



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

At Ecclesall Kids Club we offer benefits in line with statutory maternity, paternity, Adoption, Shared parental and neonatal leave rights set out by the Government and will at all times comply with any changes in legislation. This policy sets out statutory and contractual rights in relation to maternity, paternity, adoption and parental leave for EKC employees. It covers rights and responsibilities, arrangements for leave and pay, and provisions for return to work. More details of statutory rights for this policy can be found on the gov website.

### **Maternity Policy**

#### **Notification of pregnancy**

As soon as an employee notifies either the play manager or business & HR Manager that she is pregnant, the Manager should carry out a risk assessment which assesses the steps taken to avoid any identified risks, such as altering the employee's working conditions. By the end of the qualifying week or as soon as possible thereafter, a pregnant employee must inform the play manager or business & HR Manager in writing of:

- the fact that she is pregnant,
- her expected week of childbirth; and the date on which she expects to start her maternity leave or shared parental leave or both. She must also:
- Provide a copy of her MATB1 form from her GP or Midwife which confirms her expected week of childbirth

The Business & HR Manager will provide written confirmation of leave plans, which will confirm the expected return to work date if the full 52-week entitlement to maternity leave is taken. An employee is permitted to bring forward her maternity leave start date provided she advises the play manager or business & HR Manager at least 28 days before the new start date, or as soon as reasonably practicable. The employee may also postpone her maternity leave start date provided that she advises her manager in writing at least 28 days before the original proposed start date, or as soon as reasonably practicable.

Time off for antenatal care All pregnant employees are entitled to paid time off to attend antenatal appointments as advised by her doctor, registered midwife or health visitor. After the initial appointment the Manager may request to see the antenatal appointment card. Prospective fathers and partners of pregnant women are entitled to unpaid time off to attend two antenatal appointments (up to a maximum of six and half hours for each appointment).

#### **Protection against discrimination on grounds of pregnancy**

Protection against discrimination on grounds of pregnancy. Pregnant employees are entitled not to be subjected to any type of unfavorable treatment related to their pregnancy or impending absence on maternity leave.

#### **Maternity Leave**

All employees, regardless of hours worked or length of service are entitled to take up to 26 weeks



ordinary maternity leave and up to 26 weeks additional maternity leave (52 weeks in total). All employees who take maternity leave have the right to return to work at any time during either ordinary maternity leave or additional maternity leave except during the compulsory maternity leave period, subject to the correct notification procedures being followed. The compulsory maternity leave period is two weeks.

Employees are entitled to start maternity leave at any time after the beginning of the 11th week before the Expected Week of Childbirth. Maternity leave will start on whichever date is the earlier:

- The employee's chosen start date.
- The day after the employee gives birth.
- The day after any day on which the employee is absent for a pregnancy related reason in the four weeks before the Expected Week of Childbirth.

### **Keeping In Touch (KIT) days**

During maternity leave it is important that Head of School / Line Managers and employees maintain reasonable contact. Employees can agree to work or attend training for up to 10 Keeping in Touch days during maternity leave without bringing the period of maternity leave to an end. KIT days cannot be worked during the compulsory maternity leave period. They can be taken individually, consecutively or a mixture of both. Working for part of the day will count as a whole day out of the 10 days entitlement. However, payment will be for the actual amount of time worked. KIT days will be paid at the employee's normal contractual rate. If the KIT Day falls within a period when the employee is receiving maternity pay, this will be a top-up payment to the level of her normal contractual rate.

### **Rights on and after return to work**

On resuming work after ordinary & Additional maternity leave, an employee is entitled to return to the post that she occupied before commencing maternity leave on the same terms and conditions of employment.

### **Flexible working**

All employees have the right to request flexible working arrangements, including women returning to work following maternity leave.

### **Statutory Maternity Pay**

Statutory maternity pay is payable to eligible employees for up to 39 weeks during maternity leave. An employee is eligible for SMP if she:

- Has been continuously employed for at least 26 weeks at the end of the qualifying week,
- has average weekly earnings of not less than the lower earnings limit (currently £129 per week)
- Has provided a MATB1 form.
- The rate of SMP from April 2026 is £194.32 per week ( Or 90% of your average weekly earnings, whichever is lower)

## **Maternity Allowance**

Women who are not entitled to statutory maternity pay may be entitled to Maternity Allowance from the government. To apply for Maternity Allowance, the employee must complete an MA1 Form.

## **Annual Leave**

Contractual annual leave entitlement continues to accrue during maternity leave (ordinary and additional maternity leave). Where you have been unable to take this leave in your current leave year you will be entitled to carry forward this leave/receive payment for this leave.

## **Paternity Leave**

Statutory paternity leave is an entitlement to take **up to 2 weeks** leave. This is paid at the Statutory Paternity Pay rate or 90% of average weekly earnings (whichever is lower).

Employees can choose to take either one week or two weeks statutory paternity leave, they can take the leave as 2 weeks together or 2 separate blocks of 1 week. It cannot be taken in odd days.

Statutory paternity leave cannot start before the actual date of birth/date of placement of the child but can be taken at any time in the first 52 weeks after the birth or date the child is placed.

From April 2026 employees will be eligible for paternity leave from the first day of employment.

## **Notification**

Employees wishing to take statutory paternity leave must complete a SC3 form found on the government website and submit it to their line manager

## **Statutory Adoption Leave**

The adoption provisions apply to eligible employees (male and female) where a child is newly matched for adoption.

The adoption leave scheme is available to only one member of the couple where a couple adopt jointly. The couple must choose which partner takes adoption leave (adopter). The other may qualify for paternity leave and / or shared parental leave and / or unpaid parental leave.

For surrogacy arrangements, if the intended parents have applied, or intend to apply, for a 'parental order' then, subject to meeting qualifying conditions, the nominated 'primary' adopter will be entitled to take adoption leave and pay.

Eligible employees are entitled to take up to 52 weeks' adoption leave. This is made up of 26 weeks' ordinary adoption leave and up to 26 weeks' additional adoption leave.



## Notification requirements

Employees are encouraged to tell the play manager or Business and HR Manager that they are intending to adopt as soon as possible.

Within 7 days of being matched with a child, employees wishing to take adoption leave must notify us of:

- The expected date of placement.
- When they wish adoption leave to start; and
- How much adoption leave they wish to take.

For overseas adoptions, employees must also provide the relevant UK authority's "official notification" which confirms permission to adopt from abroad.

An employee must inform us within 28 days if the expected date of placement (or UK arrival date for overseas adoptions) changes.

Employees who use a surrogate to have a baby must inform us at least 15 weeks before the expected week of birth of:

- The date the baby is due.
- and when they want adoption leave to start

## Adoption leave can start:

- From the date the child is placed or from a fixed date up to 14 days before the date of placement for UK adoptions: or
- From the date the child arrives in the UK or within 28 days of this date for overseas adoptions.

## Pay

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

- 90% of your average weekly earnings for the first 6 weeks
- £194.32 or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks

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

## Adoption pay

To get Statutory Adoption Pay, you must:

- have been continuously employed by your employer for at least 26 weeks by the week you were matched with a child
- earn on average at least £129 a week (before tax)
- give the correct notice
- give proof of the adoption or surrogacy

## **Pay if you're adopting a child from overseas**

The requirements are the same if you're adopting from overseas, except you must have been continuously employed by your employer for at least 26 weeks when you start getting adoption pay.

You must also sign form SC6 if you're adopting from overseas with a partner. This confirms you're not taking paternity leave or pay.

## **Pay if you're in a surrogacy arrangement**

The requirements are the same if you're in a surrogacy arrangement, except you must have been continuously employed by your employer for at least 26 weeks by the 15th week before the baby's due.

You must also:

- intend to apply for a parental order
- expect the order to be granted (for example because you do not have any convictions involving children, and the birth mother or father agree to the arrangement)

## **Neonatal Care leave**

The Neonatal Care (Leave and Pay) Act 2023, which came into force on April 6, 2025, provides parents with the right to up to 12 weeks of leave and pay if their baby is in neonatal care. This new legislation aims to support parents by ensuring they have the time they need to care for their baby when they are in the neonatal unit.

### **Eligibility**

At the birth of the baby, the employee must be one of:

- the baby's parents,
- the baby's intended parents (applicable to surrogacy),
- partner to the baby's mother (who are unrelated and living with them in an enduring family relationship) with the expectation they will have responsibility for raising the child.
- If adopting, similar principles as above apply.

To qualify for NCL, the baby must be born on or after 6 April 2025. NCL must be taken to provide care for the baby. In the very sad circumstances where the baby dies after NCL has been accrued, employees are still able to take the leave as this care requirement is disapplied.

Neonatal care must have taken place or begun within the first 28 days of birth (counting from the day after the baby is born) and care must continue for a period of at least 7 continuous days (beginning on the day after neonatal care starts).

There are three narrow categories of medical care which will count as "neonatal care":

1. any medical care received in a hospital;

2. medical care received elsewhere following discharge from hospital. Such care must be under the direction of a consultant and includes ongoing monitoring and visits to the child by healthcare professionals; or
3. palliative or end of life care.

### **Duration:**

Parents can take up to 12 weeks of leave, one week for each full week the baby is in neonatal care.

The length of NCL will be dependent on how long the baby receives neonatal care but is capped at a maximum of 12 weeks. Parents will be able to take one week of leave in respect of each week the baby receives neonatal care without interruption. An uninterrupted week of care begins on the day after care started, which means that the baby must have been receiving uninterrupted care on 8 consecutive days (including the day that care started) for a parent to be entitled to one week of NCL. The earliest NCL can start is the ninth day following the start of the baby's uninterrupted care.

### **Timing:**

Leave must be taken within 68 weeks of the baby's birth.

In line with other parental leave, employees are expected to provide notice of their intention to take NCL stating:

- Their name
- The baby's date of birth (or date of placement/entry to Great Britain if adopting)
- The start date or dates of neonatal care
- The date neonatal care ended (if applicable)
- The date on which the employee wants to take the leave
- The number of weeks of NCL the notice is being given for
- That the leave is being taken to care for the baby
- Confirmation that the employee is eligible to take the leave due to their relationship with the baby

The required length of notice differs depending on when the leave is taken.

### **Neonatal Leave Pay**

The right to receive statutory neonatal care pay('SNCP') requires 26 weeks of service and earnings on average of at least £129 a week. This mirrors the entitlement to maternity and shared parental leave pay.

### **Shared Parental Leave**

Shared Parental Leave (SPL) enables eligible parents (both natural and adoptive) to choose how to share the care of their child during the first year of birth or adoption.

Eligible parents are able to share a pot of leave and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child. SPL enables the mother or adopter to reduce their maternity / adoption leave entitlement and opt into shared parental leave: enabling the mother or their partner to take any remaining weeks as shared parental leave and pay.

Although there are legal requirements and timeframes for providing formal notification to request shared parental leave, employees are encouraged, as much as possible, to discuss their leave plans / ideas at the earliest opportunity.



**Please see the Gov website for more details on the statutory rights for the above leave areas**

This policy was adopted by: Ecclesall Kids Club	Date 02/04/2017
reviewed 17/03/2026	Signed: Ecclesall Kids Club Committee