.

If you have any questions about any aspect of your shared parental leave and/or pay entitlement, please do not hesitate to speak to **[name of individual/HR department]**.

Yours sincerely

name  
**job title**  
cc

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 10 – Template Letter Confirmation of Shared Parental Leave Booking**

Our ref:

Lockton House  
Clarendon Road  
Cambridge  
CB2 8FH

<date>

Tel: 01223 725400  
Direct: 01223 XXXXXX  
Fax: 01223 725401  
Email: xxxxxx@xxxxxx

address

Web: [www.cambridgeshireandpeterboroughccg.nhs.uk](http://www.cambridgeshireandpeterboroughccg.nhs.uk)

Dear

**Confirmation of Shared Parental Leave Booking**

Thank you for your notice to take Shared Parental Leave commencing on [date].

We confirm that you are entitled to take Shared Parental Leave as set out in your Shared Parental Leave Notification Form.

I can confirm that you will be away from work on Shared Parental Leave from [date] to [date] **[If leave is discontinuous then please amend as needed]** You are expected to return to work on the first working day after your leave period ends.

During your leave period you will receive Statutory Shared Parental Pay from [date] to [date] **[If leave is discontinuous, or where no pay is applicable then please amend as needed]**

If you wish to vary or reduce the leave that you have booked, you must give at least eight weeks' notice before any amended dates occur. A notice to vary your booked leave will count as a new notice thereby reducing your entitlement to make three statutory notifications by a further one.

If you have any questions about any aspect of your Shared Parental Leave and/or pay entitlement, please do not hesitate to speak to **[name of individual/HR department]**.

Yours sincerely

name  
**job title**

cc

**Cambridgeshire & Peterborough CCG  
Maternity, Paternity & Adoption Leave Policy and Procedure**

**Appendix 11 – Template Letter Refusal of Discontinuous Shared Parental Leave**

Our ref:

Lockton House  
Clarendon Road  
Cambridge  
CB2 8FH

<date>

Tel: 01223 725400  
Direct: 01223 XXXXXX  
Fax: 01223 725401  
Email: xxxxxx@xxxxxx

address

Web: [www.cambridgeshireandpeterboroughccg.nhs.uk](http://www.cambridgeshireandpeterboroughccg.nhs.uk)

Dear

Thank you for your notice booking Shared Parental Leave that I received on [date].

Having given the proposal thorough consideration, I regret that the organisation is unable to agree to the pattern of discontinuous leave that you requested.

Unless your notice is withdrawn the total amount of leave requested in your notice, amounting to [number] weeks, will automatically become a continuous block. Unless the organisation is informed otherwise this will begin on the date you originally requested your leave period to start [date].

If you would like the period to begin on a different date please confirm this to **[name of individual/HR department]** on or before [date]. Please remember that the start date cannot be sooner than eight weeks from the date your original notice was given.

Alternatively you may withdraw your notification on or before [date]. This would then not count as one of your notifications.

If you have any questions about any aspect of your Shared Parental Leave and/or pay entitlement, please do not hesitate to speak to **[name of individual/HR department]**.

Yours sincerely

name  
**job title**

cc