

---

# Maternity & Adoption Guidance (GB&NI)

# Maternity & Adoption Guidance (GB&NI)

## Policy Statement

We know that spending time with your children whilst they are growing up is an important part of us enjoying life's everyday moments. If you have just found out about your new addition to your family – congratulations!

This guidance tells you all about leave available to the birthing parent of primary caregiver adopter to be. It's non contractual and may be changed in the future. If you have any questions about family leave, please contact HR Services.

## Who does it apply to?

This guidance applies to anyone with a GB and NI contract of employment.

## Policy Detail - What do I need to know or do?

This guidance tells you about planned time off work to be with your family:

- Maternity – for birthing parents to be
- Adoption – for primary caregiver adopters (including fostering to adopt)

We've put the guidance into 3 sections:

- Before your Leave
- During your Leave
- After your Leave



## Before your Leave

What do I need to know or do?	Maternity	Adoption
When should I tell you about my news?	Please tell us as soon as possible and in writing so we can put in place support for your health, safety and wellbeing during your pregnancy. You'll need to give us formal notice to take leave.	Please tell us as soon as possible and in writing so that we can ensure we put in place any support that you might need. You'll need to give us formal notice to take leave.
Can I take time off for appointments whilst my partner and I are expecting a baby or organising adoption?	<p>You can take paid time off to go to antenatal appointments that are advised by your Medical Practitioner or Midwife.</p> <p>Please try and minimise your time away from work by organising your appointments at the start or end of the day or around your specific working time or schedule. We appreciate this isn't always possible.</p> <p>You need to let your manager know and evidence of your appointment may be requested and needs to be available.</p>	<p>You can take paid time off to go to adoption meetings that are advised by your Adoption Agency.</p> <p>Please try and minimise your time away from work by organising your appointments at the start or end of the day or around your specific working time or schedule. We appreciate this isn't always possible.</p> <p>You need to let your manager know and evidence of your appointment may be requested and needs to be available.</p>
My partner and I are having IVF treatment, can I take time off for appointments?	<p>You can take paid time off to go to IVF appointments that are advised by your Medical Practitioner or Consultant.</p> <p>Please try and minimise your time away from work by organising your appointments at the start or end of the day or around your specific working time or schedule. We appreciate this isn't always possible.</p> <p>You need to let your manager know and evidence of your appointment may be requested and needs to be available.</p>	



What do I need to know or do?	Maternity	Adoption
Am I eligible to take leave for the birth or adoption?	If you're the birthing parent, there is no qualifying criteria to take leave. For information relating to pay see pay questions below.	If you're the primary caregiver adopter, there is no qualifying criteria to take leave. For information relating to pay, see pay questions below.  Unfortunately, you're not entitled to leave or pay if your partner's already taking it or if you arrange a private adoption, become a special guardian or kinship carer or adopt a family member or stepchild.
I'm having a child through surrogacy, what am I entitled to?	If you're the surrogate parent to be, then maternity leave and pay rules apply to you.	If you're going to be the child's parent, then adoption leave and pay rules apply to you.
How much time off can I take?	Up to 52 weeks.	
Can I decide how much time off to take?	Yes, but you must take the first 2 weeks (4 weeks if you work in a factory) after your child's born.  The first 26 weeks is called Ordinary Leave and the next 26 weeks is called Additional Leave.	Yes. The first 26 weeks is called Ordinary Leave and the next 26 weeks is called Additional Leave.
Can I decide when to start my leave?	You can start your leave at any time in the 11 weeks before your expected week of childbirth.  If your child arrives early or if you're absent due to pregnancy related illness within 4 weeks of your due date, your leave will automatically start.	For UK adoptions you can start your leave at any time during the 14 days before the date of placement.  For overseas adoptions you can start your leave at any time during the 28 days before the child's arrival in the UK.



What do I need to know or do?	Maternity	Adoption
What notice do I need to give to take leave?	<p>Please talk to your manager as early as possible about your plans.</p> <p>You need to tell us at least 15 weeks before your expected week of childbirth when your baby's due, when you want to start your leave and how much leave you expect to take.</p> <p>We have a form to help you do this which you need to attach to your time off request on myHR.</p> <p>If, at any point you have concerns about your working arrangements, please refer to our Productivity Tools and Support policy and discuss your concerns with your manager.</p>	<p>Please talk to your manager as early as possible and keep them up to date.</p> <p>Within 7 days of being matched with a child, you need to tell us the date of placement, when you want to start your leave and how much leave you expect to take.</p> <p>For overseas adoptions, you need to tell us within 28 days of your official notification, the estimated or actual date the child arrives in the UK and details of your leave.</p> <p>We have a form to help you do this which you need to attach to your time off request on myHR.</p> <p>If, at any point you have concerns about your working arrangements, please refer to our Productivity Tools and Support policy and discuss your concerns with your manager.</p>
Will I receive a reply?	We'll write to you within 28 days to confirm your leave dates. We'll assume you want to take 52 weeks leave unless you inform us otherwise.	
What evidence do I need to provide?	We'll need your original MATB1 form.	<p>We'll need proof that shows:</p> <ul style="list-style-type: none"> <li>• Your name and address and that of the agency</li> <li>• The match date (e.g., matching certificate)</li> <li>• The date of placement (e.g., agency letter)</li> <li>• For overseas adoptions, the relevant UK authority's 'official notification' confirming you're allowed to adopt and the date the child arrived in the UK (usually within 28 days of getting the notification) e.g., a plane ticket.</li> </ul>



What do I need to know or do?	Maternity	Adoption
Can I change the start date of my leave?	<p>You can but you'll need to give at least 28 days of notice.</p> <p>If your baby arrives prematurely or before you start your leave, then your leave will start on the day after the birth.</p>	<p>You can but you'll need to tell us within 28 days of the date of placement (or UK arrival date for overseas adoptions).</p>
Will I get paid when I'm on leave?	<p>Regardless of how long you've worked for us, you'll receive enhanced maternity or adoption pay, which is:</p> <ul style="list-style-type: none"> <li>• Six weeks enhanced pay at higher Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP) rate; or full pay (basic salary) if higher</li> <li>• 12 weeks enhanced pay at full pay (basic salary).</li> <li>• 21 weeks paid at SMP/SAP rate or 90% of your normal weekly earnings if this is lower.</li> <li>• Upon receipt of the 39 weeks of pay detailed above, any further leave taken will be unpaid.</li> <li>• The above will be inclusive of any SMP/SAP entitlement.</li> </ul> <p>The rate of Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP) paid to you will be in accordance with the statutory rates in force at the time.</p> <p>If, for any reason, your employment ends during Ordinary or Additional leave, your enhanced pay will stop on your last day with us. If eligible, your statutory pay will be paid to you at this point. Please see below for eligibility.</p>	
Am I eligible for SMP/SAP?	<p>You'll qualify for SMP if at the qualifying week, which is the 15th week before the baby is due:</p> <ul style="list-style-type: none"> <li>• You've got more than 26 weeks service</li> <li>• Your average earnings (over 8 weeks) are above the National Insurance limit.</li> </ul> <p>If you don't qualify then you may be able to claim maternity allowance from the Government.</p>	<p>You'll qualify for SAP if at the matching week, which is the week you were matched with a child (UK adoptions) or for overseas adoptions the date the child enters the UK or when you want your pay to start. If surrogacy you'll qualify if at the qualifying week, which is the 15th week before the baby is due:</p> <ul style="list-style-type: none"> <li>• You've got more than 26 weeks service</li> <li>• Your average earnings (over 8 weeks) are above the National Insurance limit</li> </ul> <p>If you don't qualify then you may be able to get support from your local council.</p>



What do I need to know or do?	Maternity	Adoption
<p>What are my entitlements if I am a bereaved parent?</p>	<p>We understand that the loss of a child, of any age, brings heartbreak and devastation and we are here to support you through this very difficult time.</p> <p>On our intranet, you have access to the myLife Wellbeing portal which is a resource to support you through these types of loss. Through myLife, counselling is available to you on a 24/7 basis. You have the option of talking to a trained professional over the phone or via the on-line chat facility. This service is free and any advice and support you receive is private and totally confidential. If you have a GB contract of employment and you've opted into our private healthcare, you also have our AXA Healthcare Plan providing access to private medical treatment and counselling, and our AXA Doctor at Hand which gives you a fast, easy way to see a GP. If you have a NI contract of employment and have access to our VHI Healthcare Plan you may have access to private medical treatment and counselling.</p> <p>We know that this experience will bring with it indescribable sadness, and we want to provide you with the right support in regard to taking time out, to allow you to start grieving for your child. You should be aware that as a bereaved parent (including foster parents, adopters and guardians), following the loss of a child below the age of 18 (including a still-birth after 24 weeks), you're entitled to an additional week of statutory bereavement leave on top of the 1 week of fully paid bereavement leave given in our Time Off Policy.</p> <p>As we know the bereavement journey will take some time, you are able to take this leave within 56 weeks of the child's death. In addition, if you have at least 26 weeks of service, you will be eligible for statutory bereavement pay at the lower of the statutory rate or 90% of your average earnings.</p> <p>In order to ensure that you receive the correct pay during this period of leave, your bereavement leave needs to be placed on to your myHR time off record. This can be input by either yourself or your line manager. If a bereaved parent is taking statutory bereavement leave, either your or your manager should also notify HR Services via askHR.</p> <p>If you wish to discuss this entitlement or your wellbeing please reach out to your line manager or HR Services and we will do all that we can to support you during this difficult time.</p> <p>If your bereavement is related to early pregnancy loss (up to 24 weeks gestation) or failed fertility please see our Time Off Policy.</p>	



## During your Leave

What do I need to know or do?	Maternity	Adoption
What happens to my allowances?	We'll need to review if you receive any allowances, as depending on the reason for payment your allowances may stop.	
When will I be paid?	You'll be paid as normal which may be subject to your usual deductions.	
What will happen to my benefits during leave?	<p>All contractual benefits, apart from your pay, will normally stay in place during your leave. If you take leave with statutory pay you need to be aware that this changes your bonusable pay.</p> <p>We'll continue to pay into your pension whilst you have contractual or statutory pay. Company pension contributions will only be made if you make up your individual contributions before or after any period of unpaid leave.</p> <p>You'll need to look at the benefit scheme rules for any benefits that you have e.g., if in share plan, deductions (full/partial) will only be taken if you have enough earnings. It's important that you review your flexible benefit selections. If you take leave with statutory or no pay, you'll need to talk to us about how you'll make up your contributions.</p>	
Do I continue to accrue holiday during my leave?	You'll continue to accrue your holiday (contractual and bank holidays) in the normal way during all your leave.	
What contact can I expect during my leave?	<p>This will be up to you and your manager. We encourage you to agree a contact plan prior to your leave commencing so we know how you and your new addition are getting on but also for you to find out what's happening at work. We have a form to help you and your manager agree this.</p> <p>If you want to you can take up to 10 keeping in touch (KIT) days. A KIT day could be for training, team meetings or any other activity. Alternatively, you can use your KIT days to provide a phased return to work toward the end of your maternity leave.</p> <p>You need to agree this in advance with your manager, your manager will need to complete our form to record it – you can take these at any time during your leave apart from the first 2 weeks (or 4 weeks if you work in a factory). You'll be paid for a half or full day depending on what you work.</p>	





## After you Leave

What do I need to know or do?	Maternity	Adoption
What's my return to work date?	It'll be the date you told us. If you want to change this, you'll need to tell us in writing at least 8 weeks before your original return date. If you return to work during your entitlement to ordinary or additional leave please be aware you will not be able to go back on leave. If you're eligible you could also take parental leave, you'll need to provide the necessary notice of your request.	
Can I have a more flexible return to work?	<p>It's up to you how you plan your time off. We think it's a good idea to use your accrued holiday to give you a more flexible return. If you're looking for a permanent change to your terms and conditions, then you'll need to put in a flexible working request.</p> <p>If your family friendly leave goes over 2 holiday years, you can carry over all of your untaken holiday entitlement as long as it's booked as either a continuous or broken period of holiday that starts as soon as your family friendly leave comes to an end.</p> <p>If, at any point you have concerns about your working arrangements, please refer to our Productivity Tools and Support policy and discuss your concerns with your manager.</p>	
What role will I come back to?	If you come back to work during or at the end of ordinary leave you'll come back to your same job on the same terms and conditions. If you have taken any additional leave then you'll come back to your same job on the same terms and conditions, unless it is not reasonably practicable for us to allow you to return to the same job (in which case we may give you another suitable and appropriate job on terms and conditions that are not less favourable).	
What if I don't want to return to work?	We'll expect you back in work unless you tell us otherwise. If you wish to resign then you'll need to give us your contractual notice.	



## What happens if I don't follow this guidance

If you don't follow the requirements you may lose your entitlement to family leave or pay. If you give us false information to support your leave request, then this will be treated as alleged fraud and may be a serious disciplinary matter.

## Related Documents

The following related documents can be found on our [Policies and Disclosure](#) page on Focus:

- Family Leave Policy (GB)
- Parental Leave Policy (GB&NI)
- Shared Parental Leave Policy (GB&NI)
- Sickness Absence Policy (GB) and (NI)
- Time Off Policy (GB) and (NI)
- Pay & Benefits Policy (Global)
- Flexible Working Policy (GB) and (NI)
- Productivity Tools and Support Policy (GB&IE)

