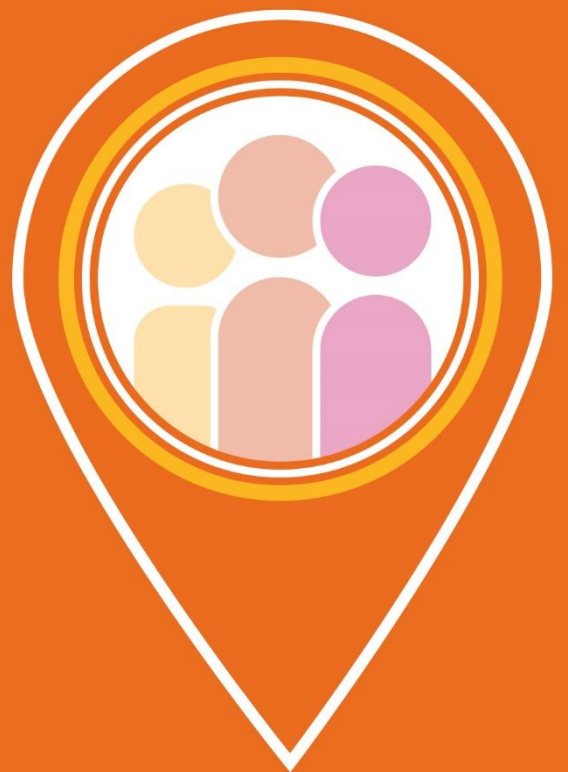


# Family Friendly Policy



# Review Schedule

<b>Document Name/Title</b>	Family Friendly Policy
<b>Document Type</b>	HR Policy
<b>Document Owner</b>	People Operations
<b>Approving Body</b>	PaCC
<b>Date of Approval</b>	11 March 2025
<b>Summary of Changes</b>	Factual changes through out Addition of Neonatal care leave in line with legal changes effective from 06 April 2025.
<b>Date of Implementation</b>	01 April 2025
<b>Version No.</b>	2.0
<b>Date of Last Review</b>	19 February 2025
<b>Date of Next Review</b>	19 February 2027

1.	Introduction .....	3
2.	Scope .....	3
3.	Dependant Leave .....	3
4.	Carer's Leave .....	4
5.	Fertility Treatment .....	4
6.	Antenatal Care.....	4
7.	Health and Safety during pregnancy .....	5
8.	Maternity Leave .....	5
9.	Paternity Leave.....	6
10.	Adoption Leave .....	8
11.	Terms and Conditions during Maternity and Adoption Leave .....	10
12.	Additional Paternity Leave (Swapping statutory leave between partners).....	12
13.	Neonatal care leave (NCL).....	13
14.	Shared Parental Leave .....	16
15.	Parental bereavement leave.....	17
16.	Parental Leave.....	18

## **1. Introduction**

**1.1** CHS recognises that employees may have family responsibilities and obligations in addition to the responsibilities they have to the organisation. CHS also appreciates that it is difficult sometimes to balance these demands and that undue stress and hardship can be caused when conflict occurs between work and family life. Detailed below are a range of policies which seek to support employees in balancing their work and family life.

## **2. Scope**

**2.1** This overall policy applies to all CHS employees, however, the allowance related to each policy varies so please refer to the relevant section for further information.

## **3. Dependant Leave**

**3.1** This policy enables all employees to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term care arrangements. These genuine emergency situations must involve a dependant of the employee.

**3.2** A dependant can be a wife, husband, parent or child of the employee, or someone who lives in the same household such as a partner or grandparent or someone who relies on the employee for assistance or provision of care when they fall ill. In addition, CHS recognises that grandparents are often secondary carers for grandchildren and any requests for leave under this policy will be considered favourably alongside the needs of the immediate team and wider organisational issues.

**3.3** CHS will make up to 5 days paid leave available per annum to employees who experience emergency care situations in respect of a dependant. In normal circumstances, where additional leave is required it will be unpaid. However, in exceptional cases, line managers in consultation with CHS People Operations team may consider granting in excess of 5 days paid leave.

**3.4** As a guide, employees will be eligible for leave in the following emergency situations: -

- If a dependant falls ill, has an accident, is injured or distressed
- Where care arrangements break down
- To make longer term care arrangements for a dependent who is ill or injured
- An emergency arises during working hours in connection with an employee's child
- A dependant dies
- A dependant is having a baby. This does not include taking time off after the birth to care for the child.

**3.5** The employee must notify their line manager of the emergency situation at the earliest opportunity dependent on the circumstances and seek their authorisation to take time off. If the leave extends beyond one day, the employee must contact their line manager daily to inform them of the situation and how long they expect to be away from work, unless otherwise agreed.

**3.6** Employees should be aware that any abuse or suspected abuse of these provisions will be dealt with under CHS' Disciplinary Procedure.

## 4. Carer's Leave

**4.1** This policy enables all CHS employees to take up to one week of unpaid leave per annum to care for a dependant who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months
- a disability as defined in the [Equality Act 2010](#)
- care needs because of their old age

**4.2** The dependant does not have to be a family member. It can be anyone who relies on them for care.

**4.3** Employees can take up to one week of leave each year. This is in addition to dependant leave.

**4.4** Employee needs to give their line manager reasonable notice of carer's leave. If the request is for half a day or a day, the notice period must be at least 3 days. If the request is for more than one day, the notice period must be at least twice as long as the requested leave. For example, if the request is for 2 days, the notice period must be at least 4 days. The notice period needs to be in full days, even if the request includes half day amounts.

**4.5** CHS may ask employee to take the carers leave at a different time where it would cause serious disruption to the organisation. In such case CHS will agree another time for the leave together with the employee and inform employee of the reasons in writing together with the new date within 7 days of the original request and before the requested start date of the leave.

## 5. Fertility Treatment

**5.1** Employees with 26 weeks continuous service may be granted up to 2 weeks paid leave per year to undergo fertility treatment. The employee is required to give a minimum of 21 days' notice of any requested time off and will be required to produce a medical appointment card.

## 6. Antenatal Care

**6.1** All pregnant employees, regardless of length of service are entitled to paid time off during working hours to receive antenatal care. Antenatal care may include time off for attendance at parentcraft or relaxation classes, where these are recommended by a registered medical practitioner, midwife or health visitor, and cannot be attended outside working hours.

**6.2** Fathers/partners have the right to attend at two antenatal care appointments of up to 6.5 hours per appointment.

**6.3** Employees must request time off giving as much notice as reasonably possible of the appointment and produce an appointment card for all ante-natal appointments as confirmation. These requirements do not apply to the first ante-natal appointment.

## 7. Health and Safety during pregnancy

**7.1** To ensure the health and safety of employees who are pregnant, have recently given birth or are breastfeeding, line managers will carry out a risk assessment of hazards in the employee's work environment.

**7.2** The employee will then be made aware of any potential risks and measures put in place to avoid exposure to those risks.

## 8. Maternity Leave

**8.1** CHS recognises the importance of supporting female employees during their pregnancy and whilst on maternity leave and is committed to ensuring fair and equal treatment for all pregnant women. In respect of this aim CHS provides enhanced maternity pay which goes beyond its statutory obligations.

**8.2** CHS People Operations team administers maternity leave arrangements, however, communications between employees and their line managers must still occur so that maternity leave is managed appropriately and returns to work are well planned and co-ordinated.

**8.3** All pregnant employees are entitled to take up to one year's (52 weeks) maternity leave, regardless of length of service with CHS. A summary of entitlements is detailed in the table on the next page:

If You Have:	Your Leave Entitlement is:	Your Pay Entitlement is:
If you have average weekly earnings below the lower earnings limit for payment of NI contributions in the 8 weeks up to and including 15 <sup>th</sup> week before the Expected Week of Childbirth (EWC), or less than 26 weeks continuous service with CHS at the beginning of the 15 <sup>th</sup> week before the EWC.	26 weeks Ordinary Maternity Leave and 26 weeks Additional Maternity Leave	26 weeks unpaid ordinary maternity leave and 26 weeks unpaid Additional Maternity Leave.  No Statutory Maternity Pay (SMP) is payable, however there is a possible entitlement to a maximum 39 weeks Maternity Allowance from the Department of Works and Pensions.
If you have average weekly earnings in the 8 weeks up to and including the qualifying week at or above lower earnings limit for payment of NI contributions.  26 weeks continuous service with CHS at the beginning of the 15 <sup>th</sup> week before the EWC.	26 weeks Ordinary Maternity Leave and 26 weeks Additional Maternity Leave	SMP of 6 weeks at 90% of average weekly earnings, 20 weeks at half pay plus SMP and 13 weeks at SMP only.  The remaining 13 weeks Additional Maternity Leave are unpaid.

**8.4** For part-time or job share employees, maternity pay cannot exceed the employee's normal weekly pay.

**8.5** Maternity Leave cannot commence earlier than the 11<sup>th</sup> week before the EWC.

**8.6** To receive maternity leave and pay, the employee must notify the People Operations Team:

- that she is pregnant,
- of her EWC; and
- her intended leave commencement date by no later than the 15<sup>th</sup> week before the EWC by submitting the form at Appendix 3.

**8.7** This should be notified to the People Operations Team in writing attaching a MAT B1 form which is provided by the employee's Midwife or GP. Any variations to this start date should be notified as soon as reasonably practicable, and no later than 28 days before the new start date. In normal circumstances, maternity leave will commence on a Sunday.

**8.8** Within 28 days of receiving the written notification, the People Operations Team will notify the employee of her return to work dates following ordinary and additional maternity leave periods.

**8.9** If the baby is born prior to maternity leave commencing, the employee should advise the People Operations Team as soon as reasonably practicable and maternity leave will commence on the day after the birth of the baby.

**8.10** Where an employee is absent from work with a pregnancy-related illness during the 4 weeks before the EWC, then maternity leave starts automatically. Throughout the employee's pregnancy period, pregnancy-related absences do not count towards occupational and statutory sick pay and leave entitlements. (For further information on pregnancy-related absences, please refer to CHS's Managing Sickness Absence Policy).

**8.11** Maternity leave must be taken as a continuous period with no gap between the Ordinary Maternity Leave and the Additional Maternity Leave.

## **9. Paternity Leave**

**9.1** An eligible employee can take a maximum of 2 weeks paid leave to care for their baby or to support the mother/partner following birth or adoption of a child.

**9.2** Paternity leave is available to a biological father, a partner/husband who is not the baby's biological father or a female partner in a same sex couple. An employee must have 26 weeks continuous service by the 15<sup>th</sup> week before the Expected Week of Childbirth (EWC) and still be employed at the start of the paternity leave.

**9.3** The employee must declare their relationship by completing the Request for Paternity Leave Form requesting time off work to support the mother or care for the child.

**9.4** Paternity Leave cannot be taken in addition to Adoption Leave.

**9.5** An eligible employee must give this information using the form at Appendix 1 to CHS before the end of the 'qualifying week'. The employee must provide CHS at least 28 days' notice of paternity leave. If an employee wishes to change the date of his/her leave due to the likelihood of

the baby being born late or early (or in the case of adoption, a delay in placement), he/she must resubmit their request, bearing in mind the required notice provisions, for a new start date.

**9.6** An employee can take only one period of leave per birth/adoption even if more than one baby is born as a result of the same pregnancy.

**9.7** Paternity Pay is paid at the rate of 2 weeks full pay inclusive of Statutory Paternity Pay (SPP), or SPP whichever is the greater.

**9.8** An eligible employee can take either one or two consecutive weeks' paternity leave within the first year after the child's birth or adoption. The leave can be taken as a single two-week period or as two separate weeks. If employees wish to take more than 2 weeks leave, requests should be made to their line manager under the appropriate alternative policy e.g. annual leave, parental leave etc.

**9.9** If the employee wishes to change the start date of their paternity leave, they must provide CHS with 28 days' notice.

**9.10** A qualifying employee will be entitled to paternity leave if the baby is still born after 24 weeks of pregnancy to be taken within 8 weeks of the baby's death or at the time the leave was previously booked for.

**9.11** An employee should request paternity leave using the form at Appendix 1.



## 10. Adoption Leave

**10.1** CHS is committed to ensuring that employees are given the opportunity to take leave and pay for adoption in accordance with the provisions of relevant legislation.

**10.2** CHS has enhanced the statutory provisions for adoption leave to enable employees to take time off to care for their adopted child, subject to the provisions below. The general approach is that adoption leave is managed in a broadly similar manner to maternity leave.

**10.3** Employees are entitled to Adoption Leave to care for a child up to the age of 18, who has been newly matched for adoption by an approved adoption agency. Adoption leave is not available in circumstances where a child is not newly matched for adoption e.g. when a step-parent is adopting a partner's child.

**10.4** To qualify for paid adoption leave an employee must:

- be newly-matched (or foster to adopt) with a child for adoption by an approved adoption agency, and
- have worked continuously for CHS for 26 weeks leading into the week in which they are notified of the matched with a child for adoption (the 'matching week'). The 26 weeks service is assessed at the end of the 15th week before the week in which an approved match is made.

**10.5** Where a couple jointly adopt, only one adoptive parent can apply to take adoption leave.

**10.6** Adoption leave must be taken as a continuous period with no gap between the Ordinary Adoption Leave and the Additional Adoption Leave.

**10.7** A summary of entitlements is detailed in the table below:-

If You Have:	Your Leave Entitlement is:	Your Pay Entitlement is:
If you have average weekly earnings below the lower earnings limit for payment of NI contributions in the 8 weeks up to and including 15 <sup>th</sup> week before the week in which an approved match is made or less than 26 weeks continuous service with CHS.	26 weeks Ordinary Adoption Leave followed by 26 weeks Additional Adoption Leave, allowing the new parents up to 52 weeks adoption leave.	No Statutory Adoption Pay (SAP) but possible entitlement to financial support from the Department of Works and Pensions.

<p>If you have average weekly earnings above the lower earnings limit for payment of NI contributions in the 8 weeks up to and including 15<sup>th</sup> week before the week in which an approved match is made.</p> <p>Plus 26 weeks continuous service by the week in which notification is given of being matched with a child for adoption.</p>	<p>26 weeks Ordinary Adoption Leave followed by 26 weeks Additional Adoption Leave, allowing the new parents up to 52 weeks adoption leave.</p>	<p>SAP of 6 weeks at 90% of average weekly earnings, 20 weeks at half pay plus SAP and 13 weeks at SAP only.</p> <p>The remaining 13 weeks Additional Adoption Leave are unpaid.</p>
--	---	--

**10.8** An employee must give 28 days' notice of their intention to take adoption leave. However CHS does recognise that little notice may be given of the placement of children, and will, unless not operationally viable, accommodate the short notice release of employees. If the employee is required to change the start date of Adoption Leave, the 28 days' notice requirement should be observed where reasonably practicable.

**10.9** To request adoption leave and pay, the employee must notify the People Operations Team in writing within the required notice timescales. They should also produce a Matching Certificate or Foster to Adopt confirmation from the approved adoption agency within 7 days following the start of the Adoption Leave.

**10.10** The People Operations Team will notify the employee within 28 days of receipt of the Request for Adoption Leave Form of the employee's return to work dates if they take their full leave entitlement.

**10.11** Adoption Leave can start on the date of the child's placement or on a date which can be up to 14 days before the Expected Week of Placement. Leave can start on any day of the week.

**10.12** 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.

**10.13** If the child's placement ends during the adoption leave period, the adoptive parent will be able to continue adoption leave for up to a maximum of 8 weeks after the placement has come to an end.

## **11. Terms and Conditions during Maternity and Adoption Leave**

### **Return to Work**

**11.1** All employees on maternity leave must take a minimum of 2 weeks compulsory maternity leave after the birth of the child.

**11.2** An employee who intends to return to work at the end of either ordinary or additional maternity or adoption leave does not need to notify CHS in advance of their return.

**11.3** An employee who wishes to return to work before the end of ordinary or additional maternity or adoption leave, a minimum of 28 days' notice must be given in writing to the Human Resources Team. An employee can change the date of their return by giving 8 weeks' notice as long as the proposed return date remains within the Maternity leave period.

**11.4** An employee who, due to illness, is unable to return to work after maternity or adoption leave, is entitled on the production of a medical certificate, to occupational and statutory sick pay, as detailed in CHS' Managing Sickness Absence Policy.

**11.5** An employee has the right to return to the same job with the same terms and conditions of employment following maternity or adoption leave. If this is not reasonably practicable, they must be offered another job which is both suitable and appropriate in the circumstances. Terms and conditions must be no less favourable.

**11.6** An employee is 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 job type while on maternity or adoption leave.

### **Non-Return to Work**

**11.7** If an employee decides not to return to work they must give the required contractual notice in writing.

**11.8** If an employee does not return to work on the date they were advised their maternity or adoption leave would end, and has not submitted a leave request or a medical certificate, CHS will assume that they have chosen not to return to work and will consequently terminate their employment.

### **Annual Leave**

**11.9** During maternity or adoption leave the employee will continue to accrue annual leave in accordance with their contractual entitlement. Accrued annual leave can be taken, by arrangement with the line manager, prior to the commencement of or following maternity or adoption leave. Annual leave cannot be taken during maternity or adoption leave. If the maternity or adoption leave period covers more than one leave year, then accrued annual leave (or pro-rata equivalent) can be carried over into the new leave year. An employee who decides not to return to work will be paid for any outstanding leave entitlement.

## Public Holidays

**11.10** Public holidays will continue to accrue during maternity or adoption leave.

## Pension Contributions

**11.11** An employee will continue to pay pension contributions during paid maternity and adoption leave. During unpaid maternity or adoption leave, no contributions can be deducted since the employee is not receiving a salary. However, on returning to work, they can pay back the contributions (the “arrear”) so that the period of unpaid maternity or adoption leave can count towards their pension entitlement. The “arrear” will be based on the rate of maternity or adoption pay the employee was receiving immediately before starting unpaid leave.

## Keeping in Touch

**11.12** CHS may make reasonable contact with an employee (and vice versa) while on maternity or adoption leave. The purpose of the contact can be to discuss a range of issues such as to discuss plans for returning to work or to keep an employee informed of important developments at the workplace. The method and the regularity of the contact will be agreed prior to the commencement of the maternity or adoption leave period. An employee should be encouraged to keep themselves up to date with developments at CHS by regular review of information published on CHIRP.

**11.13** In addition, an employee may elect to undertake up to 10 days work, under their contract of employment, during their maternity or adoption leave. These days are known as “Keeping in Touch Days”. Employees will be paid at their normal rate of pay for any work undertaken.

**11.14** If the employee elects to undertake work while they are receiving occupational or statutory payments, the amount payable will not exceed their normal salary for that day.

**11.15** Keeping in Touch Days may be used for any activity which would normally be classed as work under the employee’s contract but could also be used to attend a conference or undertake training.

**11.16** Keeping in Touch Days cannot be used within the two weeks following the birth of a child.

**11.17** Further information on keeping in touch days can be found on the DTI website, <https://www.gov.uk/government/organisations/department-for-business-innovation-skills> or from the People Ops Team by emailing [HR@chs.gov.scot](mailto:HR@chs.gov.scot).

## **12. Additional Paternity Leave (Swapping statutory leave between partners)**

**12.1** Any time from 20 weeks after a child is born or placed with adoptive parents, parents have the option to divide a period of paid paternity leave between them.

**12.2** This entitlement is separate from CHS' paternity leave entitlement of two paid weeks and is called Additional Paternity Leave.

**12.3** To receive Additional Paternity Leave and Additional Statutory Paternity Pay, the employee must:

- notify the People Operations Team at least 8 weeks prior to the week they wish to transfer the entitlement from Additional Maternity or Adoption Leave to Additional Paternity Pay.
- The employee should complete an SC7 form which can be downloaded from <http://www.hmrc.gov.uk/forms/sc7.pdf> or obtained from the Human Resources Team.
- notify the father/partner's employer as above; and
- attach the form in Appendix 4 within 28 days.

**12.4** The father/partner will be paid their entitlement in line with Section 7.2.1 or 8.3.2 by their employer and in accordance with the statutory entitlement.

**12.5** To take Additional Paternity Leave an employee must have an employment contract and must have been with an employer for at least 26 weeks' by the qualifying week either:

- the end of the 15th week before the start of the week when the baby is due
- the end of the week they are notified that they are matched with a child (adopting within the UK)
- the date the child enters Great Britain for the purposes of adoption (adopting from overseas)

They must also still be employed with that employer the week, which runs Sunday to Saturday, before they want to start their leave.

**12.6** To qualify for Additional Statutory Paternity Pay the employee must

- be an employed earner;
- work for someone who is liable to pay the employer's share of their class one National Insurance contributions; and
- earn at least the lower earnings limit (LEL) for National Insurance contributions in force at the end of the qualifying week.

**12.7** For Additional Statutory Paternity Pay in the case of overseas adoptions, the qualifying week is the later of either:

- the week official notification was received
- the week the employee has 26 weeks' continuous employment with the employer who will be paying Additional Statutory Paternity Pay.

**12.8** The employee must have the main responsibility (alongside the responsibility of the mother or adopter taking adoption leave) for the upbringing of the child. If they are adopting from a UK adoption agency, they must be matched with the child for adoption.

**12.9** The employee has the right to take unpaid Additional Paternity Leave if they meet the eligibility criteria for leave but not pay. All Additional Paternity Leave taken after the end of the Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay period is unpaid.

**12.10** An employee continues to be an employee throughout the Additional Paternity Leave unless their contract is expressly ended by the employee or their employer.

**12.11** The father/partner will have the right to keeping in touch days as appropriate. They will also have the right to return to work as noted below if they are an CHS employee.

### **13. Neonatal care leave (NCL)**

**13.1** This policy provides support for parents of babies who require neonatal care (for at least 7 consecutive days) before the baby reaches 28 days of life. It is envisaged that this leave will allow parents to extend their time off with their baby at home when they are out of hospital instead of using their parental leave.

**13.2** Neonatal care means care of a medical or palliative nature which lasts for at least 7 consecutive days within the first 28 days of birth.

**13.3** Employees who have a child that meets the definition of neonatal care in section 13.2 will be eligible to request NCL.

**13.4** Employees who meet the criteria for CHS maternity, adoption and paternity pay, will be entitled to take this leave at full pay. Employees who do not meet the criteria are eligible to take this leave as unpaid.

**13.5** Both parents are entitled to take NCL, equivalent to the number of days the baby received neonatal care for at least 7 consecutive days. This leave is capped at 12 weeks.

**13.6** NCL can be taken in one block (e.g. at the end of the family leave) or taken as non-consecutive periods of at least one week.

**13.7** NCL must be taken no later than 68 weeks from the child's date of birth.

**13.8** CHS reserves the right to request evidence of neonatal care to process this leave.

**13.9** The right to NCL is per child therefore if an employee has multiple births (e.g. twins) and both require neonatal care, the total NCL will be added together. This will be capped at 12 weeks in total.

**13.10** In the unfortunate event that a baby is admitted to neonatal care (for a period of at least 7 consecutive days), discharged, and then readmitted to neonatal care (for a period of at least 7 consecutive days), providing that the second admittance occurs before 28 days after birth, both instances will count towards NCL.

**13.11** Where an employee is taking NCL immediately after the period of family leave, no additional notice will be required as this should have already been confirmed as part of the return to work process. If the employee is taking their NCL at a later date (e.g. not immediately after family leave), employees should give their line manager notice of at least twice the length of the period of leave to be taken, capped at 4-weeks (e.g. if the employee is requesting 1 week of NCL, they should request this at least 2 weeks in advance).

**13.12** There may be exceptional situations where the line manager may have to refuse a request for NCL (if not taken immediately) due to operational demands. Where requests to take NCL are declined, the line manager should ensure that the employee is given appropriate opportunity to take the leave at the earliest possible time and confirm to the employee the reason for declining the request.

**13.13** NCL is provided in addition to other leave types mentioned in this policy and the CHS Special Leave Policy

## **Procedure**

**13.14** Employees should notify their line manager if their baby has been admitted into neonatal care (for at least 7 consecutive days). The line manager should take a note of the date that the baby was admitted into neonatal care and discuss with the employee their leave options.

**13.15** The employee should notify their line manager once the baby has been discharged from neonatal care. The line manager should take a note of the date that the baby was discharged. Once the leave options have been agreed and the neonatal dates have been confirmed, the line manager must notify People Operations team to ensure that the leave is accurately recorded and processed.

**13.16** Employees can contact a member of the People Operations team for support and advice to discuss their options at any time.

## **Taking NCL**

**13.17** If the employee is the primary carer (and taking a period of maternity or adoption leave), the leave can be taken after their maternity/adoption leave has ended or curtailed (if moving onto Shared Parental Leave). They can choose to take this leave immediately after maternity/adoption leave (before they return to work) or at a different time (no later than 68 weeks after the baby's date of birth).

**13.18** People Operations will write to the employee approximately 8 weeks prior to the end of their leave confirming the expected date of return to work. Employees should ensure that they respond to this letter to confirm that they are intending to return to work on the date confirmed in the letter and whether they intend to take NCL (and annual leave) directly after their maternity/adoption leave.

**13.19** If the employee chooses to take the leave at a different time, the employee must ensure that they provide advanced notice to take this leave as confirmed in section 13.13.

**13.20** If NCL is being taken immediately, or directly after the period of family leave, the line manager must notify People Operations team of these arrangements.

**13.21** Employees should refer to the relevant parental leave policy for details on planning for their return to work.

**13.22** CHS understands that returning to work can be a difficult time for parents, particularly those who have experienced a traumatic and upsetting time seeing their baby in a neonatal ward. Babies can have ongoing medical needs requiring regular hospital appointments and check-ups when the parent returns to work. CHS will support time off with pay to allow parents to attend these appointments. Employees should refer the Special Leave Policy for further information.

## External Support Available

### Bliss

“We’re here to support parents and families of premature or sick babies”.

- <https://www.bliss.org.uk/> Do you need emotional support, information or have a question about your neonatal journey? Our team is here to help you whatever stage you are at. You are not alone.
- Email us at [hello@bliss.org.uk](mailto:hello@bliss.org.uk)
- Tel: 020 7378 1122

### Simpsons Special Care Babies

Simpsons Special Care Babies is an entirely voluntary run charity, founded in Edinburgh in 1985. Our primary objective is to support the specialist care that the wonderful staff of the Simpson Neonatal Unit provide to babies born prematurely or sick, both within Edinburgh and throughout the country.

- <https://www.sscb.org/parent-care-inneonatal-unit>
- [info@sscb.org](mailto:info@sscb.org) <https://www.sscb.org/contact-us>
- “A helping hand” booklet which provides tips and input from other parents who have experienced their baby in a neonatal ward: [https://www.sscb.org/\\_files/ugd/726d09\\_0162f72b65804e829b4f5ba2f64ba0\\_bb.pdf](https://www.sscb.org/_files/ugd/726d09_0162f72b65804e829b4f5ba2f64ba0_bb.pdf)

### NHS guidance

- Babies who need extra care: <https://www.nhsinform.scot/readysteady-baby/labour-and-birth/after-thebirth/babies-who-need-extra-care>
- Services and support for parents: <https://www.nhs.uk/conditions/baby/support-and-services/services-and-support-for-parents/>
- NHS Fife Neonatal Care: <https://www.nhsfife.org/services/allservices/maternity/neonatal-unit/>
- NHS Tayside Neonatal Services: [https://www.nhstayside.scot.nhs.uk/OurServicesAZ/NHSTCommunityChildYoungPeopleandFamilies/PROD\\_346045/index.htm](https://www.nhstayside.scot.nhs.uk/OurServicesAZ/NHSTCommunityChildYoungPeopleandFamilies/PROD_346045/index.htm)



## 14. Shared Parental Leave

**14.1** Where parents wish to share the responsibility of caring for a new baby, the mother can elect to end her maternity leave early. She must however take a minimum of two weeks maternity leave before returning to work. Any entitlement to maternity leave and statutory maternity pay not taken by the mother can then be transferred to shared parental leave (ShPL) to be used by either the mother or her partner.

**14.2** For adoptive parents the primary adopter can end their adoption leave early and then transfer the remaining leave and statutory adoption pay into shared parental leave as above.

**14.3** To qualify for shared parental leave you must:

- be the child's mother or primary adopter;
- be the biological father of the child; or
- be the mother's husband, or partner (including same sex relationships) or civil partner, or be the husband or partner (including same sex relationships) of the primary adopter;
- have 26 weeks continuous service with CHS 15 weeks before:
  - the expected week of childbirth; or
  - being notified of being matched with an adoptive child; and
  - be able to satisfy the minimum employment and earnings criteria.

**14.4** Eligible parents will be able to share a maximum of 50 weeks leave and 39 weeks statutory pay, for the purpose of caring for a child within the first year of the child's life or in the year after the child is placed for adoption provided that the mother/primary carer has given notice that she intends to end her maternity/adoption leave early. Shared parental leave cannot be taken until after the birth/placing of the child. Partners do not have to work for CHS but they must satisfy minimum employment and earnings criteria.

**14.5** ShPL must be taken in complete weeks, it can be taken as one continuous block or in multiples of complete weeks. The minimum ShPL that can be taken is one week. Shared parental leave can be taken by one or both parents at the same time allowing them to take time off together or parents can take it separately in blocks. You may take one or more periods of shared parental leave per pregnancy or adoption. From the amount of ShPL available you can decide which periods of ShPL you would like to be paid and which will be unpaid. You can also take annual leave between periods of shared parental leave.

**14.6** Requests for a single block of leave must be agreed by CHS. If a request is for more than a single block CHS may agree to your request, decline your request due to organisational need or propose alternative dates. Up to three separate requests for periods of shared parental leave and three withdrawal notices may be submitted.

**14.7** Anyone eligible and intending to take shared parental leave must give at least 8 weeks' notice stating that they wish to end their maternity or adoption leave early. Once you have ended your maternity/adoption leave and have returned to work you will only be entitled to statutory pay during periods of shared parental leave and at that point you cannot revert back onto maternity leave. You should give careful consideration to the financial implications of ending your maternity/adoption leave early while still in receipt of occupational maternity/adoption pay.

**14.8** Each parent must submit a signed declaration to their line manager with the notice of entitlement and intention, stating:

- their full name;
- their partners full name;
- the name and address of their partners employer;
- confirmation that they meet all the criteria to be eligible for shared parental leave;
- confirmation that they have met the notification requirements;
- a statement that the information contained within the declaration is accurate;
- details of the amount of leave each partner is to take (this is non-binding); and
- the consent of their partner, that they agree to the amount of shared parental leave each partner is to take.

**14.9** All other terms and conditions of employment during ShPL are as outlined in para 9 except keeping in touch days. In addition, to the 10 keeping in touch days applicable during maternity or adoption leave, employees on ShPL can undertake a further 20 SPLIT days between each partner.

## **15. Parental bereavement leave**

**15.1** Employees are entitled to 2 weeks Statutory Parental Bereavement Leave if their child:

- dies under the age of 18
- is stillborn after 24 weeks of pregnancy

**15.2** Employees can claim this leave if they are the:

- birth parent
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the child)
- adoptive parent, if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

**15.3** Parental Bereavement Leave can be used within 56 weeks of the date of the death or stillbirth. It can be taken as either:

- 2 consecutive week
- 2 separate weeks
- 1 week only

**15.4** In order to take Parental Bereavement Leave, an employee should tell their line manager:

- when they want their Parental Bereavement Leave to start
- whether they want to take 1 or 2 weeks' leave
- the date of their child's death

**15.5** To take or cancel Parental Bereavement Leave, an employee should also give their line manager the correct notice:

- if within 8 weeks of the death or stillbirth – notice must be given before the employee would usually start work on the first day of leave
- if more than 8 weeks after the death or stillbirth – notice must be given at least 1 week before the start of the planned leave

**15.6** If an employee has been with CHS for at least 26 weeks, they will be entitled to Statutory Parental Bereavement Pay if all of the following apply:

- their child dies under the age of 18 or is stillborn after 24 weeks of pregnancy
- they were employed when their child died
- they earn on average at least the average weekly minimum amount set by the government

**15.7** To enable CHS to pay the employee for this time off, the employee must ask in writing (give 'notice') for Statutory Parental Bereavement Pay within 28 days of taking Statutory Parental Bereavement Leave, starting from the first day of the week they're claiming the payment for.

**15.8** The notice should state the employee is entitled to Statutory Parental Bereavement Pay and include:

- their name
- the start and end dates of the leave they want to claim the pay for
- the date of their child's death
- their relationship with the child

## **16. Parental Leave**

**16.1** Parental leave is the right to take time off work to look after a child or to make arrangements for the child's welfare. Parents can use it to spend more time with children or to strike a better balance between their work and family commitments. This section outlines the rights of mothers and fathers to take parental leave.

**16.2** Both mothers and fathers with parental responsibilities, whether they are the natural or adoptive parents, and providing they have one years' continuous service, are entitled to 18 weeks parental leave per child, based on the following criteria:-

- Employees who have a baby or adopt a child can take parental leave up until the child's 18<sup>th</sup> birthday.
- Mothers and fathers with parental responsibility for a disabled child are entitled to 18 weeks parental leave per child, which can be taken up until the child's 18<sup>th</sup> birthday.
- The above entitlements have been extended to include step-parents who have responsibilities for child care.

**16.3** CHS will not count previous periods of parental leave taken with another employer towards the maximum entitlements.

**16.4** Parental Leave must be taken in blocks of one week with a maximum of 4 weeks leave being authorised per year. In the case where there are parental responsibilities for disabled children, parental leave can be taken in multiples of a day with a maximum of 4 weeks per year being authorised.

**16.5** All periods of parental leave are unpaid.

**16.6** Terms and conditions of employment continue to accrue and be recognised during periods of parental leave. Pension contributions cannot be made on behalf of the employee during periods of unpaid leave. However, the employee can elect to 'buy' back the superannuation contributions for these periods so that the period of unpaid Parental Leave can count towards superannuation entitlement. The employee should discuss the administrative arrangements for this with the People Operations team.

**16.7** When requesting parental leave, the employee should complete the Parental Leave Application Form, at Appendix 2, giving details of their eligibility for parental leave and the dates when the leave is to start and finish.

**16.8** The Parental Leave Application Form should be submitted to the employee's Line Manager for authorisation giving appropriate notice. Where the period of leave requested is two weeks or less, at least four weeks' notice must be given. Where the period of leave is more than two weeks, notice of twice the length of the proposed leave period must be given.

**16.9** Parental leave can be requested to be taken immediately following ordinary or additional maternity/adoption/paternity leave up to the maximum age limits as outlined above.

**16.10** The request for parental leave will be granted unless it is considered that it would unduly disrupt the business of CHS, for example, the inability to provide colleague cover for the time period requested, a detrimental impact on the performance or workload of the team, the burden of additional costs or inability to reorganise work among existing employees. If this is the case, CHS has the right to postpone the request for up to no more than six months from the date of application.

**16.11** After a period of parental leave the employee has the right to return to his/her previous position. Where a redundancy occurs while an employee is absent on parental leave, the employee will be treated as if they were at work with regard to consultation, notification and offers of suitable alternative employment.



Appendix 1  
CHILDREN'S HEARINGS SCOTLAND  
**Paternity Leave Request Form**

**Please complete and pass to your line manager for authorisation. Once authorised please pass a copy of the form to HR@chs.gov.scot for recording.**

Name: ..... Employee No:.....

**Address:** ..... **Post:** .....

..... **Team:** .....

.....

**I certify that:**

- I am the baby's biological or adoptive father, or married to the mother, or living with the mother in an enduring relationship.
- I have responsibility for the child's upbringing.
- I will take time off work to support the mother or care for the child.
- I have 26 weeks continuous service.

The baby is due on the week starting Sunday: .....

Or, if the baby has been born, please enter the actual date of birth .....

Or, date child is due to be placed for adoption .....

I would like my paternity leave and pay to start on .....

I want to be away from work for one/two\* weeks (delete as appropriate).

Signed: ..... Date:.....

**Authorised By:** .....

**Designation:** ..... **Date:** .....

## Appendix 2

### CHILDREN'S HEARINGS SCOTLAND Parental Leave Request Form

Please complete and pass to your line manager for authorisation. Once authorised please pass a copy of the form to the Finance and Administrative Assistant for recording.

(Where leave of 2 weeks' or less is requested, the request for parental leave should be submitted to your line manager not less than 4 weeks before the date you intend to start your leave. Where more than 2 weeks' leave is requested a period of notice twice the length of the proposed leave period must be given.)

Name:..... Employee No:.....

Address:..... Post: .....

..... Team: .....

#### I certify that:

- I am a \*parent/adoptive parent/step-parent with parental responsibility for the child.
- I have one years' continuous service.
- I am entitled to 18 weeks parental leave
- I understand that my request may be postponed for up to 6 months due to operational requirements.

The date(s) of birth of my child(ren) for whom am I requesting parental leave is/are as follows:-

Name..... Name.....  
Date of Birth ..... Date of Birth .....

#### Dates Requested:

A maximum of 4 weeks unpaid parental leave can be taken per year per child, to a maximum of 18 weeks in total for each child.

I request that my Parental Leave commences on (date).....

for ..... weeks (or ..... days).

Signed: ..... Date: .....

**Authorised By:** .....

**Designation:** ..... **Date:** .....

### Appendix 3

Please complete and return to HR@chs.gov.scot

#### NOTICE OF INTENTION TO TAKE MATERNITY LEAVE

To be submitted no later than the 15<sup>th</sup> week before the Expected Week of Childbirth.

Full Name:

Employee No:

Home Address:

Post:

Line Manager:

Length of Service:

I hereby confirm the following:-

1. I am pregnant;
2. My child is due in the week commencing Sunday .....  
(a signed MatB1 form is enclosed);
3. I intend to start my maternity leave on .....; and I will  
notify you in writing immediately if for any reason this date changes.

Do you intend to return to work after your maternity leave?

Yes / No  
(delete as appropriate)

*N.B. If you intend to return to work at the end of your Ordinary or Additional maternity leave you do not require to notify CHS in advance. If you wish to return to work before the end of your Ordinary or Additional maternity leave a minimum of 28 days' notice must be given in writing to the Human Resources Team.*

Signed: .....

Dated: .....

Please return completed copy to: **HR@chs.gov.scot**



## Appendix 4

CHS Please complete, attach to SC7 form and return to: **HR@chs.gov.scot**

### NOTICE OF INTENTION TO TAKE ADDITIONAL STATUTORY PATERNITY LEAVE AND PAY

#### MOTHER

Full Name:

Employee No:

Home Address:

Post:

Signed: .....

Dated: .....

Please attach a copy of the relevant Birth/Adoption Certificate

#### FATHER/PARTNER

Full Name:

Employer

Home Address:

Job title  
Employer's address

(If self-  
employed)  
Business  
Address

Details of  
HR/payroll contact  
at employer:

Signed: .....

Dated: .....