

GUIDELINES ON MATERNITY LEAVE AND PAY

Document Ref.	Maternity Leave
Review	April 2024
Next Review Date	2027
Review frequency	Three years
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1. INTRODUCTION

- 1.1. These guidelines set out the maternity leave and pay benefits to which University employees are entitled.
- 1.2. These benefits arise from two sources – ‘statutory rights’ are those which women employees are entitled to under relevant legislation; (the statutory rights described here derive from the Employment Rights Act 1996 as amended by the Employment Relations Act 1999 and by the Employment Act 2002 and by the Work and Families Act 2006 and by the Sex Discrimination 1975 (Amendment) Regulations 2008, from the Social Security Contributions and Benefits Act 1992, and the associated Regulations); and ‘occupational benefits’ which are those which the University provides under its Terms and Conditions of Employment which are the same in this respect for all categories of UEA staff.
- 1.3. The qualifying conditions for the different types of benefits differ and these are set out in the relevant sections below. Broadly, the occupational benefits incorporate those based on statutory rights, but they exceed them in some respects for employees with at least 12 months’ continuous service at a specified date in the employee’s pregnancy.
- 1.4. There are detailed requirements set out in these guidelines for notifying the University of pregnancy and planned maternity leave, which employees must meet in order to qualify for therelevant benefits.
- 1.5. However, as well as wanting to ensure that employees are fully informed of the benefits for whichthey are eligible as soon as possible, the University has a statutory duty to protect the health and safety of employees who are pregnant and will wish to take all reasonable steps to ensure that their working conditions contribute to a healthy pregnancy.
- 1.6. This being the case, it is essential for employees who are pregnant to contact the People and Culture Division for information (hr.serviceteam@uea.ac.uk) and advice at the earliest possible date. Contact will remain confidential at this stage if requested.

2. DEFINITIONS

- a) **Maternity Leave** is the period of time before and after childbirth when the employee is not at work because of pregnancy/childbirth, but during which her contract of employment continues (unless either party to the contract expressly ends it or it expires). There is a specified maximum period for this leave, but the employee can choose to be on leave for a shorter period than the maximum (subject to the conditions for compulsory maternity leave referred to below and to meeting the relevant notification conditions). The start date of such leave is flexible, subject to earliest and latest specified dates described below. Whether any payment is receivable during Maternity Leave will be subject to conditions set out later in these guidelines. All pregnant employees are entitled to 52 weeks' maternity leave (26 weeks' Ordinary Maternity Leave and 26 weeks' Additional Maternity Leave).
- b) Pregnant employees who meet qualifying conditions based on their length of service and average earnings are entitled to up to 39 weeks' **Statutory Maternity Pay** (SMP), which is paid by their employers and mostly or completely refunded by the Government.
- c) Women who are not entitled to SMP but meet qualifying conditions based on their recent employment and earnings may claim up to 39 weeks' **Maternity Allowance**, paid direct by Jobcentre Plus.
- d) **Statutory Maternity Leave** is the period of 52 weeks' leave made up of Ordinary Maternity Leave and Additional Maternity Leave
- e) **Ordinary Maternity Leave** is the period of 26 weeks of leave to which all employees are statutorily entitled, regardless of length of service.
- f) **Additional Maternity Leave** is the period of a further 26 weeks of unpaid leave to which employees are statutorily entitled, regardless of length of service.
- g) **Compulsory Maternity Leave** is normally the two weeks from the date of childbirth, during which the employee may not work.
- h) **Expected Week of Childbirth (EWC)** is the week, beginning with midnight between Saturday and Sunday, in which it is expected that the baby will be born. Likewise, the **week of childbirth** is the week, beginning with midnight between Saturday and Sunday, in which the baby is actually born.
- i) **Childbirth** means the live birth of a child, or a still birth after a pregnancy lasting at least 24 weeks. (There is no distinction between live and still births in the granting of occupational maternity benefits.)
- j) **Maternity Pay** is the pay which the employee may receive during maternity leave, the type and amount of which will depend on qualifying conditions set out later in

these guidelines, but which may involve a combination of different pay elements.

- k) **Statutory Maternity Pay (SMP)** is a weekly State benefit for women on maternity leave, the qualifying conditions and amount of which are determined statutorily by the Department for Works and Pensions, but which is paid by the employer, (at the same time as the employee would normally receive her salary payment), whether or not the employee intends to return to work for her employer. There are two rates of SMP which are payable to those eligible – the first 6 weeks are paid at 90% of the employee's average earnings, and thereafter SMP will be at the Standard Rate or at 90% of average earnings if this is less. SMP is a weekly benefit, the payment of which commences on the first day of maternity leave.
- l) **Standard Rate SMP** is revised from time to time by the Department for Work and Pensions. Information on the current rate of SMP can be obtained from the People and Culture Division.
- m) **Occupational Maternity Pay (OMP)** is the amount of full pay or half pay which is payable to University employees who are absent on maternity leave and who meet the qualifying conditions of the occupational scheme, for the period specified in the occupational scheme.

To receive OMP, the employee must have given notice of her intention to return to work after maternity leave and must return for at least three months (otherwise the OMP is repayable). SMP payments are offset against full pay, but normally paid in addition to half pay (except to the extent to which the combination of half pay and SMP would exceed the normal amount of contractual full pay).

- n) **Maternity Allowance** is a statutory benefit which may be payable to employees who are absent on grounds of pregnancy/maternity and who do not meet the qualifying conditions for SMP. Unlike SMP, it is not paid by the employer; instead payment is made by the social security/Jobcentre Plus office. Like SMP, the rate of Maternity Allowance is revised from time to time by the Department for Work and Pensions, and details of current rates can be obtained from the local Inland Revenue office or social security/Jobcentre Plus office.
- o) **Qualifying Week**, for SMP purposes, is the 15th week before the EWC.

3. NOTIFICATION OF PREGNANCY

- 3.1. A pregnant employee should contact the People and Culture Division as soon as possible after they know they are pregnant, for advice and for information about their entitlements. In order to take advantage of the rights to statutory maternity leave and (if they qualify) SMP and OMP, the employee must give the University proper notification as set out below (contact hr.serviceteam@uea.ac.uk).
- 3.2. No later than the end of the 15th week before the week their baby is due (the EWC), or as soon as reasonably practicable, the employee must notify the People and Culture Division (in writing):
 - 3.2.1. that they are pregnant;
 - 3.2.2. when the expected week of childbirth will be, by means of a medical certificate (MAT B1). This can be obtained from the employee's doctor or midwife and is available 20 weeks before the EWC. The employer cannot start paying SMP until this certificate is provided;
 - 3.2.3. when they intend to start maternity leave, (which may not be earlier than the 11th week before the EWC but should be before the due date);
- 3.3. (Note – the employee can change their leave dates as long as they give 28 days' notice to the People and Culture Division.)
- 3.4. An employee who will have been continuously employed for a minimum period of 12 months before the EWC, and who thereby qualifies for occupational maternity benefits, will be required at the same time to provide a written statement of their intent, where applicable, to return to work with the University at the end of their maternity leave and of their wish therefore to receive the additional occupational benefits.
- 3.5. An employee entitled to receive OMP and SMP is also asked to confirm to the University, in writing, whether or not they wish to receive both payments whilst on maternity leave or, as an alternative, to receive only SMP. Where an employee who qualifies for OMP elects to receive SMP only, they will be entitled to receive the full amount of OMP payable after returning to work for a three-month period.
- 3.6. This is to ensure that employees are correctly paid during the Maternity Pay Period. A qualifying condition for receipt of OMP is that the employee must return to work for a minimum period of three months following maternity leave. If they do not meet this condition, then the University has the right to reclaim the whole or part of the non-statutory element of the maternity pay. **By confirming, in writing, the payment they wish to receive, the employee is agreeing to repay sums received in respect of the OMP should they not be able to return to work for three months following the period of maternity leave.**
- 3.7. Maternity leave under all of the above options may commence at any time from the 11th week before the EWC. SMP and (if applicable) OMP will both commence on the same day which has been notified by the employee, provided

their maternity leave starts on this date.

- 3.8. If the employee intends to return to work before the end of their ordinary or additional maternity leave or at any time whilst in receipt of SMP and/or OMP (where applicable), they must give at least eight weeks' notice of their date of return unless their employer has failed to give them appropriate notification of the date of the end of their leave.
- 3.9. If an employee does not intend to return to work after their maternity leave, they must give the University 8 weeks' notice or the period of notice required under their terms and conditions of employment, whichever is the greater.

4. EMPLOYER'S ACKNOWLEDGEMENT

- 4.1. Within 28 days of receiving the employee's notification of pregnancy and planned leave, the University is required to respond in writing, specifying the date on which their leave will end (i.e. the end of the statutory maternity leave period).
- 4.2. This acknowledgement will normally be by letter from the People and Culture Division, which will set out all relevant details of the employee's entitlement to maternity leave and pay, and confirmation of any further action required in respect of the employee's maternity leave.

5. MATERNITY LEAVE

- 5.1. All pregnant employees, regardless of length of service, are entitled to 52 weeks' statutory maternity leave.
- 5.2. The planned start of maternity leave must be no earlier than the start of the 11th week before the EWC but may be any date in the pregnancy thereafter before the EWC. Once the employee has given notice of their planned start date for maternity leave, they may change the date as long as they give 28 days' notice in writing.
- 5.3. If the employee gives birth before the date they have notified, or before they have notified a date, their maternity leave period starts automatically on the day after the date of birth; and in these circumstances they must notify the People and Culture Division as soon as reasonably practicable of the date of birth of their child (contact: hr.serviceteam@uea.ac.uk).
- 5.4. If the employee is absent from work because of a pregnancy-related reason after the beginning of the 4th week before the EWC but before the date they have notified, their maternity leave period will likewise start automatically on the day after their first day of absence; and as soon as reasonably practicable they must notify the People and Culture Division of the fact that they are absent from work wholly or partly due to pregnancy, and of the date on which their absence for that reason began.
- 5.5. Still Births
 - 5.5.1. If the employee's baby is born early and the maternity leave period has started, SMP is paid until the liability of the University ends as if the baby had been born in the expected week of childbirth.
 - 5.5.2. If the baby is stillborn before the 24th week of pregnancy, i.e. earlier than the 15th week before the expected week of childbirth, SMP is **not** payable. There is a possibility that Statutory Sick Pay may be due instead.
 - 5.5.3. If the baby is stillborn after the start of the 15th week before the expected week of childbirth, SMP is applicable, as for a live birth.

6. MATERNITY PAY

6.1. Any employee who is pregnant or who has just given birth is entitled to a maximum of 39 weeks' SMP if:

- 6.1.1. they have worked for their employer for a continuous period of at least 26 weeks ending with the Qualifying Week – that is, the 15th week before the EWC; and
- 6.1.2. their average weekly earnings in the 8 weeks up to and including the Qualifying Week (or the equivalent period if they are monthly paid) has been at least equal to the lower earnings limit for National Insurance contributions, (although they do not actually have to have paid any contributions); and
- 6.1.3. they have given the employer at least 28 days' notice of the date their absence is to start; and
- 6.1.4. they are still pregnant at the 11th week before the EWC or has had the baby; and
- 6.1.5. they have ceased work and remains absent from work.

6.2. **Disqualifying Conditions** - the liability of the employer to pay SMP ceases if:

- 6.2.1. the employee is not employed by the University in the qualifying week (the 15th week before the EWC); or
- 6.2.2. the employee is taken into legal custody; or
- 6.2.3. the employee commences work with another employer.

6.3. In acknowledging the employee's notification of pregnancy and planned maternity leave (as described earlier in these guidelines), the University will confirm the employee's entitlement to SMP. If for any reason they are not entitled to SMP, the University will complete and give to them the Department for Work and Pensions form SMP1 (an explanation of why SMP is not payable). This will help them to claim Maternity Allowance from the Social Security/Jobcentre Plus Offices.

6.4. Once entitlement to SMP has been established, the employer must pay SMP even if the employee leaves the employment before the SMP starts (though not if they leave before the Qualifying Week) or during the maternity pay period.

6.5. The first 6 weeks of SMP are paid at 90% of the employee's average weekly earnings. The remaining 33 weeks of SMP are paid at the **lesser** of standard rate SMP or 90% of the employee's average weekly earnings.

6.6. SMP normally starts on the day immediately after the employee has stopped work. However, it may start on an earlier date if payment is triggered by early birth (before they have stopped work to start their maternity leave) or because they are absent from work for a pregnancy-related reason in the 4 weeks immediately

preceding the EWC; (see Section 5).

- 6.7. An employee who has been continuously employed by the University for a minimum of 12 months by the EWC, who thereby qualifies for occupational maternity benefits, and who has given notice of their intention to return to work for at least 3 months at the end of the maternity leave period, will be entitled to OMP comprising 8 weeks' full pay and 16 weeks' half pay.
- 6.8. SMP payments will be offset against OMP at the full-pay rate but will be payable in addition to OMP at the half-pay rate (**except to the extent that the combined amounts exceed full pay**).
- 6.9. The total maternity pay entitlement of those who qualify for both SMP and OMP is therefore as follows:
 - 6.9.1. 8 weeks' full pay (with the appropriate rates of SMP offset), and
 - 6.9.2. 16 weeks' half pay (plus SMP at the appropriate rate), and
 - 6.9.3. 15 weeks' SMP at the appropriate rate.
- 6.10. If the employee does not return to work for at least 3 months at the end of the maternity leave period, the University reserves the right to reclaim the whole or part of the non-statutory element of the maternity pay received.

7. REASONABLE CONTACT AND KEEPING IN TOUCH DURING MATERNITY LEAVE

- 7.1. The Work and Families Act 2006 introduces the right of employers and employees to maintain reasonable contact during maternity leave.
- 7.2. Under the terms of the Act, the University is entitled to make reasonable contact with the employee while they are on maternity leave. For example, a line manager may wish to contact the employee to discuss their planned return to work date, or to discuss any flexible working arrangements which would make their planned return to work easier, or an employee might wish to introduce their baby to colleagues or meet up with them in the workplace. This will not count as work and therefore will not count towards the “keeping in touch” days described below.
- 7.3. An employee on maternity leave may agree with their line manager to work for up to 10 days during their maternity leave period without bringing the maternity leave period to an end or losing their entitlement to payment during that week. These days are referred to as “keeping in touch days” (KIT days) and will be by agreement for such purposes as training or other activity intended to assist the employee in keeping in touch with the workplace, or to provide occasional cover where this is mutually agreed. KIT days may include activities either onsite or working from home, as appropriate.
- 7.4. However, an employee can only use KIT days with the employer who is paying their Statutory Maternity Pay (SMP). You cannot use KIT days for any work you do for any employer other than the employer who is paying you SMP. Therefore, if you do any work for an employer who did not employ you in the qualifying week, your SMP will stop.
- 7.5. KIT days are optional and can only take place by agreement between you and your manager. The employer has no right to demand that any such KIT work is undertaken and the employee has no right to expect to undertake such work.
- 7.6. KIT days will be for an agreed and specific purpose related to work. Payment, only where applicable, will be calculated on the basis of the employee’s hourly rate of pay for the specific number of hours worked. If this exceeds the daily rate of pay (taking account of any occupational or statutory pay being received) then the amount of pay received will be capped at the normal rate of pay for that day. Payment will be made after completion of the day’s work on the basis of timesheets submitted to the Payroll Office by the Payroll Deadline.
- 7.7. A timesheets is included in your maternity information pack.

Employees undertaking paid work at any time when in receipt of SMP, other than through the KIT days described above, will lose that week’s SMP.

8. REDUNDANCY PROTECTION PERIOD

- 8.1. This protection period applies to employees whose Maternity Leave ends on or after 6 April 2024
- 8.2. Should a redundancy situation occur in posts where employees are either pregnant, on maternity leave and for 18 months after taking the relevant leave, before those employees are made redundant, the University will offer them suitable alternative employment where it exists in priority to anyone else who is provisionally selected for redundancy.
- 8.3. Employees covered by the protection period referenced in 8.1, may need to apply for available suitable alternative employment on a restricted competitive basis where there are two or more employees where protection period applies.

9. RETURN FROM MATERNITY LEAVE

- 9.1. An employee wishing to return from maternity leave at the end of the period of leave to which they are statutorily entitled, (that is, at the end of statutory leave, on the date which was specified as the end of her leave entitlement in the employer's initial acknowledgement of their notification
9.1.1.1. see earlier section), is not required by Law to give any further notification of her planned return on this date.
- 9.2. **However, it would be helpful if the employee could notify the People and Culture Division, in writing, of their intended date of return, giving eight weeks' notice.** This will enable the University to give the required notice period to staff employed to cover the maternity leave absence and will also ensure that the People and Culture Division is aware of any period of annual leave to be taken immediately prior to the employee's return to work in order that they are paid correctly from the appropriate date. An employee wishing to discuss their return to work should contact the People and Culture (hr.serviceteam@uea.ac.uk) in the first instance.
- 9.3. If the employee wishes to return before the end of their notified period of statutory maternity leave, whether or not they are in receipt of SMP and/or OMP, they must give the University at least eight weeks' notice of the date they wish to return. If they attempt to return to work earlier than the end of their ordinary or additional maternity leave without giving eight weeks' notice, the University may postpone their return until eight weeks' notice has been given (but to no later a date than the end of their statutory maternity leave). Employees wishing to return early are required to notify the People and Culture Division in writing (contact: hr.serviceteam@uea.ac.uk).
- 9.4. As stated above, no employee may return to work within 2 weeks of childbirth.
- 9.5. An employee who returns after maternity leave is entitled to return to the same job on the same terms and conditions as if they had not been absent, unless a redundancy situation has arisen (see section 8.0). In the case of an employee returning to work after additional maternity leave, if there is some reason other than redundancy why it is not reasonably practicable to take them back in their original job, they are entitled to be offered suitable alternative work.
- 9.6. There may be changes to working arrangements when an employee returns if their department is subject to a hybrid working pilot.
- 9.7. Under associated statutory regulations – details of which may be obtained from the People and Culture Division – employees who are parents of young children have the right to request flexible working patterns, and employers have a statutory duty to consider their applications seriously; though there is no automatic right to work flexibly. While return to part-time work is not a right, the University will give sympathetic consideration to a request from a full-time

employee who wishes to return to work on a part-time or job-share basis after maternity leave. Any request for variation of their working pattern by employees returning from leave should be submitted at the earliest possible date before actual return, so that it may be fully discussed with the employee's manager/Head of School/Divisional Head.

- 9.8. Where an employee is unable to attend work at the end of their maternity leave because of sickness, the normal contractual arrangements for sickness absence will apply, including the notification and certification conditions laid down in the employee's terms and conditions of employment.

If an employee intends **not** to return to work after their maternity leave, they must give the University the period of notice of resignation of their appointment required under their terms and conditions of employment, or 8 weeks' notice, whichever is the greater

10. PENSION CONTRIBUTIONS DURING MATERNITY LEAVE

- 10.1. For employees on maternity leave who are members of the Universities Superannuation Scheme (USS), the University of East Anglia Staff Superannuation Scheme (UEASSS), NHS Pension Scheme (NHSPS) or the Scottish Widows (UEAGPP), attention is drawn to the following contribution rate arrangements:
- 10.1.1. during any period of full maternity pay an employee will be required to maintain the employee's contributions at the normal rate; the University will also maintain its contributions based on full pay;
 - 10.1.2. during the half pay period of maternity leave, the employee's own pension contributions will be based on the pay they actually receive (including SMP);
 - 10.1.3. during any period of unpaid maternity leave the employee will have the option of contributing to the scheme, in which case their contributions will be based on their normal contractual salary;
 - 10.1.4. in respect of the half pay period, and in respect of any unpaid period (subject to them choosing to continue to pay employee's contributions), the University will continue to pay employer's contributions to the pension scheme on the basis of the employee's normal contractual pay.
- 10.2. Members of pension schemes should please discuss the detailed arrangements in respect of their pension contributions during maternity leave with the Pensions Team in the Finance Division (pensions@uea.ac.uk) as soon as possible before they begin their maternity leave.

11. TIME OFF FOR ANTE-NATAL CARE

- 11.1. All pregnant employees, regardless of their length of service, are entitled to time off to keep appointments for ante-natal care made on the advice of a registered medical practitioner, registered midwife or registered health visitor.
- 11.2. Time off for these purposes will be paid at the employee's normal rate of pay. Requests detailing the time(s) at which the employee wishes to be absent from work for such an appointment should be made to their manager/Head of School/Divisional Head.
- 11.3. Except in the case of her first appointment, the employee will be required to show:
 - 11.3.1. a certificate from a registered medical practitioner, registered midwife or registered health visitor, confirming that the employee is pregnant; and
 - 11.3.2. an appointment card or some other document showing that an appointment has been made.
- 11.4. These rights apply regardless of the employee's length of service.

12. ACCRUAL OF ANNUAL LEAVE DURING MATERNITY LEAVE

- 12.1. Annual leave continues to accrue during both the OML and AML periods of maternity leave, at a rate proportional to your usual annual leave entitlement.
- 12.2. You are encouraged to take your remaining annual leave entitlement prior to your period of maternity leave. Should circumstances be such that it is not possible to take your remaining annual leave before maternity leave commences, then it will be possible to carry forward any remaining leave to be taken immediately prior to your return to work. If your maternity leave spans a complete leave year, annual leave accrued during that year should be taken immediately prior to your return to work. All annual leave arrangements must be authorised by your line manager before maternity leave commences.
- 12.3. As your maternity leave could spread across a complete leave year or two leave years, you should bear this in mind when planning your maternity leave and return to work thereafter, in particular if you plan to take the full 52 weeks of maternity leave.

13. ACCRUAL OF STATUTORY AND CUSTOMARY LEAVE DURING MATERNITY LEAVE

- 13.1. Entitlement to statutory and customary leave will also accrue during maternity leave (pro-rata for part-time staff in accordance with normal leave guidelines).
- 13.2. Time accrued for statutory and customary days cannot be taken in advance of maternity leave. You will be required to take all days accrued in relation to statutory and customary leave immediately prior to a return to the workplace following maternity leave.

13.3. MISCELLANEOUS

- 13.4. Further guidance is available on the gov.uk website <https://www.gov.uk/maternity-pay-leave/overview> which among other features includes a facility which, on entering the date of the baby's expected birth, automatically shows key dates and pay entitlements.
- 13.5. The University has agreed arrangements for unpaid **Parental Leave**, which is available to mothers and fathers (who have at least one year's continuous service) to take time off work to look after a child, including an adopted child, or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments. Details of the scheme are available from the People and Culture Division MyUEA pages.
- 13.6. A new father, or the partner or spouse of a new mother, who wishes to take time off work to care for a newly born child or support the mother, is entitled to up to 2 weeks' **Paternity Leave and Pay** if they have been continuously employed for at least 26 weeks before the qualifying week. Details of the scheme, together with the appropriate forms, are available from the People and Culture Division MyUEA pages.
- 13.7. **Shared Parental Leave and Pay** gives eligible employees the right to share the remaining period of statutory leave, if the child's mother returns to work without exercising her full entitlement to maternity leave. Details of the scheme, together with the appropriate forms, are available from the People and Culture Division MyUEA pages.
- 13.8. **Adoption Leave and Pay** are provided under the Employment Act 2002. Details of the scheme are available from the People and Culture Division MyUEA pages.
- 13.9. Under the Employment Act 2002 an employee has the right to request **Flexible Working**. The University will give full consideration to such requests. Details of the scheme, together with the appropriate forms, are available from the People and Culture Division MyUEA pages.
- 13.10. The University Day Nursery is a multi-cultural nursery caring for children from six weeks to schoolage. If requests for admission exceed the number of places available a waiting list is formed and bookings will be accepted in order of priority. Employees considering seeking a place at the UEA Nursery are advised to contact the Nursery Manager (Contact details can be provided if you email hr.serviceteam@uea.ac.uk) as early as possible to discuss their likely requirements.

14. HEALTH AND SAFETY

- 14.1. Like any employer, the University has a duty to protect the health and safety at work of all employees and others, including new and expectant mothers, and to assess risks to their health and safety.
- 14.2. New and expectant mothers may be particularly at risk from different physical, biological and chemical agents, processes and working conditions. These risks will vary depending on the employee's state of health, and at different stages of pregnancy.
- 14.3. A list of some of the risks which may exist and of which employees should be aware is appended to these guidelines.
- 14.4. There are certain Health & Safety Guidelines applicable to pregnant women and new mothers and the documentation provided to you contains information which you may find helpful. The Risk Assessment should be discussed and completed with your line manager within two weeks of receiving the documentation when you meet with HR. A signed copy should be sent to the HR Office and a copy retained within the department for future reference. As the pregnancy progresses, and after giving birth, the Risk Assessment may need to be reviewed.
- 14.5. Whilst these guidelines are specifically concerned with maternity leave and pay, it is important to note that the term 'new and expectant mothers' (whose health and safety is referred to in this section) includes those who are pregnant, those who have given birth within the last six months, and those who are breastfeeding. It is important that employees in any of these categories take steps to ensure that they and the University can assess any risks they may face at work and take reasonably practicable steps to remove hazards or prevent exposure to risks.
- 14.6. When an employee has formally notified the People and Culture Division that they are pregnant, the Division will discuss with the employee the completion of risk assessment specific to the employee's working environment/conditions. **All reasonably** practicable measures will be taken to prevent exposure to risks through the removal of hazards or implementation of controls.
- 14.7. If the employee believes there to be a risk to her health or safety, or to that of their baby, which the University has not considered in the risk assessment, they should bring this to the attention of her line manager, or the People and Culture Division, who may make a referral to the Occupational Health Adviser.
- 14.8. If, despite taking all reasonably practicable measures, there is still a risk which could jeopardise the health or safety of a new or expectant mother or their baby, the University will follow a sequence of steps to remove the employee from the risk. The ultimate action to avoid risk is to suspend them from work (on full

pay) on maternity grounds; but before such action the University must offer suitable alternative work if any is available.

14.9. Employees may find it helpful to read the Health and Safety Executive leaflet *A guide for new and expectant mothers who work* (available from HSE website), which gives advice on health and safety matters including returning to work whilst breastfeeding.

14.10. Guidance on breast feeding, baby changing and rest facilities at UEA can be found on MyUEA

https://www.uea.ac.uk/f/185167/x/72ee727003/baby_change_and_feeding_room_guidance.pdf

14.11. Access to the room is for key-holders only. Please contact the [Equality Office](#) to obtain a key. Additional Baby Changing Facilities can be found in Blend Coffee Shop.

15.ADDITONAL INFORMATION FOR EMPLOYEES IN RESEARCH GRANT FUNDED POSTS

15.1. Some funding bodies are prepared to suspend or extend grants to allow for maternity, adoption and paternity leave. The Principal Investigator should check the T&Cs of the relevant funding bodies. Further advice may be sought from Research Services.

15.2. The UK Research and Innovation (UKRI) replaced the Research Council and their website has information on maternity, adoption, paternity leave and pay <https://www.ukri.org/>.

15.3. This comprehensive briefing provides information from the T&Cs of grants and training grants; and the RCUK Training Guide and Research Council Funding Guides.

15.4. It is intended primarily for Research Council funded researchers to assist their discussions with the supervisors and line managers.

Appendix A - HEALTH & SAFETY GUIDANCE RELATING TO PREGNANCY

The following list of factors is taken from guidance published by the Health and Safety Executive and the DTI Maternity Benefits Guidelines. Pregnant women or new mothers should note these risks.


- Lifting/carrying heavy loads;
- Standing or sitting for long lengths of time including awkward working positions, badly set out workstations and posture;
- Working at heights;
- Exposure to infectious diseases;
- Exposure to lead and exposure to radioactive material;
- Ionising radiation;
- Extremes of heat and cold;
- Excess physical or mental demand from any cause;
- Biological agents, e.g. infective micro-organisms;
- Chemical agents, e.g. substances which have been identified in the COSHH assessment as being carcinogenic, teratogenic or

mutagenic. Chemical agents of known and dangerous skin absorption, including some pesticides;

- Mercury and mercury derivatives;
- Antimitotic (cytotoxic) drugs;
- Carbon monoxide;
- Jolting, uncomfortable body vibration, blows to the abdomen;
- Excessively noisy workplaces;
- Work-related stress;
- Threat of violence in the workplace;
- Long working hours;
- Other people's smoke in the workplace;

Specific regulations governing night worker

PATERNITY LEAVE AND PAY GUIDELINES

Document Ref.	Paternity Leave
Review	April 2024
Next Review Date	2027
Review frequency	Three years
Author	 – People & Culture Division

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1. Ordinary Paternity Leave

- 1.1. The Employment Act 2002 provides a statutory right to 1 or 2 weeks **Paternity Leave** for a new father, or partner or spouse of the mother (or child's adopter) who wishes to take time off work to care for the child or support the mother. Unless the employee's average weekly earnings are below the lower earnings limit for National Insurance purposes, leave will be paid at a specified rate of Statutory Paternity Pay (SPP).
- 1.2. These Guidance Notes incorporate these statutory rights with the University's established Paternity Leave entitlements for staff with one year's continuous service.

2. Qualifying for Paternity Leave

- 2.1. The People and Culture Division will confirm, upon application, whether an employee qualifies for Paternity Leave. As a general guide, to qualify for Paternity Leave the following rules should be satisfied:
- 2.2. the employee must have been continuously employed for not less than 26 weeks ending with the 15th week before the expected week of childbirth (the 'qualifying week') and must continue to be employed from the qualifying week up until the birth of the baby (for Ordinary Paternity Leave); **or**
- 2.3. in the case of adoption the employee must have been continuously employed for not less than 26 weeks before the end of the qualifying week and continue to work up to the date of the placement; and
- 2.4. the employee is the biological father; or married to the mother; or partner¹ of the mother; **or**
- 2.5. in the case of adoption be the primary adopter's spouse or partner; **and**
- 2.6. the employee is taking the time off to support the mother and/or care for the new child; or
- 2.7. in the case of adoption have, or expect to have, responsibility for the child's upbringing.

¹ by partner we mean a person whether of a different sex or the same sex who lives with the mother or primary adopter in an enduring family relationship but is not an immediate relative.

3. Duration of Paternity Leave

- 3.1. **Paternity Leave** can be up to two weeks. From 6 April 2024 where a baby's Expected Week of Childbirth (EWC) is on or after 6 April 2024 or for children expected to be placed with an adopter, occurs on or after that date, employees will have the right to take paternity leave as two separate 1-week blocks should they wish to. The employee can decide whether they wish to take 1 or 2 weeks leave.

4. University Paternity Leave Benefits

- 4.1. In addition to the **Ordinary Paternity Leave** entitlement, employees with ***at least one year's continuous service*** at the intended start date of the leave will be entitled to extend the period of ordinary Paternity Leave up to 4 weeks as part of the UEA's current Paternity Leave arrangements. It should be noted that in these circumstances the two weeks of SPP will be "topped up" to the individual's rate of full pay (or full pay will apply in the first two weeks if the employee is not eligible for SPP), however, leave other than that qualifying for SPP will be unpaid.

5. When paternity leave can be taken

- 5.1. **Paternity Leave** cannot start before the actual date of birth (or date of placement for adoption). From 6 April 2024 the leave can be taken at any time in the 52 weeks after birth or adoption.

6. Paternity Pay

- 6.1. During the period of **Ordinary Paternity Leave**, most employees will be entitled to Statutory Paternity pay (SPP).
- 6.2. To receive paternity pay, the employees' average weekly earnings must be at least as much as the lower earnings limit for National Insurance contributions, which applies at the end of their qualifying week.
- 6.3. Employees not qualifying for SPP will receive Form SPP1 explaining why. Employees may qualify for other benefits and should contact the local Social Security/Jobcentre Plus Office to find out more.
- 6.4. Where an employee qualifies for paternity leave and has at least one year's continuous service at the University, the two weeks of SPP will be "topped up" to the individual's rate of full pay (or full pay will apply in the two weeks if the employee is not eligible for SPP).
- 6.5. The **rate of statutory paternity pay (SPP)** is a weekly State benefit, the conditions and amount of which are determined statutorily by the Department for Works and Pensions.

7. Notification and Claiming Paternity Leave and/or Pay

7.1. Where an employee qualifies for Ordinary Paternity Leave they should notify the People and Culture Division on hr.serviceteam@uea.ac.uk during the 15th week before the expected week of childbirth, or if this is not possible, as soon as is reasonably practicable. From 6 April 2024, employees need to give 28 days' notice of their intention to take Paternity Leave.

7.2. In the case of adoption, notification should take place at the latest during the notification period – which begins on the date the adopter receives notification of having been matched with the child and lasts for the following seven days.

7.3. Employees will need to advise the People and Culture Division of:

- the date the baby is due (or the date the adopter was notified of being matched and the expected date of placement);
- the date they intend to start their paternity leave ;
- whether the employee wishes to take either 1 or 2 weeks leave (or the option to extend by a further 2 weeks, subject to service qualification).

7.4. The employee may choose to begin this period of leave on:

- the date on which the baby is born (or the date on which the child is placed with the adopter);
- the date falling a chosen number of days after the date the baby is born (or the date on which the child is placed with the adopter);
- a pre-determined date (which, in the case of adoption, must be later than the date on which the child is expected to be placed).

7.5. Annual leave continues to accrue during paternity leave.

7.6. Where Paternity Leave coincides with a day or days of customary or statutory leave, the dates of paternity leave will be extended by an equivalent number of days.

8. Self-Certification

- 8.1. Where an employee qualifies for SPP they will need to complete a self-certificate form SC3 ("becoming a parent"), confirming their eligibility. In the case of an adopter Form SC4 ("becoming an adoptive parent") should be completed.
- 8.2. For Statutory Paternity Pay, 28 days' notice of the start date of the SPP payments must be given. The employee must confirm to the People and Culture Division, in writing, the actual date of birth, or placement, as soon as is reasonably practicable in order that the Salaries Office may be notified.

9. Returning to work after Paternity Leave

- 9.1. When an employee returns to work after Paternity Leave, the employee will be entitled to return to the same job on the same terms and conditions of employment as if they had not been absent, unless a redundancy situation has arisen. The employee will be entitled to benefit from any general improvements to the rate of pay or other terms and conditions, which may have been introduced while they were away. There may be changes to working arrangements when an employee returns if their department is subject to a hybrid working pilot.
- 9.2. If the employee is unable to return to work at the end of their paternity leave because of sickness the contractual arrangements for sickness absence in the job apply.

10. Exceptional Circumstances

Premature birth

If the baby is born prematurely the employee will still be able to take paternity leave and pay if they were eligible for it had their child been born later.

Still birth

A still birth occurs if the baby is stillborn from the 24th week of pregnancy. The employee is entitled to Paternity Leave and pay if the baby is stillborn and the rules are the same as for a live birth.

Late birth

If the employee's baby is born after the expected week of childbirth the employee will be able to take Paternity Leave and pay if they qualify for it.

However, special notice arrangements will apply, and the employee will be required to give 28 days' notice of their absence. This will mean that the employee will not automatically be entitled to leave or pay from the date of birth itself. However, it may be agreed that employees can start their leave before the end of the 28-day period.

11. Time off for Ante-natal Care

- 11.1 The Children and Families Act 2014 allows fathers and partners to take unpaid time off to attend up to two antenatal appointments, with each up to a maximum of 6½ hours.
- 11.2 The father or partner will be required to provide a signed declaration to his or her line manager stating:
- that the employee has a qualifying relationship with a pregnant woman or their expected child;
 - that the employee's purpose in taking time off is to accompany a pregnant woman to an ante-natal appointment;
 - that the appointment in question is made on the advice of a registered medical practitioner, registered midwife or registered nurse; and
 - the date and time of the appointment.

12. Pensions contributions during Paternity Leave

- 12.1 If the employee is a member of the Universities Superannuation Scheme (USS), the UEA Staff Superannuation Scheme (UEASSS), NHS Pension Scheme (NHSPS) or the Scottish Widows Scheme (UEAGPP) the employee will have the option of maintaining their contributions to the relevant scheme during a period of unpaid Paternity Leave. The employee should contact the Pension Office on pensions@uea.ac.uk to discuss the options available to them.
- 12.2 Where SPP applies, the employer's contributions for pensions purposes will be worked out as if the employee is working normally and receiving the normal remuneration payable for doing so. The employee's contributions for pension purposes will be based on the amount of statutory or occupational paternity pay which is actually being paid to the employee.

13. General

- 13.1. An employee will continue to be employed during the period of Paternity Leave.
- 13.2. A Paternity Leave period counts towards the period of continuous employment for the purposes of an employee's entitlement to statutory employment rights and for assessing pension rights and other personal length of service payments such as pay increments under the contract of employment.
- 13.3. The contract of employment continues throughout Paternity Leave, unless either the employer or the employee expressly ends it or it expires.
- 13.4. Employees are not entitled to receive remuneration (i.e. wages and salary) during their Paternity Leave (unless they qualify for University Occupational Paternity Leave Benefits) but they have the right to benefit from all other terms and conditions of employment, which would have applied to them if they had been at work instead of on Paternity Leave.

14. Additional information for employees in research grant funded posts

- 14.1. Some funding bodies are prepared to suspend or extend grants to allow for maternity, adoption and paternity leave. The Principal Investigator should check the T&Cs of the relevant funding bodies. Further advice may be sought from Research Services.
- 14.2. The UK Research and Innovation (UKRI) replaced the Research Council and their website has information on maternity, adoption, paternity leave and pay <https://www.ukri.org/>.
- 14.3. This comprehensive briefing provides information from the T&Cs of grants and training grants; and the RCUK Training Guide and Research Council Funding Guides.
- 14.4. It is intended primarily for Research Council funded researchers to assist their discussions with the supervisors and line managers.



Parental Leave Guidelines

What is Parental Leave?

The following Guidelines set out the rights for employees established by the Maternity & Parental Leave (Amendment) Regulations 2001 and amended from 8 March 2013 by the Parental Leave (EU Directive) Regulations 2013 and from 5 April 2015 by the Maternity and Parental etc. (Amendment) Regulations 2014.

The right to parental leave entitles all eligible employees who have completed one year's qualifying service to take a period of unpaid leave to care for their children. The right applies to mothers and fathers and to a person who has obtained formal parental responsibility for a child under the Children Act (or its Scottish equivalent).

Parental leave is available to give parents of children, including adopted children, the right to take a period of time off work to look after a child or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.

In all cases, part-time employees will have pro-rata rights.

What provisions apply?

There are key elements of Parental Leave which apply in every case:

- **Length of Service:** parents must have completed one year's continuous service with the University of East Anglia;
- **Amount of Parental Leave:** 18 weeks' parental leave in total for each child. A maximum of 4 weeks parental leave can be taken in a year in respect of each child;
- **Length of Parental Leave:** Employees must take parental leave in multiples of one week (if a shorter period is taken it will be counted as a week). Parents of disabled children may take leave in multiples of one day;
- **Period Over Which Parental Leave May be Taken:** Parents may take parental leave up to the child's 18th birthday;
- **Employment Status:** The employee remains employed while on Parental Leave and is guaranteed the right to return to the same job as before (a statutory right if the leave is for 4 weeks or less), or if that is not practical, a similar job with the same (or better) terms and conditions as the old job.

What are the arrangements for taking Parental Leave?

- Requests for leave should be made in writing to the line manager who will, in

most cases, approve the leave (see below); the line manager must then inform the Human Resources Division in writing, giving the dates of the requested leave together with their agreement to the individual's request to take unpaid Parental Leave. The Human Resources Division will then confirm the arrangements to the individual in writing.

- 21 days' notice must be given. Employees can choose to take Parental Leave at any time (subject to notice requirements).
- The line manager, after consultation with the Human Resources Division, can postpone the leave for up to 6 months where the work of the department concerned would be particularly disrupted if the leave were taken at the time requested.
- Leave cannot be postponed if a father wants to take it immediately after the birth of a child or if an adopter wishes to take it immediately after a placement for adoption.
- Both mothers and fathers can take parental leave.

Pensions contributions whilst on Parental Leave

If employees are members of the Universities Superannuation Scheme (USS) or the UEA Staff Superannuation Scheme (UEASSS) they will have the option of maintaining their contributions to the relevant scheme during a period of unpaid Parental Leave. The employee should contact the Pensions Office on extension 2676 or extension 1081 to discuss the options available to them.

Sick Leave and Parental Leave

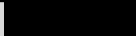
There will be no entitlement to contractual sick pay whilst on parental leave.

Records of Parental Leave

Managers should keep records of Parental Leave taken as part of the standard process for recording absence. The Human Resources Division must be notified as soon as the request has been approved in order that they can inform the Payroll and Pensions Office in good time to ensure that the necessary salary deductions are made. When an employee changes jobs within the University, records of Parental Leave already taken should be made available to the new manager, although the Human Resources Division will maintain a record on an individual's personal file.

Human Resources Division (Updated March 2013)

PARENTAL BEREAVEMENT LEAVE AND PAY GUIDELINES

Document Ref.	Parental Bereavement	
Review – hybrid working update	April 2024	
Next Review Date	To be confirmed	
Review frequency	Three years	
Author		People & Culture Division

Introduction

The University recognises that, while dealing with any bereavement is difficult, the death of a child is among the most devastating events that anyone might ever face.

These guidelines apply to employees who suffer the loss of a child under the age of 18. This includes parents who suffer a stillbirth after 24 weeks of pregnancy. The guidelines set out the University's commitment to supporting bereaved parents through their grief by ensuring they can take parental bereavement leave.

Support for employees

The University provides a range of employee health and wellbeing resources that bereaved parents can access. These include:

- A free, confidential Employee Assistance Programme (EAP) for employees is available 24 hours a day, 7 days a week, 365 days a year, to help them deal with personal and professional issues that could be affecting their home life or work life, health and general wellbeing.
- A full range of Occupational Health Services for employees which can be accessed through a referral from your line manager.
- A range of wellbeing resources that can be accessed online on our Web Pages.

Further information about the full range of resources can be found on the [People and Culture MyUEA pages](#)

Who can take parental bereavement leave?

Whatever your length of service, you can take this type of leave if you are the parent of the child who has died, or the spouse/partner¹ of the child's parent. In general, you can take this type of leave if you have parental responsibility for the child. This includes adoptive parents².

Where both parents of the child who dies are employees of the University of East Anglia, each is entitled to parental bereavement leave.

If you have suffered a bereavement but are unsure if you are entitled to parental bereavement leave, please get in touch with your People and Culture contact or email hr.serviceteam@uea.ac.uk for clarification.

¹ By "spouse/partner" we mean a person whether of a different sex or the same sex and regardless of gender who is either the parent or lives with the parent in an enduring family relationship, but is not an immediate relative.

² By "adoptive parents" we mean a person whether of a different sex or the same sex and regardless of gender who is either the primary adopter or lives with the primary adopter in an enduring family relationship but is not an immediate relative.

What leave a bereaved parent can take

Entitlement is for two weeks of parental bereavement leave. You can take the leave as:

- a single block of two weeks; or
- two separate blocks of one week at different times.

Leave cannot be taken as individual days.

Should you have lost more than one child, you have a separate entitlement to bereavement leave for each child who has died.

Parental bereavement leave can be taken at the time(s) you choose during the 56 weeks after the bereavement. Leave can be taken immediately after the bereavement or you might choose to take it later, for example to enable you to deal with a significant event such as the anniversary of your child's birthday.

Notice to take parental bereavement leave

If you need to take parental bereavement leave within the first 56 days (eight weeks) following your bereavement, you do not have to provide advance notice and can take the leave straight away. Please let your line manager know no later than when you are due to start work on the first day on which you wish to take leave or, if that is not feasible, as soon as you can. Your manager will notify the People and Culture Division, who will write to you to confirm your leave and pay, by submission of the [immediate parental bereavement leave notification](#).

If you need to take parental bereavement leave more than 56 days after your bereavement, you will need to give at least one week's notice of the date on which you intend to start the leave by completing a [notification form](#).

Changing your mind about taking parental bereavement leave

You can cancel your parental bereavement leave and take it at a different time (within the 56 weeks after your bereavement).

Where your planned leave was due to begin during the first 56 days after your bereavement, please send an email to let your line manager and your People and Culture contact know before the first day of the planned leave that you no longer wish to take it.

If your leave was due to begin more than 56 days after your bereavement, please send an email to let your line manager and the People and Culture Division know, at least one week in advance that you wish to cancel it.

You cannot cancel any week of parental bereavement leave that has already begun.

Pay during parental bereavement leave

The University recognises the need to provide bereaved parents with as much support as possible. During any period of parental bereavement leave, the University will enhance statutory bereavement pay to ensure that you continue to receive your normal pay.

Rights during parental bereavement leave

During your leave, all the terms and conditions of your contract will continue. However, there may be changes to working arrangements when an employee returns if their department is subject to a hybrid working pilot.

Returning to work after parental bereavement leave

When you return to work after parental bereavement leave, you generally have the right to return to the same job.

However, this is slightly different if your parental bereavement leave runs immediately after:

- maternity, adoption, paternity leave or shared parental leave (taken in relation to the child who has died), if the total leave period is more than 26 weeks; or
- more than four weeks of ordinary parental leave (taken in relation to any child), regardless of the total length of the leave.

In these circumstances, you have the right to return to the same job, unless this is not reasonably practical. Where it is not reasonably practical to return to the same job, you have the right to return to a suitable and appropriate job on the same terms and conditions.

If you are taking parental bereavement leave, but are unsure which of these situations applies to you, please contact the People and Culture Division (hr.serviceteam@uea.ac.uk) for clarification.

SHARED PARENTAL LEAVE AND PAY GUIDELINES (Brief Guide)

Document Ref.	Shared Parental Leave
Review	April 2024
Next Review Date	2027
Review frequency	Three years
Author	██████ – People & Culture Division

1. What is Shared Parental Leave?

- 1.1. Shared Parental Leave is created by the mother or primary adopter (parent 1) reducing maternity or adoption leave by ending it early, so that the remaining period of leave can be shared between the two parents. Leave can be taken by both parents at the same time or separately. The leave can be taken all in one go or in separate blocks, although each period of leave must last no less than one week.
- 1.2. The total duration of Shared Parental Leave available will be 52 weeks less the amount of maternity or adoption leave which has been taken. The maximum period of Shared Parental Leave that can be created is 50 weeks.
- 1.3. Shared Parental Leave cannot begin before the birth or placement for adoption and must be taken by the day before the child's first birthday or the day before the first anniversary of the placement of an adopted child.
- 1.4. The relevant forms can be found at the end of this document.

2. What is statutory shared parental pay?

- 2.1. Statutory shared parental pay is created by parent 1² ending maternity or adoption pay or maternity allowance early. The maximum period of statutory shared parental pay that can be created is 37 weeks.
- 2.2. Statutory shared parental pay cannot begin before the birth or placement for adoption and must be taken by the day before the child's first birthday or the day before the first anniversary of the placement of an adopted child.

3. Do I qualify for Shared Parental Leave?

- 3.1. Form 2 sets out the qualifying criteria for parental leave.

4. Do I qualify for statutory shared parental pay?

- 4.1. If you meet the qualifying criteria as set out in Form 2 and have earned not less than the lower earnings limit in the relevant period¹, you may qualify for shared parental pay.

5. How do I opt in to Shared Parental Leave?

- 5.1. Both parents must complete the relevant forms, available at the end of this document. All relevant forms must be returned to the People and Culture Division (email: hr.serviceteam@uea.ac.uk) at least eight weeks before the Shared Parental Leave is due to start.
- 5.2. Once parent 1 has returned to work, maternity or adoption leave will have ended and cannot be re-started.

¹ the 8 weeks leading up to the qualifying week (15th week before the child is due to be born or the week of notification of adoption)

² by 'primary adopter (parent 1) we mean a person whether of a different sex or the same sex who is either the primary adopter or lives with the primary adopter in an enduring family relationship but is not an immediate relative

5.3. If you work for more than one employer, you will need to give all of your employers notice at the same time to end your maternity or adoption leave and pay to qualify you and your partner for Shared Parental Leave/pay. How do I book Shared Parental Leave?

5.4. You will need to complete and return the relevant form(s) which can be found at the end of this document to the People and Culture Division at least eight weeks before the leave is due to start. Up to three notifications can be given to book or vary parental leave by each parent.

6. How do I claim statutory shared parental pay?

6.1. If you wish to claim statutory parental pay, then you will need to clearly indicate this when completing and returning your form.

7. Does Shared Parental Leave have to be taken in one block?

7.1. You can book one continuous block of statutory parental leave or request up to three discontinuous periods of leave. The minimum period of leave (and pay, where statutory shared parental pay is also applied for) is one week.

8. Can my request for Shared Parental Leave be refused?

8.1. If you are providing notice of a single block of leave, this cannot be refused by your employer.

8.2. If you are providing notice of leave which is of more than one block, then there will be a two week "discussion period" to enable discussion and consideration of the request. The outcome of these discussions may be that the leave will proceed as requested or that an alternative is proposed or that the pattern is refused.

9. What if my child is born early?

9.1. If your child is born before the start of the week in which it was due, different notification requirements apply in the eight weeks following the birth.

9.2. If you have booked Shared Parental Leave or pay intended to start within eight weeks of the child's expected week, you may take the leave and pay booked after the actual birth if you wish to. In such a circumstance, you must give the People and Culture Division a notice to vary the leave as soon as possible after the birth.

10. Can I request a change to my Shared Parental Leave?

10.1 You can give a maximum of three notices to book leave or to vary a previously agreed pattern of leave, giving at least eight weeks' notice of the change, using Form 5.

11. Can we transfer weeks of Shared Parental Leave between us?

11.1 Parents can decide to change the way that they have allocated the total number of weeks of Shared Parental Leave between them. To do so, each parent must

give their employer notice that they wish to change their original entitlement notice. University employees should do so using Form 5.

12. Keeping in touch with the workplace

- 12.1 Reasonable contact between an employer and an employee on Shared Parental Leave can continue. Telephone calls and e-mails can certainly take place whilst you are on Shared Parental Leave. In addition, you will have an individual entitlement of up to 20 Shared Parental Leave in touch days ("SPLIT days"), enabling you to work without bringing your Shared Parental Leave/pay to an end.

SPLIT days will be arranged by agreement for such purposes as training or other activity to assist the employee in keeping in touch with the workplace; or to provide occasional cover or trial new working patterns as part of a flexible working request, where this is mutually agreed. The employer has no right to demand that any such SPLIT work is undertaken and the employee has no right to expect to undertake such work. However, such days will be for an agreed and specific purpose related to work. KIT days may include activities either onsite or working from home, as appropriate.

13. Return from Shared Parental Leave

- 13.1 When you return from any combination of relevant statutory leave that includes Shared Parental Leave and any of maternity, paternity or adoption leave totalling 26 weeks or less in aggregate, you will be entitled to return to the same job. There may be changes to working arrangements when employee(s) returns if their department is subject to a hybrid working pilot.

14. Redundancy Protection Period

- 14.1 From 6 April 2024, where an employee has taken period of six consecutive weeks' Shared Parental Leave, they are entitled to a redundancy protection period.
- 14.2 This protection means that should a redundancy situation occur, before making employees, who are on Shared Parental Leave and for 18 months after taking the relevant leave are made redundant, the University will offer them suitable alternative employment where it exists in priority to anyone else who is provisionally selected for redundancy.
- 14.3 This protection period applies to employees' who have taken a period of six consecutive weeks' Shared Parental Leave. However, if employees have taken Maternity or Adoption Leave prior to taking Shared Parental Leave they are entitled to the protected period for that original Maternity or Adoption Leave, not a further extended period for subsequent Shared Parental Leave.
- 14.4 Employees covered by the protection period referenced in 13.1, may need to apply for available suitable alternative employment on a restricted competitive basis where there are two or more employees where protection period applies.

15. Pension contributions during Shared Parental Leave

- 15.1 If you are a member of the Universities Superannuation Scheme (USS), the University of East Anglia Staff Superannuation Scheme (UEASSS), NHS Pension Scheme (NHSPS) or the Scottish Windows Scheme (UEAGPP) the following will apply:
- 15.2 during the statutory shared parental pay, your own pension contributions will be based on the pay you actually receive;
- 15.3 during any period of unpaid Shared Parental Leave you will have the option of contributing to the scheme, in which case your contributions will be based on normal contractual salary;
- 15.4 in respect of the statutory shared parental pay period, and in respect of any unpaid period (subject to you choosing to continue to pay your contributions), the University will continue to pay employer's contributions to the pension scheme on the basis of your normal contractual pay.
- 15.5 Members of pension schemes should please discuss the detailed arrangements in respect of their pension contributions during Shared Parental Leave with the Pensions Team in the Finance Division (pensions@uea.ac.uk) as soon as possible before they begin their Shared Parental Leave.

16. Accrual of annual, customary and statutory leave during Shared Parental Leave

- 16.1 Annual leave continues to accrue during Shared Parental Leave, at a rate proportional to the employee's usual annual leave entitlement during Shared Parental Leave. All annual leave arrangements must be authorised by the line manager before Shared Parental Leave commences.
- 16.2 Entitlement to statutory and customary leave will also accrue during Shared Parental Leave (pro-rata for part-time staff in accordance with normal leave guidelines). Time accrued for statutory and customary days cannot be taken in advance of Shared Parental Leave. Any time accrued in relation to statutory and customary leave must be taken immediately prior to a return to work following any block of Shared Parental Leave.

17. Sickness absence during Shared Parental Leave

- 17.1 If you are sick and unable to care for the child, then you are not entitled to take Shared Parental Leave. In such circumstances, sick pay, rather than any statutory shared parental pay, will be paid during a period of sickness on receipt of the appropriate certification from the employee.

18. Special circumstances

- **Death of the mother or primary adopter:** In the event of death of the mother or primary adopter, the other parent may be entitled to up to 52 weeks of Shared Parental Leave and 39 weeks of statutory shared parental pay.
- **Revoking notice to end maternity or adoption leave:** It will only be possible for the mother or primary adopter to revert to maternity leave in the following circumstances:
 - where it is discovered in the 8 weeks following the notice that neither the mother/primary adopter or their partner has any entitlement to Shared Parental Leave or pay; or
 - in the event of the death of the partner; or
 - (for mothers only) if the notice was given before the birth and the mother revokes her maternity leave curtailment notice in the six weeks following the birth.

19. Miscellaneous

Further information regarding employees' Shared Parental Leave rights and the requirements of the law in detail is available at: <https://www.gov.uk/shared-parental-leave-and-pay>

The University has agreed arrangements for unpaid **Parental Leave**, which is available to parents (who have at least one year's continuous service) to take time off work to look after a child, including an adopted child, or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments. Details of the scheme are available from the People and Culture Division MyUEA pages.

A new father, or the partner or spouse of a new mother or primary adopter, who wishes to take time off work to care for a newly born or placed child or support the mother or primary adopter, is entitled to up to 2 weeks' **Paternity Leave and Pay** if they have been continuously employed for at least 26 weeks before the qualifying week. Details of the scheme, together with the appropriate forms, are available from the People and Culture Division MyUEA pages.

Under the Employment Act 2002 an employee has the right to request **Flexible Working**. The University will give full consideration to such requests. Details of the scheme, together with the appropriate forms, are available from the HR Service Team (contact: hr.serviceteam@uea.ac.uk) or from the People and Culture Division MyUEA pages.

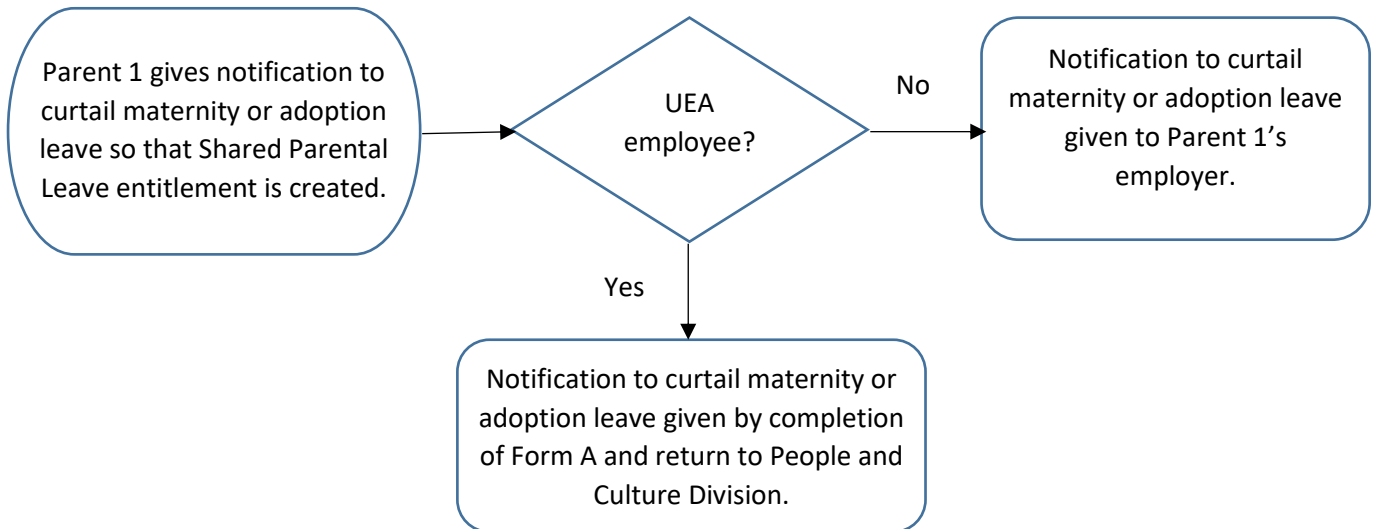
The University Nursery is a multi-cultural nursery caring for children from six weeks to school age. If requests for admission exceed the number of places available a waiting list is formed and bookings will be accepted in order of priority. Employees considering seeking a place at the UEA Nursery are advised to contact the Nursery Manager (Contact details can be provided if you email hr.serviceteam@uea.ac.uk) as early as possible in order to discuss their likely requirements.

20. Additional information for employees in research grant funded posts

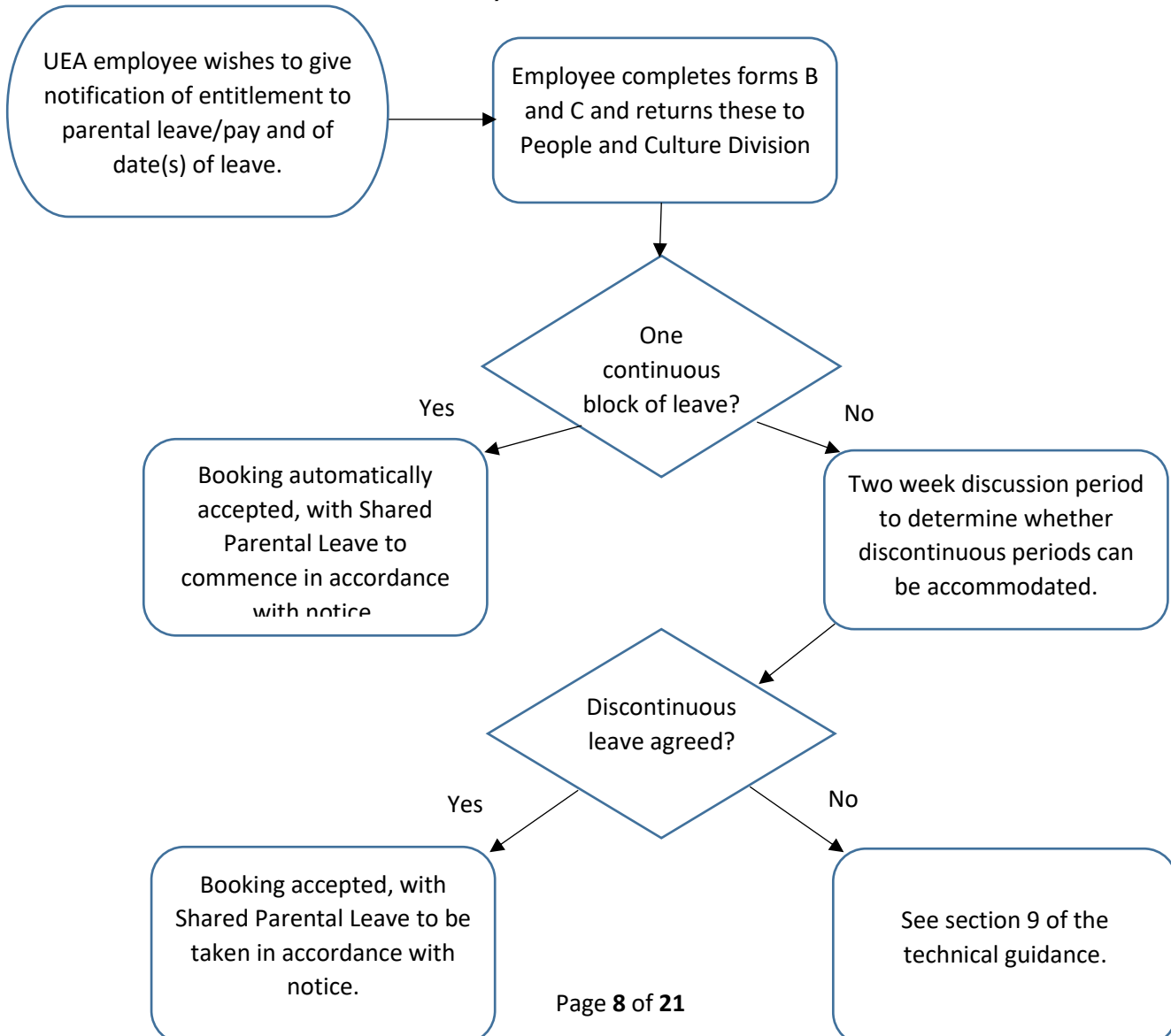
- 20.1 Some funding bodies are prepared to suspend or extend grants to allow for maternity, adoption and paternity leave. The Principal Investigator should check the terms and conditions of the relevant funding bodies. Further advice may be sought from Research and Innovation Services (RIN).
- 20.2 For information, the Research Council (RCUK) Briefing on Maternity, Paternity and Adoption Leave and Pay is available from <http://www.rcuk.ac.uk/RCUK-prod/assets/documents/skills/RCUKMaternityBriefing.pdf>
- 20.3 This comprehensive briefing provides information from the Terms and Conditions of Grants and Training Grants; and the RCUK Training Grant Guide and Research Council Funding Guides.
- 20.4 It is intended primarily for Research Council funded researchers to assist their discussions with their supervisors and line managers.

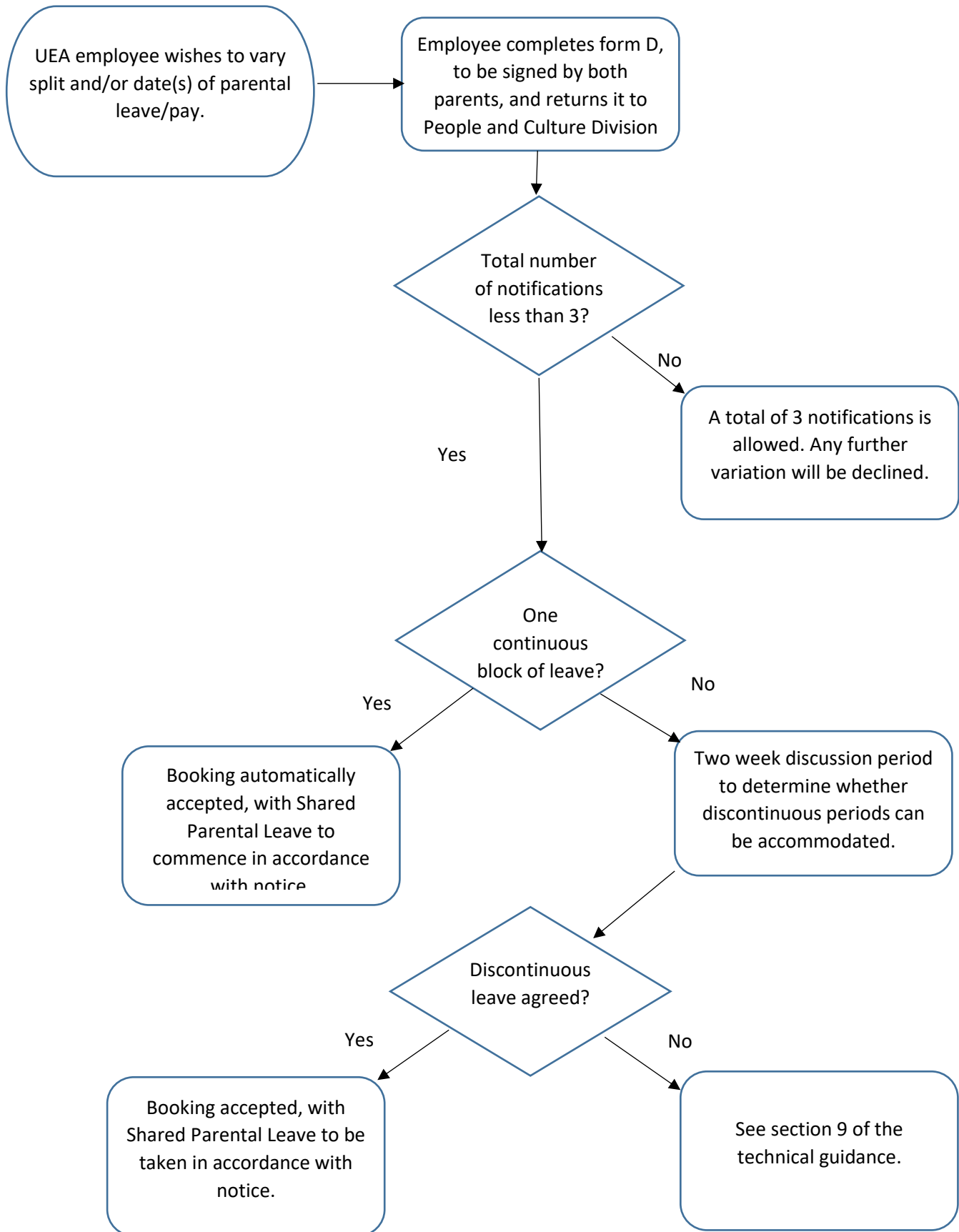
Appendix 1

Step 1: Mother or Adopter gives notice to curtail maternity or adoption leave (see section 5 and Form A)



Step 2: Parents give notification of entitlement and dates of Shared Parental Leave/pay (see sections 6, 7 8 & 9 and Forms B & C)



Appendix 2**Variation to the dates of or transferring Shared Parental Leave/pay (see sections 8 & 9)**

Shared Parental Leave Forms (resulting from Maternity or Adoption Leave)

These are the forms needed by a mother or primary adopter and the person with whom Shared Parental Leave (SPL) will be shared – known as the partner - to confirm eligibility and entitlement with their employers. The forms can also be used to confirm eligibility and entitlement to Shared Parental Pay (ShPP).

What forms need to be completed?			
	Both parents want to take SPL	Just the mother or primary adopter wants to take SPL	Just the partner wants to take SPL
Form 1	YES	YES	YES
Form 2	YES	YES	NO
Form 3	NO	NO	YES
Form 4	YES	NO	YES
Form 5	YES	YES	YES

To learn more about SPL and ShPP go to www.acas.org.uk/spl

- Parents may use the calculator at www.gov.uk/pay-leave-for-parents to find some of the information needed to complete these forms
- Parents and employers should keep a copy of any completed forms
- These forms are based on those published by ACAS. Some employers may provide their own standard forms for employees to use
- In the case of maternity leave, if the mother is in receipt of Maternity Allowance (MA), she will need to notify Jobcentre Plus to curtail this entitlement
- The earnings requirements mentioned are correct as of December 2017

Key abbreviations used in these forms:	
SPL	Shared Parental Leave
ShPP	Statutory Shared Parental Pay
SMP	Statutory Maternity Pay
SAP	Statutory Adoption Pay
MA	Maternity Allowance



Form 1: Curtailment of Maternity or Adoption Leave and Pay (for Mother's or Primary Adopter's Employer)

SECTION A: General (must be completed)	
<p>Please accept this as my notice to curtail my maternity or adoption leave and/or the associated statutory and occupational pay. This form is accompanied by notification that either I intend to take SPL and/or ShPP or that my partner intends to take SPL and/or ShPP. I understand that my maternity or adoption leave will end on the date given in Section B and that the associated statutory and occupational pay will end on the date given in Section C.</p> <p><i>Maternity Leave only</i></p> <p>I understand that I can only reinstate my maternity leave if I revoke this notice before the curtailment date given in Section B. I understand that if I am eligible for myself or my partner to opt into SPL and ShPP I can only reinstate my SMP if I revoke this notice before the end date given in Section C.</p>	
Mother's or Primary adopter's surname	
Mother's or Primary adopter's first name(s)	
Child's expected date of birth or placement	
Actual date of child's birth (if born) or placement	
SECTION B: Curtailing maternity or adoption leave (must be completed)	
Date statutory leave started/is intended to start	
Date statutory leave will come to an end	
Total number of weeks of statutory leave that will have been taken at the date that statutory leave ends	
SECTION C: Curtailing maternity or adoption pay (only complete if claiming ShPP)	
Date SMP or SAP started/is intended to start	
Date SMP or SAP will come to an end	
Total number of weeks of SMP or SAP that will have been paid at the date that SMP or SAP ends	
SECTION D: Signature (must be completed)	
Signature of mother or primary adopter	
Date	

Please also give a copy of this form to the partner who will share the Shared Parental Leave so that the partner can give a copy to their employer with their application for SPL.

Form 2: Notification that Mother or Primary Adopter is intending to take SPL (for Mother's or Primary Adopter's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother or primary adopter) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Mother's or Primary adopter's Surname	
Mother's or Primary adopter's First name(s)	
Partner's surname	
Partner's first name(s)	
Partner's Address	
Partner's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth or placement	
Actual date of child's birth or placement (if child not yet born or placed I will provide this information as soon as reasonably practicable following birth or placement and before I take any SPL)	
SECTION B: Maternity or adoption entitlement details (all answers that apply must be completed)	
Date mother or primary adopter started (or intends to start) statutory leave	
Date mother's or primary adopter's statutory leave ended (or will end)	
Total number of weeks of statutory leave that will have been taken at the date that statutory leave ends	
Date mother or primary adopter started (or intends to start) SMP, SAP or MA	
Date mother's or primary adopter's SMP, SAP or MA ended (or will end)	
Total number of weeks SMP, SAP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP, SAP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP, SAP or MA has been paid or will have been paid at date of curtailment)	
SECTION C: Amount of SPL available (must be completed)	
Total number of weeks of SPL created (52 weeks less total number of statutory leave weeks taken and any SPL from a previous notice and revocation)	
Total number of weeks of SPL I (the mother or primary adopter) intend to take	
Total number of weeks of SPL my partner intends to take	

SECTION D: Indication of Mother's or Primary Adopter's leave intentions (must be completed but is not binding)	
I (the mother or primary adopter) currently expect to take SPL as follows: From: _____ To: _____ No. of weeks: _____	
SECTION E: Amount of ShPP available (only complete if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP or SAP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the mother or adopter) intend to take:	
Total number of weeks of ShPP my partner intends to take:	
I (the mother or primary adopter) currently expect to take ShPP as follows: From: _____ To: _____ No. of weeks: _____	
SECTION F: Mother's or Primary Adopter's declaration (must be completed)	
<p>The following points apply in all circumstances where a mother or primary adopter is entitled to maternity or adoption leave:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take SPL • I have, or will have, been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due or is placed • I will remain employed with this employer until any period of SPL that I intend to take • I had (or will have) the main responsibility for the care of the child at the time of the child's birth or placement (along with my partner who has made the declaration below) • I am entitled to maternity or adoption leave, my leave period is reduced and the remaining weeks are now available as SPL • I will inform my employer immediately if I am no longer caring for my child • I will give my employer a copy of my child's birth or placement certificate or a declaration of the date and place of the birth or placement where no certificate is available if my employer asks for this within 14 days of the date of this notice • I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice • I (or my partner) have given a period of SPL notice • The information provided in this declaration is accurate and meets the notification requirements for SPL <p>The following points only apply if Section E has been completed:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPP • I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth or date of placement • I am entitled to SMP or SAP in respect of the birth or placement of our child, my statutory pay period is reduced and the period that remains is available as ShPP • I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL) • I intend to care for my child in the weeks I receive ShPP 	

<ul style="list-style-type: none"> • I will remain employed with this employer until before the date of my first period of ShPP 	
<ul style="list-style-type: none"> • I will immediately inform the person who will be paying ShPP if I revoke the curtailment of my SMP, SAP or MA • The information provided in this declaration is accurate 	
Signature of mother or primary adopter	
Date	
SECTION G: Partner's declaration (must be completed)	
<ul style="list-style-type: none"> • I am the father of the child, or at the date of the birth I was/will be the mother's or primary adopter's spouse, the mother's or primary adopter's civil partner and/or the mother's or primary adopter's partner living with the mother or primary adopter the child in an enduring relationship • I had (or will have) the main responsibility for the care of our child at the time of the birth (along with the child's mother or primary adopter) • I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth or date of placement • I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of childbirth • I consent to the amount of SPL which the mother or primary adopter intends to take, as set out in Section D above. • I consent to the mother's or primary adopter's employer processing the information I have provided • I consent to the amount of ShPP which the mother or primary adopter intends to take, as set out in Section E above. • The information provided in this declaration is accurate 	
Signature of partner	
Date	



Form 3: Notice confirming that Partner is taking SPL but mother or primary adopter is not (for Mother's or Primary Adopter's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother or primary adopter) do not intend to take SPL (or ShPP where relevant) but that my partner will be.	
Mother's or Primary adopter's surname	
Mother's or Primary adopter's first name(s)	
SECTION B: Confirmation	
<ul style="list-style-type: none"> • I am either not entitled to SPL (or ShPP where relevant), or I do not intend to take SPL (or claim ShPP where relevant) • I declare that my partner has given a notice to their employer to take SPL and/or ShPP. • I consent to my partner's intended claim for SPL and/or ShPP. 	
SECTION C: Signature (must be completed)	
Signature of mother or primary adopter	
Date	

Form 4: Notification that Partner is intending to take SPL (for Partner's Employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother's or primary adopter's partner) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Partner's Surname	
Partner's First name(s)	
Mother's or Primary adopter's surname	
Mother's or Primary adopter's first name(s)	
Mother's or Primary adopter's Address	
Mother's or Primary adopter's National Insurance number (State 'none' if no number is held)	
Child's expected date of birth or placement	
Actual date of child's birth nor placement (if child not yet born or placed I will provide this information as soon as reasonably practicable following birth or placement and before I take any SPL)	
SECTION B: Maternity or adoption entitlement details (all answers that apply must be completed)	
Date mother or primary adopter started (or intends to start) statutory leave (if applicable)	
Date mother's or primary adopter's statutory leave ended (or will end) (if applicable)	
Total number of weeks of statutory leave taken (or that will be taken) when statutory leave ends	
Date mother or primary adopter started (or intends to start) SMP, SAP or MA (if applicable)	
Date mother's or primary adopter's SMP, SAP or MA ended (or will end) (if applicable)	
Total number of weeks SMP, SAP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP, SAP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP, SAP or MA has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of SPL available (must be completed)		
<p>The total number of weeks of SPL created depends on the mother's or primary adopter's leave and pay entitlements:</p> <ul style="list-style-type: none"> • If the mother or primary adopter was/is entitled to maternity or adoption leave and SMP, SAP or MA, the total created will be 52 weeks less any weeks such leave taken • If the mother or primary adopter was/is entitled to maternity or adoption leave but not to SMP, SAP or MA, the total created will be 52 weeks less any weeks such leave taken • If the mother or primary adopter was/is not entitled to maternity or adoption leave but was entitled to SMP, SAP or MA, the total created will be 52 weeks less any weeks of SMP, SAP or MA that was paid • If the mother or primary adopter previously revoked a curtailment notice, any SPL that was taken by the partner must be deducted 		
Total number of weeks of SPL created (50 max)		
Total number of weeks of SPL I (the partner) intend to take		
Total number of weeks of SPL the mother intends to take (if applicable)		
SECTION D: Indication of Partner's leave intentions (must be completed but is not binding)		
I (the partner) currently expect to take SPL as follows:		
From:	To:	No. of weeks:
SECTION E: Amount of ShPP available (only complete if claiming ShPP)		
Total number of weeks of ShPP created (39 weeks less total number of SMP, SAP or MA taken and any ShPP paid from a previous notice and revocation)		
Total number of weeks of ShPP I (the partner) intend to take:		
Total number of weeks of ShPP mother or primary adopter intends to take:		
I (the partner) currently expect to take ShPP as follows:		
From:	To:	No. of weeks:

SECTION F: Partner's declaration (must be completed)**The following points apply in all circumstances:**

- I am giving notice that I am entitled to and intend to take SPL
- I am the father of the child, or at the time of the birth I was/will be the mother's or primary adopter's spouse, the mother's or primary adopter's civil partner and/or the mother's or primary adopter's partner living with the mother or primary adopter and the child in an enduring relationship
- I have been (or will be) continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due to be born or date of placement
- I will remain employed with this employer until any period of SPL that I intend to take
- I had (or will have) the main responsibility for the care of our child at the time of the child's birth or placement (along with the child's mother or primary adopter who has made the declaration below)
- I will give my employer a copy of my child's birth certificate or certificate of placement or a declaration of the date and place of the birth or placement where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of the mother's or primary adopter's employer or a declaration that they are not employed if my employer asks for this within 14 days of the date of this notice
- I will inform my employer immediately if I am no longer caring for our child or if my partner revokes any notice to curtail maternity or adoption leave or SMP, SAP or MA
- I (or my partner) have given a period of SPL notice
- The information provided in this declaration is accurate and meets the notification requirements for SPL

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I intend to care for my child in the weeks I receive ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL)
- I will remain employed with this employer until before the date of my first period of ShPP
- The information provided in this declaration is correct

Signature of partner

Date

SECTION G: Mother's or Primary adopter's declaration (must be completed)	
The following points apply in all circumstances:	
<ul style="list-style-type: none"> • I had (or will have) the main responsibility for the care of the child at the time of the birth or placement (along with my partner who has made the declaration above) • I am entitled to maternity or adoption leave and/or SMP, SAP or MA in respect of the child and I have curtailed (or will curtail) my entitlement to such leave (or I have returned to work) and/or my entitlement to SMP, SAP or MA. • I have, or will have, been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of childbirth or date of placement • I have (or will have) earned in total at least £390 in 13 weeks of the 66 weeks before the expected week of birth or date of placement • I will immediately inform my partner if I revoke my notice to curtail my maternity or adoption leave or, if I am not entitled to such leave, my SMP, SAP or MA entitlement • I consent to my partner's intended SPL as set out in Section D above • I consent to my partner's employer processing the information I have provided • The information provided in this declaration is accurate and meets the notification requirements for SPL 	
The following points only apply if Section E has been completed:	
<ul style="list-style-type: none"> • I am entitled to SMP, SAP or MA, and I have reduced (or will reduce) the SMP, SAP or MA period and the remainder will be available as ShPP • I consent to my partner's intended ShPP as set out in Section E above • I will immediately inform my partner if I revoke the reduction of my SMP, SAP or MA • I consent to the person who will pay ShPP to my partner or the child's father processing the information I have provided • The information provided in this declaration is correct 	
Signature of mother or primary adopter	
Date	



Form 5: Shared Parental Leave - Variation Form

You are entitled to submit a total of three notices, including variations, of a period of Shared Parental Leave. This variation form will therefore count as one of these **three** notices.

Your varied period of Shared Parental Leave:

- ❖ must take place within the first year of the child's life or placement
- ❖ must take place after the first two weeks of compulsory maternity/adoption leave
- ❖ must last at least one week
- ❖ must be taken in blocks of complete weeks
- ❖ may start on any day of the week
- ❖ may be taken as a continuous or discontinuous period (see below)

Continuous Periods of Leave

A continuous period of leave is an unbroken period of time between two dates contained within a single notice. For example, a period of six weeks.

If you notify your line manager of a continuous period of Shared Parental Leave, they must accept this.

Discontinuous Periods of Leave

Discontinuous periods of leave are two or more periods of time **contained within a single notice**. For example, a period Shared Parental Leave of four weeks, followed by a return to work of two weeks, followed by a further period of Shared Parental Leave of four weeks.

If you notify your line manager of a discontinuous period of Shared Parental Leave, they **do not** have to accept this. You may choose to withdraw the notice (which will not count as one of your three notices), modify the dates or take the leave as a single continuous period.

Please complete the details below:

Employee Personal Details	
First Name	
Surname	
Contact Email	
Contact Phone Number	
School/Department	

Please provide details of the **original dates** requested of the Shared Parental Leave period(s) for you and your partner:

Mother or Primary adopter		Partner	
Start Date	End Date	Start Date	End Date

Please provide details of the **new dates** of the Shared Parental Leave period(s) you would like to request for you and your partner:

Mother or Primary adopter		Partner	
Start Date	End Date	Start Date	End Date

Employee Declaration	
I confirm that my partner and I continue to be entitled to take Shared Parental Leave, as previously declared.	
Please tick as applicable:	
This is my <input type="checkbox"/> 2 nd <input type="checkbox"/> 3 rd notice of a period(s) of Shared Parental Leave	
Mother's or Primary adopter's Signature	
Date	
Partner's Signature	
Date	

By signing this notification of a variation to Shared Parental Leave,

- We confirm that the mother or primary adopter has given a notice of entitlement to their employer and that the mother or adopter consents to me taking the leave set out in the notice of that entitlement.
- We confirm that the information given is accurate and that we will inform the People and Culture Division as soon as reasonably practicable if we are no longer responsible for the care of the child.

Both parents must sign this form to indicate their agreement to the new division of the Shared Parental Leave and pay and return to their employer.

Adoption Leave and Pay Guidelines

Document Ref.	Adoption Leave
Review	April 2024
Next Review Date	To be confirmed
Review frequency	Three years
Author	██████ – People & Culture Division

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1. INTRODUCTION

- 1.1. Rights to leave and pay are provided under the Employment Act 2002 for employees who become adoptive parents and whose children are placed with them on or after 6th April 2003 and are amended by the Work and Families Act 2006. Adoption Leave and Pay are available to employees who adopt as individuals or to one member of a couple¹ where the couple adopt jointly.
- 1.2. The partner of an individual who adopts, or the other member of a couple adopting jointly, will be eligible for Paternity Leave and Pay in accordance with the University's Guidelines.
- 1.3. The Children and Families Act 2015 introduces Shared Parental Leave where qualifying conditions are met, as outlined in the University's separate guidelines.
- 1.4. The Children and Families Act 2015 also extends the entitlement to adoption leave to surrogate parents with effect from 5 April 2015.

¹ By 'member of a couple' we mean a person whether of a different sex or the same sex who is either the primary adopter or lives with the primary adopter in an enduring family relationship but is not an immediate relative.

2. ELIGIBILITY

To qualify for Adoption Leave, an employee must:

- 2.1. be newly matched² with a child for adoption by an approved adoption agency or surrogacy arrangement;
- 2.2. be employed in the week in which they are notified of being matched with a child for adoption;
- 2.3. adopt the child from within the UK (information will be made available regarding inter-country adoption and rights to leave and pay where applicable).

² Adoption leave and pay is not available in circumstances where a child is not newly matched for Adoption or surrogacy arrangement e.g. when a step-parent is adopting a partner's child

3. LENGTH OF ADOPTION LEAVE

- 3.1. Adopters will be entitled to up to 39 weeks' paid *ordinary* Adoption Leave followed immediately by up to 13 weeks' unpaid additional Adoption Leave a total of 52 weeks leave.
- 3.2. Leave can start:
 - 3.2.1. from the date of the child's placement, or
 - 3.2.2. from a fixed date which can be up to 14 days before the expected date of placement.
- 3.3. Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.
- 3.4. If the child's placement ends during the adoption leave period, the adopter will be able to continue Adoption Leave for up to eight weeks after the end of the placement.

4. STATUTORY ADOPTION PAY

- 4.1. During ordinary Adoption Leave most employees will be entitled to Statutory Adoption Pay (SAP).
- 4.2. To receive Adoption Pay, the employees' average weekly earnings must be at least as much as the lower earnings limit for National Insurance contributions, which applies at the end of their qualifying week³.
- 4.3. Employees not qualifying for Adoption Pay may qualify for other benefits and are encouraged to contact the local Social Security/Jobcentre plus Office to find out more.
- 4.4. The **rate of statutory adoption pay (SAP)** is a weekly State benefit, the conditions and amount of which are determined statutorily by the Department for Works and Pensions.

³ The qualifying week is the week beginning with the Sunday that the adopter receives notification of being matched with the child and ends on the following Saturday.

5. OCCUPATIONAL ADOPTION PAY

- 5.1. In addition to the above statutory entitlement, an employee who has been continuously employed by the University for a minimum of 12 months by the expected date of the child's or children's placement, who thereby qualifies for occupational adoption benefits, will be entitled to Occupational Adoption Pay (OAP) comprising 8 weeks' full pay and 16 weeks' half pay.
- 5.2. SAP payments are offset against full pay, but normally paid in addition to half pay (except to the extent to which the combination of half pay and SAP would exceed the normal amount of contractual pay).
- 5.3. To receive Occupational Adoption Pay (OAP), the employee must have given notice of their intention to return to work for at least 3 months after adoption leave otherwise the OAP is repayable.
- 5.4. The total amount of adoption pay entitlement of those who qualify for both SAP and OAP (see Appendix B) is therefore as follows:
 - 5.4.1.1.1. 8 weeks' full pay (with the appropriate rates of SAP offset), and
 - 5.4.1.1.2. 16 weeks' half pay (plus SAP at the appropriate rate), and
 - 5.4.1.1.3. 15 week's SAP at the appropriate rate
- 5.5. If the employee does not return to work for at least 3 months at the end of the adoption leave period, the University reserves the right to reclaim the whole or part of the non-statutory element of the adoption pay received.

6. NOTICE OF INTENTION TO TAKE ADOPTION LEAVE

- 6.1. Adopters will be required to inform the People and Culture Division (email hr.serviceteam@uea.ac.uk) of their intention to take adoption leave within 7 days of being notified by their adoption or surrogacy agency that they have been matched with a child for adoption, unless this is not reasonably practical. The People and Culture Division will need to know:
- 6.1.1.1.1. when the child is expected to be placed with them; and
 - 6.1.1.1.2. when they want the adoption leave to start (this can be from the date of the child's placement or from a fixed date which can be up to 14 days before the expected date of placement).
- 6.2. Adopters will be able to change their mind about the date on which they want their leave to start providing they give 28 days' notice in advance, unless this is not reasonably practical.
- 6.3. Adopters will be required to supply a 'matching certificate' from their adoption or surrogacy agency as documentary evidence of their entitlement to SAP and/or Adoption Leave.
- 6.4. An employee who will have been continuously employed for a minimum period of 12 months before the expected date of the child's or children's placement, and who thereby qualifies for occupational adoption benefits, will be required at the same time to provide a written statement of their intent, where applicable, to return to work with the University at the end of their adoption leave and of their wish therefore to receive the additional occupational benefits.
- 6.5. An employee entitled to receive OAP and SAP is also asked to confirm to the University, in writing, whether or not he/she wishes to receive both payments whilst on adoption leave or, as an alternative, to receive only SAP. Where an employee who qualifies for OAP elects to receive SAP only, he/she will be entitled to receive the full amount of OAP payable after returning to work for a three-month period. This is to ensure that employees are correctly paid during the Adoption Pay period. By confirming, in writing, the payment he/she wishes to receive, the individual is agreeing to repay sums received in respect of the OAP should he/she not be able to return to work for three months following the period of adoption leave.
- 6.6. The People and Culture Division will respond within 28 days, setting out the date on which the employee is expected to return to work if the full entitlement to Adoption Leave is taken. Adopters will have to give no further notice of their intention to return to work unless they wish to return before the end of the full leave period in which case eight weeks' notice of the intended return date must be given.

7. REASONABLE CONTACT AND KEEPING IN TOUCH

- 7.1. The Work and Families Act 2006 introduces the right of employers and employees to maintain reasonable contact during adoption leave.
- 7.2. Under the terms of the Act, the University is entitled to make reasonable contact with the employee during the period of adoption leave. For example, a line manager may wish to contact the employee to discuss a planned return to work date, or to discuss any flexible working arrangements which would make the planned return to work easier, or an employee might wish to introduce his or her child to colleagues or meet up with them in the workplace. This will not count as work and therefore will not count towards the “keeping in touch” days described below.
- 7.3. An employee on adoption leave may agree with their line manager to work for up to 10 days during the adoption leave period without bringing the adoption leave period to an end or losing entitlement to payment during that week. These days are referred to as “keeping in touch days” (KIT days) and will be by agreement for such purposes as training or other activity intended to assist the employee in keeping in touch with the workplace, or to provide occasional cover where this is mutually agreed. KIT days may include activities either onsite or working from home, as appropriate.
- 7.4. KIT days are optional and can only take place by agreement between both parties. The employer has no right to demand that any such KIT work is undertaken and the employee has no right to expect to undertake such work.
- 7.5. KIT days will be for an agreed and specific purpose related to work. Payment, only where applicable, will be calculated on the basis of the employee’s hourly rate of pay for the specific number of hours worked, if this exceeds the daily rate of adoption pay.
- 7.6. Employees undertaking paid work at any time when in receipt of SAP, other than through the KIT days described above, will lose that week’s SAP.

8. RETURNING TO WORK AFTER ADOPTION LEAVE

- 8.1. When an employee returns to work after Adoption Leave the employee will be entitled to return to the same job on the same terms and conditions of employment as if the employee had not been absent, unless a redundancy situation has arisen. The employee will be entitled to benefit from any general improvements to the rate of pay or other terms and conditions, which may have been introduced for their grade or class of work while the employee was away. There may be changes to working arrangements when an employee returns if their department is subject to a hybrid working pilot.

9. REDUNDANCY PROTECTION PERIOD

- 9.1. This protection period applies to employees whose Adoption Leave ends on or after 6 April 2024
- 9.2. Should a redundancy situation occur in posts where employees are on Adoption Leave and for 18 months after the child's placement for adoption or the date, they entered Great Britain (in the case of overseas adoptions), before those employees are made redundant, the University will offer them suitable alternative employment where it exists in priority to anyone else who is provisionally selected for redundancy.
- 9.3. Employees covered by the protection period referenced in 9.1 may need to apply for available suitable alternative employment on a restricted competitive basis where there are two or more employees where protection period applies.

10. SICKNESS AT THE END OF ADOPTION LEAVE

- 10.1 If the employee is unable to return to work at the end of their Adoption Leave because of sickness the contractual arrangements for sickness absence in the job will apply.

11. PENSION CONTRIBUTIONS DURING ADOPTION LEAVE

- 11.1. If employees are members of the Universities Superannuation Scheme (USS), the UEA Staff Superannuation Scheme (UEASSS), NHS Pension Scheme (NHSPS) or the Scottish Widows Scheme (UEAGPP) they will have the option of maintaining their contributions to the relevant scheme during a period of unpaid Adoption Leave.
- 11.2. Members of pension schemes should please discuss the detailed arrangements in respect of their pension contributions during adoption leave with the Pensions Team in the Pension Office on pensions@uea.ac.uk to discuss the options available to them as soon as possible before they begin their adoption leave.
- 11.3. Where SAP applies:
 - 11.3.1. The employer's contributions for pensions purposes will be worked out as if the employee is working normally and receiving the normal remuneration payable for doing so.
 - 11.3.2. The employee's contributions for pension purposes will be based on the amount of Statutory Adoption Pay which is actually being paid to the employee.
- 11.4. For employees on adoption leave who are members of the Universities Superannuation Scheme (USS), the University of East Anglia Staff Superannuation Scheme (UEASSS), or the Scottish Widows Scheme (UEAGPP) attention is drawn to the following contribution rate arrangements:
 - 11.4.1. during any period of full adoption pay an employee will be required to maintain the employee's contributions at the normal rate; the
 - 11.4.2. University will also maintain its contributions based on full pay;
 - 11.4.3. during the half pay period of adoption leave, the employee's own pension contributions will be based on the pay they actually receive (including SAP);
 - 11.4.4. during any period of unpaid adoption leave the employee will have the option of contributing to the scheme, in which case their contributions will be based on their normal contractual salary;
 - 11.4.5. in respect of the half pay period, and in respect of any unpaid period (subject to them choosing to continue to pay employee's contributions), the University will continue to pay employer's contributions to the pension scheme on the basis of the employee's normal contractual pay.

12. ACCRUAL OF ANNUAL LEAVE DURING ADOPTION LEAVE

- 12.1. Annual leave continues to accrue during adoption leave, at a rate proportional to the employee's usual annual leave entitlement.
- 12.2. Normal carry-over arrangements from one leave year to the next apply, i.e., not more than five days can be carried over to the next leave year (pro-rata for part-time staff), regardless of the reason why this has not been taken, with the expressed permission of the line manager. Therefore, if this is likely to disadvantage the employee, he or she should arrange to take annual leave either immediately before the start of adoption leave or immediately prior to a return to work.
- 12.3. All annual leave arrangements must be authorised by the line manager before adoption leave commences.

13.ACCRUAL OF STATUTORY AND CUSTOMARY LEAVE DURING ADOPTION LEAVE

- 13.1. Entitlement to statutory and customary leave will also accrue during adoption leave (pro-rata for part-time staff in accordance with normal leave guidelines).
- 13.2. Time accrued for statutory and customary days cannot be taken in advance of adoption leave. Employees will be required to take any time accrued in relation to statutory and customary leave prior to a return to work following adoption leave.

14. GENERAL POINTS TO NOTE

- 14.1. Employees continue to be employed during the period of their Adoption Leave.
- 14.2. The Adoption Leave period counts towards the period of continuous employment for the purposes of their entitlement to statutory employment rights and for assessing pension rights and other personal length of service payments such as pay increments under the contract of employment.
- 14.3. The contract of employment continues throughout Adoption Leave, unless either the employer or the employee expressly ends it or it expires.
- 14.4. The employee is not entitled to receive remuneration (i.e. wages and salary) during their Adoption Leave but they have the right to benefit from all other terms and conditions of employment, which would have applied to them if they had been at work instead of on Adoption Leave.
- 14.5. The partner or spouse of an adopter, who wishes to take time off work to care for a newly born child or support the adopter, is entitled to up to 2 weeks' **Ordinary Paternity Leave and Pay** if they have been continuously employed for at least 26 weeks before the qualifying week. Details of the scheme, together with the appropriate forms, are available from the People and Culture Division web pages.
- 14.6. **Shared Parental Leave and Pay** gives eligible employees the right to share the remaining period of statutory leave, if the child's adopter returns to work without exercising their full entitlement to adoption leave. Details of the scheme, together with the appropriate forms, are available from the People and Culture Division web pages.

15.ADDITIONAL INFORMATION FOR RESEARCH GRANT FUNDED POSTS

- 15.1. Some funding bodies are prepared to suspend or extend grants to allow for maternity, adoption and paternity leave. The Principal Investigator should check the T&Cs of the relevant funding bodies. Further advice may be sought from Research Services.
- 15.2. The UK Research and Innovation (UKRI) replaced the Research Council and their website has information on maternity, adoption, paternity leave and pay <https://www.ukri.org/>.
- 15.3. This comprehensive briefing provides information from the T&Cs of grants and training grants; and the RCUK Training Guide and Research Council Funding Guides.
- 15.4. It is intended primarily for Research Council funded researchers to assist their discussions with the supervisors and line managers.

ADOPTION LEAVE PLAN

You do not have to fill in this form to benefit from the right to adoption leave or Statutory Adoption Pay (SAP) but you do have to give your employer most of the information it contains. You may wish to use this plan as a straightforward way of making sure you give your employer all the necessary information so that you can take adoption leave and receive SAP if you qualify for it. This plan covers your statutory rights to adoption leave and pay. Your contract of employment could give you better rights and you should check that too. You and your employer may wish to use this form as the basis for developing a form, which fits your own circumstances.

You may find it helpful if you and your employer fill in the plan together. You should both keep copies.

Telling your employer when you want to take adoption leave

You must have told your employer by the end of the notification period when you want to start your adoption leave and begin to receive SAP. The notification period is from the date you receive notification of your match with a child and for the following seven days. This does not have to be in writing unless your employer asks for it to be. If you are using this form you need to give it to your employer at the latest during the notification period.

If you wish to change the date on which you will start your adoption leave you must give your employer eight weeks' notice of the new date unless this is not reasonably practicable.

The recommended notification time for advising your employer of your intention to take adoption leave is when you are approved for adopting. This will give your employer plenty of time to plan for your future leave. At this time, it is probably too early for you to be able to complete this plan and a more appropriate time maybe when you receive the notification of a match with a child.

Adoption pay

The plan will help you find out if you will get SAP from your employer, but your employer will need to work out if you qualify for SAP and how much you will receive. (If you aren't happy with your employer's decision you can ask for it to be explained to you and you may be able to appeal). If you do not qualify for SAP, the People and Culture Office will issue you with form SAP1. You may be able to claim other benefits from the Social Security Office / Jobcentre Plus and you should talk to your adoption agency about this.

You can get a claim form from the Social Security Office / Jobcentre Plus.

How to use the plan

The plan is in three parts. You should complete Part A first. This will help you decide if you are entitled to adoption leave and pay. It will also tell you which sections of the rest of the form you need to complete. You will find it helpful to have a calendar or diary handy when you are filling out the form.

You can use Part C if you decide to return to work before you have taken your full adoption leave entitlement.

Notes to help you complete the form are given in the right-hand column.

PART A - PLANNING ADOPTION LEAVE

TO THE EMPLOYER I am giving you this form to let you know that I intend to take adoption leave and to notify you of when I want to start my adoption leave and begin receiving Statutory Adoption Pay (SAP) if I am eligible for it.	
Personal Details 1 Name Employer's name	Manager's name Staff or payroll number National Insurance number
When the child is expected 2 The expected date the child is due to be placed: (expected date of placement) 3 Documentary evidence confirming this: a) Has been given to you already [] tick box b) Is enclosed with this form [] tick box c) Will be given to you shortly. [] tick box Or 4 You have not requested documentary evidence.	Notes <u>Expected date of child placement</u> 2 The expected date of child placement is the date, on which it is expected the child will be placed with you. <u>Documentary Evidence (which may be the matching certificate)</u> 3 If you qualify for SAP you must give your employer documentary evidence giving the expected date of child placement at least 28 days before you wish to start your leave & pay. The documentary evidence, which you will receive, can be used. (Questions 5-7 will help you decide if you qualify for SAP.) 4 If you do not qualify for SAP you do not have to give your employer documentary evidence unless your employer asks for it.
<u>Qualifying for adoption leave & pay</u> 5. The qualifying week (this is the week in which you are notified of your match with a child and runs Sunday to Saturday) is the week beginning	<u>5 Qualifying week</u> The qualifying week is the week in which you receive notification of being matched with a child and you will also receive your documentary evidence.

<p>Sunday</p> <p>6. By the end of the qualifying week I will have worked for you continuously for at least 26 weeks</p> <p>Yes <input type="checkbox"/> tick box [go to question 7]</p> <p>or</p> <p>No <input type="checkbox"/> tick box</p> <p><i>If you answer no then you will not be entitled to adoption leave or pay.</i></p>	<p><u>6 Continuous employment</u></p> <p>Your length of employment usually runs from the first day you started work with your current employer to the present day. Some weeks when you don't work may still count towards SAP, for example if you were absent due to sickness or injury.</p>
<p>7 In the eight weeks up to and including the qualifying week (see question 5) my average earnings were at least £102 per week</p> <p>Yes <input type="checkbox"/> (tick box)</p> <p>I therefore probably qualify for SAP but you will confirm whether I qualify or not;</p> <p>or</p> <p>No <input type="checkbox"/> (tick box)</p> <p>I therefore probably do not qualify for SAP but you will confirm whether I qualify or not.</p>	<p><u>Qualifying for SAP</u></p> <p>This section will help you decide whether you qualify for SAP but your employer will tell you if you do actually qualify. If you do not qualify for SAP you may be able to claim other benefits. If you do not agree with your employer's decision you may be able to appeal. In order to qualify for SAP you must have earned at least as much as the lower earnings limit for paying National Insurance contributions.</p> <p><u>7 Average earnings</u></p> <p>The lower earnings limit is the point at which you start to be treated as if you have paid NI contributions. The current rates are available here https://www.gov.uk/adoption-pay-leave/pay</p> <p>Your employer will normally use the 8 weeks ending with the qualifying week to work out your average earnings. You can ask your employer to show you how they have worked out your average earnings.</p> <p>If you don't qualify for SAP you may be able to claim other benefits.</p>

PART B - Ordinary and Additional Adoption Leave

Complete this section if you answered Yes to Question 6 in Part A.

If you are employed, you will qualify for Ordinary Adoption Leave and Additional Adoption Leave. Ordinary Adoption Leave lasts for up to 39 weeks. Additional Adoption Leave runs from the end of Ordinary Adoption leave for up to 13 weeks.

<p><i>Starting Adoption Leave</i></p> <p>8. I would like to start my adoption leave on:</p> <p>.....(date)</p>	<p>NOTES</p> <p><u>8 Start date</u> It is your decision when you start your adoption leave, but you cannot start it earlier than 14 days before the expected date of placement of your child. You must notify your employer of your intended start date during the notification period. If you wish to change this date you must give your employer at least 28 days' notice of when you want to start your adoption leave unless this is not reasonably practicable.</p> <p><u>Effect on SAP</u> You can start your adoption leave and pay on any day of the week or if you worked for any part of that day it will start on the following day. For example if you start your adoption leave on a Tuesday and did not work on that day, your SAP will start from that Tuesday. Your weeks will then run from Tuesdays to Mondays. You may wish to bear in mind that you will not get SAP for any week in which you do any work for your employer. The same applies when you go back to work - if you return during the week you will not receive any pay for that week.</p>
<p><i>Receiving SAP</i> (Complete this if you answered yes to question 7 in Part A)</p>	<p><u>9 Adoption Pay Period</u> The Adoption Pay Period is the 39 weeks when you are entitled to receive SAP. It starts on the day you start your adoption leave unless you</p>

<p>9. If I qualify for SAP, my Adoption Pay Period will start on:</p> <p>..... (date)</p>	<p>worked for any part of that day in which case it will start on the next day.</p> <p><u>Payment of SAP</u></p> <p>The actual payment will be made in the same way as your wages are usually paid by your employer though, so you will be paid on the day you are usually paid on.</p>
<p><i>Returning after adoption leave</i></p> <p>10. My additional adoption leave will run from the end of my ordinary adoption leave, giving me up to 52 weeks leave.</p> <p>My additional adoption leave will finish on:</p> <p>.....(date)</p> <p>I am due back to work on:</p> <p>.....(date)</p> <p>I understand that if I want to return to work before this date, I must give you eight weeks' notice of the date on which I want to return.</p> <p>*Your employer will write to you to confirm the date that you are due back to work.</p>	<p><u>10 Letting your employer know when you are going back to work</u></p> <p>You do not have to tell your employer when you are due back to work; you are expected back at the end of your additional adoption leave.</p> <p><u>End of your Additional adoption leave (AAL)</u></p> <p>This is the end of the 39th week from when you start your additional adoption leave.</p> <p>Date due back to work</p> <p>You are expected back to work on the next working day after your additional adoption leave finishes.</p> <p><u>Telling your employer you want to return early</u></p> <p>If you want to return to work before the end of your ordinary or additional adoption leave period you must give your employer at least eight weeks' notice before your intended return date. You can use Part C of this form.</p> <p>Unable to return to work</p> <p>If you cannot return, for example because you are sick, the normal rules for your job apply.</p> <p><u>Deciding not to return to work</u></p> <p>If you decide, whether now or later, that you do not intend to return to work</p>

	with your employer you must give the notice period required by your contract of employment. If there is no notice period specified in your contract you must give your employer at least one week's notice.
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You have now completed all the parts of the form you can before the child is placed with you. You should sign the form and give the completed part to your employer. Don't forget to keep a copy of it for yourself.

Signed _____

Date _____

The University needs to collect and process staff personal data in order to function effectively as an organisation. Personal data will be collected and processed in accordance with the requirements of the General Data Protection Regulation (GDPR) 2018. Further information on what to expect when the University collects and uses your personal information can be found in our privacy notice.

<https://www.uea.ac.uk/about/university-information/statutory-and-legal/data-protection>

PART C**Returning to work early**

You will be expected back at the end of your full adoption leave entitlement.

If you want to return earlier you must give your employer at least eight weeks' notice. This does not have to be in writing, but you may like to use this part of the form to let your employer know.

If you do not give eight weeks' notice your employer is entitled to postpone your return until the eight weeks' notice has been complied with, although it cannot be postponed to a date later than the end of your adoption leave period.

<p><i>Planning to return to work early</i></p> <p>11. I intend to return to work before the end of my adoption leave. I intend to return to work on</p> <p>.....(date)</p>	<p><u>Complete this section only if you want to return to work early.</u></p> <p><u>Effect on SAP</u></p> <p>If you return to work at any time before the end of your Adoption Pay Period, for any week that you worked you will not be entitled to SAP.</p> <p><u>11 Telling your employer you want to return early</u></p> <p>If you want to return to work before the end of your full adoption leave period, you must give your employer at least eight weeks' notice before your intended return date.</p>
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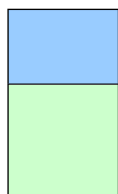
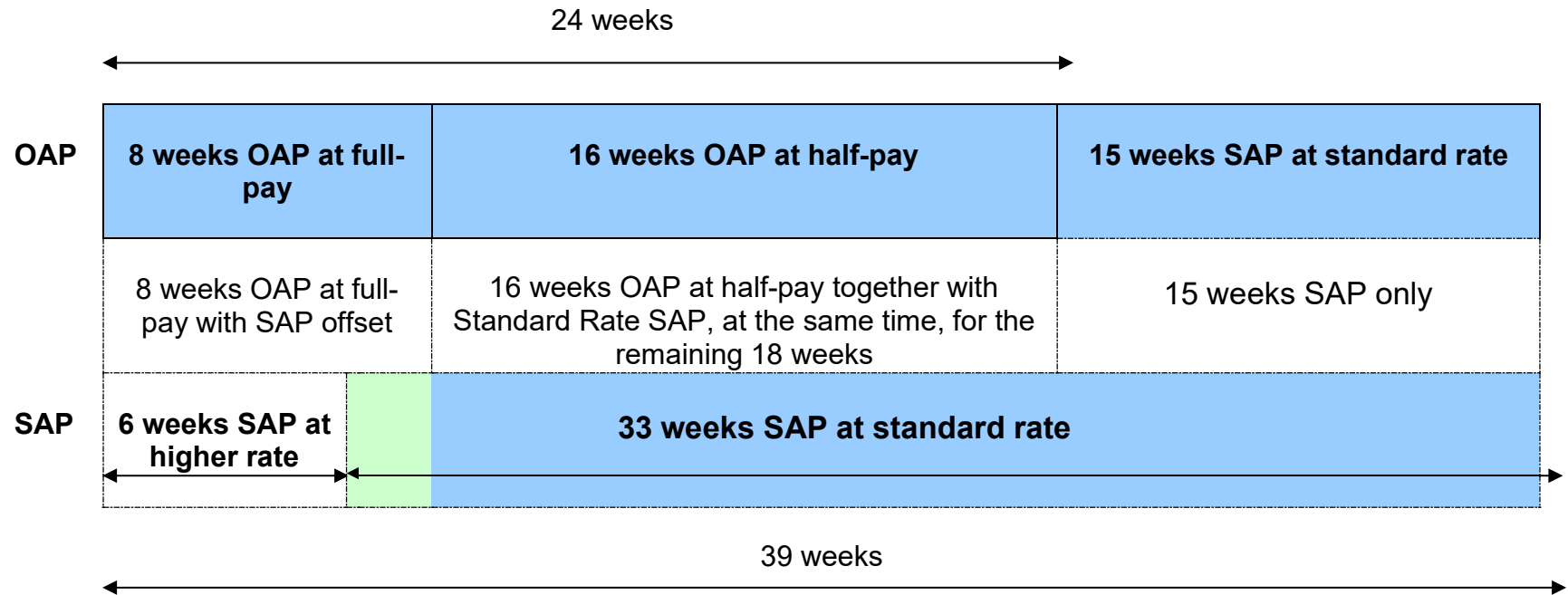
You should sign the form now and send it to your employer. Don't forget to keep a copy of it for yourself.

Signed _____

Date _____

The University needs to collect and process staff personal data in order to function effectively as an organisation. Personal data will be collected and processed in accordance with the requirements of the General Data Protection Regulation (GDPR) 2018. Further information on what to expect when the University collects and uses your personal information can be found in our privacy notice.

<https://portal.uea.ac.uk/information-services/strategy-planning-and-compliance/regulations-and-policies/information-regulations-and-policies/data-protection/staff>

Appendix B**University of East Anglia Occupational (OAP) and Statutory Adoption Pay (SAP) Schemes**

This pay is actually received by the employee during these periods

This pay is not actually received by the employee during this period. An employee cannot receive more than their normal monthly salary during the period of adoption leave, therefore SAP is not actually received (i.e. it is offset) for the first 8 weeks.