

MATERNITY, PATERNITY AND ADOPTION POLICY

Checks should be made at any point of a request for this policy to ensure that all possible legislation changes are up to date.

Who is covered by this policy?

1. **For maternity / adoption leave and pay:** any employee of the organisation who has become pregnant or who has been matched with a child for adoption.
2. **For shared parental leave:** the partner of any such employee whether or not they work for this organisation (subject to certain qualifying and earnings criteria); or an employee whose partner has become pregnant or been matched with a child for adoption.
3. **For paternity leave and pay:** any employee of the organisation whose partner has become pregnant or been matched with a child for adoption.
4. **For unpaid parental leave:** any employee with at least one years service who has a child under 5 years old (from April 2025 this will be under 18 years old).

What am I entitled to?

If you are an employee who is pregnant or adopting:

- You will be entitled to take up to 52 weeks maternity / adoption leave if you want to, irrespective of your length of service or earnings with the organisation.
- If 15 weeks before the expected birth or adoption you have been employed by us continuously for at least 26 weeks, and your average weekly earnings are at least equal to the lower earnings limit for National Insurance contributions (see rates here: <https://www.gov.uk/government/publications/rates-and-allowances-national-insurance-contributions/rates-and-allowances-national-insurance-contributions>) we will pay you **statutory maternity / adoption pay**.
- Statutory maternity / adoption pay is payable for **39 weeks**; for the first six

weeks it is paid at 90 percent of your average weekly earnings. The following 33 weeks will be paid at the statutory rate set by the Government each tax year or 90 per cent of your average weekly earnings whichever is the lower.

- If you are a father to be, adopter or will share the responsibility with a partner for bringing up a child:
- If 15 weeks before the expected birth or adoption you have been employed by us continuously for at least 26 weeks you will be entitled to 2 weeks **paternity leave**.
- If your average weekly earnings are at least equal to the lower earnings limit for National Insurance contributions we will pay you **statutory paternity pay** during your leave.

If you are a parent with a child who is under 18 years old then:

- After one years service you can take up to 18 weeks **unpaid parental leave** for that child.
- This allowance applies to each of your children but can only be taken in blocks of up to 4 weeks per year.

Am I entitled to share maternity / adoption leave and pay with my partner?

- **Shared parental leave** is designed to give parents / adopters more flexibility in how to share the care of their child in the first year following birth or adoption. If you are eligible you can share up to 50 weeks leave, and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child. To be eligible you must meet the following criteria:
- You (or your partner) must be entitled to maternity / adoption leave, or statutory maternity / adoption pay (or maternity allowance from the Government) and you must share the main responsibility for caring for the child with your partner. In addition, you and your partner will also be required to follow a two-step process to establish eligibility as follows:
- **Step 1 - Continuity test:** if you are seeking to take shared parental **leave**, one parent / adopter must have worked for the same employer for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and they should still be employed in the first week that shared parental leave is to be taken. The other parent /adopter has to have worked for 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold for 13 of the 66 weeks.

Rates are available on the Gov. website.

- **Step 2 - Individual eligibility for pay:** To qualify for shared parental **pay** the parent / main adopter must, as well as passing the Continuity test, also have earned an average salary of the National Insurance lower earnings limit or more for the 8 weeks prior to the 15th week before the expected birth / adoption.

Although the situation around pregnancy and adoption appears complex, it is normally quite straightforward to work out your entitlement. Therefore as soon as you know you are pregnant or have been matched with a child for adoption, please let us know as soon as is practical. We will calculate your entitlement and the relevant dates for you.

POLICY STATEMENT

All Policies and Procedures held by Age Concern Petersfield & District are regularly reviewed and may be amended from time to time to reflect any changes in Legislation, regulatory guidance or internal policy decisions, as well as for any other reasons determined by the Board of Trustees. The latest versions will always be reflected on our website.