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HR 007 – Maternity, Paternity, Adoption and Surrogacy Policy

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IMPACT ASSESSMENTS

Equality Impact Assessment Summary					
	No impact	Adverse	Differential	Positive	
Age	X				<p>However, as Llais does not routinely translate its policies and other written control documents into Welsh, there is an impact on staff for whom, Welsh is the first language. Translation of this policy and procedure will be arranged if requested.</p>
Disability	X				
Gender				X	
Race	X				
Religion/ Belief	X				
Sexual Orientation	X				
Welsh Language		X			
Human Rights	X				
Risk Assessment Summary					
<p>Have you identified any risks arising from the implementation of this policy / procedure / written control document? No</p> <p>If yes, note the risk/s and action taken to mitigate. If no, please state no risks identified</p>					
<p>Have you identified any Information Governance issues arising from the implementation of this policy / procedure / written control document?</p> <p>No</p>					
<p>Have you identified any training and / or resource implications as a result of implementing this?</p> <p>No.</p>					

1. Scope

- 1.1 Llais in accordance with current Government legislation and NHS Terms and Conditions of Service have set out the maternity leave, paternity leave and adoption leave provisions for eligible staff.
- 1.2 All eligible employees have maternity, paternity or adoption leave right irrespective of hours of work or length of service. Maternity, Paternity and Adoption Pay entitlements are dependent on length of service as highlighted in **section 8** and **appendix 3** of this policy.

2. Eligibility for Leave

Maternity leave is available to all pregnant employees irrespective of their length of service.

Paternity leave an employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to two weeks statutory paternity leave ~~provided that he/she has 26 weeks continuous service by the end of the 15th week before the week in which the child is expected. from the first day of employment.~~ Paternity leave is also available when having a child through surrogacy, and adoptive parents where a child is matched or newly placed with them for adoption. Either parent may take paternity leave where the other adoptive parent has elected to take adoption leave.

To qualify for paternity leave, the employee must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child.

Paternity leave is granted in addition to an employee's normal annual holiday entitlement. Paternity leave must be taken in a single block of either one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of the birth but within eight weeks of the expected date of childbirth. Paternity leave can either start from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

Paternity leave is also available in the case of surrogacy and must be taken from the day your surrogate baby is born or the day after

Adoption leave is available to a single person who is adopting a child or to one partner of a couple, i.e. the main carer, who jointly adopt a child under the age of 18. The couple may choose which partner takes the Adoption leave. The child or children must be newly matched for adoption and may not apply where there has been a previous relationship, e.g. where a step parent adopts a partner's child.

3. Antenatal Care or Leave Prior to Placement of a child/children

- 3.1** During the course of your pregnancy your medical advisor will request that you attend antenatal appointments at various intervals. Attendance at these appointments will be granted regardless of the length of service and payable at your normal rate of pay. Your manager may ask you to provide documentary evidence e.g. an appointment card or certificate from a registered practitioner or midwife. If you are unable to provide a record of the appointment you may still be granted unpaid leave to attend.
- 3.2** Antenatal care may also include relaxation and parent craft classes as well as appointments for medical examinations. You are encouraged to discuss any appointment you may have with your manager, giving as much notice as possible before the date you are expected to attend, to confirm your paid time off.
- 3.3** You may not wish to inform your manager of your initial ante-natal appointment and you will therefore need to make alternative arrangements to attend e.g. utilising annual leave.
- 3.4** Employees will be entitled to reasonable time off to attend ante-natal classes with their partners. Employees will need to discuss their arrangements with their manager. Attendance at these appointments will be granted regardless of the length of service and payable at your normal rate of pay. You may be asked to provide documentary evidence. If you are unable to provide a record of the appointment you may still be granted unpaid leave.
- 3.5** It is recognised that there is a need for time off prior to the placement of children for visits/consultation etc. This is likely to vary considerably depending on the age of the child and circumstances of the adoption. It is

therefore proposed that the authorisation of this leave is left to the discretion of the manager but in normal circumstances will take the form of paid leave. Managers should authorise reasonable time off giving regard to individual circumstances and the needs of the service.

4. Working during Pregnancy

- 4.1** When you have notified your manager that you are pregnant, he/she will ensure that the necessary management arrangements are in place to identify any perceived risks to you, ensuring that these are assessed and adequately controlled. A risk assessment will be undertaken in line with the guidance in the New and Expectant Mothers Policy and Procedure H&S10. This assessment will be reviewed as your pregnancy progresses.
- 4.2** In order to remain in work as long as you feel fit to do so, you may wish to consider making some changes to your working pattern, which you will need to discuss with your manager. These could include part time working prior to your maternity leave which could be facilitated either by use of your annual leave or temporarily reducing hours. Your pay will be adjusted to reflect the temporary variation of contract. However, the reference period for the calculation of maternity pay is 8 weeks prior to the 15th week before your expected date of childbirth, therefore should you wish to reduce your hours after this period your maternity pay will be unaffected.
- 4.3** There may be occasions when your registered medical practitioner may advise that you are unable to carry out all or part of your current duties, but does not advise that you refrain from work. In these circumstances Llais will, where reasonably practicable, provide you with alternative employment for which you will receive your normal rate of pay. However, where this is not possible you may have to be suspended on maternity grounds, on full-pay, on a temporary basis, until such arrangements can be made.

5. Bank Holiday and Annual Leave

- 5.1** Once you have advised your manager of your pregnancy or date the child will be placed with you, you will need to discuss your leave entitlement and consider whether you wish to take leave prior to your maternity or adoption leave commencing.
- 5.2** Bank holiday and Annual leave is calculated from 1st April to 31st March each year (~~for doctors in training, your annual leave is calculated for the duration of your contract~~) so it is important that you consider whether you will be able to take your leave entitlement before or after your maternity or adoption leave. You will continue to accrue annual leave including contractual bank holidays during maternity and adoption leave, whether paid or unpaid.

Where an employee is unable to take annual leave before the start of maternity or adoption leave due to service requirements, or in cases where maternity or adoption leave overlaps the annual leave year or where the amount of accrued annual leave exceeds the normal carry over provisions, it may be mutually beneficial to both the organisation and the employee for the annual leave to be taken before and/or after the formal (paid and unpaid) maternity leave period. The amount of annual leave to be taken in this way, or carried over, will be discussed, and agreed between the Llais and the employee.

There will be no automatic entitlement to carry over this leave to subsequent leave years.

- 5.3** You may agree with your manager to take some leave prior to your return to work, after your ordinary maternity or adoption leave (OML/OAL) has expired. If you decide to take this option, you are ending your maternity or adoption leave and returning to work. You cannot choose to take your additional maternity or adoption leave after taking annual leave.
- 5.4** If you have indicated that you will not be returning to work following your maternity or adoption leave your contract of employment will cease at the end of your paid maternity leave. Any outstanding annual leave accrued during your maternity or adoption leave will be payable on termination.

6. Sickness during Pregnancy

- 6.1** Sickness, whether pregnancy or non-pregnancy related, prior to the 4th week before your expected week of childbirth will be managed in accordance with the Llais Managing Attendance at Work Policy.
- 6.2** If you are on sick leave due to a pregnancy related illness on or after the 4th week before your EWC, your maternity leave will commence the day after your first completed day of sickness absence. Odd days of pregnancy related illness during this period may be disregarded if you wish to continue working until the maternity leave start date previously notified to your manager.

7. Applying for Maternity, Paternity or Adoption Leave Benefits

- 7.1** To apply for **Maternity, Paternity or Adoption leave** benefits, you should complete the attached relevant forms listed in the appendices of this policy and submit to your manager with at least 28 days notice (or as much notice as is reasonable practicably) of the date which your maternity, paternity or adoption leave will begin.
- 7.2** If applying for **Maternity leave**, your original Mat B1 form should be submitted along with your application form. This will be available from your midwife approximately 20 - 24 weeks into your pregnancy and will confirm your expected week of childbirth.
- 7.3** If applying for **Adoption leave**, when the principal carer receives notice that the child is to be placed with a view to adoption, the Manager should be advised within 7 days of the employee being notified by the adoption agency of the intention to take adoption leave. The date the leave is to begin and the intention to take the adoption leave should be confirmed. It is recognised that these dates may be subject to amendment by the Adoption Agency.
 The employee should produce evidence from Social Services or Adoption Agency confirming the intention to adopt and verifying that the child has been placed.
- 7.4** For maternity, paternity and adoption leave, it is recommended that you give your manager as much notice as practically possible of your intention to take maternity or adoption leave. This is to ensure that the necessary arrangements can be made to organise your leave and in the case of expectant mothers a risk assessment can be completed.

8. Maternity Paternity and Adoption Leave Entitlements (see Appendix 3)

- 8.1** All eligible employees are entitled to up to 26 weeks ordinary maternity/adoption leave followed immediately by up to 26 weeks additional maternity/adoption leave - a total of up to 52 weeks leave. Ordinary adoption leave is normally paid in accordance with the NHS Terms and Conditions Maternity leave and Pay provisions, additional adoption leave is unpaid. Maternity and Adoption Pay entitlements are outlined below.
- 8.2** To qualify for **Occupational Maternity/Adoption Pay (OMP/OAP)** you will need to have been continuously employed with one or more NHS employers for a period of no less than 12 months as at the beginning of the 11th week before the expected week of childbirth (EWC) and wish to return to work with Llais. OMP/OAP allows 8 weeks full pay and 18 weeks half pay – part of your OMP/OAP may be made up of Statutory Maternity/Adoption Pay (SMP/SAP).
- 8.3** **To qualify for Statutory Maternity/Adoption Pay (SMP/SAP), you will need to be employed within Llais for a continuous period of 26 weeks before the 15th week prior to the expected week of childbirth (EWC).** Your average weekly earnings must also be at least equal to the lower earnings limit for National Insurance contributions. SMP/SAP is payable at 90% of your full pay for the first 6 weeks (deemed where employee in receipt of full OMP) and SMP/SAP at the standard rate for the remaining 33 weeks (weeks 7 and 8 SMP deemed where employee entitled to full OMP). Your SMP/SAP is payable by your employer, therefore if you were employed by another organisation as at the 15th week before the EWC you will need to approach that organisation in order to obtain your statutory benefits.
- 8.4** You will automatically qualify for **Additional Maternity/Adoption Leave (AML/AAL)**. The first 13 weeks of your AML will be paid at the standard SMP rate if you have at least 26 weeks service with Llais prior to the 15th week before the EWC. Your remaining AML/AAL of 13 weeks is at nil pay.

- 8.5** If you have not been employed by Llais for 26 weeks as at the 15th week before the EWC and you do not have 12 months continuous service with an NHS employer, you will not be eligible for SMP. However, you may be entitled to Maternity Allowance or Adoption Allowance. A claim form can be obtained from Job Centre Plus or DWP website.
- 8.6** By prior agreement with Llais, your entitlement to maternity/adoption occupational pay may be paid in a different way. For example, a combination of full pay and half pay or a fixed amount spread equally over the maternity leave period. If requested, this needs to be stated on you leave application form. Further advice can be gained from Payroll Services.
- 8.7** To qualify for NHS contracted paternity pay of 2 weeks' paid leave employees must have at least 12 months continuous NHS service, at the beginning of the week in which the child is expected.
- 8.8** Statutory Paternity Pay can start from any day of the week in accordance with the date the employee starts his/her paternity leave.

9. Fixed Term, Training and Rotational Contracts

- 9.1** If you are employed on a fixed term, temporary or training contract which is due to expire after the 11th week before the EWC or after the start of the week in which they are notified that they have been matched with a child for adoption, your contract of employment will be extended to allow you to receive your paid statutory maternity/adoption pay entitlement, providing you meet all other qualifying conditions.
- 9.2** If you chose to take maternity or adoption leave (paid and unpaid) for up to 52 weeks before a further NHS appointment this will not constitute a break in service.
- 9.3** If you are unable to return to your original job, as the contract would have ended if the pregnancy and childbirth or adoption had not occurred, then the repayment provisions set out in the terms and conditions of service will not apply.
- 9.4** If you are on a planned rotational appointment with one or more NHS employers, you will have the right to return to work in the same post or in

the next planned post irrespective of whether the contract would otherwise have ended if pregnancy and childbirth had not occurred. In such circumstances your contract will be extended to enable you to complete the agreed programme of training.

10. Commencing Leave

- 10.1 Maternity leave** can commence at any time between the eleven weeks before the expected week of childbirth and the expected week of childbirth provided the required notice is received.
- 10.2** Should you become unfit for work beyond the 4th week before the expected week of childbirth because of any reason connected with your pregnancy, you should notify your manager and your maternity leave period will automatically commence.
- 10.3** Odd days of non-pregnancy related illness during this period, may be disregarded if the employee wishes to continue working till the maternity leave start date previously notified to the manager.
- 10.4 Adoption leave** will commence on the date that the child is placed with the employee. It is recognised that these dates may be subject to amendment by the Adoption Agency.

11. Keeping In Touch Days

- 11.1** 'Keeping in touch' (KIT) days are designed to allow employees on Maternity or Adoption Leave to return to work for up to ten days during their Leave without losing their right to the rest of their leave or to Statutory Maternity/Adoption Pay.
- 11.2** Any 'keeping in touch' days must not be taken during the 2 weeks immediately following the birth, nor added to the end of the leave period. It is expected that these days are utilised throughout the maternity/adoption pay period. KIT days cannot be taken at the end of the maternity period to extend a period of paid maternity/adoption leave. It may be agreed with the employee and Manager that KIT days will be utilised in order to have a phased return to work.
- 11.3** Any work done on any day during the leave period will be regarded as a whole KIT Day. In other words, if you come in for a one-hour training

session and do no other work on this day, you will have used up one of your KIT days. Alternatively, if the work carried out during one shift straddles midnight it may be counted as one day for the purposes of the KIT day, if your normal working pattern is such that this would have fallen within a normal working day.

- 11.4** The type of work that you undertake on the KIT day is a matter of agreement between the two parties. The KIT day may be used for any activity which would ordinarily be classed as work under your contract for which you would be paid, but could be particularly useful in enabling you to attend a conference, undertake a training activity or attend for a team meeting for example.
- 11.5** Employees will be remunerated for any work undertaken during this period at their current salary. Your manager will need to complete the pro forma in appendix 4, return this to Payroll Service and retain one on the personal file.

12. Reasonable Contact

- 12.1** Llais is entitled to make 'reasonable contact with you whilst you are on maternity/paternity/adoption leave, without such contact bringing the leave to an end. The right to make reasonable contact is distinct from 'Keeping in Touch' days.
- 12.2** Managers are expected to keep you informed of any promotion opportunities and other information relating to your job, as though you were still in work.

13. Breastfeeding

- 13.1** Llais supports the rights of women to breastfeed their infants.
- 13.2** Breastfeeding mother should be made welcome, and staff should be positive and supportive.
- 13.3** Llais will support any member of staff who chooses to return to work by giving them the opportunity and encouragement to continue breastfeeding.

- 13.4** Reasonable time given to enable breastfeeding to continue will be negotiated between the staff member and her manager, before the staff member returns to work. This may take the form of:
- Agreeing flexible hours
 - Offering facilities and time to express milk in private and for this to be stored.
 - Please see HR063 – Breastfeeding and Returning to Work Policy.

14. Returning To Work

- 14.1** An employee who wishes to return to work at the end of their full maternity/adoption leave is not required to give any further notification to their manager, although if they wish to return early to the job they left on the same terms and conditions of employment they enjoyed prior to their maternity leave, they must give 8 weeks' notice.
- 14.2** Where during the maternity/adoption leave period, the employee's job has changed or disappeared, Llais will provide the employee with suitable alternative employment in accordance with Llais' Organisational Change Policy.
- 14.3** Where an employee on maternity/adoption leave requests the opportunity to return to work on a different basis (perhaps to work fewer hours) the employer has a duty to facilitate this wherever possible, with the employee returning to work on different hours in the same job. If that is not possible, the manager must provide written, objectively justifiable reasons for this and the employees should return to the same grade and work of a similar nature and status to that which they held prior to their maternity/adoption leave. This should be applied for in conjunction with the Flexible Working Policy.
- 14.4** If it is agreed that the employee will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period this will not affect the employee's right to return to her job under her original contract at the end of the agreed period.
- 14.5** If you chose not to take your maternity/adoption leave entitlement and return to work shortly after, the minimum period of leave permitted is two weeks commencing from the date of childbirth. This period is regarded as compulsory maternity leave and should be applied for in the normal way.

15. Failure to Return to Work

- 15.1** Where an employee indicates that they intend to return to work and they have received Occupational Maternity/Adoption Pay, but then fails to return to work to complete the minimum period of three months, they shall be liable for the repayment of such benefits.

16. Other Entitlements

- 16.1 Miscarriage** – in the event that you miscarry before the 25th week of pregnancy, the normal sick leave provisions will apply.
- 16.2 Still Births** – in the event of a still birth after the 24th week of pregnancy, you will still be entitled to the same amount of maternity leave and pay.
- 16.3 Premature births** – if a baby is born prematurely, you will be entitled to the same amount of maternity leave and pay as if your baby was born at full term. Where the birth occurs before the 11th week before the expected week of childbirth, and you have worked during the actual week of childbirth, maternity leave will start on the first day of your absence. Where the birth occurs before the 11th week before the expected week of childbirth and you have been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start at the beginning of the actual week of childbirth.

Where the birth occurs before the 11th week before the expected week of childbirth and the baby is in hospital, you may choose to split your maternity leave entitlement, taking a minimum period of two weeks leave immediately after childbirth and the rest of your leave following your baby's discharge from hospital.

17. Expenses and Lease Cars

- 17.1 Regular User Allowance** – if you are in receipt of regular user allowance, the lump sum payment should be paid for the remainder of the months in which the care was out of use and for a further 3 months thereafter. Payment will be made at the rate of 50% of the lump sum payment for a further 3 months or until the end of the maternity/adoption leave, whichever period is less.

17.2 Lease cars

All terms and conditions remain in respect of Lease Cars. This includes subsidy, contributions, conditions of use and penalties. Employees should contact the Lease Cars Department to confirm details of their lease and possible changes affecting their tax and other lease issues.

18. Pension

18.1 If you are a member of the NHS Pension Scheme, the conditions that apply during the period of unpaid maternity/adoption leave are determined by the NHS Pension Scheme Regulations.

18.2 Information relating to pension can be obtained from the NWSSP Payroll Services.

19. Pay Progression

19.1 Your period of maternity/adoption leave, whether paid or unpaid, will count as service for pay progression and for the purpose of any service qualification period for additional annual leave.

20. Appraisal Process

20.1 All staff will have annual development reviews which will result in the production of a personal development plan. Once progression has been agreed, staff will normally progress to the next pay step on their band. If a staff member is absent from work when a pay step is due, the principle of equal and fair treatment should be followed so that no detriment is suffered as a result.

In the case of planned long-term paid absence such as maternity, adoption leave the pay step review can be conducted early if this is reasonable and practical, allowing the pay step to be applied on their pay step date in their absence.

If an individual is on long-term paid absence such as maternity, adoption leave and a pay step review cannot be conducted prior to the pay step date, the pay step point should be automatically applied in the individual's absence.

21. Childcare Vouchers and Other Salary Sacrifice Schemes

If you are a member of the Childcare Voucher Scheme or any other salary sacrifice scheme, please note that this may impact how your maternity or adoption leave pay is calculated. Additionally, should you choose to make any changes to these schemes during your maternity or adoption leave this could impact on what you are paid during your leave.

22. Surrogacy

22.1 Will a surrogate mother be entitled to paid maternity leave?

Potentially yes, provided that she meets the normal eligibility criteria. What the birth mother plans to do with her baby after it is born has no impact on her right to maternity leave or statutory maternity pay. Pregnant employees have the right, irrespective of length of service, age, marital status or any other factor, to take up to 52 weeks' maternity leave and resume working afterwards. The employee must also give her employer notification of her pregnancy, of her expected week of childbirth and of the date on which she intends her maternity leave to start. This notification must be in writing if the employer so requests. Notification must be provided no later than the end of the 15th week before the week that the employee's baby is expected unless this is not reasonably practicable, in which case the employee must notify the employer as soon as it is reasonably practicable for her to do so.

In order to qualify for statutory maternity pay, the employee must have a minimum of 26 weeks' continuous service calculated as at the end of the 15th week before the week the baby is due, which is known as the "qualifying week". She must also have average weekly earnings that are equal to or greater than the lower earnings limit for national insurance contributions in force at the time, and still be employed by her employer during the qualifying week. Entitlement to statutory maternity pay exists irrespective of whether the employee plans to give her baby away after it is born.

22.2 Will a woman for whom a surrogate mother gives birth to a child be entitled to paid maternity leave?

No, there will be no entitlement to either maternity leave or statutory maternity pay as these benefits are available only to employees who give birth. The intended mother may, however, be entitled to other types of family leave. If she plans to adopt the child through an approved adoption agency, then she may be entitled to adoption leave. In order to qualify for adoption leave, the employee must have at least six months' continuous service by the end of the week in which she is formally notified by the agency of the placement.

An employee for whom a surrogate mother has a child may also be entitled to take parental leave, which is unpaid and depends on the employee having gained a minimum of one year's continuous service with the employer. The total entitlement to parental leave is 13 weeks per child, but employers are entitled to restrict the taking of parental leave to no more than four weeks in any one year. In order to take parental leave, an employee must give at least 21 days' notice, for more information see HR044 Parental Leave Policy and Procedure.

23. Policies

This Policy should be read in conjunction with the following policies where applicable:

- Shared Parental Leave Procedure
- Flexible Working Policy
- Organisational Change Policy for NHS Wales
- Mobility and Expenses Policy
- Annual Leave Policy

Appendix 1

Maternity Leave Application Form

MATERNITY LEAVE APPLICATION DETAILS <i>Note: Please ensure to attach page 2 of this form before forwarding to payroll</i>
<p>Part A: Employee to complete</p> <p>I wish to apply for maternity leave/pay in accordance with the conditions of service of Llais and enclose my ORIGINAL MAT B1 Form.</p> <p>Name: </p> <p>Address: </p> <p>Base: </p> <p>Assignment Number: </p> <p>Band/Title: </p> <p>Expected date of childbirth: </p> <p style="text-align: center;"><i>(As written on the Maternity Certificate – Mat B1)</i></p>

Please choose one of the two options below:

- I intend to return to work and expect to commence my maternity leave on:
 (Date).....

OR

- I do not intend to return to work and my last working date will be:
 (Date).....

Please state which option you are applying for in accordance with appendix 3:

- I apply for option

Please choose one of the two options below (*Delete as appropriate*):

- I wish for my occupational maternity pay to be paid in accordance with the timetable set out in this policy.
- I wish for my occupational maternity pay to be paid flexibly as stated in section 8.6 of the policy.

I have read the accompanying notes and understand the summary of the conditions of service.

Signed: **Date:**

If you indicate that you are returning to work but fail to return to complete the minimum period of three months you will be liable to refund Llais the whole of your maternity pay, less any Statutory Maternity Pay.

Part B: Manager to complete

Note: Manager to confirm with employee any outstanding annual leave entitlement and allocation.

Received on behalf of Llais.

I have advised the member of staff named on part A that her maternity leave will end on

.....

Signed: Date:

Designation.....

Completed form and original maternity certificate sent to Payroll Services:

Date:

Part C: Payroll Services

Based on the information provided you will receive the following maternity entitlements:

.....

Your expected dates of absence are:

Signature:

Designation:

Date:

Copy to: Personal file
 Individual

Appendix 2

Adoption Leave Application Form

ADOPTION LEAVE APPLICATION DETAILS <i>Note: Please ensure to attach page 2 of this form before forwarding to payroll</i>
<p>Part A: Employee to complete</p> <p>I wish to apply for adoption leave/pay in accordance with the conditions of service of Llais and enclose my ORIGINAL Adoption documentation.</p> <p>Name: </p> <p>Address: </p> <p>Base: </p> <p>Assignment Number: </p> <p>Band/Title: </p> <p>Expected/Actual date of placement: </p>

Please choose one of the two options below:

- I intend to return to work and expect to commence my adoption leave on:
 (Date).....

OR

- I do not intend to return to work and my last working date will be:
 (Date).....

Please state which option you are applying for in accordance with appendix 3:

- I apply for option

Please choose one of the two options below (*Delete as appropriate*):

- I wish for my occupational adoption pay to be paid in accordance with the timetable set out in this policy.
- I wish for my occupational adoption pay to be paid flexibly as stated in section 8.6 of the policy.

I have read the accompanying notes and understand the summary of the conditions of service.

Signed: **Date:**

If you indicate that you are returning to work but fail to return to complete the minimum period of three months you will be liable to refund Llais the whole of your adoption pay, less any Statutory Adoption Pay.

Part B: Manager to complete

Note: Manager to confirm with employee any outstanding annual leave entitlement and allocation.

Received on behalf of Llais.

I have advised the member of staff named on part A that their adoption leave will end on

.....

Signed: Date:

Designation:

.....

Completed form and original adoption documentation sent to Payroll Services:

Date:

Part C: Payroll Services to complete

Based on the information provided you will receive the following adoption entitlements:

.....

.....

.....

Your expected dates of absence are

Signature:

.....

Designation:

.....

Date:

.....

Copy to: Personal file
Individual

Appendix 3

Maternity and Adoption Leave Entitlements (Options 1a – 4b)

Qualifying Period	Option	Intention	Entitlement
26 weeks continuous service with Llais as at the 15 th week prior to the EWC and 12 months continuous NHS service as at the 11 th week prior to the EWC or for the purposes of adoption ending in the week notified of match for adoption.	1a	You wish to return to work with the same or another NHS Employer for a minimum period of 3 months.	8 weeks full pay inclusive of Statutory Maternity/Adoption Pay (SMP/SAP), plus 18 weeks half pay plus SMP/SAP plus 13 weeks SMP/SAP only 13 weeks AML/AAL at nil pay
	1b	You do not wish to return to work with the same or another NHS Employer for a minimum period of 3 months.	6 weeks at 90% of your average weekly earnings. 33 weeks at SMP/SAP <i>(if this exceeds the amount you received in the 6 week period you will remain at the lower rate)</i>
Less than 26 weeks continuous service with Llais as at the 15 th week prior to the EWC and 12 months continuous NHS service as at the 11 th weeks prior to the EWC or for the purposes of	2a	You wish to return to work with the same or another NHS employer for a minimum period of 3 months.	8 weeks full pay 18 weeks half pay 26 weeks AML/AAL will be at nil pay. Your SMP/SAP is payable by your previous employer, therefore if you were employed by another organisation as at the 15 th week before the EWC you will need to obtain your statutory benefits
	2b	You do not wish to return to work with the	6 weeks at 90% of average weekly earnings. 33 weeks AML/AAL at nil pay.

<p>adoption ending in the week notified of match for adoption.</p>		<p>same or another NHS Employer for a minimum period of 3 months.</p>	<p>Your SMP is payable by your previous employer, therefore if you were employed by another organisation as at the 15th week before the EWC you will need to obtain your statutory benefits. Alternatively, the Payroll Department will send you an SMP1 form which you must complete and send to the Benefits Agency together with your MATB1 form.</p>
<p>26 weeks continuous service with Llais as at the 15th week prior to the EWC but less than 12 months continuous NHS services as at 11th week prior to the EWC or for the purposes of adoption ending in the week notified of match for adoption</p>	<p>3a</p>	<p>You wish to return to work with the same or another NHS employer for a minimum period of 3 months.</p>	<p>6 weeks at 90% of your average weekly earnings 33 weeks at SMP/SAP 13 weeks AML/AAL at nil pay (if this amount exceeds the amount you received in the 6 week period you will remain at the lower rate)</p>
	<p>3b</p>	<p>You do not wish to return to work with the same or another NHS Employer for a minimum period of 3 months.</p>	<p>6 weeks at 90% of your average weekly earnings. 33 weeks at SMP/SAP. (If this amount exceeds the amount you received in the 6 week period you will remain at the lower rate). Your contract will cease at the end of the SMP/SAP</p>
<p>You have less than 26 weeks continuous service with Llais as at the 15th week prior to the EWC and less</p>	<p>4a</p>	<p>You wish to return to work with the same or another NHS employer for a minimum</p>	<p>You will not be entitled to SMP/SAP. However, you may be entitled to Maternity or Adoption Allowance, which can be claimed directly from the Job Centre plus and local Social Security Office. The Payroll Department will send you an SMP1 form which you must</p>

<p>than 12 months continuous NHS service as at the 11th week prior to the EWC or for the purposes of adoption ending in the week notified of match for adoption</p>		<p>period of 3 months.</p>	<p>complete and send to the Job Centre plus and/or Social Security Office together with your Mat B1 form or adoption documentation.</p>
	<p>4b</p>	<p>You do not wish to return to work with the same or another NHS Employer for a minimum period of 3 months.</p>	<p>You will not be entitled to SMP/SAP. However, you may be entitled to Maternity or Adoption Allowance, which can be claimed directly from the Job Centre plus and local Social Security Office. The Payroll Department will send you an SMP1 form which you must complete and send to the Job Centre plus and/or Social Security Office together with your Mat B1 form or adoption documentation</p>

Appendix 4

Keeping in Touch Days Pro Forma

Keeping in Touch Days

Please complete form on each keeping in touch day worked.

Name: _____

Assignment No: _____

Department / Ward: _____

Please provide details of KIT (keeping in touch) days worked

- | | |
|----------------|----------------------------------|
| 1. Date _____ | Hours worked from _____ to _____ |
| 2. Date _____ | Hours worked from _____ to _____ |
| 3. Date _____ | Hours worked from _____ to _____ |
| 4. Date _____ | Hours worked from _____ to _____ |
| 5. Date _____ | Hours worked from _____ to _____ |
| 6. Date _____ | Hours worked from _____ to _____ |
| 7. Date _____ | Hours worked from _____ to _____ |
| 8. Date _____ | Hours worked from _____ to _____ |
| 9. Date _____ | Hours worked from _____ to _____ |
| 10. Date _____ | Hours worked from _____ to _____ |

Manager Name: _____

Manager Signature: _____ Date:

Please e-mail completed form to nwssp.payroll.llais@wales.nhs.uk or
send completed form to:

Appendix 5

Paternity Leave Application Form

Name of employee:
Staff Number:

Job title:

Department:

Date of commencement of employment:

Please return to your line manager at least 28 days before you want the leave to start.

I hereby give notice of my intention to take [one week's/two weeks'] paid ordinary paternity leave from [date] to [date].

The leave requested relates to the birth of a baby which is due on []

Employee's signature:

Date:

To be completed by the Manager:

I authorise/do not authorise the above member of staff to take week(s) of ordinary paternity leave as indicated above.

Signed Date

Completed form to individual's personal file and Payroll Services.