Pregnancy and Family Leave Policy

Maternity rights

This section is for pregnant employees and new mothers. It details their rights, which fall into three main categories:

- Paid time off for antenatal care
- Maternity leave
- Maternity benefits.

Antenatal care

You are entitled to be paid your normal rate of pay for any appointments during working hours related to antenatal care. In order to receive payment an appointment card must be produced confirming the appointment and you will be expected to return to work after keeping your appointment wherever possible.

When a certificate confirming pregnancy is issued, this must be handed in as soon as possible.

Ordinary maternity leave

You are entitled to 26 weeks' ordinary maternity leave and have the right to return to work in your previous job. These rights apply regardless of length of service, or the number of hours worked.

If you work full time, you have the right to return to your full-time position, but you do not have the right to return part time. However, your employer will discuss any request for part time work and on request consider offering part time work. Requests should be made in writing to your employer, giving as much notice as possible.

You can start your ordinary maternity leave at any time from the 11th week before the expected week of childbirth (EWC) and there is a two-week compulsory maternity leave period following the birth (four weeks for factory workers). For all maternity leave purposes "childbirth" is either a live birth before the end of the 24th week of pregnancy or a live or still birth after the 24th week of pregnancy.

Throughout the ordinary maternity leave period, all your terms and conditions of employment are maintained with the sole exception of pay.

Additional maternity leave

Additional maternity leave starts at the end of the ordinary maternity leave period and ends 26 weeks later. As with ordinary maternity leave, all your terms and conditions of employment are maintained throughout this period with the sole exception of pay.

Notification

The notice periods detailed below must be complied with in order to safeguard your rights.

You must notify your employer in writing by the 15th week before the EWC of the following:

- That you are pregnant,
- The EWC,
- The date on which you intend to start your maternity leave.

You must also provide a certificate (normally a form MAT B1) stating the EWC.

Your employer will then write to you within 28 days to confirm your date of return to work. You can change the date on which you intend to start your maternity leave by giving your employer at least 28 days' written notice.

Returning to work

If you take the full entitlement to maternity leave your return date will be the date previously notified to you by your employer. If you wish to return early, you must give your employer eight weeks' written notice of your early return date. Your early return may be delayed if this procedure is not followed.

If you intend to return to work at the end of your maternity leave but fail to do so, your employer's normal rules regarding absence will apply.

Maternity benefits

Although you do not need any qualifying service or to work a minimum number of hours to be entitled to maternity leave or the right to return to work, in order to qualify for Statutory Maternity Pay (SMP) from your employer, you need to have the following:

- At least 26 weeks' continuous service at the end of the 15th week before the EWC (this is known as the "qualifying week" for maternity pay purposes)
- Average earnings above the National Insurance lower earnings limit during the eight weeks before the qualifying week.

If you meet these conditions, you are entitled to a maximum of 39 weeks SMP which is calculated as:

- Six weeks at 90% of average weekly earnings
- 33 weeks at the lesser of the lower rate of SMP or 90% of average weekly earnings.

If you do not qualify for SMP you may be entitled to Maternity Allowance (MA).

Sickness absence during pregnancy

If you are absent from work because of a pregnancy-related illness or reason at any time during the four weeks before your EWC, the ordinary maternity leave period begins on the first day of absence. If the pregnancy-related absence began before the fourth week, then the ordinary maternity leave period begins at the start of the fourth week.

If you are absent from work and the illness is not pregnancy-related, the maternity leave period will begin on the date you have previously notified.

If you are absent from work in the weeks leading up to your maternity leave it may affect the higher rate of SMP (90% of normal pay) because it is based on your average earnings in the eight weeks prior to the qualifying week.

Adoption rights

This section is similar to the previous section but deals with employee rights on the adoption of a child, which fall into three main categories:

- Paid time off to attend pre-adoption appointments
- Adoption leave
- Adoption benefits.

Pre-adoption appointments

If you are the primary or sole adopter and you have been advised that a child is due or expected to be placed with you for adoption you are entitled to be paid your normal rate of pay for up to five pre-adoption appointments during working hours. The appointments must have been made by or at the request of the adoption agency and in order to receive payment an appointment card must be produced confirming each appointment. The maximum time off for each appointment is six and a half hours and you will be expected to return to work after keeping your appointment wherever possible.

Ordinary adoption leave

If you are the adoptive parent who has elected to take adoption leave you have the right to 26 weeks ordinary adoption leave, which includes two weeks' compulsory adoption leave. You can start your adoption leave as soon as the child is placed with you for adoption or if pre-notified up to 14 days before that date.

You are entitled to return to work in your previous job after the ordinary adoption leave period. If you work full time, you have the right to return to your full-time position, but you do not have the right to return part time. However, your employer will discuss any request for part time work and on request consider part time work. Requests should be made in writing to your employer, giving as much notice as possible.

Throughout the ordinary adoption leave, all your terms and conditions of employment are maintained with the sole exception of pay.

Additional adoption leave

If you are entitled to ordinary adoption leave, additional adoption leave starts at the end of the ordinary adoption leave period and ends 26 weeks later. As with ordinary adoption leave, all your terms and conditions of employment are maintained throughout this period with the sole exception of pay.

Notification

The notice periods detailed below must be complied with in order to safeguard your rights.

You must notify your employer in writing of the following no later than seven days after being matched with a child for adoption:

- The date of placement of the child for adoption,
- The date on which you intend to start your adoption leave.

You must also provide an Adoption Certificate from the approved adoption agency. Your employer will then write to you within 28 days to confirm your date of return to work. You can change the date on which you intend to start your adoption leave by giving your employer at least 28 days' written notice.

Returning to work

If you take the full entitlement to adoption leave your return date will be the date previously notified to you by your employer. If you wish to return early, you must give your employer eight weeks' written notice of your early return date. Your early return may be delayed if this procedure is not followed.

If you intend to return to work at the end of your adoption leave but fail to do so, your employer's normal rules regarding absence will apply.

Adoption benefits

Although you do not need any qualifying service or to work a minimum number of hours to be entitled to adoption leave or the right to return to work, in order to qualify for Statutory Adoption Pay (SAP) from your employer, you need to have the following:

- At least 26 weeks' continuous service at the end of the week in which the child was matched with you for adoption
- Average earnings above the National Insurance lower earnings limit during the eight weeks before the week in which the child was matched with you for adoption.

If you meet these conditions, you are entitled, subject to special rules where the adoption is disrupted or where the child reaches age 18, to a maximum of 39 weeks SAP, calculated as:

- Six weeks at 90% of average weekly earnings,
- 33 weeks at the lesser of the lower rate of SAP or 90% of average weekly earnings.

In order to be paid SAP, you should notify your employer in writing of the following no later than 28 days before the date on which you wish your SAP period to begin:

- The name and address of the approved adoption agency

- The date on which the child is expected to be placed for adoption and where the child has already been placed for adoption, the date of placement
- The date on which you were informed that the child was to be placed with you for adoption.

Paternity rights (birth)

Antenatal appointments

You are entitled to accompany the child's mother on up to two antenatal appointments without pay during working hours. This is on condition that you have or expect to have responsibility for the upbringing of the child and that you are the biological father of the child or are married to or are the partner of the child's mother. The maximum time off for each appointment is six and a half hours and you will be expected to return to work after keeping your appointment wherever possible.

Ordinary paternity leave

Paternity Leave is available from the first day of employment, provided you meet the other eligibility conditions. You may choose to take either one week or two weeks of paternity leave. The two weeks can be taken together or as two separate one-week blocks if you meet the following conditions:

- You have or expect to have responsibility for the upbringing of the child
- You are the biological father of the child or are married to or are the partner of the child's mother.

You cannot start your paternity leave until the child is born. Paternity leave must be taken within 52 weeks of the child's birth. You must give prior notice of when you intend to start your paternity leave, which can be:

- The day on which the child is born
- A day which you specify as a number of days after the day on which the child is born
- A pre-determined date, which must be later than the first day of the EWC.

Throughout paternity leave, all your terms and conditions of employment are maintained with the sole exception of pay.

Paternity benefits

Paternity Leave is available from the first day of employment. To qualify for Statutory Paternity Pay (SPP), you must have been continuously employed by your employer for at least 26 weeks up to the end of any day in the qualifying week and your average earnings must be above the National Insurance lower earnings limit during the relevant eight-week period. SPP is paid during the paternity leave period and is the lesser of:

- the standard rate of SPP or
- 90% of average weekly earnings.

Notification

To safeguard your rights to paternity leave and pay, you must tell your employer the baby's due date at least 15 weeks before the baby is expected. At least 28 days before you want to take paternity leave, you must tell your employer when you want your leave to start and whether you want to take one or two weeks' leave. You may use the online form that replaced Form SC3, or the nursery's own form if provided. Transitional notice rules may apply where the baby is due before 25 July 2026 and you became eligible because of the April 2026 day-one right.

Paternity rights (adoption)

Pre-adoption appointments

If you are the primary adopter's partner and you have been advised that a child is due or expected to be placed with you, you are entitled to attend up to two pre-adoption appointments without pay during working hours. The appointments must have been made by or at the request of the adoption agency and the maximum time off for each appointment is six and a half hours. You will be expected to return to work after keeping your appointment wherever possible.

Ordinary paternity leave

Paternity Leave for adoption is available from the first day of employment, provided you meet the other eligibility conditions. You may choose to take either one week or two weeks of paternity leave. The two weeks can be taken together or as two separate one-week blocks if you meet the following conditions:

- You are not taking adoption leave in respect of the child
- You have or expect to have responsibility for the upbringing of the child
- You are married to or are the partner of the child's adopter.

You cannot start paternity leave before the day the child is placed with the adopter. Paternity leave for adoption must usually end within 52 weeks of the date the child is due to be placed with you, or within 52 weeks of the date the child arrives in England, Scotland or Wales for overseas adoptions. You must give prior notice of when you intend to start your paternity leave, which can be:

- The day on which the child is placed with the adopter
- A day which you specify as a number of days after the day on which the child is placed with the adopter
- A pre-determined date, which must be later than the date on which the child is expected to be placed for adoption.

Throughout paternity leave, all your terms and conditions of employment are maintained with the sole exception of pay.

Paternity benefits

Paternity Leave for adoption is available from the first day of employment. To qualify for Statutory Paternity Pay (SPP), you must have been continuously employed by your employer for at least 26 weeks up to the end of any day in the qualifying week. For UK adoptions, this is the week you are matched with the child. Your average earnings must also be above the National Insurance lower earnings limit during the relevant eight-week period. SPP is paid during the paternity leave period and is the lesser of:

- the standard rate of SPP or
- 90% of average weekly earnings.

Notification

To safeguard your rights to paternity leave and pay for adoption, you should use the online form that replaced Form SC4, or the nursery's own form if provided. For UK adoptions, you must normally claim within seven days of your co-adopter or partner being matched with a child. If you take paternity leave in two separate one-week blocks, you must claim at least 28 days before the second week. You must give your employer 28 days' notice if you want to change your start date.

Shared parental rights (birth)

Introduction

Many parents will be able to share leave in the year after their child's birth and take leave in a more flexible way by stopping and starting their shared parental leave, taking their leave at the same time, and returning to work between periods of leave.

To qualify for shared parental leave you must have at least 26 weeks' continuous service at the end of the 15th week before the EWC and still be in employment the week before you take the shared parental leave. In addition, you must share the main responsibility for the care of the child that the shared parental leave and pay relates to with the other parent and meet an 'employment and earnings' test.

Opting into shared parental leave and pay

If the mother and her partner agree, the mother can curtail her current maternity leave and 'convert' what remains of the leave period into shared parental leave (SPL). The mother must do this by giving formal notice to her employer and, if you are the mother, we have a form that can be completed to provide the required information. At least eight weeks' notice must be given to curtail maternity leave, at which time the mother and her partner must also give their respective employers an indication of how they intend to take the shared parental leave and pay.

The mother's notice to curtail maternity leave will normally be accompanied by a notice of entitlement to take shared parental leave and a request for a period of shared parental leave and pay. Once notice to curtail maternity leave has been given, it can only be withdrawn in very limited circumstances. However, if the mother gives notice to curtail her maternity leave before the child is born, she has up to six weeks

after the birth to change her mind. If the mother revokes her curtailment notice, she remains on maternity leave and can give a new notice to curtail her maternity leave at a later date.

Taking shared parental leave

Before you can take shared parental leave and pay you must provide your employer with a notice of your entitlement to shared parental leave and pay, and this must be accompanied by a 'declaration' from your partner. This is a 'one-off' notice and, if you are the mother, you will already have given this notice with your notice to curtail your maternity leave. If you are the mother's partner, we have a form that can be completed to provide the required information. The total number of weeks of SPL available is 52 weeks minus the maternity leave that the mother has already taken (including the compulsory maternity leave period). The leave must be taken in whole weeks (part-weeks count as whole weeks), and it must be taken before the child's first birthday.

All your terms and conditions of employment are maintained throughout the SPL period with the sole exception of pay and, if your combined total of maternity/paternity and SPL does not exceed 26 weeks, you are entitled to return to work in your previous job. If you work full time, you have the right to return to your full-time position, but you do not have the right to return part time. However, your employer will discuss any request for part time work and on request consider part time work. Requests should be made in writing to your employer, giving as much notice as possible.

Notification

You are allowed three 'notifications' to take a period of SPL. A minimum of eight weeks' notice must be given before each period of leave, and the mother's first notice to take SPL will usually be included as part of the notice to curtail maternity leave.

If your notice is for a continuous period of SPL, for example six weeks off, it cannot be refused. If, however, your notice is for a discontinuous period of leave, for example six weeks comprising three weeks of SPL, three weeks in work, then three weeks of SPL, this can be refused. The first two weeks of the eight weeks' notice period are to enable you and your employer to discuss this type of request and to try to reach agreement on the pattern of leave.

If agreement cannot be reached you have until the 15th day after you submitted your request (i.e. the day after the discussion period expires) to either let the request stand or to withdraw the request. If you let the request stand your employer can insist that the SPL is taken as a period of continuous leave (in the above example as a continuous period of six weeks). You then have five days in which to decide the start date for the period of continuous leave, otherwise it will start on the date of the first period you previously notified. Alternatively, you can withdraw the request, and it will not count as one of your three notifications.

If you want to change the dates of a previously notified period of SPL and your employer agrees to this, then the change does not count as a formal 'notification'. If, however, your employer does not agree to the change you can submit a formal

notification of the change (giving at least eight weeks' notice). Your employer will have to accept this notification, but the change will count as one of your three 'notifications'.

Statutory Shared Parental Pay

If you qualified for SMP, MA or SPP you will also qualify for Statutory Shared Parental Pay (SSPP). The total number of weeks of SSPP available is 39 weeks minus the number of weeks of SMP already paid to the mother. SSPP is paid at the lesser of:

- The standard rate of SSPP or
- 90% of average weekly earnings.

As there will be more weeks of SPL available than weeks of SSPP, employees who claim SSPP will be required to sign a declaration stating the total pay available and the total pay received.

Shared parental rights (adoption)

Introduction

Many parents will be able to share leave in the year after the adoption and take leave in a more flexible way by stopping and starting their shared parental leave, taking their leave at the same time, and returning to work between periods of leave.will be

To qualify for shared parental leave you must have at least 26 weeks' continuous service at the end of the week in which the adopter is notified of having been matched with a child for adoption and still be in employment the week before you take the shared parental leave. In addition, you must share the main responsibility for the care of the child that the shared parental leave and pay relates to with the other parent and meet an 'employment and earnings test'.

Opting into shared parental leave and pay

If the primary adopter and their partner agree, the primary adopter can curtail their current adoption leave and 'convert' what remains of the leave period into shared parental leave (SPL). The primary adopter must do this by giving formal notice to the employer and if you are the primary adopter, we have a form that can be completed to provide the required information. At least eight weeks' notice must be given to curtail adoption leave, at which time the primary adopter and their partner must also give their respective employers an indication of how they intend to take the shared parental leave and pay.

The primary adopter's notice to curtail adoption leave will normally be accompanied by a notice of entitlement to take shared parental leave and a request for a period of shared parental leave and pay. Once notice to curtail adoption leave has been given, it can only be withdrawn in very limited circumstances.

Taking shared parental leave

Before you can take shared parental leave and pay you must provide your employer with a notice of your entitlement to shared parental leave and pay, and this must be accompanied by a 'declaration' from your partner. This is a 'one-off' notice and, if you are the primary adopter, you will already have given this notice with your notice to curtail your adoption leave. If you are the secondary adopter/adopter's partner, we have a form that can be completed to provide the required information. The total number of weeks of SPL available is 52 weeks minus the adoption leave that the primary adopter has already taken (including the compulsory adoption leave period). The leave must be taken in whole weeks (part-weeks count as whole weeks), and it must be taken during the first year following the adoption.

All your terms and conditions of employment are maintained throughout the SPL period with the sole exception of pay and if your combined total of adoption/paternity and SPL does not exceed 26 weeks, you are entitled to return to work in your previous job. If you work full time, you have the right to return to your full-time position, but you do not have the right to return part time. However, your employer will discuss any request for part time work and will, on request, consider part time work. Requests should be made in writing to your employer, giving as much notice as possible.

Notification

You are allowed three 'notifications' to take a period of SPL. A minimum of eight weeks' notice must be given before each period of leave, and the primary adopter's first notice to take SPL will usually be included as part of the notice to curtail adoption leave.

If your notice is for a continuous period of SPL, for example six weeks off, it cannot be refused. If, however, your notice is for a discontinuous period of leave, for example six weeks comprising three weeks of SPL, three weeks in work, then three weeks of SPL, this can be refused. The first two weeks of the eight weeks' notice period are to enable you and your employer to discuss this type of request and to try to reach agreement on the pattern of leave.

If agreement cannot be reached you have until the 15th day after you submitted your request (i.e. the day after the discussion period expires) to either let the request stand or to withdraw the request. If you let the request stand your employer can insist that the SPL is taken as a period of continuous leave (in the above example as a continuous period of six weeks). You then have five days in which to decide the start date for the period of continuous leave, otherwise it will start on the date of the first period you previously notified. Alternatively, you can withdraw the request, and it will not count as one of your three notifications.

If you want to change the dates of a previously notified period of SPL and your employer agrees to this, then the change does not count as a formal 'notification'. If, however, your employer does not agree to the change you can submit a formal notification of the change (giving at least eight weeks' notice). Your employer will

have to accept this notification, but the change will count as one of your three 'notifications'.

Statutory Shared Parental Pay

If you qualified for SAP or SPP you will also qualify for Statutory Shared Parental Pay (SSPP). The total number of weeks of SSPP available is 39 weeks minus the number of weeks of SAP already paid to the primary adopter. SSPP is paid at the lesser of:

- The standard rate of SSPP or
- 90% of average weekly earnings.

As there will be more weeks of SPL available than weeks of SSPP, employees who claim SSPP will be required to sign a declaration stating the total pay available and the total pay received.

Parental leave

Parents of children born or placed for adoption on or after 15th December 1999 are entitled to take unpaid parental leave. The right applies to mothers and fathers and to a person who has legal parental responsibility. Parents who already have at least one year's service are able to start taking parental leave when the child is born or adopted, and the remainder are able to start taking parental leave as soon as they have completed one year's service.

Parents are entitled to 18 weeks' leave for each child, to be taken before the child reaches age 18. Parents must give 21 days' written notice to take parental leave and it must be taken in blocks or multiples of one week (part weeks, including single days or part days, count as whole weeks) up to a maximum of four weeks in any one year. Parents of disabled children for whom a disability living allowance has been awarded have the additional flexibility to take leave in days without them being counted as whole weeks, although part days count as full days.

Leave can be postponed by the Company for up to six months where the business cannot cope, except when a father gives the above advance notice to take leave immediately after the date when the child is born or when the partner of a primary adopter gives the above advance notice to take leave immediately after the date when the child is placed for adoption.

Time off for dependants

You will be allowed to take reasonable time off work without pay to deal with an emergency involving a dependant. The amount of time off allowed will depend on the circumstances.

For example, if a dependant is ill or injured, reasonable time off will be given to deal with the emergency – this does not mean that you will be allowed to take time off to look after the dependant personally.

Death of a Child

If an employee has a death of a child under the age of 18 or suffers a stillbirth from 24 weeks of pregnancy, all employees will be entitled to two weeks' paid leave; subject to meeting the eligibility criteria having been employed for at least 26 weeks.

Support will be given, including making reasonable adjustments on the return to work and further ongoing support will be provided.

This policy was adopted on	Signed on behalf of the nursery	Date for review
01/09/2026		*01/09/2027*